SUBJECT: Applications for Amendments to the Hamilton Official Plan and Hamilton Zoning By-law No. 6593, for Lands Located at 480 and 500 Centennial Parkway North and 20 Warringt on Street, in the Former City of Hamilton (PED09166) (Ward 5)

RECOMMENDATION:

(a) That approval be given to amended Official Plan Amendment Application OPA-07-08, by Confederation Park Shopping Centres Limited (Smart Centres Limited), Owners, for Official Plan Amendment No. __, to amend Schedule “A” Land Use Concept, of the City of Hamilton Official Plan, for a redesignation from “Industrial” to “Commercial”, and to identify it as Special Policy Area __ on Schedule “B” Special Policy Areas, for the lands located at 480 and 500 Centennial Parkway North and 20 Warringt on Street, as shown on Appendix “A” to Report PED09166, on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED09166, be adopted by City Council.

(ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe, and conforms to the Hamilton-Wentworth Official Plan.

(b) That approval be given to amended Zoning Application ZAC-07-029, by Confederation Park Shopping Centres Limited (Smart Centres Limited), Owners, for a change in zoning from the “KK” (Restricted Heavy Industrial) District to the “G-1-`H'/S-1613” (Designed Shopping Centre - Holding) District, Modified, for the lands located at 480 and 500 Centennial Parkway North and 20 Warringt on Street, as shown on Appendix “A” to Report PED09166, on the following basis:
(i) That the draft By-law attached as Appendix “C” to Report PED09166, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(ii) That the proposed changes in zoning conform to the Hamilton-Wentworth Official Plan, and will conform to the City of Hamilton Official Plan upon approval of Official Plan Amendment No. __.

(c) That the “Urban Design Guidelines”, dated January 2009, and shown on Appendix “D” to Report to PED09166, be adopted by Council, subject to the revisions outlined in the report.

(d) That upon finalization of the implementing By-laws, the new Urban Official Plan be modified to incorporate the subject lands as Special Policy Area No. ____.

EXECUTIVE SUMMARY:

Confederation Park Shopping Centres Limited (Smart Centres Limited) has submitted applications to amend the Hamilton Official Plan and Zoning By-law for their land holdings at the southeast quadrant of Centennial Parkway North and the South Service Road (former Waxman scrap yard and Fluke Transport truck terminal). The purpose of the applications is to permit a mixed use development on 14.75 hectares (36.5 acres) of land.

The main issues in reviewing these applications are traffic, urban design, proposed zoning, and new Urban Official Plan.

Approval of the applications is consistent with the resolution of the Committee of the Whole, dated June 23, 2008, and confirmed by Council on June 25, 2008, to exempt the lands from the City’s employment lands inventory and employment lands designation to allow for development of commercial and non-retail uses on the property.

BACKGROUND:

History:

On May 18, 2007, staff received applications for an Official Plan Amendment and Zoning By-law Amendment to permit a proposed shopping centre with multiple buildings and tenants. The total gross floor area (GFA) would be approximately 42,000 square
metres (450,000 square feet), with a 20,000 square metre (215,000 square foot) Wal-Mart as the anchor tenant. The Wal-Mart would replace the existing Wal-Mart at Eastgate Square. The balance of the floor space would accommodate a variety of retail and service tenants of various sizes. The applications were deemed complete on June 18, 2007.

On August 20, 2007, staff received a revised submission of the applications. The only change was an increase of 500 square metres (5,000 square feet) to the anchor store size from 20,000 square metres (215,000 square feet) to 20,500 square metres (220,000 square feet). As a result, the total GFA would be approximately 42,500 square metres (455,000 square feet) (see Appendix “E”).

No formal circulation of the applications to internal departments and external agencies occurred since the City was in the process of completing its Comprehensive Employment Lands Review. However, as required by the Planning Act, Notice of Complete Application and Preliminary Circulation of the applications were sent to all property owners within 120 metres of the subject lands on June 29, 2007.

On June 23, 2008, the Committee of the Whole considered a staff report on the Municipal Comprehensive Review and Conversion Analysis for Employment Lands Study, and adopted the following resolution with respect to the subject lands:

“(b) That in addition to the recommended conversions sites contained in Appendix “B” to Report PED08066(a), the following areas be identified as Council exceptions:

(iii) The entire 14.77 Confederation Park Shopping Centres Limited property, being 480 - 500 Centennial Parkway North and 20 Warrington Street, from the City’s employment lands inventory identified in Municipal Comprehensive Review and Conversion Analysis for Employment Lands Study and employment lands designation to allow for development of commercial and non-retail uses on the property; and,

(c) That City staff be directed to:

(i) Review the alternate draft concept plan, prepared by Confederation Park Shopping Centres Limited, in relation to Official Plan and Zoning By-law Amendment Applications OPA-07-08 and ZAC-07-029;

(ii) Process the ERASE grant applications, filed by Confederation Park Shopping Centres Limited, to facilitate remediation of the property at 480 - 500 Centennial Parkway North and 20 Warrington Street;

(iii) Work with Confederation Park Shopping Centres Ltd. through the Official Plan, Zoning By-law Amendment, and site plan process to create a feature, phasing, mix of uses, and design at the northwest end of the 480 - 500 Centennial Parkway North and 20 Warrington Street property, which
will function as a gateway to the Centennial Parkway corridor. A maximum of 250,000 square feet of retail/service uses shall be permitted first, plus an additional 1 square foot for every square foot of non-retail use (e.g. offices, hotel, etc.) that is constructed. All as demonstrated in the draft concept plan, prepared by Confederation Park Shopping Centres Ltd.; and,

(iv) Upon completion of the review of Applications OPA-07-08 and ZAC-07-029, that these applications be brought forward to the Economic Development and Planning Committee for consideration at a statutory Public Meeting."

This resolution was confirmed by Council at its meeting of June 25, 2008.

On September 24, 2008, staff received the revised applications as per the June 23, 2008 Committee of the Whole resolution. The proposed development would have a GFA of approximately 45,058 square metres (485,000 square feet), which would consist of the following:

<table>
<thead>
<tr>
<th>Use</th>
<th>Sq. M.</th>
<th>Sq. Ft.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department Store</td>
<td>18,581</td>
<td>200,000</td>
</tr>
<tr>
<td>Other retail/service uses</td>
<td>15,561</td>
<td>167,500</td>
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<tr>
<td>Office</td>
<td>5,458</td>
<td>58,750</td>
</tr>
<tr>
<td>Hotel</td>
<td>5,458</td>
<td>58,750</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>45,058</strong></td>
<td><strong>485,000</strong></td>
</tr>
</tbody>
</table>

The applications were circulated to internal departments and agencies on October 23, 2008. In addition, a revised Preliminary Circulation Notice was sent to all landowners within 120 metres of the subject lands on October 31, 2008.

On October 7, 2008, the Economic Development and Planning Committee considered a staff report on the ERASE Grant application, and adopted the following resolution:

“(a) That ERASE Redevelopment Grant Application ERG-08-03, submitted by Confederation Park Shopping Centres Limited II, owner of the property at 480 - 500 Centennial Parkway North, 20 Warrington Street, 5* ROADWAY OLCNR, and MTO Lands, Hamilton, for an ERASE Redevelopment Grant not to exceed $2,161,950, payable to Confederation Park Shopping Centres Limited II over a maximum of ten (10) years, be authorized and approved in accordance with the terms and conditions of the ERASE Redevelopment Agreement.

(b) That the City enter into an ERASE Redevelopment Agreement with Confederation Park Shopping Centres Limited II regarding the terms and conditions governing the payment of an ERASE Redevelopment Grant for, and redevelopment of 480 - 500 Centennial Parkway North, 20 Warrington Street, 5*
This resolution was confirmed by Council at its meeting of October 15, 2008.

Proposal:

The proposed development will consist of a 18,581 square metre (200,000 square foot) anchor department store, 15,561 square metres (167,500 square feet) of retail and service commercial uses, a 5,458 square metre (58,750 square foot) hotel, and a 5,458 square metre (58,750 square foot) office building (see Appendix “F”). In addition to the anchor store, only 4,645 square metres (50,000 square feet) of retail and service commercial floor space, for a total of 23,226 square metres, can be built prior to additional non-retail/service uses (e.g. office or hotel space) being constructed. Any floor space above this base amount will be equal to the amount of non-retail and service floor space constructed.

In support of the applications, the following studies were submitted:


Retail Market Demand and Impact Analysis - Centennial Parkway North & QEW, dated August 2007, prepared by Tate Economic Research Inc.

Functional Servicing Report - Centennial Parkway & Queen Elizabeth Way, dated August 2007, prepared by Counterpoint Engineering Inc.

Centennial Parkway North and QEW - Economic Impact Analysis, dated August 2007, prepared by Altus Clayton.

Confederation Park Shopping Centre Transportation Study - Centennial Parkway at the QEW, dated August 2007, prepared by iTrans Consulting Inc.


The findings/recommendations of these studies are summarized in the Analysis/Rationale section of the report.

Location: 480 - 500 Centennial Parkway North and 20 Warrington Street (see Appendix “A”)

Owner: Confederation Park Shopping Centres Limited (Smart Centres Limited)
Agent: GSP Group (Eric Saulesleja)

Property Size: 

**Area:** 14.75 hectares (36.5 acres)

**Frontage:** 282.08 metres (925 feet) along Centennial Parkway
206.62 metres (678 feet) along South Service Road
331.91 metres (1,089 feet) along Warrington Street

**Depth:** 435.62 metres (1,429 feet) along CN rail line.
184.97 metres (607 feet) along Hydro One corridor.

Servicing: Municipal water, sanitary, and storm sewers

**EXISTING LAND USE AND ZONING:**

<table>
<thead>
<tr>
<th>Subject Land:</th>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vacant (former Scrap Yard) and Truck Terminal (former Fluke Transport)</td>
<td>&quot;KK&quot; (Restricted Heavy Industrial) District</td>
<td></td>
</tr>
</tbody>
</table>

**Surrounding Lands:**

**North:** QEW, Hydro Corridor and Purolator Courier "KK" (Restricted Heavy Industrial) District and "JJ" (Restricted Light Industrial) District

**West:** Motel, Restaurant, Strip Plaza and Holiday Inn Express "HH/S-772" (Restricted Community Shopping and Commercial) District, Modified and "KK/S-240" (Restricted Heavy Industrial) District, Modified

**South:** Rail Line, Home Depot and Industrial HH/S-1155" (Restricted Community Shopping and Commercial) District, Modified and "KK" (Restricted Heavy Industrial) District

**East:** Industrial "KK" (Restricted Heavy Industrial) District
ANALYSIS/RATIONALE:

1. The following is a summary of the findings/recommendation of the various studies submitted.

Planning Justification Report

This report summarized all of the technical studies, but more importantly, provided a detailed analysis of the current Provincial and local policy framework, as well as the existing work undertaken for the City’s new Official Plan (Commercial Strategy Study and Employment Strategy Study) and the Growth Related Integrated Development Strategy (GRIDS). The report concluded:

“The site is an appropriate location for the proposed commercial development with the necessary accessibility and visibility desired by larger retailers. The development should be viewed as an extension of the established commercial corridor to the south.

The technical studies undertaken in support of the application have concluded that all the necessary services can be provided for the proposed development. The Traffic Impact Study identified certain road improvements to accommodate the increase in traffic as a result of the proposed development. The Market Impact Study has concluded that there will not be a significant adverse impact on the function of Downtown main streets and other commercial areas in the vicinity of the site.

The development (and the proposed Official Plan and Zoning Amendment which would facilitate it) are consistent with the applicable PPS (2005) policies, and conform with the policies of the Growth Plan, and with the relevant regional and local Official Plan policies.

The site is a brownfield site that will be remediated to the appropriate provincial standards. The redevelopment will intensify the use of the site, and produce over 1,000 jobs.

The development is an appropriate development for the Centennial Parkway corridor. The proposed Official Plan and Zoning By-law Amendments to permit the proposed development should be approved.

The proposed development provides for an extension of a commercial corridor along Centennial Parkway, provides substantial employment to the City, and will facilitate development of a gateway and improved appearance of Centennial Parkway.”
Market Demand and Impact Analysis

When the initial application was submitted in August 2007, the proposal was for a commercial development consisting of approximately 42,270 square metres (455,000 square feet) of floor space. The revised proposal now consists of 34,140 square metres (367,500 square feet) of retail/service commercial floor space, of which 8,130 square metres (117,500 square feet) is dependent on the development of an equivalent 8,130 square metres (117,500 square feet) of hotel/office floor space [an additional square metre of retail/service commercial space for every square metre of non-retail space (e.g. offices, hotel, etc.) constructed].

The study area examined for the proposed development is shown on Appendix “G”. The primary market area is bounded by Lake Ontario/Burlington Street to the north, the Niagara Escarpment to the south, Glover Road to the east and Gage Avenue to the west. The licence plate survey conducted at the current Wal-Mart store at Eastgate Square indicated that 82.5% of the cars originated from the primary market area, while overall 72% were from within the study area.

Given the fact that the size of the development has decreased, it is the opinion of Tate Economic Research (TER) that the analysis in the TER August 2007 Report represents a conservative approach. This conservative approach reflects a smaller department store anchor, as well as less ancillary retail and ancillary service space. Therefore, the following conclusions reached in the TER August 2007 Report remain applicable:

“The proposed development is warranted on the basis of market demand, in accordance with the policies of the Regional OP.

The proposed development will not adversely affect existing retail areas, in accordance with the policies of the Regional OP.

The proposed development will not jeopardize the viability of other existing or approved retail centres in the City. Furthermore, the proposed development will not jeopardize or undermine the primacy and viability of the Central Policy Area as the principal retail centre in the Region.

The proposed development will not adversely impact the downtowns and mainstreets in the City of Hamilton. Therefore, the proposed development will maintain the vitality and viability of downtowns and mainstreets, and is consistent with the PPS.

The proposed 220,000 square foot Wal-Mart department store and up to 235,000 square feet of retail/service space on the subject site should be approved, on the basis of the market demand and impact.”

Excerpts from the Study are attached as Appendix “H.”
Economic Impact Analysis

The purpose of this study was to set out the broad economic implications of the proposed development. The proposed development will:

“Provide significant economic stimulus to the local economy of the City of Hamilton. Contribute a significant number of net new jobs:

- 1,138 direct annual retail jobs; and,
- 237 permanent “spin-off” jobs (financial services, communications and utilities, wholesale trade, business services, manufacturing, etc.);

which will provide a significant boost to household income in the community and spur additional spending in the community via the “income effect”, creating a further round of economic spin-off induced impacts.

The site demolition, remediation, infrastructure improvements, development, and construction will create some 773 person years of employment to the local economy.

A healthy economy must provide a variety of job opportunities to meet the needs of all demographic groups within the community. The businesses which will locate in the proposed development will provide a mix of full-time, part-time and seasonal jobs, skilled and unskilled jobs, which will improve the range and mix of jobs in the local economy.

The proposed development will provide substantial incremental tax revenue to the municipality and the education system, including $1.4 million for the City of Hamilton and $900,000 in education taxes annually, on a 2006 tax-year basis, once it is fully developed. Currently, the assessed value of the lands is $5.7 million, with combined tax revenues of $310,500 (2006 tax year). Thus, the incremental tax revenue for the municipality and the education system will still be in excess of $2 million annually.

Provide a suitable redevelopment of a brownfield site, which is consistent with the Ontario Provincial Policy Statement (2005).”

Transportation Study

The applicants submitted a Traffic Impact Study, and the recommendations from this Study are as follows:

“The following road improvements are recommended for the opening day operation of the proposed development:
• Extension of Warrington Street through to South Service Road. This intersection will operate as a signalized intersection, with the completion of two eastbound through lanes from Centennial Parkway to Warrington Street, where the eastbound curb lane will become a ‘right-in must exit’ channelized right-turn lane onto Warrington Street;

• The Warrington Street/Site Driveway/Purolator driveway intersection be constructed as a signalized intersection; and,

• An eastbound left-turn lane is recommended to be constructed at the unsignalized intersection of Lake Avenue/Warrington Street.

Based on the assessment of the 2019 background traffic operations, it is recommended that geometric road improvements, in the form of eastbound and westbound exclusive right-turn lanes, are constructed at the intersection of Centennial Parkway and Barton Street to accommodate the traffic projections in the 2019 horizon.

With the construction of the recommended road improvements for the opening day 2009 horizon, along with the geometric road improvements at the intersection of Centennial Parkway and Barton Street by the 2019 background traffic horizon, there will be sufficient traffic capacity to accommodate the proposed development without compromising the traffic operations on the adjacent road network."

Based on a review of the revised proposal, it is the opinion of iTrans that the August 2007 Transportation Study submission is still reflective of the forecasted traffic to be generated by the revised proposal, and that the projected operation of the boundary road network intersections remain representative of the future operations with the development of the site.

As indicated in the comments from the City’s Traffic Engineering and Operations Section and the Ministry of Transportation, additional information is required before development can occur. As a result, a Holding provision for the By-law is recommended.

Functional Servicing

The purpose of this report is to present a preliminary site servicing strategy and stormwater management analysis for the proposed development that addresses the requirements of the governing regulatory agencies, and to provide the basis for detailed design. The recommended servicing strategy will consist of the following:

• “On-site stormwater management will be implemented through the use of parking lot and underground storage to control post-development flows to existing levels, and by oil/grit separator units for Level 1 (enhanced) quality control.
• Sanitary sewer servicing will be provided by service connection(s) to the existing 450mm diameter sanitary sewer on Centennial Parkway and the 375mm diameter sanitary sewer on Warrington Street.

• Potable water and fire protection will be provided by a looped watermain system, which utilizes existing service connections to the existing 300mm diameter watermain on Centennial Parkway and the existing 300mm diameter watermain on Warrington Street. Requirements for building-related fire pumping equipment will be determined by a hydraulic analysis during detailed design.

• Hydro servicing will be provided by a looped system off the existing hydro services along Centennial Parkway and Warrington Street.

• Gas servicing will be provided by existing Enbridge Gas Distribution gas main infrastructure on either Centennial Parkway or Warrington Street.

• Telephone servicing will be provided by existing Bell Canada telephone infrastructure on either Centennial Parkway or Warrington Street.”

The mixed use concept does not alter the site coverage statistics, resulting in no change to the stormwater management approach outlined in the August 2007 submission. Similarly, the change in use does not appreciably alter the servicing requirements outlined in the August 2007 Report.

Urban Design

Urban Design Guidelines have been prepared to address the location of the proposed development as a “gateway” to the Centennial Parkway corridor. The following ten principles have been established for the site:

1. **Gateway**: design the site with a strong and clearly defined “gateway” presence at this visually prominent site at a key entrance to the City;

2. **Place-Making**: coordinate the design of the overall site to create a “place,” one that is comfortable and inviting for users;

3. **Pedestrians**: incorporate a pedestrian circulation pattern internal to the site that is direct, safe, and connected to the surrounding area;

4. **Vehicles**: incorporate a vehicular circulation pattern that directly, effectively, and safely distributes traffic on the site;

5. **Transit**: provide a site layout that can accommodate public transit, both at the site’s edges with arterial streets and private streets internal to the site;
6. **Street Presence**: create a built form presence along the surrounding streets to reinforce the public realm and public streetscapes;

7. **Buildings**: design buildings with façade treatment that contributes to an attractive public realm and visual interest;

8. **Energy Efficiency**: incorporate energy efficient practices and standards into building design and construction;

9. **Flexibility**: provide a site layout pattern that is flexible, and that allows the site to evolve and intensify over time; and,

10. **Safety**: incorporate the principles of Crime Prevention Through Environmental Design (CPTED) in the site and building design to create a safe environment for all users."

The Guidelines are organized into the following five general topics:

a) **“Site Layout****: deals with the general organization and layout of the buildings, streets, and features on the site.

b) **Circulation and Parking**: deals with the layout of the pattern of circulation, both vehicular and pedestrian, and parking areas on the site.

c) **Built/Form Architecture**: deals with the design and articulation of buildings and structures on the site.

d) **Landscape Design**: deals with the design of landscape treatments for the various areas and interfaces on the site.

e) **Utilities and Servicing**: deals with incorporating utilities and servicing into the fabric of the site."

The Guidelines are attached as Appendix “D” to the report.

The proposed guidelines are to be read in conjunction with the City's current Site Plan Guidelines, and key components have been incorporated directly into the Official Plan Amendment.

2. The main issues in reviewing these applications are: traffic, urban design, proposed zoning, new Urban Official Plan, and public comments.
Traffic

While a Traffic Impact Study was undertaken and submitted with the application, both the Public Works Department and the Ministry of Transportation have requested additional information to address the impacts of the full opening of the Red Hill Creek Expressway. In addition, concerns were expressed with respect to the location of accesses on the South Service Road and extending Warrington Street to the South Service Road to create a signalized intersection. To ensure the concerns of the Public Works Department and the Ministry of Transportation are addressed, a Holding (H) provision has been included in the proposed By-law Amendment, which requires the applicant to provide additional information that will be reviewed and approved by both the City’s Public Works Department and the Ministry of Transportation.

Urban Design

As indicated in the Committee of the Whole resolution of June 23, 2008, staff has worked with the applicant through these applications to create a feature, phasing, mix of uses, and design at the northwest end of the 480 and 500 Centennial Parkway North and 20 Warrington Street property, which will function as a gateway to the Centennial Parkway corridor. Urban Design Guidelines were submitted, and have been reviewed by staff. Many of the guidelines have been incorporated into the Official Plan Amendment, and staff has suggested that the following modifications be made to the document:

1. The Urban Design Guidelines explore and describe one layout, without consideration of other layouts, that are perhaps more appropriate to the site. At least two other concepts should be illustrated.

2. The guidelines shall contain a disclaimer such as “This document contains images and sketches which are intended to indicate the vision of this plan and are for illustrative purposes only. They are not intended for construction and, therefore, may not reflect the final product constructed.”

3. The Urban Design Guidelines should clearly outline the ‘design vision’ for this development, and provide a series of development principles that will achieve the ‘vision’.

4. The guidelines shall include site cross-sections through the following locations:

   i. Centennial Parkway at the entrance.
   ii. Centennial Parkway and South Service Road,
   iii. South Service Road entrance,
   iv. South Service and Warrington.
   v. Warrington.
   vi. Rail line.
5. The guidelines shall address the streetscaping along Centennial Parkway. Currently, there are no sidewalks. How are proposed buildings designed to have ‘street presence’, when no streetscape exists? The guidelines shall address how buildings address the street to avoid blank and uninteresting facades facing the street. A variety of approaches should be explored.

6. The guidelines shall provide guidance and greater detail on the corner gateway.

7. The guidelines shall provide guidance and greater detail on secondary gateways.

8. The guidelines shall provide guidance and greater detail on creating a sense of entry into this development.

9. The guidelines shall provide guidance and greater detail on landmark or showcase buildings, and how these are suited to this site. Examples and images of hotels and office buildings, in formats that are suited to this development, shall be included.

10. How tall should buildings have to be to “create a gateway function” (Page 7)?

11. How will future opportunities of infill and intensification (Page 7) become incorporated into the design?

12. How will public transit be accommodated if no public sidewalks currently exist? Will buses arrive onto the site, and where? Provide examples of this facility.

13. The guidelines shall provide guidance and greater detail on landscaping and streetscaping of edges and the rail frontage.

14. The guidelines shall provide sections that provide guidance on street furniture, lighting, signage (building and site).

15. The guidelines shall provide guidance and greater detail on ‘energy efficiency’.

16. Parking field drive aisles should not be referred to as ‘streets’. (A street is a place that is enclosed by buildings, is lined with vehicle and pedestrian facilities). The proposed layout does not promote an ‘internal street system’ for the simple reason that where primary drive aisles are shown, little to no buildings address this system, and pedestrian facilities are sporadic, or not at all.

17. The proposed layout does not locate buildings to provide vistas. For example, the terminus view facing south along the major north-south internal drive aisle is a loading area. Another example, the terminus view facing east is the side of the large anchor tenant and the cars parking along it. The vistas being framed include large expanses of parking areas that do not frame anything of significance.
18. The layout proposed provides little amenity for pedestrian friendliness and comfort. The pedestrian experience is punctuated by large expanses of parking that separate lengths of buildings. This condition creates difficulties for pedestrians who want to crisscross the site because the primary pedestrian routes do not have the buildings needed to achieve pedestrian comfort. In the proposed plan, visitors will end up driving within the site.

19. The central feature of the design is a roundabout. The guidelines do not account for the design advantage of this roundabout, nor relate a need for it. As a feature, it is not located where a roundabout would otherwise be located (at the intersection of the north-south drive aisle, and the Centennial Parkway drive aisle). The guidelines must provide guidance and detail with examples of similar roundabouts in commercial developments.

20. The photo on Page 13 of the internal street in Waterloo does not relate to the proposal. Where does this proposal allow on-street parallel parking to occur, and where in this proposal is the condition of a street that is lined with buildings on both sides occur? In general, images included in design guidelines are used to illustrate a similar condition elsewhere. If no condition exists, then the image is unnecessary.

21. The large commercial building situated near Warrington and close to the Hotel has loading and service areas that face the intersection of Warrington and the South Service Road. This condition is counter to the direction in the guidelines and should be revised with mitigated measures illustrated.

The Guidelines, with the recommended modifications, will be used in conjunction with the City’s Site Plan Guidelines in the review of a future detailed Site Plan application for the site.

**Proposed Zoning**

Several modifications to the “G-1” (Designed Shopping Centre) District are required as follows:

- Adding a Hotel and Conference or Convention Centre as permitted uses.
- Deleting institutional and public uses as permitted uses.
- A maximum building height of twelve storeys and no structures shall exceed 60.0 metres in height, whereas the “G-1” District permits three storeys and 14 metres.
- A maximum gross floor area of 23,226 square metres (250,000 square feet) of retail and service uses shall be permitted, plus an additional 1 square metre of retail and service use for every 1 square metre of non-retail and service uses (e.g. offices, hotel, etc.) that are constructed.
A maximum gross floor area of 18,581 square metres (200,000 square feet) for a single retail store.

A maximum gross floor area of 10,000 square metres (100,000 square feet) for offices.

Exempts buildings of less than 1,552 square metres (16,700 square feet) from having to provide a loading space.

Requires the following minimum setbacks from the various streets, as per the draft Urban Design Guidelines:

(i) Centennial Parkway - 6 metres (minimum)
(ii) South Service Road - 14 metres (minimum)
(iii) Warrington Street - 2 metres (minimum)

A parking ratio of 4.6 spaces per 100 square metres for retail uses and a parking space standard of 2.6 metres wide by 5.5 metres long, other than parallel parking spaces (which is the same as the standard in By-law No. 05-200).

A clause recognizing the lands as one comprehensive development if parcels are conveyed to individual owners in the future (consolidated lot clause).

A specific setback requirement of 14 metres from the South Service Road for all buildings, parking, and landscaping required by the By-law, to address the Ministry of Transportation’s requirement.

The By-law Amendment also includes a “Holding” provision to ensure that the following are completed:

a. Traffic Impact Study; and,
b. Record of Site Condition (RSC).

New Urban Official Plan

It is anticipated that the City’s new Urban Official Plan will be adopted by Council on June 29, 2009. The implementing By-laws for the subject applications, if supported at the Economic Development and Planning Committee, will be forwarded to Council for adoption on July 9, 2009. The new Urban Official Plan policies reflect this proposal, and staff will ensure that the new Urban Official Plan is modified to include site-specific policies to reflect Council’s decision on this application.
Public Comments

As noted in the letters attached in Appendix “I”, concerns were raised with respect to the compatibility of the proposed development with the adjoining heavy industrial uses, impact on business and property values, and proposed alterations to Warrington Street.

Any noise, dust, or particulate matter complaints would be handled through normal channels/procedures, in accordance with the standard City or Provincial procedures and guidelines.

Staff is not aware of any studies that would indicate an impact of the proposed development on the business and/or property values of adjoining businesses and/or properties.

Due to concerns from the Ministry of Transportation, and the City’s Traffic Engineering and Operations Section, the Warrington Street extension to South Service Road is still being reviewed.

ALTERNATIVES FOR CONSIDERATION:

If the applications are not approved, the lands can continue to be used for industrial uses only.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial - N/A.

Staffing - N/A.

Legal - As required by the Planning Act, Council shall hold at least one (1) Public Meeting to consider applications for an Official Plan Amendment and Zoning By-law Amendment.

POLICIES AFFECTING PROPOSAL:

Provincial Policy Statement:

The application has been reviewed with respect to the Provincial Policy Statement (PPS). Staff recognizes that the application is consistent with the policies that focus growth in Settlement Areas 1.1.3.1.

Section 1.3 Employment Areas, are defined as follows:
“Those areas designated in an Official Plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.”

Policy 1.3.1 states that planning authorities shall promote economic development and competitiveness by:

(a) Providing for an appropriate mix and range of employment (including industrial, commercial, and institutional uses) to meet long-term needs;

(b) Providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;

(c) Planning for, protecting, and preserving employment areas for current and future uses; and,

(d) Ensuring the necessary infrastructure is provided to support current and projected needs.

Policy 1.3.2 states that planning authorities may permit conversion of lands within employment areas to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term, and that there is a need for the conversion.

Policy 2.6.2 outlines that development and site alteration may be permitted on lands containing archaeological resources or areas of archaeological potential if significant archaeological resources have been conserved by removal and documentation, or preservation on site. Where significant archaeological resources must be preserved on site, only development and site alteration which maintain the heritage integrity of the site may be permitted. Since no archaeological resources have been identified, an archaeological assessment of the property is not required.

Policy 3.2.2 states that contaminated sites shall be remediated, as necessary, prior to any activity of the site associated with the proposed use such that there will be no adverse effects. Due to the former industrial use of this site, a Record of Site Condition (RSC) will be required as a condition of approval. The RSC shall be to the satisfaction of the MOE and the City of Hamilton.

**Growth Plan for the Greater Golden Horseshoe (Growth Plan)**

The *Places to Grow Act, 2005*, requires that all decisions under the *Planning Act* conform to the Growth Plan, and that municipal Official Plans be brought into conformity with the Growth Plan by June, 2009.
Policy 2.2.6.5 states that municipalities may permit the conversion of lands within employment areas to non-employment uses, only through a municipal comprehensive review where it has been demonstrated that:

(a) There is a need for the conversion;

(b) The municipality will meet the employment forecasts allocated to the municipality pursuant to this Plan;

(c) The conversion will not adversely affect the overall viability of the employment area, and achievement of the intensification target, density targets, and other policies of this Plan;

(d) There is existing or planned infrastructure to accommodate the proposed conversion;

(e) The lands are not required over the long term for the employment purposes for which they are designated; and,

(f) Cross-jurisdictional issues have been considered.

For the purposes of this policy, major retail uses are considered non-employment uses.

Employment areas are defined as:

“Any area designated in an Official Plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.”

Municipal comprehensive review is defined as:

“An Official Plan Review, or an Official Plan Amendment, initiated by a municipality that comprehensively applies the policies and schedules of this Plan.”

As noted on Page 3 of the report, the Committee of the Whole identified the subject lands as a conversion site. The Municipal Comprehensive review and Conversion Analysis for Employments Lands Study identified the 6 hectare portion of the site fronting onto Centennial Parkway as appropriate for arterial commercial uses.

Hamilton-Wentworth Official Plan:

The subject property is designated “Urban Area” in the Hamilton-Wentworth Official Plan. Policy C-3.1 outlines that a wide range of urban uses, defined through Area Municipal Official Plans and based on full municipal services, will be concentrated in the Urban Areas.
Section C-3.1.6 only permits new retail developments where demand can be demonstrated and existing retail areas will not be adversely affected. A market study has been conducted, and it was concluded that there will not be significant adverse impact on the function of the Downtown main streets and the other commercial areas around the subject site.

Also, Section C-3.1.7.1 encourages head offices and large branch offices to locate in the Regional Centre. However, Policy C-3.1.7.4 also encourages economic diversification throughout the City of Hamilton, including a wide range of business uses in the appropriate locations in all area municipalities. In general, office spaces over 100,000 square feet are considered a “major office”, and should be directed to the Regional Centre. Since the subject application is proposing a total of 58,750 square feet of office space, it is not considered major, and can appropriately be located on the proposed site.

Additionally, Policy B-9.2 states that the City shall consider the protection and preservation of regionally significant historical and cultural resources, including recognized archaeological sites, in the review of proposals for development and redevelopment. Since no archaeological resources have been identified, an archaeological assessment of the property is not required.

Lastly, Policy B-2.3 states that the identification of contaminated sites is essential. Redevelopment must not occur until it has been demonstrated that a proposal will not put people in significant risk. As a condition of approval, a Record of Site Condition (RSC) will be required to be filed, and is included as a requirement for the removal of the “Holding” provision in the amending By-law. The RSC shall be to the satisfaction of the MOE and the City of Hamilton. In this regard, an ERASE grant application was submitted and approved.

The applications conform with the intent of the Hamilton-Wentworth Official Plan.

**Hamilton Official Plan:**

The subject lands are designated “Industrial” on Schedule “A” Land Use Concept in the Hamilton Official Plan. An amendment to the Plan is required to redesignate the lands to “Commercial”. The following policies, among others, are relevant:

**“Shopping Centres”**

2.2.6 The SHOPPING CENTRES category applies to groups of Commercial establishments planned and developed as a unit, and having no less than 1,400 square metres of gross floor area.
2.2.8 Council recognizes SHOPPING CENTRES as appropriate forms of Commercial
development necessary to the economic health of the City and the Region. In this
regard, Council will utilize the following classifications of SHOPPING CENTRES,
where applicable, in the preparation of Neighbourhood Plans:

i) A Sub-Regional SHOPPING CENTRE will have a minimum of 37,000 square
metros of gross floor area and function as the focus of a multi-use node, as
provided for in the Regional Official Plan;

ii) A District SHOPPING CENTRE will have a gross floor area of 23,000 square
metros, to a maximum of 37,000 square metres;

2.2.9 It is the intent of Council that new, extended, or enlarged SHOPPING
CENTRES proposed on lands not designated Commercial in this or other plans
of the City will not jeopardize the viability of other existing or approved retail
centres in the City. In this regard, where a proposal would result in a
SHOPPING CENTRE larger than 14,000 square metres of gross floor area,
Council will require the completion of a market study by the proponent which
indicates that such viability is not endangered, prior to any approval. Such
market studies will contain:

i) An assessment of present and future population to be served by the
proposed development, including a full explanation of the sources,
techniques, and assumptions used in arriving at any population forecast;

ii) A full explanation as to any other forecasts or assumptions used in
determining retail requirements within the City of Hamilton;

iii) The amount, mix, location, and phasing of proposed retail space;

iv) An evaluation of the primary and secondary trade areas of the proposed
development, including any assumptions used and an explanation of the
characteristics of the population to be served, as may be relevant to the
proposal;

v) An assessment of the potential impacts on the trade areas of other retail
centres, including an explanation of any methodology used; and,

vi) Evidence that the proposal will not jeopardize the viability of the Central
Policy Area in order that the intent to promote this as the principal retail
centre in the Region will not be undermined.

2.2.11 Adjunct to such an analysis, and prior to any consideration for approval,
Council will be satisfied that the proponent has demonstrated that:
SUBJECT: Applications for Amendments to the Hamilton Official Plan and Hamilton Zoning By-law No. 6593, for Lands Located at 480 and 500 Centennial Parkway North and 20 Warrington Street, in the Former City of Hamilton (PED09166) (Ward 5) - Page 22 of 30

i) Traffic volumes and movements can be safely handled by the existing or proposed Circulation and Movement System, as set out in Subsection B.3;

ii) Adequate provision can be made to accommodate access by public transit, in keeping with the provisions of Subsection B.3.2, Public Transit;

iii) Existing or proposed utilities are adequate to serve the development; and,

iv) Any deficiencies in the above can be adequately resolved by the proponent.

2.2.12 Council will not consider for approval any proposal for a SHOPPING CENTRE which is not situated on an Arterial Road.

2.2.13 Where feasible, Council will give preference to SHOPPING CENTRES proposed to be located in Extended Commercial areas where such CENTRES serve to infill or consolidate existing Commercial development.”

Based on the studies submitted, the applicant has satisfied these policies.

Hamilton Zoning By-law No. 6593:

The subject properties are currently zoned “KK” (Restricted Heavy Industrial) District in Hamilton Zoning By-law No. 6593. The proposed development requires a zone change from the “KK” (Restricted Heavy Industrial) District to a site-specific “G-1-'H'/S-1613” (Designed Shopping Centre - Holding) District, Modified (see Appendix “C”). The Holding provision is required to address the completion of the Traffic Impact Study (TIS) and the submission of a Record of Site Condition (RSC).

RELEVANT CONSULTATION:

Ministry of Municipal Affairs and Housing:

Due to the length of the comments, they are attached as Appendix “J.” However, they have concluded that until the City completes its municipal comprehensive review, a decision to approve the conversion of employment lands would not conform to Policy 2.2.6.5 of the Growth Plan. Staff notes that these comments were written in February 2009, and that policies in the new Urban Official Plan are being considered by the Economic Development and Planning Committee over several days in June, 2009, and eventual adoption on June 29, 2009. Adoption of these policies would finalize the City’s Comprehensive Review.
Ministry of Transportation:

We have reviewed the Functional Servicing Report, submitted November 2008, with respect to the stormwater management, and have the following concerns:

1. This is a significant development, proposing to use on-site storage on parking lots and underground storage. We can only evaluate the adequacy of the storage at the detailed design phase.

2. The control for the site at the three outlets would have to be restrictor pipes, not orifices. The restrictor pipes would have to be at least 10m in length, with 5m outside the property line.

3. The modelling is not sufficiently detailed to offer any comments.

4. The imperviousness used in the modelling should reflect the actual development, and not 75%.

While MTO does not approve Functional Servicing Reports, only an agreement, in principle, can be offered. Sufficient that the above comments can be addressed in the detailed report, we can agree, in principle.

We have reviewed the Confederation Park Shopping Centre Transportation Study, submitted in November 2008, and its addendum, and we have the following comments:

1. This study was completed prior to the Red Hill Valley Parkway (RHVP) full opening, therefore, some of the data provided in the TIS makes assumptions based on EMME/2 Modelling. That being said, there is reason to believe that the data may be insufficient. In late December, the RHVP completed full opening and, as a result, the City of Hamilton has committed to completing post opening studies, which should be done in 2-4 weeks as of this writing. The traffic office will request a new analysis of post RHVP opening traffic volumes in conjunction with development generated traffic.

2. The commercial (delivery) access located on South Service Road (SSR), between Centennial Parkway and the proposed Warrington Street intersection cannot remain. This access is too close between two (one proposed) signalized intersections which, in turn, may create traffic conflicts. MTO requires that this access be removed.

3. Regarding the proposed extension of Warrington Street to intersect with SSR; please provide documentation that adequate stopping sight distance can be achieved upon full completion of the proposed signalized intersection.
4. Currently, the intersection of Centennial Parkway at the QEW eastbound off-ramp terminal at SSR is a 4-legged full movement intersection. Please see comments and concerns regarding specific movements below:

- **West Approach (QEW Eastbound Exit Ramp terminal)**
  
  - This approach currently consists of 1 left turn lane, 2 through lanes, and 1 channellized right turn lane. Creating an access on Centennial Parkway will introduce the possibility of a weaving problem considering that vehicles will have less than 100m to make their move through 3 lanes of traffic to get to the left turn lane in order to access the development. Please indicate what mitigation would be required in order to address this problem.

- **North Approach (Southbound Centennial Parkway)**
  
  - This approach currently consists of 1 through lane, and 1 shared through/right lane. This is of concern since the current bridge structure has a crest creating a possibility for increased rear-end collisions with the introduction of additional (development) traffic. Please indicate what mitigation is planned to address the impacts of this possibility.

MTO requires that the above comments and concerns be satisfactorily addressed, prior to giving final approval of this Traffic Impact Study.

**Traffic Engineering and Operations Section, Operations and Maintenance Division, Public Works Department:**

We have reviewed the submitted application for an Official Plan amendment, and advise that we have no comments.

We recommend as a condition of Zoning Amendment approval, that the subject lands be placed in a Holding zone until the completion and/or approval of the following:

Approval of the Traffic Impact Study and Addendums submitted by iTRANS, with this formal application by the Manager of Traffic Engineering and Operations, Public Works Department.

The Owner will be responsible for any roadway improvements required on the adjacent road network as a result of the proposed development, work to include design, pavement widening or urbanization, roundabout construction, signal hardware upgrades, median construction, pavement markings, and signage. Roundabout feasibility analysis is suggested to be undertaken by a consultant well versed in Rodel and roundabout design.
Traffic Impact Study comments from email dated February 13, 2009 Applicant:

Based on a quick review of the site layout submitted with the August 2007 TIS and September 2008 Addendum, we note that at all access points the throat length into private property from the municipal roadway must conform to TAC standards (not included in February 13 email)

- General comment about the TIS and the Urban Design guideline document.....so far I have not seen any reference to the lack of sidewalks on the surrounding road network. I believe that a proper sidewalk should be provided on Centennial Parkway and on Warrington

- The City has scheduled new traffic counts at Barton Street and Centennial Parkway, Centennial Parkway and Goderich, and also the Centennial Parkway and South Service Road/QEW off ramp. We really want actual count data for this development review now that all the ramps are open for the RHVP and QEW. Once available, we will forward to you. We believe it is in the best interest of your client to have the updated counts .... overall, may show an improvement in the road network.

- Bump up sat flows to 1,800 thru and 1,600 for left turns.

- When Rob ran Sim traffic (we only looked at 2009 PM), he was getting queues on Centennial.....can you have a look at that, what is causing the delay?

- I've attached the justification document that Signal staff has prepared for all new signal installation. Will this proposed signal meet the warrant for the day?

- Further to the above, it is our preference to have the roundabout design on South Service Road. The tower may not be a significant issue, no matter if signal or roundabout, there will be significant approvals required from Hydro. Is a 2 lane roundabout required? As this would be a new installation, it may be possible to shift the roundabout westerly to avoid Purolator, even if it means physically shifting Warrington a bit to the west.

- The proposed access to South Service Road is right in/right out only, correct?

- Barton Street at Centennial Parkway ...there are concerns with this intersection as you have noted. If an EB and WB right turn lane will be required, we may recommend that they be constructed now as part of this development approval. But see what the 2009 traffic counts show us about changes in traffic flow due to the RHVP

- Are the sight lines for traffic approaching on South Service Road at Warrington satisfactory for a signal or roundabout?
Infrastructure and Source Water Planning Section, Water and Wastewater Division, Public Works Department:

Water Servicing

The following are comments for the Official Plan and Zoning By-law Amendment Application, for land located at 480 and 500 Centennial Parkway and 20 Warrington Street (Hamilton) from waterworks perspective:

- Proposed Design Shopping Center can be adequately serviced by creation of a looped watermain system within the site through connection to the existing 300mm diameter watermain on Centennial Parkway, and the 300mm diameter watermain on Warrington Street. Proponent agrees in Functional Servicing Report to perform a hydraulic analysis during detailed design process.

- Static pressures at the street line are, on the average, in range of 65-82 psi.

- Fire flow capacity is sufficient (based on two-hydrant flow tests), and hydrant coverage is adequate for the proposed developments.

Sanitary Sewer Servicing:

The proponent has satisfactorily demonstrated, in principle, that the OPA and re-zoning meets the equivalent population density criteria for the subject properties.

Adequate systems are available on Centennial Parkway North and Warrington Street for servicing of the re-development.

We have a few comments on the September, 2008 Functional Servicing Report accompanying the applications:

- **Page 4, Section 2.1, 6th line** - densities for non-residential uses are normally expressed as equivalent persons per hectare.

- **Page 4, Section 2.2, 5th line** - the use of existing service connections depends also on size.

- **Page 5, Section 2.2 (should this be Sec 2.3?)** - Proposed Sewer Generation, 1st and 2nd lines - the proponent should be establishing the equivalent population densities for the development, not the City. As well, a Sanitary Drainage area plan showing polygons with sub-site area and ppHa, similar to the Storm Drainage plan (Figure 5), should be provided.
Appendix B1, Existing Flow Calculations.

Infiltration allowance ("Peak Extraneous Flow") could be 0.2 for at least Warrington in accordance with the City guidelines.

Can't find where the colour-coded areas are illustrated in the report.

Peaking factor is based on cumulative population. Therefore, "Peak Dry flow" is not simply an addition of incremental peaks. Explain why the site area total of 13.61 Ha does not equal the 14.75 Ha stated on Page 1.


Explain why the infiltration allowance per hectare in B1 and B2 are different.

Since the Babbitt peaking factor is a function of equivalent population only, explain how the peaking factor for each of the building components is determined to be 5.

Source Water

From a source water protection perspective, there are no major concerns with respect to the municipal intake.

Hamilton Street Railway, Public Works Department:

The Transit Division of Public Works Department has the following comments:

- HSR does not provide service to this site, and has no short term plans to do so.
- The closest service is the Route #2 Barton buses. This route is approximately a 500 metre walk away.
- Street orientation and pedestrian entrances are important. Direct short walking distances between dwellings and transit service are preferable.
- HSR supports the inclusion of high quality pedestrian amenities at this development like walkways, lighting, etc.

The redevelopment of this large site creates an opportunity to evolve from auto-oriented, big box development, to land use that is transit-supportive and incorporates elements of transit-oriented design, if in the future, this facility receives bus service.
Further to your memorandum of October 23, 2008, regarding the above subject area under discussion, I have reviewed the Official Plan and Zoning By-law Amendment Applications for this proposal and have completed an onsite inspection. The Forestry and Horticulture Section provides the following opinion.

An assessment of the proposed submission from Smart Centres Limited, which proposes to redesignate the subject lands in order to permit a mixed use Development consisting of Retail/Service space, Office Building, and a Hotel with associated Parking and Landscaping shows, that there are no Urban Forestry conflicts.

There is one tree {Asset 227466, 15cm d.b.h Rock Elm} located on the Road Allowance of Centennial Parkway, opposite number 396. This tree is governed under The City of Hamilton Tree By-law 06-151. With the current information provided, it appears that this Municipal Tree Asset will not be impacted. There are no Municipal trees located on Warrington Street or the South Service Road.

Tree Management will not be a requested condition.

The determination of ownership of all borderline trees is the responsibility of the applicant, and any civil issues which may exist between property owners, with respect to trees, must also be resolved by the applicant.

Hamilton Conservation Authority (HCA):

The owner is proposing to redesignate the subject property from “Industrial” to “Commercial”, and to change the zoning from the “KK” (Restricted Heavy Industrial) District to the “G-1” (Designed Shopping Centre) District, in order to permit a mixed-use development consisting of 367,500 sq. ft. of retail/service space, a 58,750 sq. ft. office building, and a 58,750 sq. ft. hotel with associated accesses, parking, and landscaping.

The 14.75 ha. Industrial property is located on the east side of Centennial Parkway, between the South Service Road and Warrington Street on the north side, and the CN tracks on the south side, within the Stoney Creek subwatershed area. Due to the size of the site, and that the development will result in an overall imperviousness of approximately 92%, stormwater quantity control and Level 1 (Enhanced) quality control will be required. In this regard, we note that the applicant has submitted a Functional Servicing Report, prepared by Counterpoint Engineering Inc., dated September 2008, which presents a preliminary site servicing strategy and stormwater management analysis for the proposed mixed-use development. Please be advised that a full Stormwater Management Report will be required, in conjunction with any future site plan application, that addresses quantity and quality control and the implementation of sediment and erosion control measures.
We note that the site is not located within an area regulated by the Authority under the Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation under Ontario Regulation 97/04. Therefore, a permit from the Authority is not required for the proposed development.

Based on the above, the Authority has no objection to the approval of the subject application.

Bell Canada:

A detailed review of the Official Plan Amendment and Zoning By-law Amendment has been completed, and an easement may be required to service the subject property depending on a review of more detailed applications under the Planning Act.

Please be advised that Bell Canada requests to be circulated on any future draft plan of subdivision, draft plan of condominium, site plan, or any other development application that is proposed to implement the subject Official Plan Amendment and Zoning By-law Amendment application. Through these processes, Bell Canada will provide a more detailed review and comments with respect to any requirements Bell Canada may have to service the subject property.

Departments or agencies having no concern or objection to the application:

- Budgets and Taxation Section, Corporate Services Department.
- Open Space Development and Park Planning Section, Capital Planning and Implementation Division, Public Works Department.
- Environmental Planning Section, Capital Planning and Implementation Division, Public Works Department.
- Strategic Planning Section, Capital Planning and Implementation Division, Public Works Department.
- Horizon Utilities.
- Hydro One Networks Inc.

PUBLIC CONSULTATION:

In accordance with the new provisions of the Planning Act and the City’s approved Public Participation Policy, Notice of Complete Application and Preliminary Circulation was circulated to 28 property owners within 120 metres of the subject lands on June 29, 2007. Notice of Preliminary Circulation of Revised Applications was circulated to 97 landowners and tenants on October 31, 2008. A Public Notice sign, advising of the proposed amendments, was posted on-site. As a result of these circulations, staff has
received three written comments from lawyers representing various businesses in the area. The letters are attached as Appendix “I”. The issues raised in the letters include: compatibility of the proposed development with the adjoining heavy industrial uses, impact on business and property values, and proposed alterations to Warrington Street. These issues are addressed in the Analysis/Rationale section of the report.

**CITY STRATEGIC COMMITMENT:**

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑ Yes ☐ No
Public services and programs are delivered in an equitable manner, coordinated, efficient, effective and easily accessible to all citizens.

An underutilized and dilapidated site is now being converted into a commercial use.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
Human health and safety are protected.

The rehabilitation of this site and its development into a productive use makes efficient and effective use of City services as well as protecting human health and safety.

Economic Well-Being is enhanced. ☑ Yes ☐ No
Infrastructure and compact, mixed use development minimize land consumption and servicing costs. Investment in Hamilton is enhanced and supported.

Developers and property owners invest in Hamilton properties leading to property assessment increases.

Does the option you are recommending create value across all three bottom lines? ☑ Yes ☐ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☐ Yes ☑ No

:PD
Attachs. (10)
Location Map

File Name/Number: ZNC-07-029
Date: September 29, 2008
Appendix "A" Scale: N.T.S. Planner/Technician: PD/NH

Subject Property

480-500 Centennial Parkway North & 20 Warrington Street

Ward 5 Key Map N.T.S.
Amendment No. XXX to the former City of Hamilton Official Plan

The following text, together with:

- Schedule “A” (Schedule “A” - Land Use Concept); and,
- Schedule “B” (Schedule “B” - Special Policy Areas);

attached hereto, constitute Official Plan Amendment No. XXX to the City of Hamilton Official Plan.

**Purpose and Effect:**

The purpose of the Amendment is to redesignate the subject lands from “Industrial” to “Commercial” to permit a mix of commercial uses, and to establish design direction to recognize the visual prominence of the location.

**Location:**

The lands affected by this Amendment comprise approximately 14.75 hectares bounded by the South Service Road, Centennial Parkway North, Canadian National Railway Line, and Warrington Street, municipally known as 480 and 500 Centennial Parkway North and 20 Warrington Street, in the former City of Hamilton.

**Basis:**

The amendment can be supported on the following basis:

- The lands are suitably located for the planned commercial uses given their location adjacent to a major highway and arterial roads.
- The lands are a brownfield site, and are being redeveloped.
- The proposed policies ensure that the development is compatible with the surrounding existing and planned development, and ensures the physical form is compact, human in scale, and designed to be pedestrian friendly and transit supportive, in accordance with the proposed Urban Design Guidelines.
The proposal is consistent with the City of Hamilton Official Plan policies for the “Commercial” designation.

**Actual Changes:**

**Map Changes:**

(a) Schedule "A" - Land Use Concept - be revised by redesignating the subject lands from “Industrial” to “Commercial”, as shown on the attached Schedule “A” of this Amendment.

(b) Schedule “B” - Site-Specific Policy Areas - be revised by removing the subject lands from Special Policy Area 11, and adding a new Special Policy Area as Special Policy Area XXX, as shown on the attached Schedule “B” of this Amendment.

**Text Changes:**

(a) The following new policies are added to Subsection A.2.9.3 - Other Policy Areas as Policy A.2.9.3. XX:

A.2.9.3. XX In addition to Subsection A.2.2 - Commercial Uses, for those lands located at 480 and 500 Centennial Parkway North and 20 Warrington Street, shown on Schedule “B” as SPECIAL POLICY AREA XX, and designated “Commercial” on Schedule “A”, the following policies shall apply:

i) The Centennial Parkway North site shall be recognized as a SHOPPING CENTRE, which comprises a mix of retail and non-retail uses, and serves as a mixed-use gateway into the City of Hamilton along a major highway (Queen Elizabeth Way) and at the head of a major arterial street (Centennial Parkway North).

ii) In addition to Section A.2.2.6 - A.2.13, Shopping Centres of this Plan, the following provisions shall apply to Special Policy Area XX:

a) A maximum gross floor area devoted to retail and service uses shall be 23,226 square metres. However, an additional 1 square metre of retail and service uses shall be permitted for every 1 square metre of non-retail and service uses, as identified in the Zoning By-law, that is developed on the site.

**Urban Design Guidelines**

iii) prior to development of 480 and 500 Centennial Parkway North and 20 Warrington Street, shown as Site-Specific Area XXX, the proponent shall complete urban design guidelines for the development of the site,
to the satisfaction of the City. Urban design guidelines shall be in accordance with the following Urban Design Principles and Policies.

A.2.9.3. XX .1 Urban Design Principles

The Centennial Parkway North site is a gateway location in the City of Hamilton, arriving from the Queen Elizabeth Way along Centennial Parkway North. The site will evolve as a mixed-use area with a physical form that is human-scaled, pedestrian-friendly, and transit-supportive.

The following urban design principles will direct the development of the site:

The site will:

a) Have a high quality form of urban design including streetscapes, views and vistas, gateways, walkways, and amenity spaces;

b) Be a “gateway” location into the City that promotes a sense of arrival;

c) Be a mixed-use area with a range of commercial uses, employment uses, and amenity spaces;

d) Have a concentration and arrangement of uses and buildings that encourages comfortable pedestrian activity on and surrounding the site, and which facilitates public transit ridership;

e) Have a connected circulation system internally that comfortably and efficiently links all buildings, transit facilities, parking areas, and amenity spaces to the bounding public streets;

f) Have a prominent multi-storey building, or buildings, of high quality architectural design at the intersection of Centennial Parkway North and the South Service Road;

g) Have a strong edge and frame facing the bounding public streets, including the placement and design of buildings and high quality landscaping;

h) Have an incorporation of framing views and vistas within the site by aligning buildings and building elements to create terminus views; and,

i) Have an appropriate transition to surrounding properties in terms of buffering and screening.
A.2.9.3. XX.2 Design Policies

The Centennial Park North site shall be developed in accordance with the following urban design policies. In the event that conditions and/or restrictions arise as a result of the Record of Site Condition, specific design solutions will be incorporated in consultation with the City through the Site Plan approvals process.

A.2.9.3. XX.2.1 Entrance Gateways

Entrance Gateways are access points to a site, and provide a sense of arrival to a development. Two types of Entrance Gateways shall be provided at the site: Primary Entrance Gateways, and Secondary Entrance Gateways.

   a) Primary Entrance Gateways identify the principal vehicular and pedestrian entry point to the site, and may include information signage for traffic circulation through the site. There should be one Primary Entrance Gateway to the site, from Centennial Parkway North.

   b) Secondary Entrance Gateways serve as secondary vehicular and pedestrian entry points to the site. There could be multiple Secondary Entrance Gateways to the site, from South Service Road and Warrington Street.

   c) All Entrance Gateways should be given special built form and landscape treatment, including the consideration of appropriate positioning of buildings, adequate sight lines, and the inclusion of both vertical and horizontal elements, including signage and landscape features. Given their principal function, the Primary Entrance Gateway should be more visually prominent than the Secondary Entrance Gateway(s) in terms of scale and design.

A.2.9.3. XX.2.2 Built Form

   a) For all buildings on the site, the following policies apply:

      i) Buildings shall be sited and designed to enhance the public nature of streets, amenity spaces, and pedestrian routes.

      ii) Buildings should be generally sited parallel to the public street.

      iii) The principal building façade will be the building wall containing the primary building entrance. The principal building façade shall be varied and articulated, through the use of elements such as bay projections, canopies and/or varied roof lines, in order to provide visual interest and to break up long walls to create the impression of smaller building units.
iv) Principal building entrances shall be located at grade, and shall be easily accessed from the public sidewalk on the bounding public streets and the pedestrian walkways internal to the site.

v) Principal building entrances shall be emphasized on the building’s façade through architectural treatments.

vi) Other building façades shall be designed in a similar fashion to the principal building façade, in regards to colour, material, and articulation.

vii) All building signage shall be designed in a manner integral to the building design in terms of size, form, material, and colour.

viii) Roof-top mechanical equipment shall be enclosed or screened, particularly in a manner integral with the overall building design in terms of form, material, and colour.

ix) Canopies over doorways, arcades and other treatments are encouraged in the design of a building façade, particularly along pedestrian routes, to provide a comfortable pedestrian environment for walking.

x) Stacking lanes and order stations for drive-through facilities shall not be located between a building wall and the road allowance of a bounding public street.

b) For buildings that are located abutting Centennial Parkway North and South Service Road, the following additional policies apply:

i) Buildings along Centennial Parkway North shall be located close to the edge of the respective road allowance so as to frame the streetscape.

ii) Buildings along the South Service Road may be located further from the street edge with landscape treatment to define the street edge, which may contain a tiered design of lawn, low hedges, trees, masonry, and decorative metal fences and gates culminating in taller plantings.

iii) The streetscape shall create a positive community image, which may include the coordinated use of high quality paving materials, wide sidewalks, street furniture, pedestrian-scale lighting and signage, and enhanced landscaping.
c) For buildings abutting Warrington Street, the rail line, and the hydro corridor, the following additional policies apply:

i) Loading and service areas shall be adequately screened with the use of a landscaped buffer, which may contain landscape berms, evergreen and deciduous trees and shrubs, and fencing.

ii) Façades that face a loading area or service area shall be finished with material and architectural features consistent with the principal façade of the building.

d) For the prominent buildings at the Centennial Parkway North and South Service Road intersection, the following policies shall apply:

i) Buildings shall be placed so the tallest buildings are at the corner of Centennial Parkway North and the South Service Road.

ii) Buildings shall have a distinct architectural appearance, including a high level of architectural detailing, given their prominence on the site. Detailing may include varied rooflines, canopies, decorative architectural details, and projecting bays. Large blank walls and a continuous, repetitive façade shall not be permitted.

iii) Buildings shall have articulated facades facing both the bounding public streets and the interior of the site.

iv) A high quality of landscape design along the edges of the property and within the interior shall provide a setting that is pedestrian-friendly and visually attractive.

v) Design of the buildings shall complement the landscape design between the building wall and the road allowances at the corner, in order to promote a sense of entry into the site and into the City from the Queen Elizabeth Way.

vii) Loading areas and service areas shall not be located between a building’s wall and the road allowance of Centennial Parkway North or South Service Road.

viii) Buildings and their landscape features are encouraged to have feature lighting to signify and highlight these buildings during night-time.
A.2.9.3. XX.2.3 Pedestrian Realm

a) Pedestrian routes that connect to buildings, transit stops or facilities, and pedestrian routes in the surrounding community shall be provided. Internal walkways and linkages shall be designed as a condition of Site Plan Approval.

b) Pedestrian walkways that connect parking areas to building entrances shall be provided. These walkways shall be designed to contribute to the safety and visual continuity of the entire pedestrian system, and may include such elements as special paving materials, trees, and lighting.

c) Barrier-free design of buildings, streets, and publicly accessible exterior spaces shall be implemented.

d) Crosswalks and differentiated paving materials and patterns shall be constructed at primary crossings of principal internal streets to provide connectivity between the site's different areas.

e) Parking areas, servicing lanes, utility and mechanical equipment, and drop off and loading zones shall be designed and located in a manner that has minimal physical impact on public sidewalks and accessible exterior spaces. Shared driveways and service lanes at the side and rear of buildings are to be provided for these functions.

A.2.9.3. XX.2.4 Landscaped Areas

a) Landscaping shall be used to enhance the overall aesthetic qualities of the development with a high quality design. This design may include a range of different hard and soft landscape elements and features to create pedestrian comfort, soften the site's edges, highlight Entrance Gateways, prominent buildings, screen loading and service areas, and buffer the site from neighbouring uses, as necessary.

b) Landscaped areas shall be provided as a screen or buffer to address the interface with the publicly accessible or visual areas of the site.

c) Landscaped buffers and/or visual barriers shall be provided to screen loading and service areas from users using the bounding public streets or internal drive aisles.

d) Landscaped islands shall be provided throughout parking lots to identify, reinforce and connect pedestrian routes, separate roads from parking areas, define edges, and to visually and physically divide large parking areas into smaller sections.
A.2.9.3. XX.2.5 Parking Entrances, Loading Zones and Service Lanes

a) The location of entrances to parking areas, loading zones, and service lanes shall be coordinated with the location of pedestrian routes to limit vehicular and pedestrian movement conflicts on the site.

b) A landscaped strip shall be provided between any surface parking area that abuts a public street to define the street edge and screen the parking area. The minimum width of the landscaped strip shall be set out in the implementing Zoning By-law.

c) All loading zones and service lanes shall be screened and landscaped. Screens shall be designed to complement the materials and details of the associated building facades.

d) Wherever possible, on-site loading zones and service lanes shall be consolidated and shared at the rear or side of buildings.

e) On-street parking along internal drive aisles is encouraged to provide the 'look and feel' of a public street.

A.2.9.3. XX.2.6 Vehicular Access

a) The number and location of vehicular access points shall be limited so as to minimize disruption to traffic flow and to minimize the impact on local streets."

Implementation:

An implementing Zoning By-law and Site Plan Control will give effect to this Amendment.

This is Schedule ‘1’ to By-law No. _____ passed on the XX day of XXXX, 2009.

The
City of Hamilton

_________________________  __________________________
Fred Eisenberger                 Kevin C. Christenson
Mayor                             Clerk
CITY OF HAMILTON

BY-LAW NO. 

To Amend Zoning By-law No. 6593
Respecting Lands Located at 480 and 500 Centennial Parkway North and 20 Warrington Street

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

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Hamilton” and is the successor to the former regional municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws and Official Plans of the former area municipalities, and the Official Plan of the former regional municipality, continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item of Report 09- of the Economic Development and Planning Committee at its meeting held on the day of , 2009, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:
1. That Sheet No. E-112 of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), as amended, is hereby amended by changing from the “KK” (Restricted Heavy Industrial) District to the “G-1-H'/S-1613” (Designed Shopping Centre - Holding) District, Modified, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.

2. That the “G-1” (Designed Shopping Centre) District regulations, as contained in Section 13A of Zoning By-law No. 6593, applicable to the lands referred to in Section 1, be modified to include the following special requirements:

(a) In addition to the permitted uses of Subsection 13A. (1), a hotel, and conference or convention centre shall also be permitted.

(b) Notwithstanding the permitted uses of Subsection 13A. (1), institutional uses and public uses shall be prohibited.

(c) A maximum gross floor area of 23,226 square metres of retail and service uses shall be permitted, plus an additional 1 square metre of retail and service use for every 1 square metre of the following non-retail and service uses that is constructed:

(i) Hotel;
(ii) Business or Professional Person’s Office;
(iii) Conference of Convention Centre;
(iv) Commercial School;
(v) Commercial Lending Library;
(vi) Photographer’s or Artist’s Studio;
(vii) Theatre;
(viii) Bowling Alley or Billiard Hall; and,
(ix) Place of Amusement that provides only childrens’ rides and penny arcades.

(d) A maximum gross floor area of 18,581 square metres for a single retail store.

(e) A maximum gross floor area of 10,000 square metres of Business or Professional Person’s Office shall be permitted.

(f) Notwithstanding Subsection 13A. (3), no building shall exceed twelve storeys, and no structure shall exceed 60.0 metres, in height.

(g) Notwithstanding Subsection 13A. (4)(a) and (b), the following setbacks shall apply:

(i) Centennial Parkway - 6 metres (minimum)
(ii) Warrington Street - 2 metres (minimum)
(iii) South Service Road - 14 metres (minimum) for all buildings, and parking and landscaping required by the By-law.

(h) Notwithstanding Subsection 18A. (1)(a), the parking ratio applicable to retail uses and service uses, shall be 1 parking space per 20 square metres of floor area. For all other uses, the requirements of Section 18A shall apply.

(i) Notwithstanding Subsection 18A. (1)(d), buildings having less than 1,552 square metres (16,700 square feet) of floor area shall not be required to provide a loading space.

(j) Notwithstanding Subsection 18A. (7), every required parking space, other than a parallel parking space, shall have dimensions not less than 2.6 metres wide and 5.5 metres long.

(k) That the site-specific regulations apply to the entire property as if it were one lot, regardless of any future consent(s).

3. That the 'H' symbol referred to in Section 1 of this By-law shall be removed conditional upon:

a) Completion and implementation of a Traffic Impact Study, to the satisfaction of the Ministry of Transportation, and Manager of Traffic Engineering and Operations, Public Works Department; and,

b) That the owner/applicant shall submit a signed Record of Site Condition (RSC) to the City of Hamilton and the Ministry of the Environment (MOE). This RSC must be to the satisfaction of the City of Hamilton, including an acknowledgement of receipt of the RSC by the MOE, and submission of the City of Hamilton's current RSC administration fee.

4. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G-1" (Designed Shopping Centre) District provisions, subject to the special requirements referred to in Section 2.

5. That Sheet No. E-112 of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1613.

6. That Zoning By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1613.

7. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.
PASSED and ENACTED this [redacted] day of [redacted], 2009.

__________________________________________  _______________________________________
Fred Eisenberger                                                    Kevin C. Christenson
Mayor                                                              Clerk

ZAC-07-029
Confederation Park Shopping Centres Ltd

Urban Design Guidelines

Mixed Commercial Development
Centennial Parkway North and QEW

JANUARY 2009
(Draft – February 2, 2009)
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1.0 INTRODUCTION

Confederation Park Shopping Centres Limited ("CPSC") is proposing to develop a commercial development on the east side of Centennial Parkway North south of the Queen Elizabeth Way (the "QEW") in the City of Hamilton (see Figure 1). The site is approximately 15 hectares in size and is adjacent to the QEW corridor, the major route from Toronto to Niagara and a principal route to the United States border. The site was most recently used as a scrap metals recycling facility, manufacturing plant, trucking depot, and a waste transfer facility. CPSC proposes to redevelop the site for a new commercial development containing a mix of retail commercial and other commercial uses, such as hotels or office space.

The proposed development will be a contemporary, open air, multiple building format development with approximately 45,000 square metres (485,000 square feet) of total floor space. CPSC is committed to creating a well-designed mixed-use development that meets the needs of businesses and users, is aesthetically attractive, integrates with the surrounding area, and that recognizes the site's prominent location through the creation of a unique "gateway" to the City of Hamilton from a major highway.

CPSC has submitted applications for an Official Plan Amendment and Zoning By-law Amendment to change the land use designation and zoning on the site from industrial to commercial purposes. In respect of these applications, Hamilton City Council directed staff in June 2008 to:

Work with CPSC through the Official Plan, Zoning By-law Amendment and site plan process to create a feature, phasing,

mix of uses, and design at the northwest end of the 480-500 Centennial Parkway North and 20 Warrington Street property which will function as a gateway to the Centennial Parkway corridor.

This document outlines the urban design principles and guidelines that will guide design and development of the site and which will implement City Council’s direction on the matter of the site’s design. These urban design guidelines are meant to complement the City of Hamilton Site Plan Guidelines by providing more specific design guidance for to the CPSC site.

FIGURE 1: Subject site's location on east side of Centennial Parkway North, immediately south of the QEW.
2.0 DESIGN CONTEXT

2.1 Site Description

The site is approximately 14.8 ha (36.5 acre) in area and is located on the east side of Centennial Parkway North, south of the OEW. The site is comprised of 4 separate parcels of land. The majority of the site is comprised of the parcel known municipally as 480 and 500 Centennial Parkway North (the former I. Waxman & Sons Ltd. scrap metals recycling facility) and the parcel known municipally as 20 Warrington Street (the former Foxcroft manufacturing plant).

The site has approximately 312 metres of frontage on Centennial Parkway, 216 metres of frontage on South Service Road and 335 metres of frontage on Warrington Street. The site is bounded by Centennial Parkway North to the west, Curtis Street/South Service Road to the north, Warrington Road and industrial properties to the east, and a CN Rail Line to the south.

The site is bisected by a hydro corridor that runs in a northeast to southeast direction through the site. The site is relatively flat with no significant vegetation on the site. There are varying elevation differences between Centennial Parkway North and the site given the CN Rail Line to the south and the bridge over Centennial Parkway North.

Photos:
Top: Former industrial uses on the site.
Middle: CN Rail overpass over Centennial Parkway looking northwards.
Bottom: The site looking from the south across the CN Rail Line.
2.2 Area Context

The land use context surrounding the site is primarily commercial and industrial in nature (see Figure 2). Centennial Parkway North between the QEW and Queenston Road is principally a commercial corridor while Centennial Parkway North is an arterial road. The Site has good regional access (by Centennial Parkway North and the QEW) and visibility, which are characteristics desired by retailers with a regional/sub-regional draw.

In terms of the surrounding land use context, to the south of the CN Rail Line is commercial development fronting Centennial Parkway North, which includes a Home Depot store; to the east of the site, fronting Warrington Street, is an industrial area containing a variety of industrial uses, including a Purolator terminal; and to the west of the site is a mixture of retail, service and office commercial uses on the west side of Centennial Parkway North.

Photo: Home Depot site to the south of the site.

FIGURE 2: Subject site as the northern gateway to the arterial commercial corridor of Centennial Parkway North.
2.3 Site Concept

The site concept plan (see Figure 3) presented to Hamilton City Council in June 2008 was for a multi-unit commercial development, consisting of retail, service, office, restaurant, and hotel uses and that is anchored by a department store (the "proposed development"). The office and hotel buildings are sited at the northwest corner of the site along the visually prominent frontage of the site. Retail buildings are sited along the Centennial Parkway North frontage and are disbursed in a logical pattern within the site. This concept plan will evolve as the leasing of the site progresses and detailed site design is undertaken.

There are a total of four access points proposed for the site. The primary access to the site is from Centennial Parkway North, aligned with its intersection with Goderich Street on the west side. Access points are also proposed from South Service Road and Warrington Street, where feasible.
3.0 URBAN DESIGN PRINCIPLES

The Urban Design Principles (the "Principles") contained in this section establish a framework for the design of the proposed development. These Principles are intended to provide broad guidance for the site and buildings during the site plan stage, which guidance is implemented through more specific Urban Design Guidelines. The Principles will be used to provide general direction at the Official Plan Amendment and Zoning By-law Amendment stages and will provide guidance to CPSC at the site plan stage to ensure that the various urban design objectives in the Official Plan and Commercial Design Guidelines can be fulfilled at the site plan approval stage.

Ten Urban Design Principles have been established for the subject site, which are identified to the right. These Principles have been formulated to incorporate relevant Provincial policies and direction; relevant policies in the City of Hamilton Official Plan; the City of Hamilton’s growth management framework and policies; and best practices from GSP’s commercial development experience. The Urban Design Principles are general in nature, in order to ensure flexibility for the site plan stage while ensuring that the overall Principle is being achieved.

<table>
<thead>
<tr>
<th>PRINCIPLES:</th>
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<tr>
<td>1. <strong>Gateway</strong>: design the site with a strong and clearly defined &quot;gateway&quot; presence at this visually prominent site at a key entrance to the City;</td>
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<tr>
<td>2. <strong>Place-making</strong>: coordinate the design of the overall site to create a &quot;place&quot;, one that is comfortable and inviting for users;</td>
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<tr>
<td>3. <strong>Pedestrians</strong>: incorporate a pedestrian circulation pattern internal to the site that is direct, safe, and connected to the surrounding area;</td>
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<td>4. <strong>Vehicles</strong>: incorporate a vehicular circulation pattern that directly, effectively and safely distributes traffic on the site;</td>
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<td>5. <strong>Transit</strong>: provide a site layout that can accommodate public transit, both at the site’s edges with arterial streets and private streets internal to the site;</td>
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<td>6. <strong>Street presence</strong>: create a built form presence along the surrounding streets to reinforce the public realm and public streetscapes;</td>
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<tr>
<td>7. <strong>Buildings</strong>: design buildings with façade treatment that contributes to an attractive public realm and visual interest;</td>
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<tr>
<td>8. <strong>Energy efficiency</strong>: incorporate energy efficient practices and standards into building design and construction;</td>
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<tr>
<td>9. <strong>Flexibility</strong>: provide a site layout pattern that is flexible and that allows the site to evolve and intensify over time; and</td>
</tr>
<tr>
<td>10. <strong>Safety</strong>: Incorporate the principles of Crime Prevention Through Environmental Design (CPTED) in the site and building design to create a safe environment for all users.</td>
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4.0 URBAN DESIGN GUIDELINES

This section presents the Urban Design Guidelines (the “Guidelines”) that will implement the Urban Design Principles identified in Section 3.0 above. The purpose of these Urban Design Guidelines is to provide urban design guidance for the site design and planning stage in order to assess, promote and achieve appropriate development on the site. The Guidelines express the expectations for the development review process and are intended to facilitate high quality urban design on the site.

A broad range of topics are addressed in the Guidelines to ensure that all aspects of development are considered in the development process. The Guidelines provide guidance for such elements as built form, design character, landscaping, buffer areas, gateway design, parking area design and signage. The Guidelines are considered complementary to the City of Hamilton’s Site Plan Guidelines with more specific guidance tailored to the subject site.

The Urban Design Guidelines are organized into 5 general topics for organization and discussion purposes. These topics are:

a) Site Layout;
b) Circulation and Parking;
c) Built Form/Architecture;
d) Landscape Design; and
e) Utilities and Servicing.

The Urban Design Guidelines are illustrated by concept graphics for the site and by precedent images from other developments. These illustrations are for guidance purposes only when preparing and reviewing planning and development applications for the subject site, and are solely for the purposes of identifying examples of projects that achieve the design objectives being sought.

GUIDELINE TOPICS:

a) Site Layout: deals with the general organization and layout of the buildings, streets, and features on the site.

b) Circulation and Parking: deals with the layout of the pattern of circulation, both vehicular and pedestrian, and parking areas on the site.

c) Built Form/Architecture: deals with the design and articulation of buildings and structures on the site.

d) Landscape Design: deals with the design of landscape treatments for the various areas and interfaces on the site.

e) Utilities and Servicing: deals with incorporating utilities and servicing into the fabric of the site.
4.1 Site Layout (see Figure 4)

Objectives:

- Place buildings and landscaped areas so that they frame the surrounding public streets and provide an attractive interface;
- Layout the site to accommodate potential future infill or redevelopment; and
- Layout uses and buildings to provide vistas to buildings and appropriate transitions to adjacent properties.

Guidelines:

a) Locate buildings on the edges of the site to form an appropriate street edge to Centennial Parkway North and the North Service Road.

b) Locate taller office, commercial and hotel buildings at the northwest corner of the site to create a gateway function at this expressway interchange that capitalizes on views to the north.

c) Locate smaller footprint commercial retail units generally at the west and northwest edges of the site to reinforce the public street edge and larger footprint units generally at the southeast and south edges of the site adjacent to the rail corridor.

d) Consider opportunities for future intensification and infill building on the site when laying out the circulation system, servicing and building placement.

e) Frame the entrance from Centennial Parkway North with buildings on both sides of the entrance.

f) Organize the site to promote natural surveillance to maximize opportunities for the observation of spaces.

g) Consider incorporating amenity spaces for the office and hotel buildings in areas that provide for a gathering place for all users of the site, are linked to the office, hotel and retail uses through clearly defined pedestrian routes, and could contain landscaped areas and seating areas consistent with the character of the development.

Photo: Buildings sited close to the arterial street edge to frame the street (Repean).
FIGURE 4: Concept – Site layout
4.2 Circulation and Parking (see Figures 5 and 6)

Objectives:
- Logical, functional and clearly defined circulation pattern on the site for all modes of travel;
- Internal private streets connected in a regular pattern with suitable connections to the surrounding public streets;
- Transit accommodated with direct and logical routing through the site;
- Direct and safe pedestrian routes between buildings on the site and from the surrounding public streets;
- Physical and visual definition of pedestrian routes in areas of potential conflict between pedestrians and vehicles;
- Parking areas that minimize the visual impact from a public street; and
- Parking areas that minimize conflicts with circulation pattern.

Guidelines:

a) Layout the internal street system on the site based on a grid pattern of private streets to provide opportunities for circulation and flexibility for intensification.

b) Provide a hierarchy of internal streets with “primary” and “secondary” private streets for circulation through the site.

c) Incorporate multiple access points to the site, where feasible, from the site’s frontages on public streets (Centennial Parkway North, South Service Road, and Warrington Street).

d) Orient parking spaces and circulation routes to minimize the number of vehicular routes pedestrians must cross.

Photo: Landscaped pedestrian route provides direct access to anchor store entrance (Calgary).

Photo: Landscaped parking island that visually and physically divides parking area (Waterloo).
e) Provide clearly distinguished pedestrian crossings of vehicular routes, such as physical or visual elements.

f) Use vehicular routes to physically divide parking areas into appropriately-sized segments for pedestrian accessibility on the site and visual division.

g) Locate parking areas to reduce their visual prominence from the surrounding public streets. Where parking areas are between building and the surrounding public streets, use a combination landscape treatment as per the guidelines above to screen views.

h) Locate bus stops at locations with appropriate access and along the surrounding public streets or along primary internal streets. Ensure clearly defined pedestrian routes between bus stops and building entrances are provided.
4.3 Built Form/Architecture

Objectives:

- Visually attractive buildings with enhanced façade treatment where buildings face public streets;
- High quality treatment for gateway buildings at the corner of Centennial Parkway North and South Service Road;
- Building design that creates visual interest for all users;
- Articulation and variation along building elevations to provide visual interest; and
- Consistent architectural theme, keeping in mind that the proposed development allows for individuality of separate units.

Guidelines:

a) Establish an overall theme that is appropriate for the area’s context and that enables consistency among building and design elements on the site.

b) Utilize a range of materials and features, both vertical and horizontal, on building elevations to provide a visually interesting development.

c) Design front building elevations with clearly defined and architecturally emphasized building entrances and articulated wall surface treatments, including opaque surfaces such as windows and doors.

d) Design side building elevations, and rear elevations for those buildings along Centennial Parkway North with entrances facing into the site, in a similar fashion to the front elevation although to a lesser degree of articulation.

Photo: Small-scale, pedestrian oriented internal street within commercial development (Waterloo).

Photo: Articulated building façade with a variety of architectural elements incorporated (Vaughan).
e) Use building materials, colours, or architectural elements such as awnings or sign bands to provide visual differentiation between the grade-related and upper portions of the building elevation.

f) Design elevations on visible sides for corner buildings in a consistent fashion in terms of materials, proportions and window treatment.

g) Design building façades that avoids the creation of places for hiding, including considerations of window coordination of window design and location coordinated with pedestrian routes.

h) Divide longer building elevations with architectural treatments such as windows, projections, recessions, material changes, or a combination of these treatments.

i) Use a variety of roof lines, (such as pitched, sloped roofs, or a combination with flat roofs) where possible to provide visual interest along the development’s vertical element.

j) Design free standing site signs that are integrated with landscaping and the surrounding built form to create a coordinated gateway feature to the development.

k) Design building signage to balance the needs between vehicular and pedestrian orientation in terms of location and size.

l) Where drive-through facilities are proposed, architecturally integrate such facilities within the overall building design, located to the side or rear of buildings away from public street views, and located to limit conflicts with circulation patterns.
4.4 **Landscape Design** (see Figure 7)

**Objectives:**

- Site edges that provide an appropriate interface with surrounding public streets;
- Landscaping that frames gateway and entrance locations to the site;
- Landscaping that physically and visually divides parking areas on the site;
- Landscaping and edge treatment that provides appropriate interface with adjacent CN Rail Line; and
- Landscaping that reinforces primary street circulation within the development.

**Guidelines:**

a) Provide generous landscaped area along the edges of the site where parking areas or drive lanes are adjacent to Centennial Parkway North, the North Service Road, or Warrington Street. Ensure that the landscaped area along the site's frontages is a consistent width considering variations caused by adjacent entrance turning lanes.

b) Plant street trees in a consistent pattern along public streets and internal pedestrian walkways. Plant trees in permeable surface areas with sufficient soil area per tree to support root growth.

c) Use species of trees, shrubs and other vegetation that are native to the area and that are tolerant to urban conditions.

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*Photo: Landscaped treatment along a site's frontage on a bounding arterial street (Kanata).*

*Photo: Landscaped primary vehicular and pedestrian route through the commercial site (Guelph).*
d) Provide for landscaped islands in parking areas, when spacing permits, with at least two trees together and preferably at least 10.0 square metres of soil area per tree.

e) Landscape the area between a building and a public sidewalk along the street with foundation planting and trees.

f) Locate plant materials with consideration for visual surveillance to and from buildings and parking areas to avoid the creation of potential safety concerns.

g) Treat the south edges of parking areas along the CN Rail Line with the combination of a berm and plant material, including both deciduous and coniferous trees and shrubs.

Photo: Landscape treatment and decorative gateway signage that punctuates the entrance to a commercial development (Kitchener).

Photo: Division of parking area through landscaped parking island (Kitchener).
4.5 Utilities and Servicing

Objectives:

- Utilities and servicing located and/or designed to minimize visual impacts on development;
- Servicing and loading areas located to limit conflicts with circulation routes; and
- Incorporation of utilities and service areas into building design.

Guidelines:

a) Maximize utility and servicing areas for buildings adjacent the rail line on the south side of the buildings.

b) Locate and design loading areas to avoid the creation of dead-end areas or blindspots.

c) Ensure that lighting within parking areas and on buildings is balanced between user safety and nuisance overflow.

d) Locate garbage areas within the respective buildings or in locations that are visually obscured using landscaping or enclosed garbage structures.

e) Locate or screen rooftop mechanical equipment from view. Design any screening measures to be consistent with the architectural character of the building.
FIGURE 3
Conceptual Site Plan

Source: Petroff Partnership Architects
b) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;\textsuperscript{6}

TER’s market demand and impact analysis has been designed to address this policy.

**Conclusions**

**The CPSC Site is suitable for retail/commercial development.**

- The CPSC Site is an appropriate location for accommodating new format retailers requiring larger land parcels and exposure to high traffic volumes.

- The development of the CPSC Site for retail uses would complement the existing retail uses along Centennial Parkway North.

- The CPSC Development’s location along the QEWT will make it accessible to a broad area.

**The Study Area to be served by the CPSC Development currently includes approximately 344,000 persons. Population growth is forecast in the future.**

- The CPSC Site is located within the TER defined Sector 100, which has an estimated 2006 population of 124,000 persons.

- Overall, the population of the Study Area is expected to increase from an estimated 344,000 persons in 2006 to 354,530 persons in 2016.

**The Study Area has approximately 9 million square feet of retail and service space.**

- The CPSC is proposing a 455,000 square foot development, which would represent a 5.0% increase in the total existing retail and service space in the Study Area.

**The proposed relocation and expansion of the Wal-Mart department store is warranted on the basis of market demand. Furthermore, it our professional opinion that the introduction of the Wal-Mart department store will not jeopardize the viability of other existing or approved retail centres in the City of Hamilton, nor will it jeopardize or undermine the primacy and viability of the Central Policy Area.**

- The existing Wal-Mart at Eastgate Square is approximately 140,500 square feet.

Appendix "H" to Report PED09166 (Page 2 of 11)

Confederation Park Shopping Centres Limited – Retail Market Demand and Impact Analysis
Centennial Parkway North & QEW

- TER studied a net additional 34,500 square feet of department store NFOR space. It is our professional opinion that the introduction of the net additional 34,500 square feet of department store NFOR space will not jeopardize the viability of other existing or approved retail centres in the City of Hamilton nor will it jeopardize or undermine the primacy and viability of the Central Policy Area.

- It is our professional opinion that the introduction of the net additional 50,000 square foot FOR component of the proposed relocated and expanded Wal-Mart will not jeopardize the viability of other existing or approved retail centres in the City of Hamilton nor will it jeopardize or undermine the primacy and viability of the Central Policy Area.

The proposed ancillary retail space is warranted on the basis of market demand. Furthermore, it our professional opinion that the introduction of this retail space will not jeopardize the viability of other existing or approved retail centres in the City of Hamilton nor will it jeopardize or undermine the primacy and viability of the Central Policy Area.

- It is our professional opinion that there is sufficient demand to warrant the development of the proposed 177,000 square feet of ancillary retail space on the CPSC Site. This demand is in addition to the 352,000 square feet of retail space proposed in other location in Sector 100.

- It is our professional opinion that there is sufficient demand for re-tenanting the vacated Wal-Mart space in Eastgate Square.

- It is our professional opinion that the proposed CPSC Development will not preclude or delay the redevelopment of Centre Mall.

- It is our professional opinion that the introduction of the proposed ancillary retail space on the CPSC Site, in addition to the proposed retail space in Sector 100, will not jeopardize the viability of other existing or approved retail centres in the City of Hamilton nor will it jeopardize or undermine the primacy and viability of the Central Policy Area.

- TER has not specifically studied the market demand and impact of the proposed addition of the 58,000 square feet of service space on the CPSC Site. Typically, service space is locally oriented and is viewed as an ancillary use to the main retail component of a development. TER is of the opinion that this ancillary service space is warranted at the CPSC Site, as proposed.
It is our professional opinion that the CPSC Development is warranted on the basis of market demand, in accordance with the policies of the Regional OP.

It is our professional opinion that CPSC Development will not adversely affect existing retail areas, in accordance with the policies of the Regional OP.

TER undertook a market impact study that assessed the present and future population to be served by the proposed CPSC Development, evaluated the trade areas of the proposed CPSC Development and assessed the potential impacts on the trade areas of other retail centres, in accordance with the policies of the Hamilton OP.

It is our professional opinion that the CPSC Development will not jeopardize the viability of the Central Policy Area, and therefore not undermine the intent to promote this as the principle retail centre, nor will it jeopardize the viability of other existing or approved retail centres in the former City of Hamilton, in accordance with the policies of the Hamilton OP.

Further, it is our professional opinion that the introduction of the CPSC Development will not undermine the primacy of the Central Policy Area in accordance with the policies of the Hamilton OP.

It is our professional opinion that the CPSC Development will maintain the vitality and viability of downtowns and mainstreets in the City of Hamilton and is therefore consistent with the PPS as it relates to this market demand and impact study.
12 Retail Market Demand and Impact Conclusions

This market demand and impact analysis has been designed to meet the requirements, as they relate to commercial development, in the Regional OP, the Hamilton OP and the PPS.

12.1 Regional Official Plan Policies

With regard to retail developments in general, the Regional OP states:

"New retail developments, particularly those on a large scale such as new malls, should only be permitted where demand can be demonstrated and existing retail areas will not be adversely affected."^{19}

It is our professional opinion that the CPSC Development is warranted on the basis of market demand, in accordance with the policies of the Regional OP.

It is our professional opinion that CPSC Development will not adversely affect existing retail areas, in accordance with the policies of the Regional OP.

12.2 Former City of Hamilton Official Plan

CPSC is requesting a Commercial designation for the CPSC Site. With regard to new retail development, the Hamilton OP states:

"It is the intent of Council that new, extended or enlarged SHOPPING CENTRES proposed on lands not designated Commercial in this or other plans of the City, will not jeopardize the viability of other existing or approved retail centres in the City. In this regard, where a proposal would result in a SHOPPING CENTRE larger than 14,000 square metres of gross floor area, Council will require the completion of a market study by the proponent which indicates that such viability is not endangered, prior to any approval. Such market studies will contain:

i) An assessment of present and future population to be served by the proposed development, including a full explanation of the sources, techniques and assumptions used in arriving at any population forecast;

ii) A full explanation as to any other forecasts or assumptions used in determining retail requirements within the City of Hamilton;

iii) The amount, mix, location and phasing of proposed retail space;"

^{19} Regional OP, Part C, Section 3.1.8, June 2005.
iv) An evaluation of the primary and secondary trade areas of the proposed development, including any assumptions used and an explanation of the characteristics of the population to be served, as may be relevant to the proposal;

v) An assessment of the potential impacts on the trade areas of other retail centres, including an explanation of any methodology used; and,

vi) Evidence that the proposal will not jeopardize the viability of the Central Policy Area in order that the intent to promote this as the principal retail centre in the Region will not be undermined.  

The Hamilton OP further states:

"... the Plan promotes Shopping Centres of varying sizes, ranging from Sub-Regional Shopping Centres down to the smaller Neighbourhood Shopping Centres. It is intended that such Centres be distributed to provide sufficient business opportunity and consumer choice without undermining the primacy and viability of the Central Policy Area."  

"Subject to the Commercial policies set out in Subsection A.2.2 of this Plan, Council will give preference to proposals for Commercial development beyond the CENTRAL POLICY AREA which do not jeopardize the role of this AREA as the primary Commercial centre in the City and Region."

It is our professional opinion that the CPSC Development will not jeopardize the viability of other existing or approved retail centres in the City. Furthermore, it is our professional opinion that the CPSC will not jeopardize or undermine the primacy and viability of the Central Policy Area as the principal retail centre in the Region.

12.3 Provincial Policy Statement (2005)

The PPS provides policy direction on matters of provincial interest related to land use planning and development. The relevant policy of the PPS as it relates to this market demand and impact study states:

"Long-term economic prosperity should be supported by:

20 Hamilton OP, Section 2.2.9, June 2005.
21 Hamilton OP, Section A.2.2, June 2005.
22 Hamilton OP, Section A.2.8.3, June 2005.
b) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;²³

When conducting a market demand and impact analysis in a city the size of Hamilton, it is difficult to assess the PPS policy for a centre such as the CPSC Development. However, it is our professional opinion that the development of the CPSC Site will not adversely impact the downtowns and mainstreets in the City of Hamilton. Therefore, the proposed CPSC Development will maintain the vitality and viability of downtowns and mainstreets and is consistent with the PPS.

It is the professional opinion of Tate Economic Research Inc. that the proposed 220,000 square foot Wal-Mart department store and up to 235,000 square feet of retail/service space on the CPSC Site should be approved, on the basis of market demand and impact.

4.6 Other Hamilton Proposed Competition

TER has also taken into consideration the following proposed developments:

- Mady Development Corporation – Mady is proposing a 430,000 square foot mixed used centre in the south west quadrant of the Queen Elizabeth Way (QEW) and Fifty Road. Mady is proposing a department store as well as a home improvement centre.

- Flamborough Power Centre Inc. and Trinity Development Group Inc. – Both developers have approvals for “big box” retail uses in the north east and south east quadrants of Highway 5 and Highway 6 interchange. There is the potential for over 1 million square feet of commercial uses in this area.

Although none of the above referenced proposed/under construction developments are located within the Study Area, TER has recognised their potential impact on the drawing power of the CPSC Development.

4.7 Retail Space Conclusions

Sector 100 represents the largest concentration of retail space in the Study Area as well as in the City of Hamilton. Due to the mature nature of its residential neighbourhoods, much of the retail space in this Sector has been in existence since the early 1970s or earlier as in the case of Centre Mall, which opened in 1955. There have been a number of renovation and redevelopment projects such as the recent ones undertaken at Eastgate Square, the relocation and expansion of the Canadian Tire on Queenston Road and that proposed redevelopment of Centre Mall. It is the opinion of TER that the retail structure of this area will continue to change in line with changing consumer demand and expectations of the retail shopping experience.
14.6% of Sector 200 residents' department store expenditures;

12.2% of Sector 300 residents' department store expenditures; and

43.7% of Sector 400 residents' department store expenditures.

TER estimates that the five existing department stores in Sector 100 totalling 714,600 square feet capture approximately $145.8 million of Study Area residents' department store expenditures. Base year inflow is estimated at 22.0%. The resulting average sales per square foot level of these department stores is estimated to be approximately $260 per square foot.

In 2010, the net addition of the 34,500 square foot NFOR component of the relocated and expanded Wal-Mart is forecast to result in an increase in the department store capture rate to 74.0% of Sector 100 residents' department store expenditures. Sector 300 and 400 residents' department store expenditures are expected to remain the same as in 2006 and Sector 200 residents' department store expenditures are expected to decrease based on the assumption that the Rymal Road Wal-Mart will be expanded. Inflow is expected to decrease from 22.0% to 20.0%. This decrease is a function of the potential department store developments in Stoney Creek on the Mady Site, and other potential developments outside of the TER Study Area. The resulting sales per square foot level of the four existing department stores and the relocated and expanded Wal-Mart department store is estimated to be $260 per square foot in 2010 increasing to $270 per square foot in 2012 and further to $285 per square foot by 2016.

9.3 Wal-Mart Relocation and Expansion - NFOR Component Market Impact Analysis

Table 8 examines the impact on the individual department stores in Sector 100 and existing department stores in the Study Area of the net additional 34,500 square foot NFOR component of the relocated and expanded department store.

The following observations are made in terms of directional impact:

TER estimates the largest impact will likely be experienced by The Bay at Eastgate Square. The sales level in 2010 is estimated to be $190 per square foot which represents a decrease of 7.3% over its 2006 base year operating level. This decrease is a function of the anticipated reduction in mall traffic in the short term while the vacated Wal-Mart space is re-tenanted. It is the opinion of TER that these sales per square foot operating levels remain within industry averages and that The Bay is not at risk of closure due to the proposed relocation and expansion of the Wal-Mart.

TER estimates that both Zellers department stores will experience similar declines in sales per square foot levels. In 2010, the Zellers at Zellers Plaza is
expected to experience a sales decline of 5.4% from its 2006 level to $175 per square foot. In 2010, the Zellers at Centre Mall is expected to experience a sales decline of 5.9% to $160 per square foot. It is the opinion of TER that these operating levels are above industry averages for a Zellers department store.

- TER estimates that in 2010 the sales per square foot performance level of the Sears at Centre Mall will decrease by 4.1% from $245 per square foot in 2006 to $235 in 2010. It is the opinion of TER that these operating levels within industry averages for a Sears department store.

- TER does not anticipate a reduction in the sales per square foot performance levels of the existing department stores elsewhere in the Study Area as a result of the relocation and expansion of the Wal-Mart in Sector 100.

9.4 Wal-Mart Relocation and Expansion - NFOR Component Market Demand and Impact Analysis Conclusions

There is sufficient demand to warrant the net additional 34,500 square foot NFOR component of the proposed relocated and expanded Wal-Mart from Eastgate Square to the CPSC Development. It is our professional opinion that the introduction of net additional 34,500 square foot NFOR component of the relocated and expanded Wal-Mart will not adversely affect existing retail areas within the City of Hamilton.

Furthermore, it is our professional opinion that the introduction of a net additional 34,500 square foot NFOR component of the relocated and expanded Wal-Mart will not jeopardize the viability of other existing or approved retail centres in the City nor will it jeopardize or undermine the primacy and viability of the Central Policy Area.
• TER estimates that the Food Basics at Parkway Plaza will experience a 14.2% decline in its sales from $950 per square foot in 2006 to $815 per square foot in 2010.

• TER estimates that the Price Chopper at Strathbarto Mall will experience a 12.1% decline from $495 per square foot to $435 per square foot.

• TER estimates the remaining supermarkets in the Sector 100 will all experience limited or no sales per square foot performance declines.

It is the opinion of TER that these sales per square foot operating levels remain within or above industry averages for the respective banners in a market such as Hamilton. Therefore no supermarkets are considered to be at risk of closure due to the introduction of the proposed new FOR space.

10.4 Wal-Mart Relocation and Expansion - FOR Component Market Demand and Impact Analysis Conclusion

There is sufficient demand to warrant the net additional 50,000 square foot FOR component of the relocated and expanded Wal-Mart from Eastgate Square to the CPSC Development. It is our professional opinion that the introduction of net additional 50,000 square foot FOR component of the relocated and expanded Wal-Mart will not adversely affect existing retail areas within the City of Hamilton.

It is our professional opinion that the introduction of the net additional 50,000 square foot FOR component of the relocated and expanded Wal-Mart will not jeopardize the viability of other existing or approved retail centres in the City nor will it jeopardize or undermine the primacy and viability of the Central Policy Area.
In the 2006 base year, TER estimates that the Other NFOR space at Eastgate Square is operating at approximately $320 per square foot. This sales level is expected to decrease to approximately $250 per square foot in 2010. The forecast decrease in the sales per square foot level is a function of the increased Other NFOR space based on the re-tenanting of the vacant Wal-Mart space as well as the introduction of new space at the CPSC Site and other locations in Sector 100. It should be noted that although TER forecasts a decrease in the sales per square foot performance level at Eastgate Square, the overall sales captured by Other NFOR stores in the mall are estimated to increase from $50.9 million in 2006 to $74.0 million in 2010. It is the opinion of TER that the resulting sales levels in 2010 and ensuing years are within industry averages.

- TER estimates that Centre Mall will experience a 6.6% decline in the sales performance from an estimated $305 per square foot in 2006 to $285 per square foot in 2010. It should be noted that although TER forecasts a decrease in the sales per square foot performance level, the overall sales captured by Other NFOR stores in the renovated centre are estimated to increase from $49.5 million in 2006 to $84.3 million in 2010. It is the opinion of TER that the resulting sales levels in 2010 and ensuing years are within industry averages and therefore the introduction of the CPSC Development will not preclude or delay the proposed redevelopment of Centre Mall.

- TER estimates that the other retail centres and nodes in Sector 100 all experience a decline in the sales performance. However, the estimated resulting average sales per square foot levels of the Other NFOR uses in all nodes are considered by TER to be within industry averages.

11.4 Other NFOR Market Demand and Impact Analysis Conclusion

There is sufficient demand to warrant the development of 177,000 square feet of ancillary Other NFOR space on the CPSC Site. It is our professional opinion that the introduction of ancillary Other NFOR space, as proposed, will not adversely affect existing retail areas within the City of Hamilton.

Furthermore, it is our professional opinion that the introduction of 177,000 square feet of ancillary Other NFOR space will not jeopardize the viability of other existing or approved retail centres in the City nor will it jeopardize or undermine the primacy and viability of the Central Policy Area.
VIA E-MAIL & ORDINARY MAIL

November 24, 2008

City of Hamilton
Planning and Economic Development Department
Planning Division (East)
City Hall, 71 Main Street West, 6th Floor
Hamilton, ON, L5P 4Y5

Attention: Peter De Iulio

Dear Sir,

Re: Application for an Official Plan Amendment and a Zoning By-Law Amendment on properties located at 400 & 500 Centennial Parkway North and 20 Warrington Street, Hamilton.

FILE NO: ZAC-07-029 and OPA-07-08.

As you are aware, we represent ALCARB RESOURCES INC. ("Alcarb"), which owns a property shown as parcel number 161 on the Location Map attached to the Revised Application from your office dated October 31, 2008.

We are also the solicitors for 684810 ONTARIO LIMITED ("684810") and OAE MARKETING INC. ("OAE"), owners of other properties adjacent to the applicant’s lands, specifically, shown as parcel numbers 163 and 190 on the said Location Map, which they lease to Alcarb.

Alcarb, operates a carbon recycling and processing plant on the said adjacent lands (both owned and leased from 684810 and OAE) in full compliance with the Official Plan ("Industrial") and Zoning By-Law ("KK") for those lands.

Please be advised that our clients still stronglyobject to the proposed amendments to the Official Plan and Zoning By-Law on the following grounds:

1. There is an incompatibility between the Heavy Industrial use of our client (and other industries in the surrounding area) and the Shopping Centre, Hotel and Office uses proposed. Our client believes that the Applicant, if successful, and the tenants, guests, shoppers and employees using the proposed development, will

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complain about normal industry noise and operations. The Revised Application increases the likelihood of complaint by adding Hotel and Office components and increasing the overall ground floor area by 30,000 square feet.

2. Of necessity, our client’s operation uses heavy trucks and, although Alcarb employs higher than industry standard methods to control particulate matter, it is impossible to meet the quality expectations of retailers, hotel guests and other commercial users and their customers using the same road system and atmosphere.

3. Alcarb’s operation represents a substantial investment in plant and equipment. Its location is close to its suppliers and complimentary industries. It is adjacent to main transportation routes that connect it to its customers. If the Official Plan is amended as proposed, our client believes it will create pressure for other adjacent lands to be subject to similar applications thereby creating more complaints and forcing our client to cease operations. The cost of relocation would be prohibitive and could force the closure of our client’s plant resulting in lost jobs in the community.

4. The value of our client’s business as a going concern will be seriously compromised if the proposed amendments are allowed. No properly informed prospective purchaser of a business would ignore the likelihood of future closure, or costly relocation, if the adjacent lands are redeveloped as proposed.

5. Our property owner clients’ land values are also likely to decline if the amendments are allowed.

We submit that the current permitted uses for the subject property, which is zoned Heavy Industrial (KK), is the highest and best use of such lands, given the Heavy Industrial zoning and use of our client’s facility and other adjacent properties.

It is our opinion that good planning principals require the retention of the current uses of the subject and adjacent properties in order to protect the City’s industrial base and the jobs it represents. These principals are in accord with the City’s policy regarding protection of industrial and employment lands.

These comments are submitted as our clients’ formal objection to the proposed Official Plan and By-Law Amendment Applications, File Nos.: ZAC-07-029 and OPA-0708 as revised by Notice dated October 31, 2008.

Yours truly,

MADORIN, SNYDER LLP

per: BRUCE LACKENBAUER

BL/mlp
August 30, 2007

City of Hamilton
Planning and Economic Development Department
Planning Division (East)
City Hall, 71 Main Street West, 6th Floor
Hamilton, ON, L8P 4Y5

Attention: Peter De Iulio

Dear Sir,

Re: Application for an Official Plan Amendment and a Zoning By-Law Amendment on properties located at 400 & 500 Centennial Parkway North and 20 Warrington Street, Hamilton.

FILE NO: ZAC-07-029 and OPA-07-08.

We represent ALCARB RESOURCES INC. ("Alcarb"), which owns the property parcel shown as number 161 on the Location Map attached to the Notice of Application from your office dated June 29, 2007.

We are also the solicitors for 684810 ONTARIO LIMITED and OAE MARKETING INC., owners of other properties adjacent to the applicant’s lands, specifically, parcels shown as numbers 161 and 190 on the said Location Map, which they lease to Alcarb.

Alcarb, operates a carbon recycling and processing plant on the adjacent lands in full compliance with the Official Plan ("Industrial") and Zoning By-Law ("KK") for those lands.

Please be advised that our clients strongly object to the proposed amendments to the Official Plan and Zoning By-Law on the following grounds:

1. There is an incompatibility between the Heavy Industrial use of our client (and other industries in the surrounding area) and the Shopping Centre use proposed. Our client believes that the Applicant, if successful, and the tenants of the proposed shopping centre, will complain about normal industry noise and operations. Of necessity, our client’s operation uses heavy trucks and, although

"CERTIFIED BY THE LAW SOCIETY AS A SPECIALIST IN CIVIL LITIGATION"
Alcarb employs higher than industry standard methods to control particulate matter, it is impossible to meet the expectations of retailers and other commercial users and their customers.

2. Our client’s operation required a substantial investment in plant and equipment. Its location is close to its suppliers and complimentary industries. It is adjacent to main transportation routes that connect it to its customers. If the Official Plan is amended as proposed, our client believes it will create pressure for other adjacent lands to be subject to similar applications thereby creating more complaints and forcing our client to cease operations. The cost of relocation would be prohibitive and could force the closure of our client’s plant resulting in lost jobs.

3. The value of our client’s business as a going concern will be seriously compromised if the proposed amendments are allowed. No properly advised prospective purchaser of a business would ignore the likelihood of future closure, or costly relocation, if the adjacent lands are redeveloped as a Shopping Centre.

4. Our property owner clients’ land values are also likely to decline if the amendments are allowed.

We submit that the current Heavy Industrial use is the highest and best use for the subject property given our client’s business and the uses of other adjacent properties.

It is our opinion that good planning principals require the retention of the current uses of the subject and adjacent properties in order to protect the City’s industrial base and the jobs it represents. This principal is in accord with the City’s policy regarding protection of industrial and employment lands.

These comments are submitted as our clients’ formal objection to the proposed Official Plan and By-Law Amendment Applications, File Nos.: ZAC-07-029 and OPA-0708.

Yours truly,

MADORIN, SNYDER LLP

per: BRUCE LACKENBAUER

BL/mlm
BY FACSIMILE

August 30, 2007

Mr. Peter J. De Iulio
City of Hamilton
Planning and Economic Development Department
Planning Division (East)
City Hall, 71 Main Street West, 6th Floor
Hamilton, ON L8P 4Y5

Dear Mr. De Iulio:

Applications for an Official Plan Amendment and a Zoning By-law Amendment on Properties Located at 400 and 500 Centennial Parkway North, and 20 Warrington Street, Hamilton; File Nos. ZAC-07-029 and OPA-07-08

We are writing on behalf of our client, Purolator Courier Ltd. ("Purolator") regarding the above-referenced applications for an Official Plan Amendment and Zoning By-law Amendment (the “Applications”) to permit a 42,000 square metre shopping centre on properties located at 400 and 500 Centennial Parkway North and 20 Warrington Street (the “Subject Properties”). The purpose of this letter is to identify Purolator's concern and objection to proposed road alterations emanating from the Applications that will severely diminish existing access to Purolator's lands.

Purolator owns and operates a courier and shipping distribution centre at 21 Warrington Street, immediately across from the Subject Properties. The Purolator facility is located between South Service Road and a hydro corridor owned by Hydro One Inc. (the “Hydro Corridor”), on a lot that is irregular and triangular in shape. The building that contains Purolator’s loading and operational facilities immediately abuts both the Hydro Corridor and the South Service Road, thereby precluding vehicular access between the rear and front of the building. As a result of this lot and building configuration, it is therefore not possible for transport trailers or other vehicles to access the loading docks at the front of the building from the rear of the lot, other than through the Hydro Corridor.
There is no access to the Purolator facility from South Service Road, and the only access is from Warrington Street at two points. The first, and most important access, is located at the end of the Warrington Street cul-de-sac, and then through the Hydro Corridor to the front of the building where the loading docks are located (the “Warrington Cul-de-Sac Access”). The second access is located further along Warrington Street at a point that roughly parallels the rear of the Purolator building, and then through the Hydro Corridor to the back of the building (the “Warrington Mid-Point Access”). However, as noted above, it is not possible for transport trailers and other vehicles entering through the Warrington Mid-Point Access to drive to the loading docks located at the front of the building, other than along the Hydro Corridor pursuant to an unregistered licence agreement with Hydro One.

In the context of the Applications, a new intersection is being proposed at Warrington Street and South Service Road. According to traffic drawings that have been prepared by the Applicant’s traffic consultant, Warrington Street will be re-aligned and widened in order to create turning lanes at South Service Road, and the existing cul-de-sac will be eliminated. On the basis of the information that has been provided to Purolator, it is clear that these road alterations will result in the elimination of the Warrington Cul-de-Sac Access. This is unacceptable to Purolator, as it will eliminate the existing point of access that provides the greatest flexibility for truck movements and access to the loading docks in front of its building. By eliminating the Warrington Cul-de-Sac Access, Purolator would be entirely dependent upon the Warrington Mid-Point Access, which is more difficult for transport trailers to manoeuvre, and which is even more dependent upon rights of way and unregistered licence agreements with Hydro One. In view of its lack of direct access to a public road, it is not inconceivable that Purolator could be at risk of becoming entirely land-locked at some future time.

While Purolator does not object in principle to the proposed retail development on the Subject Properties, it does object to the loss of its Warrington Cul-de-Sac Access. It is Purolator’s position that this issue must be satisfactorily resolved prior to the approval of the Applications. In this regard, representatives of Purolator are prepared to meet with representatives of the proponents, the City and Hydro One to attempt to resolve this access issue to the satisfaction of all parties. It is Purolator’s position that the City of Hamilton must in particular take leadership in resolving this critical issue to ensure that Purolator is not prejudiced as a result of the Applications.

Purolator wishes to be kept apprised of the Applications, and requires notice of all future public meetings and copies of all relevant reports. Please provide such information to the undersigned as well as to Jim McLellan, Director of Real Estate, Purolator Courier Ltd., 5995 Avebury Road, Suite 100, Mississauga Ontario, L5R 3T8 (Fax: 905-712-6815; E-Mail: jmclellan@purolator.com).
We look forward to being further consulted with respect to this important issue and to receiving all future notices. Please address any questions to our attention.

Yours very truly,

Michael Bowman

MB:me
February 4, 2009

Mr. Peter J. De Iulio, MCIP, RPP
Senior Project Manager
Development Planning – East Section
Planning and Economic Development Department
City of Hamilton
77 James Street North, Suite 400
Hamilton ON L8R 2K3

Dear Mr. De Iulio:

Subject: Official Plan and Zoning By-law Amendment Applications
480 & 500 Centennial Parkway North, and 20 Warrington Street
Municipality: City of Hamilton
City File No.: ZAC-07-029 and OPA-07-08
MAH File No.: 25-DP-0190-08007

Thank you for the opportunity to review and provide comments on this proposed amendment for an employment land conversion to the City of Hamilton’s Official Plan for the properties located at 480 & 500 Centennial Parkway North and 20 Warrington Street. A pre-consultation staff report is enclosed with this letter.

The City of Hamilton lies within the boundaries of the Greater Golden Horseshoe Area and is subject to the requirements of the Growth Plan for the Greater Golden Horseshoe, 2006 (“Growth Plan”) released June 16, 2006. The Places to Grow, 2005, requires that all decisions under the Planning Act and Condominium Act conform to the Growth Plan and that municipal official plans be brought into conformity with the Growth Plan by June 2009.

The Ministry of Municipal Affairs and Housing (“MAH”) and the Ministry of Energy and Infrastructure (“MEI”) are supportive of the City of Hamilton’s efforts to date in working towards implementation of the Growth Plan. The research and analyses undertaken by the City relating to the assessment of employment areas for potential conversion to other uses as part of its ongoing municipal comprehensive review, has been comprehensive and detailed.

The re-designation of these lands constitutes an employment area conversion.

The subject lands, 14.77 ha in size, located within the East Hamilton Industrial Park at the intersection of Centennial Parkway North, South Service Road and the Queen Elizabeth Way are designated “Industrial” in the City of Hamilton’s current official plan.

The Growth Plan defines an employment area as: “any area designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities”. These lands would therefore constitute part of an employment area as defined in the Growth Plan.
The proposed official plan amendment and zoning by-law amendment applications would re-designate and rezone the subject lands from an industrial to commercial designation to permit a department store, hotel, retail and office uses.

A re-designation of lands in an employment area to other uses may only occur as part of a municipal comprehensive review.

Policy 2.2.6.5 of the Growth Plan states that municipalities may permit the conversion of lands within employment areas to non-employment uses, only through a municipal comprehensive review. Furthermore, for the purposes of this policy, major retail uses, such as those proposed for the site, are considered non-employment uses.

The City is currently well into the process of undertaking its municipal comprehensive review as part of its efforts to develop the urban component of its new official plan.

The City has, as part of this exercise, completed a detailed analysis of existing employment lands and lands identified for potential conversion from employment to non-employment uses. These studies generally concluded that the City has a deficiency of employment lands to meet its long-term needs and that virtually all of the City's existing supply should be retained, except for the consideration of some potential minor conversions, but only for scattered, very small or fragmented/edge sites which the studies identified.

Assess and undertake the re-designation of these employment area lands through the City's ongoing municipal comprehensive review.

It is recommended that the proposed application and its merits be evaluated as part of the City's ongoing municipal comprehensive review exercise in accordance with the Policy 2.2.6.5 of the Growth Plan.

In keeping with the City's own stated objectives in its draft Urban Structure Plan, and the Growth Plan's objectives of building complete, compact communities, it is recommended that uses such as offices and hotels and commercial uses, should be directed to nodes or corridors identified by the City in its ongoing work, to assist in increasing transit accessibility and ridership, and to create synergies with other commercial uses in these nodes and corridors.

Based on the above, until the City completes its municipal comprehensive review, a decision to approve the conversion of employment lands would not conform to Policy 2.2.6.5 of the Growth Plan.

If you have any questions, please do not hesitate to contact me at (416) 585-6109.

Yours truly,

Victor Doyle, MCIP, RPP
Manager, Community Planning and Development

c. Tanzeel Merchant, Manager (A), Growth Planning and Analysis, MEI
   Greg Roszler, Project Manager, Central Region, MTO

Encl. Ministry Pre-consultation Staff Report
MINISTRY PRECONSULTATION STAFF REPORT

Planning System: Growth Plan

MAH File Number(s): 25-DP-0190-08007
City of Hamilton File: OPA-07-08 & ZAC-07-029
Single Tier: City of Hamilton
Applicant: Smart Centres Limited
OP Conformity: No
Growth Plan Issues: Yes (Employment Areas)

RECOMMENDATION:

Given that the proposed official plan amendment (OPA-07-08) would facilitate an employment area conversion as set out in the Growth Plan for the Greater Golden Horseshoe ("Growth Plan"), it is recommended that the proposed development application be evaluated as part of the City's ongoing municipal comprehensive review exercise in accordance with the policies of the Growth Plan.

PROPOSAL:

On May 18, 2007, Smart Centres Limited submitted an application to the City of Hamilton for official plan (OP of the former City of Hamilton) and zoning by-law amendments to permit a mixed-use development consisting of retail and service commercial uses together with an office and a hotel.

BACKGROUND:

The subject lands comprise 14.77 hectares (36.45 acres) located within the East Hamilton Industrial Park at the intersection of Centennial Parkway North, South Service Road and the Queen Elizabeth Way. The property is legally described as Part of Lots 25 and 26, Concession 1, and municipally known as 480 and 500 Centennial Parkway North and 20 Warrington Street, City of Hamilton.

The subject property is designated "Industrial" on Schedule A: Land Use Concept of the former City of Hamilton OP which is still in force and effect. The lands are further identified as "Special Policy Area 11" on Schedule B of the City's Official Plan. Special Policy Area 11 indicates that the area is subject to the "Light Industrial" policies of the OP. Policy (A.2.3.14) under Special Policy Area 11 permits warehousing, light manufacturing and assembly; laboratories and research facilities, communication facilities and printing and publishing plants.

According to the application, the site is currently being used as a metal scrap yard and waste transfer facility.

The proposal, as described in the City's circulation dated October 31, 2008, proposes an amendment to the OP of the former City of Hamilton to re-designate the subject lands from 'Industrial' to 'Commercial' and re-zone the site from "KK" (Heavy Industrial District) to "G-1" (Designated Shopping Centre) to permit the following uses:
• A department store having a gross floor area of 18,580 square metres (200,000 square feet);

• A variety of retail and service commercial uses having a total gross floor area of 15,514 square metres (167,500 square feet);

• An office having a gross floor area of 5,458 square metres (58,750 square feet);

• A hotel having a gross floor area of 5,458 square metres (58,750 square feet).

A revised concept plan dated September, 2008 from the City’s circulation of the applications is attached as Attachment “1” to this report.

ONE WINDOW REVIEW/CONSULTATION:

The following assessment is based on a review of the Places to Grow Act, 2005; Growth Plan for the Greater Golden Horseshoe, 2006; the Planning Act; Official Plan of the former City of Hamilton; a review of the application and a One-Window circulation to the Ministry of Energy and Infrastructure (MEI).

The application to amend the former City of Hamilton OP has been reviewed on the following basis:

• The application was commenced on May 18, 2008; and

• The application is subject to the Growth Plan.

Growth Plan for the Greater Golden Horseshoe, 2006

The City of Hamilton is subject to the requirements of the Growth Plan, released June 16, 2006. The Places to Grow Act, 2005, requires that all decisions under the Planning Act and Condominium Act conform to the Growth Plan and that, within three (3) years of a growth plan being approved, all municipal official plans must be brought into conformity.

The Growth Plan requires municipalities to maintain an adequate supply of lands providing locations for a variety of employment uses to accommodate the growth forecasts contained in Schedule 3 (Policy 2.2.6.1). Policy 2.2.6.5 of the Growth Plan states that municipalities may permit the conversion of lands within employment areas to non-employment uses, only through a municipal comprehensive review.

The Growth Plan defines an employment area as: “any area designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities”.

As noted above, the City’s current Official Plan designates the subject lands ‘Industrial.’ Based on the industrial designation and permitted uses in the City’s Official Plan, these lands lie within an employment area and Policy 2.2.6.5 of the Growth Plan which deals with conversion of lands within employment areas applies.
Hamilton new Urban Official Plan

The City is currently well into the process of undertaking its municipal comprehensive review as part of its efforts to develop the urban component of its new official plan in conformity with the Growth Plan. The City has, as part of this exercise, recently completed a detailed analysis of existing employment lands and lands identified for potential conversion from employment to non-employment uses through the Comprehensive Employment Study (Hemson 2006), The City of Hamilton Employment Land Conversion Analysis (Hemson Consulting, finalized in June 2008), and the Employment Land Conversion Analysis Site/Area Selection Process prepared by City staff in March 2008.

These studies generally concluded that the City has a deficiency of employment lands to meet its long-term needs and that virtually all of the City's existing supply should be retained. The studies also stated that employment land conversions were not necessary to achieve the City's planned residential and commercial structure. Lastly, the studies determined that some minor conversions could potentially be considered, but only for scattered, very small or fragmented/edge sites.

The analyses undertaken by the City concluded that there were only a small number of relatively small scattered sites (totaling approximately 50 acres) which met the criteria for conversion.

The subject lands were also assessed as part of the above analysis and the report noted that only about 6 hectares of these lands that front onto Centennial Parkway had the potential for conversion, whereas the balance of the lands did not. More specifically, the report suggested the 6 hectares would be appropriate for arterial road type commercial uses including vehicle sales, parts and service, fast food restaurants, home improvement centres, garden centre, furniture stores, and quasi-industrial uses such as contractor supply, equipment rental and pool sales. However, in the end, no portion of this site was recommended for conversion in the report.

Despite these reports, studies and staff recommendations, the Ministry understands that, at its June 23, 2008 Committee of the Whole meeting, Council identified all of the subject lands for conversion.

Assessment

Through its ongoing municipal comprehensive review, the City has identified a long-term deficiency of employment land and concluded that it should maintain almost all of its employment lands. No portion of the subject lands were recommended for conversion in the City's reports.

OPA-07-08, which results in the conversion of employment area lands, runs contrary to the City's own analysis relating to employment land conversions, and thus should not be considered pending completion of the City's municipal comprehensive review. Furthermore, as per Policy 2.2.6.5 c) of the Growth Plan, the conversion should not affect the viability of the existing employment area, and the achievement of the City's intensification target, density targets and other policies and objectives of the Growth Plan.
The City of Hamilton, in the consideration of employment land conversions as part of a municipal comprehensive review, also needs to consider the policies of the Growth Plan to build strong, complete, and compact communities at transit-supportive densities with transit-oriented street configurations and compact urban forms.

A concept plan included with the application showing the potential layout of the proposed uses illustrates a built form comprising free standing single-storey buildings with extensive surface parking. The site could be utilized much more intensively if structured or underground parking was used and a multi-storey built form utilized and it is recommended the Urban OP contain policy directions to this end and/or be accompanied by urban design guidelines of a similar view.

In relation to the City’s draft Urban Structure Plan, the site is well removed from any concentration of residential development and yet the primary commercial use proposed is a 200,000 square ft. department store. It is not clear how locating this proposed use on lands currently within an employment area comprising industrial uses of various forms meets the City’s and Growth Plan’s objectives of enhancing pedestrian and transit accessibility and more compact built form.

Further, in keeping with the City’s own stated objectives in its draft Urban Structure Plan, uses such as offices and hotels should be directed to nodes or corridors in the City to assist in increasing transit accessibility and ridership, and to create synergies with other commercial uses in these nodes and corridors.

Conclusion

Based on the above assessment, the Ministry concludes that, until the City completes its municipal comprehensive review, a decision to approve the conversion of employment lands would not conform to Policy 2.2.6.5 of the Growth Plan.

Conversion of these lands through a municipal comprehensive review would include justification for this conversion and an assessment of its impacts on the viability of the remainder of the employment area.

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