



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	September 1, 2015
SUBJECT/REPORT NO:	Application for Amendment to the Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 492 Southcote Road (Ancaster) (PED15103) (Ward 12)
WARD(S) AFFECTED:	Ward 12
PREPARED BY:	Lindsay King Planner (905) 546-2424 Ext. 2222 Steve Robichaud Director of Planning and Chief Planner
SUBMITTED BY:	Jason Thorne General Manager Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

That approval be given to **Amended Zoning Application ZAC-15-009, by Movengo Corp (c/o Mario Nesci), Owner**, for a change in zoning from the Agricultural “A-216” Zone, Modified, to the Residential “R4-663” Zone, Modified, to permit the future creation of five residential lots for five single-detached dwellings on lands located at 492 Southcote Road (Ancaster), as shown on Appendix “A” to Report PED15103, on the following basis:

- (a) That the draft By-law, attached as Appendix “B” to Report PED15103, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
- (b) That the amending By-law be added to Section 34.2 of Zoning By-law No. 87-57 as “R4-663”.

EXECUTIVE SUMMARY

The purpose of this application is to change the zoning on the subject lands known municipally as 492 Southcote Road from an Agricultural “A-216” Zone, Modified, to a Residential “R4-663” Zone, Modified, to permit the future creation of five residential lots for five single-detached homes having frontage on Secinaro Drive. The individual lots are to be created through a future severance process.

The proposal has merit, and can be supported, as it is consistent with the Provincial Policy Statement (PPS), conforms to the Places to Grow Plan, complies with the Urban Hamilton Official Plan (UHOP), and the Garner Neighbourhood Secondary Plan. The proposed rezoning is considered to be compatible with existing development in the surrounding area.

Alternatives for Consideration – See Page 17

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: As required by the *Planning Act*, Council shall hold at least one Public Meeting to consider an application for a Zoning By-law Amendment.

HISTORICAL BACKGROUND

Proposal

The subject lands are rectangular in shape and have an area of 2,223.5 sq m (0.22 hectares) with a frontage of 18.5 m on Southcote Road and a depth of 72.9 m along Secinaro Drive. The site is relatively flat and is currently vacant, with residential uses to the north and east, and vacant land to the west and south.

The proposed Zoning By-law Amendment seeks to change the zoning of 492 Southcote Road from the Agricultural “A-216” Zone, Modified, to a Residential “R4” Zone, Modified, to permit the future creation of five residential lots through a consent application for the construction of five single-detached dwellings.

Previous Applications

An Application for Consent was submitted in early 2012, and was approved by the Committee of Adjustment on May 3, 2012. The effect of this application was to sever an “L-shaped” parcel of land with an area of approximately 1,539 sq m from 492 Southcote

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Road to be added to the property adjacent to the south, 504 Southcote Road. This decision would create the lands subject to this Zoning By-law Amendment application; however, the conditions were not satisfied within one year and the decision lapsed.

Application ZAC-13-001 was submitted December 21, 2012, in order to rezone the lands for the development of six residential lots; however, the application was not deemed complete within 30 days, and the file was closed. This resulted in a subsequent application to the Committee of Adjustment in July 2013.

On August 29, 2013, the Committee of Adjustment approved the application to sever the “L-shaped” parcel of land of the previously successful application. All conditions of approval for the severance were cleared on November 26, 2013, thus creating the subject property of 492 Southcote Road.

Chronology:

<u>August 29, 2013:</u>	Consent application (AN:B-13:50) is approved by the Committee of Adjustment to sever an “L-shaped” parcel in favour of 504 Southcote Road.
<u>November 26, 2013:</u>	Land severance finalized as all conditions of severance have been cleared.
<u>December 23, 2014:</u>	Application for Zoning for By-law Amendment (ZAC-15-009) received; five lots proposed.
<u>January 16, 2015:</u>	Application deemed incomplete. The required Formal Consultation Waiver and Traffic Impact Brief were outstanding.
<u>February 3, 2015:</u>	The application was deemed complete.
<u>February 13, 2015:</u>	Notice of Complete Application and Pre-Circulation was mailed to 51 residents within 120 m of the subject property.
<u>February 18, 2015:</u>	A Public Notice sign established on the property.
<u>August 14, 2015:</u>	Notice of Public Meeting was sent to 51 residents located within 120 m of the subject property, and the Public Notice sign was updated.

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Details of Submitted Application

Location: 492 Southcote Road (Ancaster)

Owner: Movengo Corporation (c/o Mario Nesci)

Agent: IBI Group (c/o John Ariens)

Property Description:

<u>Frontage:</u>	18.5 m (Southcote Road)
<u>Lot Depth:</u>	72.9 m
<u>Area:</u>	2,223.5 sq m (0.22 ha / 5.4 ac)

EXISTING LAND USE AND ZONING:

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands:</u>	Vacant	Agricultural “A-216” Zone, Modified
<u>Surrounding Lands:</u>		
North	Single-Detached Dwellings	Residential “R4-516” Zone, Modified
East	Single-Detached Dwellings	Residential “R4-623” Zone, Modified
South	Vacant	Agricultural “A-216” Zone, Modified
West	Vacant	Agricultural “A-237” Zone, Modified

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Statement (2014)

The application has been reviewed with respect to the Provincial Policy Statement (PPS) policies that contribute to the development of healthy, liveable, and safe communities, as contained in Section 1.1.1. The subject lands are considered to be within a Settlement Area, as defined by the PPS. As such, the application is consistent

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with Policy 1.1.3.1 with respect to focusing growth and regeneration within existing Settlement Areas.

“1.1.3.2 Land use patterns within settlement areas shall be based on:

a) Densities and a mix of land uses which:

1. Efficiently use land and resources;
2. Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
4. Support active transportation; and,
5. Are transit-supportive, where transit is planned, exists or may be developed.

1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

b) Permitting and facilitating:

1. All forms of housing required to meet the social, health and wellbeing requirements of current and future residents, including special needs requirements; and,
2. All forms of residential intensification, including second units, and redevelopment in accordance with Policy 1.1.3.3;

c) Directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs.”

The proposed Zoning By-law Amendment will facilitate the creation of five residential lots within the urban boundary area, compatible and complementary with the existing single-detached dwellings directly to the north and east, and with the townhouses

proposed to the west of the site. The proposed development on the currently vacant lands is appropriate, and allows the opportunity to efficiently use the infrastructure and public service facilities that are available.

Staff view the proposed development as appropriate, and based on the above, the development is consistent with the PPS.

Growth Plan for the Greater Golden Horseshoe

The subject lands are located within a Designated Greenfield Area, as defined by the Growth Plan for the Greater Golden Horseshoe (Places to Grow).

“2.2.2 Managing Growth

1. Population and Employment growth will be accommodated by:
 - h) encouraging cities and towns to develop as *complete communities* with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open space and easy access to local stores and services.

2.2.7 Designated Greenfield Areas

1. New development taking place in *designated greenfield areas* will be planned, designated, zoned and designed in a manner that –
 - a) contributes to creating *complete communities*;
 - b) creates street configurations, densities, and an urban form that support walking, cycling, and the early integration and sustained viability of transit services; and,
 - c) provides a diverse mix of land uses, including residential and employment uses, to support vibrant neighbourhoods.”

The proposed single-dwellings are an opportunity for greenfield development that will be consistent with the character of the surrounding neighbourhoods which provide a range of housing types and densities. The proposed lots are consistent with the surrounding lot sizes, and will have access to a well-established urban form, including pedestrian sidewalks and HSR transit route 44, accessed on Southcote Road.

Staff view the proposed development as appropriate, and based on the above, the proposal conforms to the policies of the Growth Plan for the Greater Golden Horseshoe.

Urban Hamilton Official Plan

The subject lands are identified as “Neighbourhoods” on Schedule “E” - Urban Structure Plan and designated “Neighbourhoods” on Schedule “E-1” - Urban Land Use Designations in the Urban Hamilton Official Plan (UHOP). The lands are also outside of the Built-up Area, depicted on Appendix “G” of the UHOP.

Areas designated “Neighbourhoods” shall function as complete communities that are compact, mixed-use, transit-supportive, and include a full range of residential dwelling types and densities, as well as supporting uses intended to serve the local residents. The following policies, amongst others, apply to the application for Zoning By-law Amendment:

- “E.3.2.3 The following uses shall be permitted on lands designated Neighbourhoods on Schedule E-1 – Urban Land Use Designations:
- a) residential dwellings, including second dwelling units and housing with supports;
- E.3.2.4 The existing character of established Neighbourhoods designated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood in accordance with Section B.2.4 – Residential Intensification and other applicable policies of this Plan.
- E.3.4.2 Low density residential areas are characterized by lower profile, grade-oriented built forms that generally have direct access to each unit at grade.
- E.3.4.3 Uses permitted in low density residential areas include single-detached, semi-detached, duplex, triplex, and street townhouse dwellings.
- E.3.4.5 For low density residential areas, the maximum height shall be three storeys.
- E.3.4.6 Development in areas dominated by low density residential uses shall be designed in accordance with the following criteria:
- a) Direct access from lots to adjacent to major or minor arterial roads shall be discouraged.
 - c) A mix of lot widths and sizes compatible with streetscape character; and a mix of dwelling unit types and sizes compatible in exterior design, including character, scale, appearance and design features;

shall be encouraged. Development shall be subject to the Zoning By-law regulations for appropriate minimum lot widths and areas, yards, heights, and other zoning regulations to ensure compatibility.”

The Zoning By-law Amendment will allow for the future construction of five single-detached dwellings on five separate lots with driveway access to Secinaro Drive. The future lots will reflect the prevailing lot width, sizes, and overall character of the surrounding development. The lots to the north have a lot width of 12 m with a lot depth of 35 m. The proposed lots will have lot widths between 12 m and 17.6 m with lot depths of 30 m which will maintain the general character of the streetscape. The new single-detached dwellings will be constructed to maintain a consistent street edge through the building setback and a massing no greater than three storeys. This is consistent with adjacent residential development.

“B.2.4.1.4 Residential intensification developments shall be evaluated based on the following criteria:

- a) a balanced evaluation of the criteria in b) through g) as follows;
- b) the relationship of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form;
- c) the development’s contribution to maintaining and achieving a range of dwelling types and tenures;
- d) the compatible integration of the development with the surrounding area in terms of use, scale, form and character. In this regard, the City encourages the use of innovative and creative urban design techniques;
- e) the development’s contribution to achieving the planned urban structure as described in Section E.2.0 – Urban Structure;
- f) infrastructure and transportation capacity; and,
- g) the ability of the development to comply with all applicable policies.

B.2.4.2.2 When considering an application for a residential intensification development within the Neighbourhoods designation, the following matters shall be evaluated:

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

- c) the relationship of the proposed building(s) with the height, massing, and scale of nearby residential buildings;
- e) the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;
- g) the ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations;

B.3.3.3.4 New development shall define the street through consistent setbacks and building elevations.”

The proposed rezoning to permit five residential lots is an opportunity for suitable intensification within the Urban Boundary that is compatible with the existing lands uses, built form, lot frontages and streetscape of the existing and adjacent residential neighbourhoods. The prevailing residential nature and built form, including the scale and height, will be maintained as will the prevailing pattern of lot frontages and lot depth within the neighbourhood. The proposed Zoning By-law (attached as Appendix “B” to Report PED15103) incorporates permitted uses and regulations, including setbacks, which are similar to the zoning of adjacent lands. Developing the currently vacant site will add to the housing stock, and allow for the efficient use of the existing municipal services in the area.

Staff view the proposed development as appropriate, and based on the above, the proposal is consistent with the policies of the Urban Hamilton Official Plan.

Garner Neighbourhood Secondary Plan

The subject property is located within the Garner Neighbourhood Secondary Plan area and is designated “Low Density Residential 1”. As such, therefore, the following Volume 2 Secondary Plan policies apply:

“B.1.6 For the purposes of calculating residential densities for existing secondary plans, the following definitions shall apply:

- a) Ancaster – Gross to net residential density means the area of land measured in hectares including the lot area and local roads.

B.2.3.1.2 General Residential Policies

- a) Residential buildings in the Low Density Residential and Medium Density Residential designations shall have no more than three occupied storeys entirely above grade.

- B.2.3.1.3 c) In the Low Density Residential 1 designation:
- i) the permitted uses shall be single detached dwellings;
 - ii) the lot frontages shall be a minimum of 10.7 m; and,
 - iii) the density shall not exceed 20 dwelling units per gross / net residential hectare.”

Based on the definition of density for Ancaster Secondary Plans, the subject lands have a gross residential density of 17 units per hectare when calculated using half the width of Secinaro Drive. The proposed lots for single-detached dwellings will be created through a future consent application, and will have a range of lot frontages from 12.0 m to 17.6 m, thus meeting the Secondary Plan policies, and aligning with the lot fabric of the existing neighbourhood. The “R4-663” Zone, Modified, permits a maximum height of 10.5 m which would comply with the height requirements of the Secondary Plan.

Staff view the proposed development as appropriate, and based on the above, the development conforms to the Garner Neighbourhood Secondary Plan.

Ancaster Zoning By-law No. 87-57

The subject property is currently zoned Agricultural “A-216”, Modified, in the Town of Ancaster Zoning By-law 87-57, which permits agricultural uses except for piggeries, poultry operations, feed lot operations, mushroom farms, and mink farms. The proposed Zoning By-law Amendment seeks to rezone the subject lands from the Agricultural “A-216” Zone, Modified, to a Residential “R4-663” Zone, Modified, similar to and consistent with the Residential “R4-516” Zone, Modified, of the 14 lots immediately across Secinaro Drive to the north, and with the Residential “R4-623” Zone, Modified, of the residential lands to the east of the subject lands.

The proposed modifications will provide for a reduction in the minimum lot area, minimum front yard and minimum rear yard setback, as well as, an increase in the maximum lot coverage permitted.

The proposed modifications to the Residential “R4” Zone are keeping with the general intent of the Ancaster Zoning By-law.

RELEVANT CONSULTATION

Agencies / Departments Having no Comment or Objections

- Hamilton Municipal Parking System, Planning and Economic Development Department;

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- Growth Management Division, Planning and Economic Development Department;
- Forestry and Horticulture Section, Public Works Department;
- Strategic Planning, Public Works Department;
- Health Protection Division, Public Health Services Department; and,
- Horizon Utilities.

Hamilton Conservation Authority

Hamilton Conservation Authority (HCA) has no objection to the approval of the proposed rezoning, with the recommendation that new development on the site satisfactorily address stormwater quantity and quality control.

Staff have reviewed the revised Functional Servicing Report (FSR) prepared by AMEC Foster Wheeler dated May 2015, and notes that the report includes two options for storm services for the future five lot residential development on the 0.22 hectare vacant parcel of land. HCA recommends that post-development drainage match pre-development conditions to ensure that flow to the headwater tributary of Ancaster Creek (located south of the site), and the downstream significant woodland is maintained. HCA recommends that the new residential development utilize Option 1, whereby, with the exception of front yards, the lots would drain via sheet flow southerly across the abutting property through a temporary drainage easement to the creek.

HCA's preference is that drainage to the watercourse be maintained, which could be achieved through both Option 1 (rear yards draining via sheet flow), and Option 2 (major overland flow from rear yards draining to rear yard swale). City Engineering Staff and the Hamilton Conservation Authority will set forth recommendations for satisfactory stormwater quality and quantity controls at the Consent to Sever stage of development.

Corridor Management West, Public Works Department

Following the review of the submitted application, and Traffic Impact Brief, Corridor Management recommend as a condition of Zoning approval that Lot 5 not be granted access to Southcote Road, and that driveway access to Lot 5 be located outside of the required daylight triangle. The location of the accesses will be established at the Consent to Sever application process, through the consent agreement.

Due to the increase frontage of Lot 5, the driveway is able to be located outside of the daylight triangle, providing the lot with safe access from Secinaro Drive.

Operations and Waste Management Division, Public Works Department

Operation and Waste Management staff have commented that this development is eligible for curbside waste collection service, and wish to add the following note:

“This property is eligible for weekly collection of garbage, recycling, organics, leaf and yard, and Bulk waste through the City of Hamilton subject to compliance with specifications indicated by the Public Works Department, and subject to compliance with the City’s Solid Waste Management By-law 12-260, amending By-law 09-067.”

Public Consultation

In accordance with Council’s Public Participation Policy, this application was pre-circulated to 51 property owners within 120 m of the subject lands. A Public Notice Sign was also posted on the subject lands at that time.

At the time of preparation of this Report, staff have not received any correspondence with respect to the proposed Zoning By-law Amendment application.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposal has merit and can be supported for the following reasons:
 - i) It is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe, complies with the Urban Hamilton Official Plan, and Garner Neighbourhood Secondary Plan; and,
 - ii) It is compatible with, and complementary to the type and form of development in the surrounding neighbourhood.
2. The proposed zoning by-law amendment will permit the creation of five residential lots that are compatible and complementary with the existing single-detached dwellings directly to the north and east. The proposal will allow for the efficient use of the currently vacant property which is fully serviced by municipal infrastructure. Furthermore, the proposed five lots are consistent with the existing lots directly to the north, and will have sidewalk access to Southcote Road, which is serviced by HSR transit route 44, providing an increased opportunity to walk and take transit.
3. The proximity of the proposed sensitive land use to a road noise source triggered the requirement for a noise study. Staff have reviewed the Noise Feasibility Study prepared by S. Llewellyn and Associates Limited, dated April 2015 (revised April 23, 2015) submitted with the subject application, and are satisfied with the study recommendations.

The Noise Feasibility Study recommends the following noise mitigation measures, which upon review, are supported in principle by staff, subject to the recommendations below:

1. A 1.85 m noise attenuation barrier is required along the flankage of the proposed lot immediately adjacent Southcote Road. The proposed barrier must be tied into the proposed dwelling, and be constructed of a material with a minimum surface density of 20 kg/m², and be constructed without gaps or spaces;
2. The proposed dwellings are to be fitted with a ventilation system with provisions for central air. In addition, all lots shall have Warning Clause C registered on title, and shall be worded as follows;

“This dwelling unit has been designed with the provision for adding central air conditioning at the occupant’s discretion. Installation of central air conditioning by the occupant in low or medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the City of Hamilton and the Ministry of the Environment.”

3. All lots shall have a Noise Warning Clause Type E regarding the noise from the adjacent commercial / institutional properties registered on title, and shall be worded as follows;

“Purchasers / tenants are advised that due to the proximity of the existing commercial / institutional facilities, sound levels may at times be audible.”

Notwithstanding mitigation measure #1 noted above, staff are of the opinion, that additional detailed noise investigations regarding the possible extension of the wall westerly along the rear lot line, will be required as a future condition of the anticipated application(s) for consent with the City of Hamilton Committee of Adjustment.

Accordingly, the following condition should be applied to any applicable application(s) for consent with the City of Hamilton Committee of Adjustment:

“That a detailed noise study be completed as part of the Application for Consent with the City of Hamilton Committee of Adjustment, in order to confirm the length and location of the acoustical barrier as indicated on Figure 2 – Noise Assessment Plan of the “Preliminary Environmental Assessment Report – 492 Southcote Road, Ancaster, City of Hamilton, Movengo Developments” dated April 2015, revised April 23, 2015 and be shown on the final Grading Plan with details. The barrier shall have a minimum height of 1.85 m and be constructed of a material with a minimum surface density of 20kg/m² (four pounds per square foot) and be in a continuous line without openings or gaps.”

A condition of severance approval will be the necessity for a consent agreement. This agreement, which will be registered on title, will ensure that the recommended noise mitigation measures outlined above are implemented.

4. The revised Functional Servicing Report (FSR) for 492 Southcote Road, prepared by AMEC Foster Wheeler, dated May 2015, provides two options for how the drainage is dealt with at the rear of the proposed lots. Option 1 proposes sheet flow draining to the lands to the south, and Option 2 proposes rear yard swales and a rear yard catch basin.

As per the City's Engineering Guidelines, the overall grading plan shall be prepared in accordance with the following objectives:

- a. The whole drainage for the development shall be self-contained and directed to a suitable outlet;
- b. The lot grading plan shall accommodate any external drainage, which is tributary to the development, and must prevent ponding on adjacent lands bordering the subdivision;
- c. The establishment of independent and adequate drainage for each lot (this can be provided by either "back to front" drainage (recommended) or "split" drainage intercepted by a rear yard swale; and,
- d. The establishment of lot and housing grades, which are generally compatible with existing topography and surrounding development, existing trees, etc. without steep slopes or abrupt changes in grade with minimum terraces.

Based on the above objectives, Option 2 is the preferred method as this creates lots with drainage that is self-contained and independent for events up to the five-year storm.

Land severance applications will be required in order to facilitate the creation of the five residential lots. This will require the owner to enter into a consent agreement that will be registered on title. As a requirement of the consent agreement, detailed grading plans, security deposits, and cash payments will be required.

The applicant will be required to obtain permission from the neighbouring property to the south for an outlet for the conveyance of major overland flow from the rear of the lots to the creek. City Engineering staff and the Hamilton Conservation Authority will set forth recommendations for satisfactory stormwater quality and quantity controls at the severance stage.

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5. In order to implement the development, as proposed (see Appendix “C” to Report PED15103), the following zoning modifications are required.

Table 1.1: Requested Modifications to the Residential “R4” Zone:

	Residential “R4” Zone	Proposed R4 “R4-663” Zone, Modified
Min. Lot Area	400 sq m	360 sq m
Max. Lot Coverage	35%	45%
Min. Front Yard	7.5 m	4.5 m to the dwelling unit; 6.0 m to an attached garage
Min. Side Yard	1.2 m, except on a corner lot, the minimum side yard abutting a street shall be 5.2 m	1.2 m, except on a corner lot, the minimum side yard abutting a street shall be 4.5 m, except 6.0 m to an attached garage or carport
Min. Rear Yard	7.5 m	7.0 m
The following encroachment provisions have been requested:		
Encroachments	An unenclosed porch is permitted to encroach 2.0 m into a required front yard and 2.0 m into a required flankage yard, and the steps of a porch are permitted to encroach 0.6 m in addition to the porch encroachment. Notwithstanding this provision, no encroachment shall be permitted within 0.6 m of a side lot line.	
	A Chimney, belt courses, sills, cornices, chimney breasts, decorative brick facing, pilasters, alcoves, windows, fireplaces, or other architectural features, with or without foundations, are permitted to encroach a maximum of 0.6 m into a required yard. Notwithstanding this provision, no encroachment shall be permitted within 0.6 m of a side lot line.	
	Bay windows and other types of windows, with or without foundations, are permitted to encroach 1.0 m into a required front, exterior side or rear yard. Notwithstanding this provision, no encroachment shall be permitted within 0.6 m of a side lot line.	
	Balconies are permitted to encroach 2.0 m into a required front, exterior side, or rear yard. Notwithstanding this provision, no encroachment shall be permitted within 0.6 m of a side lot line.	

Reduced Lot Area and Increased Lot Coverage

The applicant has requested a lot area of 360 sq m with a maximum lot coverage of 45%, whereas the Residential “R4” Zone of the Ancaster Zoning By-law requires a lot area of 400 sq m with a maximum lot coverage of 35%. The modifications can be supported as the reduced lot area, and increased lot coverage would not result in over-build of the lots. Furthermore, staff considers these modifications to be similar to and consistent with the adjacent Residential “R4-516, R4-517 and R4-623” Zones, Modified, of the existing residential developments to the north and east of the subject property, since they also contain similar lot area and lot coverage reductions, ensuring that the proposed lots would be compatible with existing development. Staff are supportive of these modifications.

Sideyard Setback

The applicant is requesting, for a corner lot, that the minimum side yard abutting a street shall be 4.5 m, except 6.0 m to an attached garage or carport whereas currently, the by-law requires 5.2 m. The reduced side yard would impact only one of the proposed five lots; the most easterly lot requires a 0.7 m reduction to compensate for a future road widening of 3.3 m. To site the future dwelling on the lot in a manner that capitalizes on the lot size, while mirroring the siting of the building on the corner lot directly opposite Secinaro Drive, a reduction is required. Staff considers this modification to be appropriate for the future development of the subject lands, and therefore support the modification.

Reduced Rear Yard Setback

The Town of Ancaster Zoning By-law 87-57 states that a minimum rear yard setback of 7.5 m is required whereas the applicant has requested a setback of 7.0 m. The intent and purpose of requiring a minimum rear yard setback, is to provide adequate rear yard private amenity space and adequate buffering for abutting uses. The proposed rezoning would reduce the required setback by 0.5 m, and it is staff’s opinion that the modification maintains sufficient amenity space, and is consistent with the lot fabric of the existing residential developments in the area. Therefore, the modification can be supported.

Reduced Front Yard Setback

The applicant has requested the front yard setback be reduced from the required 7.5 m to 4.5 m to the dwelling unit, and 6.0 m to an attached garage. The reduction of the front yard is consistent with the new urbanism form of development, whereby building facades are located closer to the street, while maintaining a parking space within the driveway. The residential properties to the north are a similar form of development with front yard setbacks of approximately 5.7 m. Locating new residential buildings close to

the street also allows for the continuation of the street edge established through the established building setbacks on surrounding properties. It is staff's opinion that the proposed modification is consistent with the existing streetscape, while providing adequate space for access, parking, and landscaping. Therefore, the modification can be supported.

Encroachments

In addition to the above, the applicant has also requested that the units be permitted to have balconies and porches encroach a maximum of 2.0 m into the required side, rear, and front yards, instead of the 1.5 m encroachment permitted in the Ancaster By-law's General Provisions. The applicant has also requested chimneys, belt courses, sills, cornices, chimney breasts, decorative brick facing, pilasters, alcoves, windows, fireplaces or other architectural features, with or without foundations, to encroach a maximum of 0.6 m into a required yard.

Staff are of the opinion, that the aforementioned encroachments, particularly porches and / or balconies, would provide additional amenity to the occupants, as well as give greater articulation and architectural interest to each dwelling. It is, therefore, considered that, on balance, the encroachment of any potential balconies / porches and architectural features can be supported, and it would not affect the streetscape with regard to reduced landscaping. However, given that staff are also in support of reduced side yards, staff has recommended that notwithstanding these encroachments, no encroachment shall be permitted to be any closer than 0.6 m to a side lot line. This is in order to ensure suitable separation between buildings.

Staff therefore considers that the impact these modifications would exert upon the level of landscaping and amenity area, given the size of the lots, would not be considered significant and support the proposed modifications.

ALTERNATIVES FOR CONSIDERATION

Should the proposed Zoning By-law Amendment be denied, the property located at 492 Southcote Road would continue to be used as agricultural in accordance with the "A-216" Agriculture, Modified District provisions.

ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN

Strategic Priority #1

A Prosperous & Healthy Community

WE enhance our image, economy and well-being by demonstrating that Hamilton is a great place to live, work, play and learn.

Strategic Objective

- 1.5 Support the development and implementation of neighbourhood and City wide strategies that will improve the health and well-being of residents, and,
- 1.6 Enhance Overall Sustainability (financial, economic, social and environmental).

Strategic Priority #2

Valued & Sustainable Services

WE deliver high quality services that meet citizen needs and expectations, in a cost effective and responsible manner.

Strategic Objective

- 2.2 Improve the City's approach to engaging and informing citizens and stakeholders; and,
- 2.3 Enhance customer service satisfaction.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A": Location Map
Appendix "B": Draft By-law
Appendix "C": Concept Plan

LK/mah