



CITY OF HAMILTON

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO: Chair and Members Planning Committee	WARD(S) AFFECTED: WARD 11
COMMITTEE DATE: October 16, 2012	
SUBJECT/REPORT NO: Application for a Change in Zoning for Lands Located on Blackburn Lane and Grassyplain Drive (Glanbrook) (PED12181) (Ward 11)	
SUBMITTED BY: Tim McCabe General Manager Planning and Economic Development Department	PREPARED BY: Melanie Pham (905) 546-2424 Ext. 6685
SIGNATURE:	

RECOMMENDATION

That approval be given to **Amended Zoning Application ZAR-12-016, by 1312733 Ontario Inc., Owner**, for changes in zoning from the Deferred Development “DD” Zone, the Residential “R4-246” Zone, and the Existing Residential “ER” Zone to the Residential “R4-246” Zone and the Residential “R3-158” Zone, to permit the future creation of 4 lots for single detached dwellings, for lands located on Blackburn Lane and Grassyplain Drive (Glanbrook), known as Blocks 110, 111, and Part of Block 112 - Plan 62M-932, and Block 55 - Plan 62M-1163, as shown on Appendix “A” to Report PED12181, on the following basis:

- (a) That the draft By-law, attached as Appendix “B” to Report PED12181, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.
- (b) That the amending By-law be added to Schedule “E” of Zoning By-law No. 464.

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- (c) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan and the Township of Glanbrook Official Plan.

EXECUTIVE SUMMARY

The purpose of this application is to amend the Township of Glanbrook Zoning By-law to establish uniform residential zones on the subject lands, consistent with the lands to the west, east, and south. The proposal will facilitate the future assembly of several pieces of land from 2 abutting subdivisions for the purpose of creating 4 lots for single detached dwellings.

The proposal has merit and can be supported since the application is consistent with the Provincial Policy Statement and conforms with the Growth Plan for the Greater Golden Horseshoe, the Hamilton-Wentworth Official Plan, and the Township of Glanbrook Official Plan. The proposed zoning is compatible with, and complementary to, existing development/zoning in the immediate area. The proposed development also represents good planning by ensuring a continuous streetscape and lotting pattern are provided.

Alternatives for Consideration - See Page 11.

FINANCIAL / STAFFING / LEGAL IMPLICATIONS (for Recommendation(s) only)

Financial: N/A.

Staffing: N/A.

Legal: As required by the Planning Act, Council shall hold at least one (1) Public Meeting to consider an application for an amendment to the Zoning By-law.

HISTORICAL BACKGROUND (Chronology of events)

Proposal

The subject lands, totalling approximately 0.131 hectares, and consisting of 3 irregular shaped blocks within the approved plan of subdivision "Glancaster Meadows" (Blocks 110, 111, and Part of Block 112 - Plan 62M-932) (see Appendix "C"), and 1 block within the approved plan of subdivision "Glancaster Meadows Extension" (Block 55 - Plan 62M-1163) (see Appendix "D"), are located east of Glancaster Road and north of Twenty Road West, and have frontage on Blackburn Lane and Grassyplain Drive.

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The applicant has submitted an application for a Zoning By-law Amendment, and is proposing to amend the Township of Glanbrook Zoning By-law No. 464 by changing the zoning from a future development zone, and 2 residential zones, to 2 uniform residential zones that are consistent with the abutting lots to the west, south, and east.

The proposed changes, if approved as submitted, are intended to facilitate the consolidation of Blocks 110, 111, and 112 - Plan 62M-932 in the approved plan of subdivision "Glancaster Meadows" (see Appendix "C") with the abutting Blocks 55 to 58 - Plan 62M-1163, in the approved plan of subdivision "Glancaster Meadows Extension" (see Appendix "D"), with the effect of creating 4 lots for future development of single detached dwellings (see Appendix "E").

Chronology:

May 24, 2012: Submission of Application ZAR-12-016 (Zoning By-law Amendment), by Branthaven Development Corporation, on behalf of 1312733 Ontario Inc.

June 14, 2012: Application ZAR-12-016 is deemed complete.

June 22, 2012: Circulation of Notice of Complete Application and Preliminary Circulation for Application ZAR-12-016 to all residents within 120 metres of the subject lands.

September 28, 2012: Circulation of Notice of Public Meeting to all residents within 120 metres of the subject lands and all residents who provided written comments.

Previous Applications

Glancaster Meadows (File 25T-95009):

Most of the subject lands are part of the "Glancaster Meadows" subdivision. The subdivision was draft approved on May 9, 1997, and registered as Plan 62M-932 on July 6, 2001. The lands in this subdivision, subject to this application, are Blocks 110, 111, and Part of Block 112 on Plan 62M-932 (see Appendix "C"), and they border the adjacent subdivision, "Glancaster Meadows Extension".

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Glancaster Meadows Extension (File 25T-200713):

This subdivision is a continuation of the “Glancaster Meadows” subdivision, and completes the road and lotting pattern for the neighbourhood. The subdivision was draft approved on July 21, 2010, and was registered as Plan 62M-1163 on September 26, 2011. Block 55 on the Plan is included in the lands subject to this application. Blocks 55 to 58 (see Appendix “D”) on the Plan abut Blocks 110 to 112 in the “Glancaster Meadows” subdivision, and are intended to be merged through Part Lot Control to establish 4 lots for single detached dwellings.

Details of Submitted Application:

Location: Blackburn Lane and Grassyplain Drive (see Appendix “A”)

Owner: 1312733 Ontario Inc.

Applicant: Branthaven Development Corporation

Property Description:

<u>Lot Frontage:</u>	Block 110 - 7.52 metres Block 111 - 10.46 metres Part of Block 112 - 8.50 metres Block 55 - 26.96 metres
<u>Lot Depth:</u>	Block 110 - 31.71 metres Block 111 - 54.41 metres Part of Block 112 - 2.70 metres Block 55 - 13.28 metres
<u>Lot Area:</u>	Total 0.131 hectares Block 110 - 187.2 square metres Block 111 - 703.1 square metres Part of Block 112 - 26.8 square metres Block 55 - 395.3 square metres
<u>Servicing:</u>	Full Municipal Services

EXISTING LAND USE AND ZONING:

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands:</u>	Vacant	Deferred Development “DD” Zone, Residential “R4-246” Zone, and Existing Residential “ER” Zone
<u>Surrounding Land Uses:</u>		
North	Single Detached Residential	Residential “R3-158” Zone and Residential “R4-158” Zone
South	Vacant, Approved for Single Detached Residential	Residential “R4-246” Zone
East	Single Detached Residential	Residential “R3-158” Zone
West	Vacant, Approved for Single Detached Residential	Residential “R4-246” Zone

POLICY IMPLICATIONS

Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction of provincial interest related to land use planning and development. The Planning Act requires that, in exercising any authority that affects planning matters, planning authorities shall be consistent with policy statements issued under the Act. The application is consistent with the Provincial Policy Statement since Policy 1.1.3.1 states that ‘Settlement Areas’ shall be the focus of growth, and Policy 1.1.3.2 (a) states that land use patterns within Settlement Areas shall be based on densities and a mix of land uses which efficiently use land and resources.

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. The subject lands conform with this policy, as an Archaeological Assessment was completed and received clearance from the Province, in conjunction with the original subdivision application.

Based on the foregoing, the proposal is consistent with the Provincial Policy Statement.

Growth Plan for the Greater Golden Horseshoe (Places to Grow)

The subject lands are located within the City of Hamilton's "Built Boundary", as defined by the Growth Plan. As the proposal is providing for a residential development in an Urban Settlement Area in Hamilton, is contributing to the creation of a complete neighbourhood, and is utilizing existing infrastructure, it conforms with the guiding principles found in Part 1.2.2 of the Plan. These principles state that the basis for guiding decisions on how land is developed should include building compact, vibrant, and complete communities, and optimizing the use of existing and new infrastructure to support growth in a compact, efficient form. The proposed development for these lands also conforms with the growth policies of the Plan, specifically, Policy 2.2.3.1, which states that by the year 2015, and for each year thereafter, a minimum of 40% of all residential development occurring annually within each upper and single-tier municipality will be within the built-up area.

Based on the foregoing, the proposal conforms to the Growth Plan for the Greater Golden Horseshoe.

Hamilton-Wentworth Official Plan

The subject property is designated as "Urban Area" in the Hamilton-Wentworth Official Plan. Policy C-3.1 of the Plan 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. These areas are intended to accommodate approximately 96% of new residential housing units in the Region to the year 2020.

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. As an Archaeological Assessment has been completed, and received clearance as part of the original subdivision application, the proposal conforms to this policy.

The proposal conforms to the policies of the Hamilton-Wentworth Official Plan.

Township of Glanbrook Official Plan

The subject lands are designated as "Residential" on Schedule "A" - Land Use Plan. The lands are also designated as "Low Density Residential" on Schedule G" - North-West Glanbrook Planning Area Land Use Plan. The lands are also shown on Schedule "F" - Special Housing Policy Areas as a "New Community".

Policy B.2.1.11(a) states that “Low Density Residential development shall consist primarily of single detached, semi-detached, duplex, and triplex units at a maximum net residential density of 25 units per net hectare.” The 4 lots that would be created by a future Part Lot Control application would implement the development pattern, as previously approved through the draft plan of subdivision upon the adjacent lands. Therefore, the proposed zoning that facilitates the lot creation conforms to this policy.

The proposal is also in conformity with the North-West Glanbrook Planning Area Secondary Plan, as it implements the low density residential lotting pattern already approved through previous subdivision applications. Because of the proximity of the lands to the airport, the Secondary Plan also requires warning clauses related to potential noise to be registered on title for the lands. This requirement was fulfilled through the subdivision approval process.

Therefore, the proposal conforms to the Township of Glanbrook Official Plan.

New Urban Hamilton Official Plan

The Urban Hamilton Official Plan was adopted by Council on July 9, 2009, and was approved, with modifications, by the Ministry of Municipal Affairs and Housing on March 16, 2011. A number of appeals have been filed with the Ontario Municipal Board; therefore, the plan is not yet in effect.

The subject lands are designated as “Neighbourhoods” on Schedule E-1 - Urban Land Use Designations. Volume 1, Policy E.3.2.3, permits residential dwellings within the Neighbourhoods Designation. Volume 1, Policy E.3.4, outlines the requirements for low density residential within the Neighbourhoods designation. The preferred location for low density residential uses is within the interior of neighbourhoods. Low Density residential areas are limited to 3-storeys and a maximum density of 60 units per hectare. The proposal conforms to these policies.

The North-West Glanbrook Secondary Plan is included in the Urban Hamilton Official Plan, Volume 2, Chapter B.5.3. The Secondary Plan designates the subject lands as Low Density Residential 2, and restricts the density to a maximum of 25 units per hectare.

The proposal would conform to the Urban Hamilton Official Plan.

Staging of Development

The proposal is consistent with the Criteria for Staging of Development, in that utilities and services are available, there are no budgetary impacts, it supports a healthy growing economy, provides for additional assessment and Development Charges revenue, provides housing opportunities, and conforms to the Official Plan.

RELEVANT CONSULTATION

Agencies/Departments that did not Respond or Have no Concerns or Objections:

- Taxation Division, Corporate Services Department.
- Budgets and Finance Division, Corporate Services Department.
- Recreation Division, Community Services Department.
- Infrastructure Planning and Source Water Protection, Public Works Department.
- Operations and Waste Management Division, Public Works Department.
- Open Space Development Section, Public Works Department.
- Health Protection Division, Public Health Services.
- Hamilton Municipal Parking System.
- Municipal Property Assessment Corporation.
- Hydro One.
- Union Gas.
- Canada Post.
- Bell Canada.
- Source Cable and Wireless.
- French Public School Board.
- French Catholic School Board.
- Hamilton-Wentworth District School Board.
- Hamilton-Wentworth Separate School Board.
- Hamilton Police Services.
- Hamilton Emergency Services.
- TransCanada Pipelines.
- Niagara Peninsula Conservation Authority.

Agencies/Departments that Submitted Comments:

Strategic Planning and Rapid Transit (Public Works Department) has recommended that the City of Hamilton's New Official Plan be followed with regard to road widths, and has noted that the City is preparing a Transportation Master Plan and that appropriate pedestrian amenities should be provided. In addition, the subject lands are not located within an existing Environmental Assessment Study Area; therefore, the application does not necessitate a Municipal Class Environmental Assessment Study.

Forestry and Horticulture (Public Works Department) stated that this application will result in no potential Urban Forestry tree conflicts. This application is for the orderly development of the vacant site, and no work will occur as a direct result of the application. There may be Municipal Tree Assets located on the road allowance fronting the site, but they will not be impacted by this proposal. Although a Tree Management Plan is not required at this point, this does not exclude the applicant from conforming to The City of Hamilton Tree By-law 06-151.

Traffic Engineering Section (Public Works Department) has advised that driveway access to Grassyplain Drive, for the future lot at the corner of Grassyplain Drive and Bellstone Lane, must be along the east lot line to maintain an adequate distance from the intersection. This driveway location is noted on the approved engineering drawings for the subdivision.

Public Consultation

In accordance with the new provisions of the Planning Act and Council's Public Participation Policy, Notice of Complete Application and Preliminary Circulation for the Zoning By-law Amendment application was circulated to 79 property owners within 120 metres of the subject property on June 22, 2012. A Public Notice Sign for the Zoning By-law Amendment application was also posted on the subject lands on July 5, 2012. To date, staff has not received any comments as a result of the preliminary circulation and notice. Notice of the Public Meeting was given in accordance with the requirements of the Planning Act.

ANALYSIS / RATIONALE FOR RECOMMENDATION

(include Performance Measurement/Benchmarking Data, if applicable)

1. The proposal has merit and can be supported for the following reasons:
 - (i) It is consistent with the policies of the Provincial Policy Statement, and conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow).
 - (ii) It conforms to the Hamilton-Wentworth Official Plan, and the Township of Glanbrook Official Plan.
 - (iii) It conforms to the intent and purpose of the new Urban Hamilton Official Plan.
 - (iv) The proposed zoning is compatible with and complementary to the zoning of the surrounding lands, and will permit infill development that will establish a continuous residential streetscape.

2. Existing Zoning:

The subject lands are currently governed by 3 zones; the Existing Residential “ER” Zone, the Residential “R4-246” Zone, and the Deferred Development “DD” Zone (see Appendix “A”).

The “ER” zoned portion is a very small piece of land at the corner of Bellstone Lane and Grassyplain Drive (Part of Block 112, Plan 62M-932). It was inadvertently omitted from the re-zoning implemented as part of the “Glancaster Meadows” subdivision. As this piece of land will form a portion of 1 of the proposed lots, it is appropriate to amend the zoning at this time to ensure a consistent zoning across the lot.

The Residential “R4-246” Zone was established on Block 55 of the “Glancaster Meadows Extension” subdivision. This zone is consistent with the lands to the west and south, however, it differs from the Residential “R3-158” Zone to the east, which was applied to Part of Block 112 - Plan 62M-932, a strip of land 4-5 metres wide, which is intended to be consolidated with Block 55, forming a future lot on the corner of Bellstone Lane and Grassyplain Drive (see Appendix “A”). The applicant had originally proposed to establish a consistent Residential “R4-246” Zone on the blocks which would be consolidated to create this corner lot. However, staff suggested that the Residential “R3-158” Zone would be more appropriate for these lands, as they are part of a row of 4 lots facing Grassyplain Drive, which all have the Residential “R3-158” Zoning (see Appendix “A”). The future lot would meet the lot size and area requirements of the Residential “R3-158” Zone. The applicant is in agreement with this change; therefore, staff has no further concerns.

The Deferred Development “DD” Zone was applied to Blocks 110 and 111 to ensure that these lands were not developed until such time as the lands adjacent to them were developed under a plan of subdivision, and the lotting and street pattern of the adjacent lands was finalized. A subdivision plan for the adjacent lots has been approved and registered (62M-1163), and blocks of land in this plan (Blocks 56 to 58) have been created adjacent to the subject lands to reserve enough lands to create lots consistent with the established lot sizes in the subdivision. The proposed zoning is the same as the zoning of Blocks 56 to 58 in the adjacent plan of subdivision. Therefore, it is appropriate, at this time, to amend the zoning to allow for residential development on these lands.

3. Proposed Zoning:

The proposed zoning of the subject lands is the Residential “R4-246” Zone and Residential “R3-158” Zone. The “R4-246” Zone exists on the lands to the west and the south of the subject lands, and was established in conjunction with the “Glancaster Meadows Extension” plan of subdivision. The Residential “R4-246” Zone permits single detached dwellings, and requires minimum lot frontages and lot areas of 12 metres and 360 square metres, respectively. The “R3-158” Zone exists on lands to the north and east of the subject lands, and was established in conjunction with the “Glancaster Meadows” plan of subdivision. This zone also permits single detached dwellings and requires, for corner lots, a minimum lot frontage and lot area of 18m and 560 sq. m, respectively.

The 4 lots that would be created through the merging of the subject lands with Blocks 56 to 58, Plan 62M-1163, and Part of Block 112, Plan 62M-932, would conform to these requirements, as shown on the sketch attached as Appendix “E”. Therefore, the proposed zoning is appropriate and can be supported.

4. Engineering:

There are existing municipal services (storm, sanitary, sewer) within Grassyplain Drive, Bellstone Lane, and Blackburn Lane available to service the subject lands. Municipal services were extended to the property lines of these future lots when the adjacent subdivision “Glancaster Meadows Extension” was serviced. There are no Best Effort cost recoveries related to the installation of these services. The grading of the lots must comply with the approved grading plans for the “Glancaster Meadows Extension” plan of subdivision.

ALTERNATIVES FOR CONSIDERATION

(include Financial, Staffing, Legal and Policy Implications and pros and cons for each alternative)

In the event Council does not support the application, the subject lands will remain vacant. The lands would not be consolidated with the adjacent, irregular blocks of land since they would remain un-developable.

CORPORATE STRATEGIC PLAN (Linkage to Desired End Results)

Focus Areas: 1. Skilled, Innovative and Respectful Organization, 2. Financial Sustainability, 3. Intergovernmental Relationships, 4. Growing Our Economy, 5. Social Development, 6. Environmental Stewardship, 7. Healthy Community

Financial Sustainability

- ◆ Effective and sustainable Growth Management.

The proposal will allow for the efficient and sustainable use of existing land and infrastructure in the City's Urban Area.

Social Development

- ◆ Everyone has a home they can afford that is well maintained and safe.

The proposal will establish zoning that allows for the future development of 4 homes.

Environmental Stewardship

- ◆ Natural resources are protected and enhanced.

No natural resources will be affected by the application, as it will allow for infill development within 2 existing established subdivision plans.

Healthy Community

- ◆ Plan and manage the built environment.
- ◆ Adequate access to food, water, shelter and income, safety, work, recreation and support for all (Human Services)

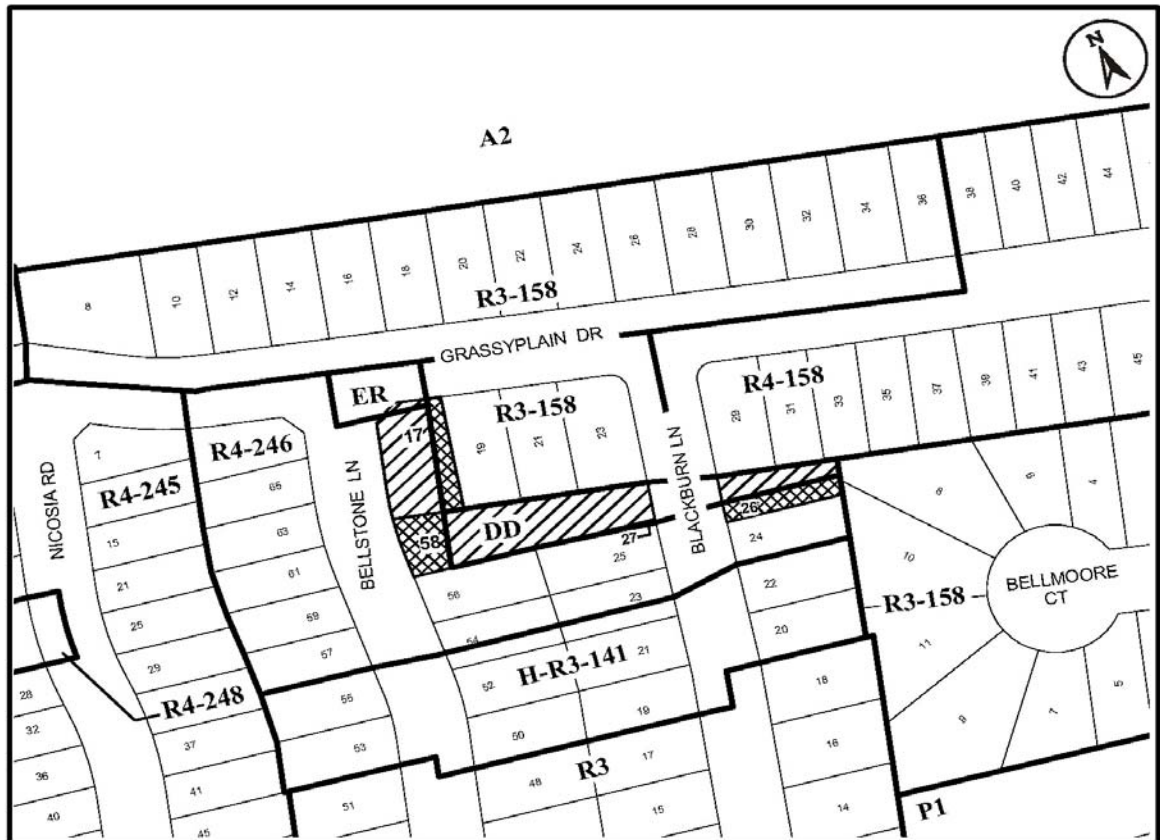
The proposal will enhance the built environment by allowing for the orderly infill development of lands within 2 abutting subdivisions, for 4 additional dwellings.

APPENDICES / SCHEDULES

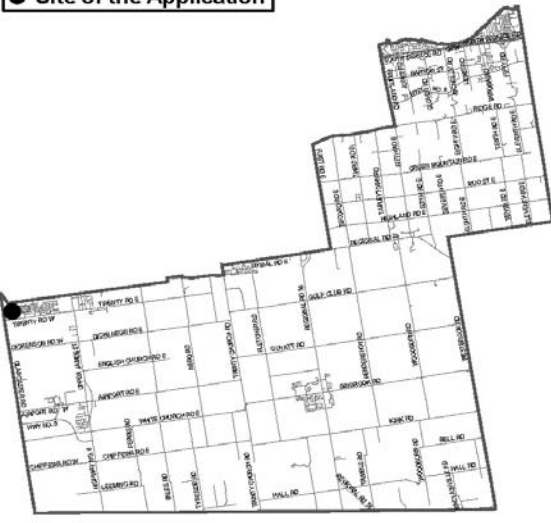
- Appendix "A": Location Map
- Appendix "B": Zoning By-law Amendment to Glanbrook Zoning By-law No. 464
- Appendix "C": Blocks 110, 111, and 112 - Plan 62M-932
- Appendix "D": Blocks 55 to 58 - Plan 62M-1163
- Appendix "E": Lot Frontages and Areas Sketch

:MP

Attachs. (5)



● Site of the Application



Ward 11 Key Map

N.T.S.

Location Map



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
ZAR-12-016

Date:
Spet. 6, 2012

Appendix "A"

Scale:
N.T.S.

Planner/Technician:
MP/AL

Subject Property



Lands subject to Zoning Application (Blocks 110, 111, and Part of Block 112, Plan 62M-932; and Block 55, Plan 62M-1163)



Additional Lands of Applicant (to be Consolidated with Subject Lands).

Authority: Item [REDACTED]
Planning Committee
Report 12-[REDACTED] (PED12181)
CM: [REDACTED]

Bill No. [REDACTED]

CITY OF HAMILTON

BY-LAW NO. [REDACTED]

**To Amend Zoning By-law No. 464 (Glanbrook)
Respecting Lands Located on Blackburn Lane and Grassyplain Drive, Known
As Blocks 110, 111, and Part of Block 112 - Plan 62M-932, and Block 55 -
Plan 62M-1163**

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 area municipality known as "The Corporation of the Township of Glanbrook" 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 of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 464 (Glanbrook) was enacted on the 16th day of March, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

AND WHEREAS the Council of the City of Hamilton, in adopting Item [REDACTED] of Report 12-[REDACTED] of the Planning Committee, at its meeting held on the [REDACTED] day of [REDACTED], 2012, recommended that Zoning By-law No. 464 (Glanbrook), be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Township of Glanbrook Official Plan, approved by the Minister under the Planning Act on June 16, 1987.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Schedule "E", appended to and forming part of By-law No. 464 (Glanbrook), is amended by changing the zoning as follows:
 - (a) From the Residential "R4-246" Zone to the Residential "R3-158" Zone (Block 1);
 - (b) From the Deferred Development "DD" Zone to the Residential "R4-246" Zone (Blocks 2 and 3); and,
 - (c) From the Existing Residential "ER" Zone to the Residential "R3-158" Zone (Block 4);

on the lands the extent and boundaries of which are shown on the plan hereto annexed as Schedule "A".

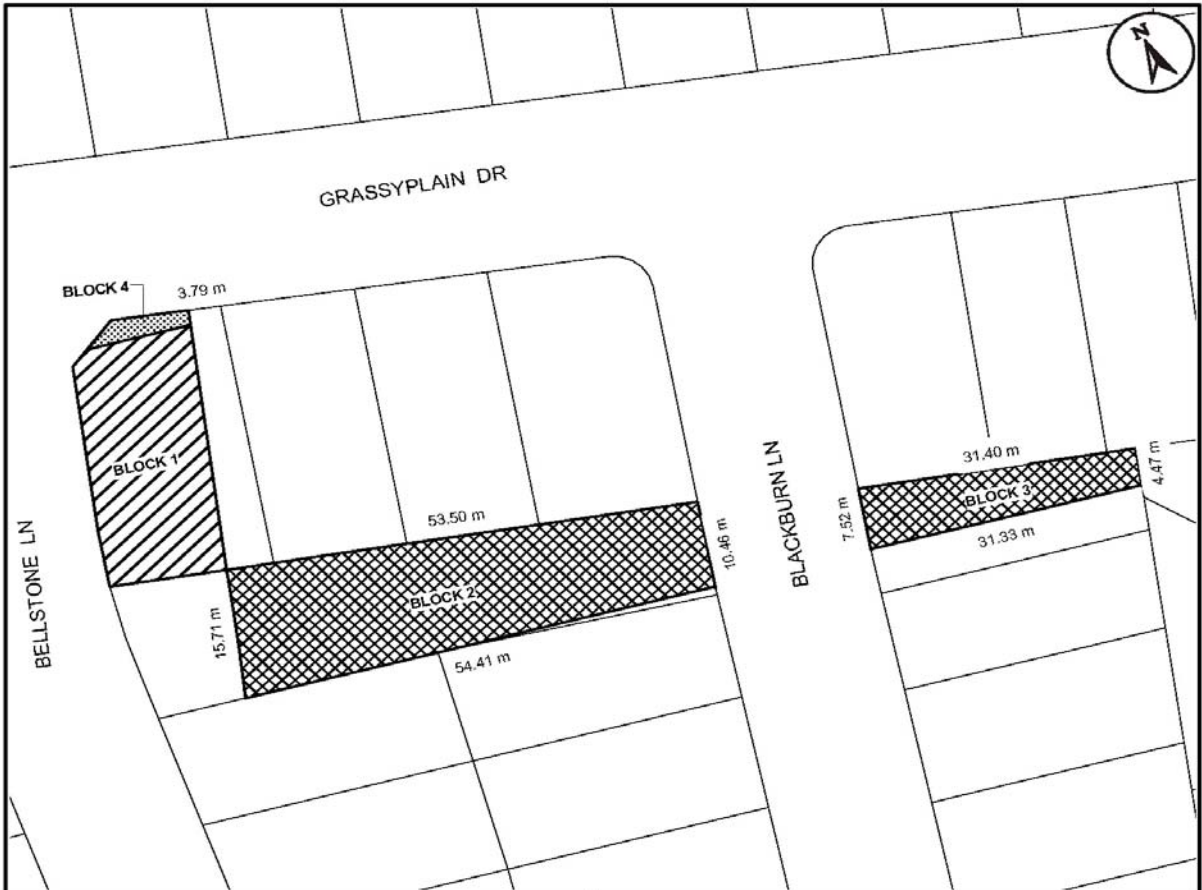
2. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this [REDACTED] day of [REDACTED], 2012.

R. Bratina
Mayor

Rose Caterini
Clerk

ZAR-12-016



This is Schedule "A" to By-Law No. 12-
 Passed the day of, 2012




 Mayor

 Clerk

Schedule "A"

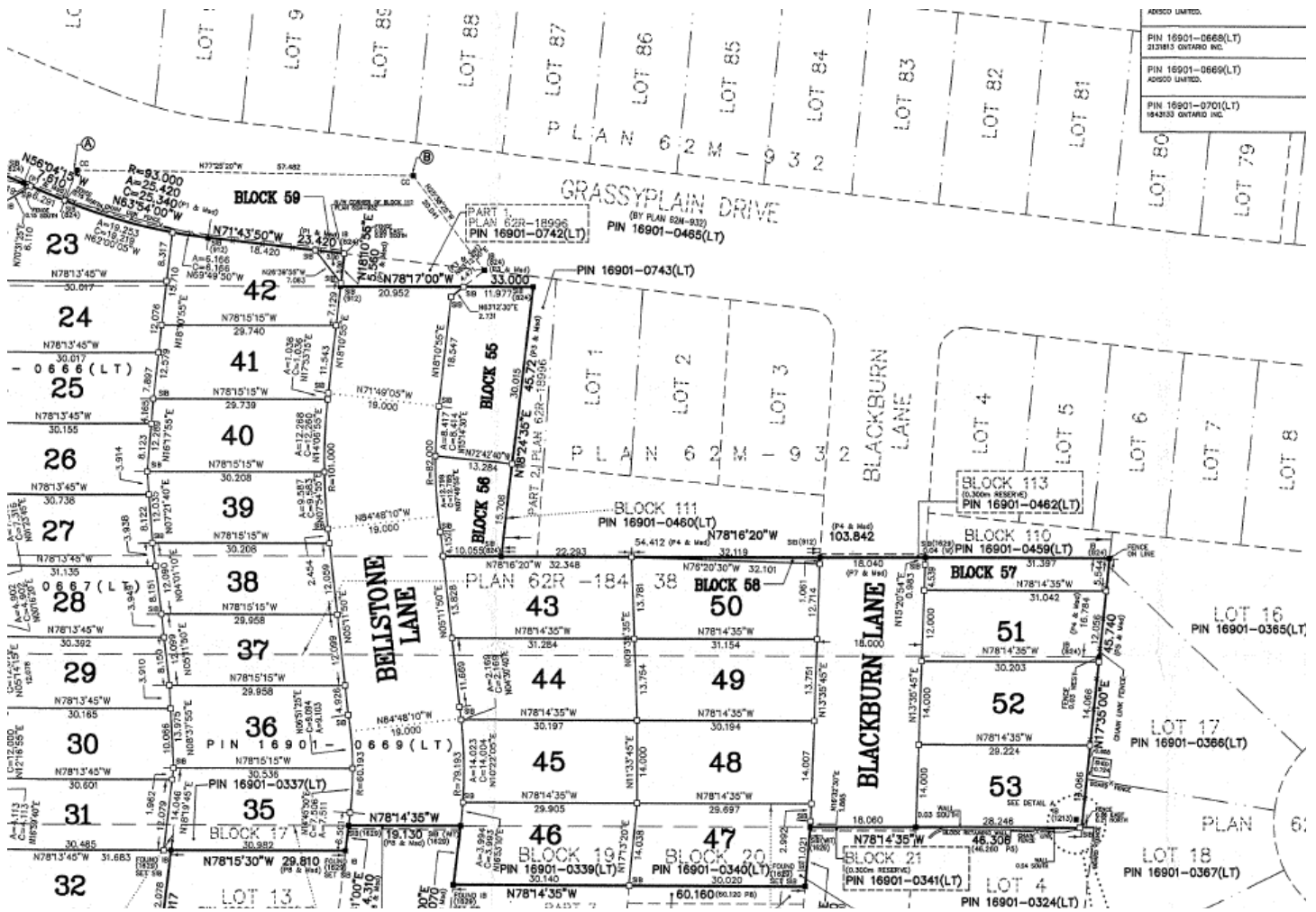
Map Forming Part of
 By-Law No. 12-_____
 to Amend By-law No. 464

Subject Property

-  Block 1 - Change in Zoning from the Residential "R4-246" Zone to the Residential "R3-158" Zone
-  Blocks 2 and 3 - Change in Zoning from the Deferred Development "DD" Zone to the Residential "R4-246" Zone
-  Block 4 - Change in Zoning from the Existing Residential "ER" Zone to the Residential "R3-158" Zone

Scale: N.T.S.	File Name/Number: ZAR-12-016
Date: Sept. 6, 2012	Planner/Technician: MP/AL
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	





PIN 16901-0668(LT) 232815 ONTARIO INC.
PIN 16901-0669(LT) AD2000 LIMITED.
PIN 16901-0701(LT) 1642133 ONTARIO INC.

