



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	February 2, 2016
SUBJECT/REPORT NO:	Applications to Amend the Urban Hamilton Official Plan and Ancaster Zoning By-law No. 87-57, and for Approval of a Draft Plan of Subdivision known as “Garner Estates” (Ancaster) (PED16012) (Ward 12)
WARD(S) AFFECTED:	Ward 12
PREPARED BY:	Robert Clackett Planner (905) 546-2424 Ext. 7856 Steve Robichaud Director of Planning and Chief Planner
SUBMITTED BY:	Jason Thorne General Manager Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATIONS

- (a) That approval be given to **Urban Hamilton Official Plan Amendment Application UHOPA-15-001, by A. DeSantis Developments Ltd. and 637414 Ontario Inc., Owners,** to amend Schedule “B” – Natural Heritage System to delete the Linkage from 1035 Garner Road East and that the Meadowlands Neighbourhood IV Secondary Plan be amended to: redesignate the northerly portion of Block “2”, as shown on Appendix “A” to Report PED16012 from “Low Density Residential 2b” to “Low Density Residential 3b”; delete the proposed southerly road and designate the lands as “Low Density Residential 2b” and “Low Density Residential 3b”, as per the abutting designation; and to establish a Site Specific Area to permit both street townhouse units in the “Low Density Residential 2b” designation and to permit a maximum density of 46 units per net residential hectare, for the lands known as 1001, 1009, and 1035 Garner Road East (Ancaster), as shown on Appendix “A” to Report PED16012, on the following basis:
- (i) That the draft Official Plan Amendment (OPA), attached as Appendix “B” to Report PED16012, be adopted by City Council.

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- (b) That approval be given to **Zoning Application ZAC-15-003 by A. DeSantis Developments Ltd. and 637414 Ontario Inc., Owners**, for changes in zoning from the Institutional “I” Zone to the Residential Multiple “RM2-667” Zone, Modified (Block 1) and the Residential Multiple “RM5-668” Zone, Modified (Block 2) in the Ancaster Zoning By-law No. 87-57; for lands located at 1001, 1009, and 1035 Garner Road East (Ancaster), as shown on Appendix “A” to Report PED16012, on the following basis:
- (i) That the draft By-law, attached as Appendix “C” to Report PED16012, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.
 - (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2014), conform to the Growth Plan for the Greater Golden Horseshoe (Places to Grow), and will comply with the Urban Hamilton Official Plan upon finalization of Urban Hamilton Official Plan Amendment No. __.
- (c) That approval be given to **Revised Draft Plan of Subdivision Application 25T-201501 by A. DeSantis Developments Ltd. and 637414 Ontario Inc., Owners**, to establish a Draft Plan of Subdivision known as “Garner Estates”, on lands known as 1001, 1009, and 1035 Garner Road East (Ancaster), as shown on Appendix “A” to Report PED16012, subject to the following conditions:
- (i) That this approval apply to the Draft Plan of Subdivision “Garner Estates”, 25T-201501, as revised, prepared by A.J. Clarke and Associates Ltd., and certified by B.J. Clarke, O.L.S., dated September 10, 2015, showing nine blocks for the purposes of 114 dwelling units, consisting of five blocks for residential purposes (Blocks 1 and 4-7), two blocks for street widenings (Blocks 2 and 3), two blocks for temporary turning circles (Blocks 5 and 7), one block (Block 6) to be developed with the abutting block (Block 5) upon removal of the temporary turning circle and two blocks for 0.30 m reserves (Blocks 8 and 9) subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions attached as Appendix “E” to Report PED16012.
 - (ii) Acknowledgement by the City of Hamilton of its responsibility for cost-sharing with respect to this development shall be in accordance with the City’s Financial Policies and will be determined at the time of development.
 - (iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 42 of the *Planning Act*, prior to the issuance of each building permit. The calculation for the Cash-in-Lieu payment shall be based on the value of

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the land on the day prior to the issuance of the first building permit for each said Block.

With regard to Blocks 1, 4, 5, and 6, a parkland dedication, at a ratio of 0.6 ha per 300 dwelling units, will be required for the proposed townhouse dwelling units.

Furthermore, with regard to Blocks 1 and 7, a parkland dedication, at a ratio of 1.0 ha per 300 dwelling units, will be required for the proposed multiplex dwelling units.

All in accordance with the Financial Policies for Development and the City’s Parkland Dedication By-law, as approved by Council.

EXECUTIVE SUMMARY

The purpose of the subject applications is to amend the Urban Hamilton Official Plan (UHOP) and the Meadowlands IV Neighbourhood Secondary Plan, the Town of Ancaster Zoning By-law No. 87-57 and for approval of a Draft Plan of Subdivision known as “Garner Estates”. The effect of the applications is to permit the development of 24 street townhouse dwelling units fronting onto the planned extension of Beasley Grove and a total of 90 block townhouses and multiplex dwelling units (maisonettes) on a private condominium road with vehicular access from Garner Road East. The applications also propose a number of site specific amendments to the Zoning By-law to implement the proposed built form.

The proposal has merit and can be supported as it is consistent with the Provincial Policy Statement (PPS) and conforms to the Growth Plan for the Greater Golden Horseshoe. The proposal will allow for an efficient use of land by permitting the development of a residential greenfield development with a total of 114 units at an overall density of approximately 36 units per hectare and will be in conformity with the UHOP upon approval of UHOP Amendment No. ___.

Alternatives for Consideration – See Page 46

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: The City’s cost-sharing with respect to this development shall be in accordance with the City’s Financial Policies and determined at the time of development.

Staffing: N/A

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Legal: As required by the *Planning Act*, Council shall hold at least one Public Meeting to consider applications for an Amendment to the Official Plan, the Zoning By-law and for approval of a Draft Plan of Subdivision.

HISTORICAL BACKGROUND

Proposal:

The subject lands are located on the north side of Garner Road East, east of Springbrook Avenue and west of Raymond Road. The lands are legally described as Part of Lot 52, Concession 3 (Ancaster), municipally known as 1001, 1009, and 1035 Garner Road East (see location map attached as Appendix “A” to this Report).

The proposal is for nine blocks for a maximum of 114 dwelling units, composed of 24 street townhouse dwelling units fronting onto the planned extension of Beasley Grove (to be developed on Blocks 4, 5 and 6 on Appendix “D” to Report PED16012), a total of 90 block townhouses and multiplex dwelling units (maisonettes) on a private condominium road with vehicular access from Garner Road East (to be developed on Blocks 1 and 7 on Appendix “D” to Report PED16012), two blocks for road widenings and two blocks for 0.30 m reserves.

Blocks 5 and 7 will be required for a temporary turnaround before Beasley Grove is extended to the westerly limits of Cooley Grove, to provide lot frontage and access for Block 6. Once Beasley Grove can be constructed, in conjunction with the proposed development to the west of the subject lands the temporary turnaround will no longer be required. Block 5 and Block 6 will then be used for the development of four street townhouse units fronting on Beasley Grove.

Urban Hamilton Official Plan Amendment:

An application has been made to amend the UHOP. Specifically, the application has applied to amend Schedule “B” – Natural Heritage System to delete the Linkage from the subject lands (i.e. 1035 Garner Road East) and amend the Meadowlands Neighbourhood IV Secondary Plan as follows:

- to redesignate the northerly portion of Block 2 (as shown on Appendix “A” to Report PED16012) from “Low Density Residential 2b” to “Low Density Residential 3b”;
- to delete the proposed southerly road and designate the lands as “Low Density Residential 2b” and “Low Density Residential 3b” (as per the abutting designation); and,

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- to establish a Site Specific Area that will both permit street townhouse units in the “Low Density Residential 2b” designation and permit a maximum density of 46 units per net residential hectare.

Zoning By-law Amendment:

A Zoning By-law Amendment was submitted to rezone the subject lands, as shown on Appendix “C” to Report PED16012 from the Institutional “I” Zone to the Residential Multiple “RM2-667” Zone, Modified (Block 1) and the Residential Multiple “RM5-668” Zone, Modified (Block 2), in Ancaster Zoning By-law No. 87-57.

Each of the proposed residential zones will contain site specific provisions to implement the proposed development. The proposed site specific zoning regulations are described in greater detail in the Analysis and Rationale for Recommendation section of this Report.

Revised Plan of Subdivision:

The proposed revised Draft Plan of Subdivision (see Appendix “D” to Report PED16012) is intended to create:

- 24 street townhouse units fronting onto the extension of Beasley Grove (Blocks 4, 5 and 6);
- 90 block townhouse and multiplex (maisonette) dwelling units on a condominium road (Blocks 1 and 7);
- Two blocks for street widenings (Blocks 2 and 3);
- Two blocks for temporary turning circles (Blocks 5 and 7); and,
- Two blocks for 0.30 m reserves (Blocks 8 and 9).

The revisions, submitted September 28, 2015, reduced the sizes of Block 5 and Block 6 to allow for the service easement of Block 7, and private walkway, which extend from the internal development to Beasley Grove.

Access to the proposed development on Blocks 1 and 7 will be via a private condominium road from Garner Road East as well as the planned extension of Beasley Grove Road to connect to Cooley Grove. No vehicular access from Blocks 1 and 7 to Beasley Grove is proposed. The total residential unit yield for this Draft Plan of Subdivision will be a maximum of 114 residential units.

Chronology:

January 5, 2015: Applications deemed to be complete.

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- January 16, 2015: Applications circulated to the relevant departments and agencies.
- January 20, 2015: Public Notice Sign posted on site.
- January 21, 2015: Notice of Complete Application and Preliminary Circulation mailed to 30 property owners within 120 m of the subject lands.
- September 28, 2015: Revised Draft Plan submitted to staff.
- January 6, 2016: Public Notice Sign updated to include date of Public Meeting.
- January 15, 2016: Notice of Public Meeting circulated to all property owners within 120 m of the subject lands and to all individuals who provided written comments.

DETAILS OF SUBMITTED APPLICATIONS:

- Location:** Part of Lot 52, Concession 3 (Ancaster), municipally known as 1001, 1009, and 1035 Garner Road East, in the former Town of Ancaster (see Appendix “A” to Report PED16012)
- Owners:** A. DeSantis Developments Ltd. and 637414 Ontario Inc.
- Agent:** A.J. Clarke and Associates Ltd. (c/o S. Fraser)
- Property Size:**
- | | |
|------------------|---------|
| <u>Lot Area:</u> | 3.17 ha |
| <u>Frontage:</u> | 128.5 m |
| <u>Depth:</u> | 201 m |

Existing Land Use and Zoning:

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
Subject Land:	Single Detached Dwellings	Institutional “I” Zone
Surrounding Land:		
North:	Vacant	Residential Multiple “RM2-615” Zone,

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		Modified and Residential Multiple “RM2-617” Zone, Modified
South:	Single Detached Dwellings	Agricultural “A” Zone and Agricultural “H-A-408” Zone, Modified
East:	Vacant	Residential Multiple “RM2-616” Zone
West:	Single Detached Dwellings	Institutional “I” Zone Rural Commercial “C5-203” Zone Agricultural “A” Zone

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Statement (2014)

The applications have been reviewed with respect to the PPS policies. The following policies, amongst others of the PPS, apply:

The applications contribute to the development of healthy, liveable, and safe communities as required by Policy 1.1.1, as discussed below.

The applications are consistent with Policy 1.1.1.c):

- “Policy 1.1.1 Healthy, livable and safe communities are sustained by:
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns.
- Policy 1.1.3.1 Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.
- Policy 1.1.3.2 Land use patterns within settlement areas shall be based on:
- a) densities and a mix of land uses which:

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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;
3. minimize negative impacts to air quality and climate change, and promote energy efficiency;
4. support active transportation;
5. are transit-supportive, where transit is planned, exists or may be developed; and
6. are freight-supportive; and,

- b) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

Policy 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.

Policy 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:

- a) establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
- b) permitting and facilitating:
1. all forms of housing required to meet the social, health and well-being 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;

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- 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;
- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and
- e) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.”

The applications are consistent with Policy 1.1.3.1 in that the proposal directs growth to Settlement Areas and implements Policy Nos. 1.1.3.2, 1.1.3.6, and 1.4.3 with respect to the promotion of densities which efficiently use land and resources. The subject proposal encourages a compact form of development that provides for a mix of housing types to meet the projected requirements of current and future residents.

Staff note that the proposed UHOP Amendment, Zoning By-law Amendment and Draft Plan of Subdivision are consistent with and complementary to the existing neighbourhood in terms of dwelling unit types, densities and street configuration.

Further, the subject property was determined to be of archaeological potential. As such, Policy 2.6.2 applies, which restricts development and site alteration on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved. Accordingly, a Stage 1-4 Archaeological Assessment was conducted. As the approval authority, municipal staff concur with the recommendations made in the report, and the municipal interest in archaeology has been met for the subject property.

In addition, Policy 1.2.6.1 outlines:

- “1.2.6.1 Major facilities and sensitive land uses should be planned to ensure they are appropriately designed, buffered and / or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities.”

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Staff note that the proximity of the proposed subdivision, which is considered to be a sensitive land use in the PPS, to Garner Road East triggers the requirement for a noise study. Staff will require the submission of a noise study to address these concerns. (Condition No. 1 of Appendix “E” to Report PED16012).

With respect to Cultural Heritage, the PSS states the following:

- “2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.
- .
2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.
- .
2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.
- .
2.6.4 Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.”

A Stage 1-2 Archaeological Assessment report (PIF #P230-0012-2014) was submitted to the City of Hamilton and the Ministry of Tourism, Culture and Sport. Staff reviewed the archaeological assessment report and concurred with the recommendation for a Stage 3 assessment to be completed for an archaeological site (AhGx-713).

A Stage 3 Archaeological Assessment report (PIF #P017-0360-2015) was submitted to the City of Hamilton and the Ministry of Tourism, Culture and Sport. Staff reviewed this archaeological assessment and concurred with the recommendation that a Stage 4 be completed for archaeological site AhGx-713.

Finally, a Stage 4 Archaeological Assessment report (PIF #P017-0370-2015) has been submitted to the City of Hamilton and the Ministry of Tourism, Culture and Sport. Staff have reviewed the archaeological assessment and concur with the recommendation that the archaeological site (AhGx-713) has been excavated and documented and that no further assessment is required for the subject property. Staff require that letters from the Ministry of Tourism, Culture and Sport be provided to staff when available.

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The adjacent property at 1021 Garner Road East is included in the City’s *Inventory of Buildings of Architectural and/or Historical Interest*.

Staff have received and reviewed a Cultural Heritage Impact Assessment for 1021 Garner Road East, Ancaster, and concurs with the detailed recommendations made with respect to the proposed development that will surround three sides of 1021 Garner Road East. The applicant will need to consider the massing and scale compatibility of the new development with the existing 1.5 storey dwelling. Building materials and architectural styles should also be compatible with the existing building. The intent should not be to replicate a heritage architectural style, but to mimic some of the ratios, and design features to create a smoother visual transition between the old and new. Staff further encourages the applicant to make use of effective landscaping to provide a visual buffer between the existing dwelling and new development.

Staff require that the Cultural Heritage Impact Assessment be updated at the Site Plan Control Stage when detailed elevations are provided to further address the impact of the proposed mixed block of townhouses, street townhouses and maisonettes. Staff will provide further review of the impact of the proposed development on the heritage dwelling at 1021 Garner Road at that point in time.

In light of the above noted comments, staff will require the following condition (Condition No. 3 of Appendix “E” to Report PED16012) of draft plan approval:

- That a Cultural Heritage Impact Assessment (CHIA) report prepared and submitted for review by the Hamilton Municipal Heritage Committee and that the CHIA be revised, to the satisfaction and approval of the Director of Planning and Chief Planner. That the Cultural Heritage Impact Assessment report, be updated as per Condition (3), and that the owner agree in writing that any further implementation measures will be applied as condition(s) of approval for subsequent applications, including Site Plan approval, to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner.

Based on the foregoing, the proposal is consistent with the policies of the PPS.

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

The Growth Plan for the Greater Golden Horseshoe is more formally known as Places to Grow (P2G), and was prepared and approved under the *Places to Grow Act, 2005*, by the Province of Ontario. The Plan’s main objective is to provide direction in developing communities with a better mix of housing, jobs, shops and services in close proximity to each other. The subject lands are located outside of the built-up area, but within the designated greenfield area.

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Section 1.2.2 of *Places to Grow* provides guiding principles to achieve the vision of the Plan. The Plan states that designated greenfield areas will be planned, designated, zoned and designed in a manner that contributes to creating complete communities, which includes street configurations, densities, and an urban form that supports walking, cycling, and transit. This proposal extends the existing complete community from the north, by providing a mix of housing and unique building designs in close proximity to existing residential and open space uses, as envisioned in the Secondary Plan.

In light of the foregoing, this proposal conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow).

Urban Hamilton Official Plan (UHOP)

The subject lands are identified as “Neighbourhoods” on Schedule “E” – Urban Structure, designated as “Neighbourhoods” on Schedule “E-1” – Urban Land Use Designations, designated as “Low Density Residential 2b” and “Low Density Residential 3b” on Map B.2.6-1 of the Meadowlands Neighbourhood IV Secondary Plan and shown outside of the Built Boundary on Appendix “G” to Report PED16012 – Boundaries Map. Also, on Schedule “B”, a Linkage has been identified on 1035 Garner Road East. The following Volume 1 policies, amongst others, are applicable to the subject applications.

Noise

The UHOP contains relevant policies with respect to noise. Section 3.6.3 indicates:

- “B.3.6.3 Noise, vibration, and other emissions such as dust and odours from roads, airports, railway lines and stationary sources have the potential to negatively impact the quality of life of residents. The objective of the following policies is to protect residents from unacceptable levels of noise, vibration, and other emissions and to protect the operations of transportation facilities, commercial, and employment (industrial) uses.
- B.3.6.3.1 Development of noise sensitive land uses, in the vicinity of provincial highways, parkways, minor or major arterial roads, collector roads, truck routes, railway lines, railway yards, airports, or other uses considered to be noise generators shall comply with all applicable provincial and municipal guidelines and standards.
- B.3.6.3.2 Any required noise or vibration study shall be prepared by a qualified professional, preferably a professional engineer with experience in environmental acoustics, in accordance with recognized noise and

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vibration measurement and prediction techniques, to the satisfaction of the City, and in accordance with all applicable guidelines and standards.”

In regard to the above applicable policies, staff are in receipt of a noise study titled “Environmental Noise Impact Study Garner Estates Subdivision Development Being Part of Lot 52 Concession 3 Geographic Township of Ancaster known municipally as 1001, 1009, 1035 Garner Rd East Now in the City of Hamilton” dated November 2014 and prepared by dBA Environmental Services Inc. Upon review, staff have determined that the study shows that through the provision of noise mitigation measures such as acoustic barriers and ventilation requirements, as well as the use of noise warning clauses, noise impacts can be mitigated on site. An addendum to the noise study will have to be prepared when detailed grading information is available, and will be required at the Site Plan Control stage of development. The implementation of any noise mitigation measures will be addressed through Condition No. 1 of Appendix “E” to this Report.

Cultural Heritage

With respect to cultural heritage concerns, the UHOP identifies applicable Policy under Section B.3.4.4.2:

“B.3.4.4.2 In areas of archaeological potential identified on Appendix F-4 – Archaeological Potential, an archaeological assessment shall be required and submitted prior to or at the time of application submission for the following planning matters under the *Planning Act*:

- b) zoning By-law amendments unless the development proposed in the application in question or other applications on the same property does not involve any site alteration or soil disturbance; and,
- c) plans of subdivision.

B.3.4.4.4 Archaeological assessments shall be prepared in accordance with any applicable guidelines and Policy F.3.2.4 - Archaeological Assessments.”

As noted previously, a Stage 1-2 Archaeological Assessment report (PIF #P230-0012-2014) was submitted to the City of Hamilton and the Ministry of Tourism, Culture and Sport. Staff reviewed the archaeological assessment report and concurred with the recommendation for a Stage 3 assessment to be completed for archaeological site (AhGx-713).

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A Stage 3 Archaeological Assessment report (PIF #P017-0360-2015) was submitted to the City of Hamilton and the Ministry of Tourism, Culture and Sport. Staff reviewed this archaeological assessment and concurred with the recommendation that a Stage 4 be completed for archaeological site AhGx-713.

Finally, a Stage 4 Archaeological Assessment report (PIF #P017-0370-2015) has been submitted to the City of Hamilton and the Ministry of Tourism, Culture and Sport. Staff have reviewed the archaeological assessment and concur with the recommendation that the archaeological site (AhGx-713) has been excavated and documented and that no further assessment is required for the subject property. Staff require that letters from the Ministry of Tourism, Culture and Sport be provided to staff when available.

Built Heritage:

The adjacent property at 1021 Garner Road East is included in the City’s *Inventory of Buildings of Architectural and/or Historical Interest* and identified as Site Specific Policy – Area A in the Meadowlands IV Secondary Plan.

“B.2.6.8.1 For the lands located at No. 1021 Garner Road East, and identified on Map B.2.6-1 – Meadowlands Neighbourhood IV – Land Use Plan as Site Specific Policy - Area A, the following policy shall apply:

- a) To preserve and maintain the historic/architectural significance of this dwelling, any future development for these lands shall incorporate the existing single detached dwelling which is listed on the City’s inventory as potentially being of historical/architectural significance. Any future development scenario for these lands shall incorporate this dwelling.”

Staff have received and reviewed a Cultural Heritage Impact Assessment for 1021 Garner Road East, Ancaster, and concurs with the detailed recommendations made with respect to the proposed development that will surround three sides of 1021 Garner Road East. The applicant will need to consider the massing and scale compatibility of the new development with the existing 1.5 storey dwelling. Building materials and architectural styles should also be compatible with the existing building. The intent should not be to replicate a heritage architectural style, but to mimic some of the ratios, and design features to create a smoother visual transition between the old and new. Staff further encourages the applicant to make use of effective landscaping to provide a visual buffer between the existing dwelling and new development.

Staff require that the Cultural Heritage Impact Assessment be updated at the Site Plan Control Stage when detailed elevations are provided to further address the impact of the proposed mixed block of townhouses, street townhouses and maisonettes. Staff will

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provide further review of the impact of the proposed development on the heritage dwelling at 1021 Garner Road at that point in time.

In light of the above noted comments, staff will require the following condition (Condition No. 3 of Appendix “E” to Report PED16012) of draft plan approval:

- That a Cultural Heritage Impact Assessment (CHIA) report prepared and submitted for review by the Hamilton Municipal Heritage Committee and that the CHIA be revised, to the satisfaction and approval of the Director of Planning and Chief Planner. That the Cultural Heritage Impact Assessment report, be updated as per Condition (3), and that the owner agree in writing that any further implementation measures will be applied as condition(s) of approval for subsequent applications, including Site Plan approval, to the satisfaction of the City of Hamilton, Director of Planning and Chief Planner.

Natural Heritage

With respect to the Linkage identified on 1035 Garner Road East, a Linkage is a natural area that ecologically connects Core Areas. Connections between natural areas provide opportunities for plant and animal movement, hydrological and nutrient cycling and maintain ecological health and integrity of the overall Natural Heritage System.

Through a detailed review of the subject lands, this Linkage was identified as a wooded area. Generally, where new development or site alteration is proposed within a Linkage, the applicant shall prepare a Linkage Assessment:

“Policy C.2.7.5 Where new development or site alteration is proposed within a Linkage in the Natural Heritage System as identified in Schedule B – Natural Heritage System, the applicant shall prepare a Linkage Assessment. On sites where an Environmental Impact Statement (EIS) is being prepared, the Linkage Assessment can be included as part of the EIS report. Any required Linkage Assessment shall be completed in accordance with Policy F.3.2.1.11 – Linkage Assessments.”

Based on a site visit conducted with the Hamilton Conservation Authority (HCA) on June 24, 2014, it was observed that trees on the property had been removed. Charges were not laid since this area did not meet the definition of a woodland under the Ancaster Tree Protection By-law (By-law No. 2000-118) and permits were granted by the City’s Forestry Conservation By-law Officer for removal. As a result, a Linkage Assessment was not required. The City of Hamilton’s By-law No. 15-125, related to the regulation of trees on or affecting private property, was not in force and effect yet (May

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2015) when the application was initially submitted, as such, it was deemed to not be applicable.

A Tree Protection Plan was submitted with the application (identified in this submission as a Tree Preservation and Removals Plan) and prepared by Sefarian Design Group (Bradley Smith, Landscape Architect; Nov. 28, 2014).

“C.2.11.1 The City recognizes the importance of trees and woodlands to the health and quality of life in our community. The City shall encourage sustainable forestry practices and the protection and restoration of trees and forests.”

Staff has reviewed the TPP and note the following: a Tree Data Sheet, which identifies the trees on the property, has been provided, but will require further clarification on the specific numbering of the diagram and justification related to the removal of certain trees.

Staff are satisfied that Tree Protection Fencing has been identified on Drawings T-1 and T-2 and the details provided on Drawing T-4; however there are areas (e.g. trees within #35-67 section) where the fencing has not been identified around the entire dripline. As such, staff will require further clarification.

Based on 2014 aerial photograph interpretations, there appear to be trees at the northern property limit (approximately where Beasley Grove has been proposed on the Concept Plan); however these trees have not been identified on Drawing T-2. Again, further clarification will be required with respect to this issue.

Based on the City’s Tree Protection Guidelines, the City requires 1 for 1 compensation for any trees 10 cm diameter-at-breast-height (DBH) or greater that are to be removed to ensure existing tree cover is maintained. While Planning staff appreciates that the majority of trees on the property will be protected, four (4) Black Walnut trees and an indeterminate number of White Cedar have been identified for removal. Staff will require that these trees be compensated and that this compensation be identified on a Landscape Plan.

In light of the above noted comments, Staff are requiring that the submitted Tree Preservation Plan be revised and resubmitted prior to any grading on site. A Tree Preservation Plan will be required as per Condition No. 5.10 of the City’s Standard Conditions of Subdivision approval.

Also, a Core Area (headwater tributary of Tiffany Creek) has been identified at the rear of the subject properties. While this tributary has not been identified on Schedule B (Natural Heritage Systems) or B-8 (Key Hydrologic Features-Streams), it flows through

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the Ancaster Meadowlands Ph.1 (25T-200405) and Ancaster Woodlands (25T-200518) subdivisions into Tiffany Creek Provincially Significant Wetland (PSW) located within the Tiffany Creek Headwaters Environmentally Significant Area (ESA). While this watercourse may have been altered and manipulated in the past, it may be representative of fish habitat (spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly to carry out their life processes). Development and site alteration occurring within the drainage area of a watercourse can affect fish habitat by altering the hydrological cycle.

Policies within the UHOP indicate that:

“Policy C.2.5.3 New development and site alteration shall not be permitted within fish habitat, except in accordance with provincial and federal requirements.

C.2.5.5 New development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in Section C.2.5.2 to C.2.5.4 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there shall be no negative impacts on the natural features or on their ecological functions.”

Based on comments provided by Natural Heritage Planning staff during Formal Consultation (FC-14-033), the treatment of this watercourse was deferred to the HCA since this feature is within their regulated area.

Major changes to boundaries, the removal or addition of Core Areas and Linkages identified on Schedule B Natural Heritage Systems and Schedules B-1-8 Detailed Natural Heritage Features require an amendment to the UHOP:

“Policy C.2.5.5 New development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in Section C.2.5.2 to C.2.5.4 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there shall be no negative impacts on the natural features or on their ecological functions.”

As no Linkage feature exists on the subject lands, staff are supportive of an UHOP Amendment to remove the Linkage identified for the subject lands from Schedule “B” of the UHOP.

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Urban Design

The UHOP has a detailed set of policies related to urban design.

- “3.3.2.3 Urban design should foster a sense of community pride and identity by:
- a) respecting existing character, development patterns, built form, and landscape;
 - b) promoting quality design consistent with the locale and surrounding environment;
 - e) conserving, maintaining, and enhancing the natural heritage and topographic features of the City and its communities;
 - h) respecting prominent sites, views, and vistas in the City;”

The proposed development is similar in built form to the existing “Ancaster Meadows Phase 2c” development to the north and east of the subject lands, which has already received planning approvals and is in the process of being developed. This development is also made up of street townhouse units. As such, the proposed “Garner Estates” development will respect the planned character, development patterns and building form in the area while promoting urban design that is consistent with the locale and surrounding environment. Specific plan elevations and detailed site design will be further explored at the Site Plan Control stage of development.

Scale and Design of Development

The UHOP has specific scale and design requirements for lands within the Neighbourhood designation:

- “E.3.2.7 The City shall require quality urban and architectural design. *Development* of lands within the Neighbourhoods designation shall be designed to be safe, efficient, pedestrian oriented, and attractive, and shall comply with the following criteria:
- a) New *development* on large sites shall support a grid system of streets of pedestrian scale, short blocks, street oriented structures, and a safe and attractive public realm.

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- b) Garages, parking areas, and driveways along the public street shall not be dominant. Surface parking between a building and a public street (excluding a public alley) shall be minimized.
- c) Adequate and direct pedestrian access and Linkages to *community facilities/services* and local commercial uses shall be provided.
- d) *Development* shall improve existing landscape features and overall landscape character of the surrounding area.
- e) *Development* shall comply with Section B.3.3 – Urban Design Policies and all other applicable policies.”

The proposed development is set up on a combination of both public and private streets that are grid oriented. There are also pedestrian amenities, including sidewalks and paths that connect the subject lands to local amenities.

Setbacks established in the amending By-law minimize the need for additional surface parking, and also provide for an accessible, appealing public street.

Landscaping will be provided on site, and will be further addressed at the Site Plan Control stage of development in order to maintain the overall landscape character of the surrounding area.

Finally, as per the Urban Design section of this Report, Section B.3.3 has been addressed.

Alternative Development Standards

The UHOP sets out specific requirements related to alternative development standards for greenfield developments.

“E.3.7.4 Such alternative development standards may include:

- c) use of public lanes, private lanes, and on-street parking to promote more compact residential development and to provide more attractive streetscapes;
- d) greater reliance on common open space areas to facilitate more compact development patterns; and,

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- e) alternative standards for the spacing and location of underground infrastructure.”

Private lanes, which are narrower than public roads, are used in the proposed development in order to facilitate a compact form of development. Furthermore, the park space located to the north of the subject lands can be used by the future residents of the subject lands, thereby reducing the lands to be used for such a use and facilitating a more compact development.

Meadowland Neighbourhood IV Secondary Plan:

The front two thirds of the subject lands, which front onto Garner Road East, are designated as “Low Density Residential 3b”, and the rear third of the subject lands are designated as “Low Density Residential 2b” on Map B.2.6-1 – Meadowlands Neighbourhood IV Secondary Plan Land Use Plan.

The Secondary Plan Land Use Plan Map B.2.6-1 shows the location of both collector and local roads. Two of these roads lie within the limits of the subject lands as well as the lands to the east, which are also in the process of being developed. Through consultation with City staff and in discussions with the proponent who is developing the adjacent lands to the west, the applicant has determined that the more southern of the two east – west local roads dividing the subject lands horizontally is not necessary as it would not provide any additional access or other circulatory benefits to future residents. In addition, its removal allows appropriate future development of the lands to the west and north of the subject lands in a comprehensive manner which has been generally envisioned in the Secondary Plan.

The proposed Draft Plan of Subdivision proposes the development of lotless blocks to accommodate the development of a mix of block townhouses, street townhouses, and maisonettes; all of which comply with the General Residential policies of the Secondary Plan, as outlined below:

- “B.2.6.1. 3c) Development within the Meadowlands Neighbourhood IV is intended to provide a mix and diversity of housing opportunities in terms of lot size, unit size, style and tenure that are suitable for different age levels, income groups, lifestyles, and household structures.
- d) To make best use of urban lands higher densities shall be encouraged throughout this neighbourhood. This density can be achieved through the provision of smaller lots in interior locations

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and higher density developments located at external locations within the neighbourhood.”

The proposal provides for a mixture of various housing opportunities. The block townhouse and maisonette units are located near the exterior of the neighbourhood and will front onto Garner Road East and make up two thirds of the proposed development. The street townhouses generally make up the remaining third of the development and will front on the future extension of Beasley Grove Drive located in the interior of the neighbourhood. As such, the intent of the above noted policies is being addressed.

Furthermore, the “Low Density Residential 2b” and “Low Density Residential 3b” policies of Section 2.6.1 of Volume 2 apply:

The middle and northerly thirds of the proposal do not comply to the “Low Density Residential 2b”, policies of Section 2.6.1 of Volume 2, and so amendments (both standard and area specific) to the Secondary Plan will be required:

- “B.2.6.1.4 a) In the Low Density Residential 2b designation:
- i) the density shall be approximately 1 to 30 units per net residential hectare;
 - ii) predominantly single detached dwellings, duplex and semi-detached dwellings shall be permitted; and,
 - iii) generally located at the interior of residential neighbourhoods adjacent to local and/or collector roads.”

The southerly and middle thirds of the subject lands are proposed to be developed as block townhouse and maisonette units at a density of 31 units per net residential hectare. As such, this area of the subject lands needs to be redesignated from “Low Density Residential 2b” to “Low Density Residential 3b” to allow for the increased density.

With respect to the most northerly third of the subject lands, the “Low Density Residential 2b” designation in the Secondary Plan identifies a density range of 1 to 30 units per net residential hectare (uph), which permits single detached dwellings, duplex and semi detached dwellings. In regard to this development, the density of this component of the proposed Draft Plan of Subdivision is calculated at 43 uph, which does not comply with Policy 2.6.1.4 a) i). Additionally, these units will be street townhouse units, which is not a permitted use as per the Secondary Plan Policy, and so a site specific amendment will be necessary to allow for street townhouse units and a

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higher net residential density (45 units per hectare). Staff are supportive of this amendment as the proposed development consists of a built form which differs slightly from those permitted, but is consistent and compatible with the surrounding area which will be developed for single detached and townhouse dwellings.

Furthermore,

“B.2.6.1.4 Low Density Residential Designations

Notwithstanding Section E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the Low Density Residential designations identified on Map B.2.6-1 – Meadowlands Neighbourhood IV – Land Use Plan:

- b) In the Low Density Residential 3b designation:
 - i) the density shall be a maximum of 50 units per net residential hectare;
 - ii) predominantly town house dwellings and innovative attached housing dwelling forms shall be permitted; and,
 - iii) generally located at the periphery of residential neighbourhoods adjacent to or close to arterial and/or collector roads.”

Block 1 (block townhouse units and maisonettes), as per Appendix “D” of this Report, is designated “Low Density Residential 3b”.

The “Low Density Residential 3b” designation in the Secondary Plan identifies a maximum density of 50 units per net residential hectare (uph), which permits town house dwellings and innovative attached housing dwellings forms (which includes maisonettes). In regard to this development, the proposed Draft Plan of Subdivision for units in this designation are calculated at 41.3 uph, which complies with Policy 2.6.1.4 b) i). Additionally, these units will be two storeys in height (10.5 m) and will have access to Garner Road East, which is a Major Arterial, thereby complying with the requirements of Section 2.6.1.4 b) iii).

The Meadowlands Neighbourhood IV Secondary Plan also contains policies related to urban design which should be addressed during the processing of a development application:

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“B.2.6.5.1 In addition to Section B.3.3 – Urban Design Policies of Volume 1, the following principles and policies should be addressed during the processing of a development application:

- a) A local road pattern consisting of a generalized grid style local road pattern, which promotes pedestrian movements, friendlier streetscapes and neighbourhood connectivity.
- b) Lands designated Low Density Residential 3b and located adjacent to Garner Road, Raymond Road or the proposed principle Local Road immediately south-east of the hydro corridor, shall be required to be developed with a window road for direct access to Garner Road or the principle Local Road. A minimum 3.0 metre-landscaped strip will be required between the window road and the public street. A landscape plan prepared by a qualified landscape architect will be required to be submitted as part of a site specific development application to address such issues as planting materials, fencing and berming of the landscaped strip.
- c) Additional pedestrian walkways may be established to minimise walking distances to existing and potential transit routes. The location and design of pedestrian walkways shall be determined through the draft plan of subdivision approval process.
- e) Existing trees, significant vegetation and distinctive site views should be protected and preserved through sensitive subdivision design.
- f) Building and site design, setbacks, landscaping, screening and buffering techniques shall be applied to minimise potential conflicts between new and existing uses.
- g) Use of streetscape features such as decorative streetlamps, landscaped traffic circle islands, reduced front yards, front and side yard porches, recessed or detached garages.
- i) Where appropriate, alternative *development* standards (i.e. 18 metre wide road allowances for local roads) shall be implemented in an effort to maximise the use of urban land and municipal services.”

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In light of the above noted polices, Schedule “D” to this Report demonstrates that the proposed style of the proposed condominium road is a generalized grid.

As it pertains to the required window road, staff have determined that the proposed condominium road provides two consolidated accesses to the development from Garner Road East to prevent or limit individual accesses onto Garner Road. A full window road is not possible due to the heritage property located at 1021 Garner Road. As such, an amendment to the Secondary Plan will be required, eliminating the requirement for a window road, and can be supported by staff.

Internal walkways will not only be provided within the subdivision but will also be provided to connect the properties to the north of the subject lands through the servicing easements located at the north west corner of the subject lands. These walkways and connections will be further addressed at the Site Plan Control stage of development. Also, sidewalks will be provided as part of the townhouse component of the development along Beasley Grove.

Details related to design, landscaping, screening, and streetscape features will also be further addressed through the Site Plan Control stage of development as well as through a required Tree Preservation Plan (Condition No. 5.10 of the City’s Standard Conditions of Subdivision approval).

With respect to Built Heritage, the adjacent property at 1021 Garner Road East is included in the City’s *Inventory of Buildings of Architectural and / or Historical Interest* and identified as Site Specific Policy – Area A in the Meadowlands IV Secondary Plan.

“B.2.6.8.1 For the lands located at No. 1021 Garner Road East, and identified on Map B.2.6-1 – Meadowlands Neighbourhood IV – Land Use Plan as Site Specific Policy - Area A, the following policy shall apply:

- a) To preserve and maintain the historic/architectural significance of this dwelling, any future development for these lands shall incorporate the existing single detached dwelling which is listed on the City’s inventory as potentially being of historical/architectural significance. Any future development scenario for these lands shall incorporate this dwelling.”

The applicant proposes to create a mix of block townhouses, street townhouses and maisonettes which will surround 1021 Garner Road East on three sides.

A Cultural Heritage Impact Assessment report for 1021 Garner Road East, Ancaster, by Detritus Consulting Limited, dated November 2014 was submitted as part of the subject

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application. The report concludes that the property located at 1021 Garner Road East meets the criteria for designation under Part IV of the *Ontario Heritage Act*, and as such it is a significant heritage resource and should be protected against adverse impacts associated with any proposed development. The report concludes that there could be some adverse impacts by the adjacent proposed development. The report provides recommendations to mitigate the impact and concludes that if the recommendations are implemented, minimal adverse impact is expected on the built heritage structure. Staff concur with the detailed recommendations made with respect to the proposed development that will surround 1021 Garner Road East. These recommendations included building materials, design features and architectural ratios and proportions into the new structures. They also suggested how to integrate the new structures with the existing streetscape and heritage building. Staff strongly encourage the applicant to consider the massing and scale compatibility of the new development with the existing one and a half storey dwelling. Building materials and architectural styles should also be compatible with the existing building. The intent should not be to replicate a heritage architectural style, but to mimic some of the ratios, and design features to create a smoother visual transition between the old and new. Staff further encourage the applicant to make use of effective landscaping to provide a visual buffer between the existing dwelling and new development. These specific issues will be addressed through the detailed design stage of development through Site Plan Control.

Staff also require that the Cultural Heritage Impact Assessment be updated when detailed elevations are provided to further address the impact of the proposed mixed block of townhouses, street townhouses and maisonettes. If the application will need to be revised, as required by the Cultural Heritage Impact Assessment, then any further implementation measures shall be applied as conditions of approval for subsequent applications, including Site Plan approval. This has been required as per Condition No. 4 of Appendix “E” to Report PED16012.

The Cultural Heritage Impact Assessment report is to be reviewed by the Hamilton Municipal Heritage Committee and revised, as appropriate, to the satisfaction and approval of the Director of Planning and Chief Planner as a condition of Draft Plan approval. This requirement has been set out in Condition No. 3 of Appendix “E” to Report PED16012.

City of Hamilton Staging of Development

Policy F.1.14.1.21 of Volume 1 of the UHOP identifies that: “Council shall approve only those plans of subdivision that meet the following criteria:

- “a) the plan of subdivision conforms to the policies and land use designations of this Plan.

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- b) the plan of subdivision implements the City’s staging of development program;
- c) the plan of subdivision can be supplied with adequate services and community facilities;
- d) the plan of subdivision shall not adversely impact upon the transportation system and the natural environment;
- e) the plan of subdivision can be integrated with adjacent lands and roadways;
- f) the plan of subdivision shall not adversely impact municipal finances; and,
- g) the plan of subdivision meets all requirements of the *Planning Act*.”

With regards to subsection (a) above, the proposed Plan of Subdivision conforms to the policies and land use designations of the UHOP, subject to the approval of the UHOP Amendments of which staff are supportive.

With regards to (b), staff notes that this plan is within the City of Hamilton’s Staging of Development Plan. However, the proposed development is not included in the 2014-2016 development staging schedule. However, under the staging of Development Guidelines, the General Manager may accept anticipated development such as this proposed Draft Plan of Subdivision if it is consistent with the guiding principles which are:

1. Development supports the completion of existing development.
2. Development supports the growth in a manner that optimizes the utilization of existing services and facilities.
3. Development will maintain lot and land supply that is consistent with Provincial Policies and conducive to a healthy housing market.
4. The Staging of Development Program involves consultation with the development industry to discuss upcoming plans for development projects in order to determine where infrastructure will be needed, and to align growth infrastructure timing with the Capital Budget.

The proposed Draft Plan of Subdivision can be supported, as it will represent the logical completion of the Ancaster Meadows Approved Plan of Subdivision and can be

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appropriately serviced using existing services and facilities, subject to the proposed Draft Plan conditions.

In regards to F.1.14.1.21 (c), (d), (e) and (f) above, as has been previously discussed and subject to appropriate conditions, staff note that the proposed Draft Plan can be adequately serviced, will not adversely impact the natural environment or transportation system, will be integrated with existing lands and roadways, and will not adversely impact municipal finances.

RELEVANT CONSULTATION

The following Departments / Agencies had no comments or objections:

- Hamilton Water, Public Works Department; and,
- Enbridge Pipelines Inc.

The **Forestry and Horticulture Section, Public Works Department** advised that they accept the Tree Management Plan as submitted. Furthermore, a Landscape Planting Plan prepared and signed by a Certified Landscape Architect, will also be required. This plan, along with the Tree Management Plan, must be submitted for review and comment by the Forestry and Horticulture Section. The Street Tree Planting condition will be cleared upon receipt of a plan depicting new trees and a cash payment as indicated in Clause 2.08 of the Standard Form Subdivision Agreement.

Hamilton Municipal Parking System (HMPS), Planning and Economic Development Department has requested details of both on and off-street parking. The on-street parking plan must show the location of all proposed parking spaces, fire hydrants and ‘super mailboxes’. They advise that parking in front of fire hydrants and mailboxes is prohibited; also, parking along the perimeter of a park or school property is prohibited unless the property is fenced. HMPS also advise that a minimum of 6.5 m between driveways is recommended to accommodate a parking space and comfortable manoeuvring room for residents accessing their driveways. They also note that all driveways and garages should be appropriately dimensioned to ensure their use for parking. HMPS is not supportive of encroachments into parking spaces.

A draft plan condition has been included which requires a warning clause in all purchase and sale and / or lease agreements with respect to the use of garages (see Appendix “E” to Report PED16012 – Condition No. 2). Finally, an on-street parking plan for Beasley Grove demonstrating the achievement of on-street parking for 40% of the total number of single detached units is also required (see Appendix “E” to Report PED16012 – Condition No. 7).

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Recreation Planning Division, Community and Emergency Services Department

indicated that direct pedestrian access opportunities to the parkland and school located north of the subject lands should be strongly considered. These access opportunities are to be provided through the service easements located at the north west corner of the subject lands.

In addition, they feel that consideration should be given to the provision of private amenity areas for the proposed condominium developments. Planning staff are of the opinion that the connection to the public open space to the north is sufficient and will provide adequate amenity space.

Canada Post Corporation has requested centralized mail facilities provided through their Community Mailbox Program. Their concerns will be addressed through the Standard Form Subdivision Agreement (Clause 1.22).

Union Gas Limited request that as a condition of final approval that the owner / developer provide to Union Gas Limited the necessary easements and / or agreements required by Union Gas Limited for the provision of gas services for this project, in a form satisfactory to Union Gas Limited. Their concerns will be addressed through the Standard Form Subdivision Agreement (Clause 1.21).

The **Hamilton Conservation Authority (HCA)** advised that the subject lands are traversed by a headwater tributary of Tiffany Creek, which then flows easterly through the Ancaster Meadows Phase 1 (25T-200405) and Phase 2 (25T-200601) subdivisions, the Ancaster Woodlands subdivision (25T-200518) and into the Tiffany Creek PSW within the Tiffany Creek Headwater ESA. The HCA understands that access to Blocks 4, 5, and 6 (Appendix “D” to Report PED16012) will be from an extension of Beasley Grove, a proposed future public roadway that would be constructed south of Robertson Road just west of Raymond Road, and that Block 1 (Appendix “D” to Report PED16012) will have two access roadways from Garner Road East.

During their site inspection with the proponent's agent and engineer on June 24, 2014, the HCA established that the watercourse had intermittent flow and appeared to be partially fed by springs on site, typical of a headwater drainage feature. In accordance with the HCA's *Planning and Regulation Policies and Guidelines, October 2011*, the HCA generally requires that all watercourses be kept as open channels to maintain its form and function and that new development be located outside the flood and erosion hazard lands associated with the watercourse and maintain a minimum 15 m fisheries buffer from both sides of the creek.

Based on their findings during their site inspection and in recognition that the watercourse immediately downstream of the subject property will be enclosed, per the

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approved Ancaster Meadows Phase 1 and Phase 2 subdivisions and the Ancaster Woodlands subdivision, HCA staff has determined that an open watercourse channel on the DeSantis lands would have limited function and conveyance with little opportunity to provide hydrological and ecological benefits to the downstream Provincially Significant Wetland. However, in order to ensure that the creek enclosure and the residential development would not interfere with the groundwater aquifer, HCA staff requested that the proponent undertake a hydrogeological assessment to investigate surface and subsurface drainage conditions and to provide recommendations related to the design and construction of the proposed townhouse units.

Subsequently, the Hydrogeological Assessment prepared by Soil-Mat Engineers and Consultants Ltd. dated November 12, 2014 was submitted to the HCA for review, which indicated that the filling and grading associated with the proposed development would not have a "significant impact on the regional groundwater conditions, with potential minor interference with the shallow groundwater aquifer and no significant interference with the deeper aquifer." Due to an anticipated interception of local groundwater in the upper sandy soils, Soil-Mat recommended, however, that a minimum of three groundwater monitoring wells be installed to determine if there was any interference of the groundwater table during construction and, furthermore, that the founding levels of the new residential dwellings should be designed as shallow as possible.

In addition to the groundwater issues, the HCA requires that the proposed new development will not be subject to flooding, nor increase flooding and / or erosion hazard on adjacent lands. In this regard, the HCA wishes to advise that in order to consider enclosure of the watercourse, with flow being diverted into a municipal sewer system, approval from the City of Hamilton will be required in order to ensure that flows exceeding the Five-Year Storm Event can be accommodated within the municipal road network and does not cause localized flooding. These concerns should be addressed in a Stormwater Management Report, which should also incorporate the findings and recommendations of the hydrogeological assessment, in addition to the stormwater quantity control, Enhanced (Level 1) quality control, and sediment and erosion control measures to be implemented for the proposed new development in accordance with the recommendations of the Hamilton Harbour Remedial Action Plan.

The proposed new development will require a permit from the HCA pursuant to their Development, Interference with Wetlands and Alterations to Waterways Regulation 161/06 for the proposed watercourse alteration and any construction and / or grading activities within the regulated area associated with Tiffany Creek. In addition to HCA's permit requirements, the watercourse alteration will require approval from the Department of Fisheries and Oceans Canada (DFO). In this regard, the HCA advises that as “a result of federal amendments to the Canada Fisheries Act on November 25, 2013, associated Applications for Authorization (under Paragraph 35(2) (b) of the

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Fisheries Act Regulations), all Agreements between the Department of Fisheries and Oceans (DFO) and all Conservation Authorities in Ontario (including HCA) become null and void”. Consequently, the HCA is no longer responsible for issuing Letters of Advice on behalf of DFO for in-water works that could impact fisheries. It is now the proponent's responsibility to undertake self assessments.

In light of the above noted concerns, the HCA has requested the following Conditions for the revised Draft Plan of Subdivision:

- “1. That the applicant prepares and implements an erosion and sediment control plan for the subject property to the satisfaction of the Hamilton Conservation Authority. The approved plan should include the following notes:
 - a) All erosion and sediment control measures shall be installed prior to development and maintained throughout the construction process, until all disturbed areas have been revegetated;
 - b) All erosion and sediment control measures shall be inspected after each rainfall to the satisfaction of Authority staff;
 - c) Any disturbed area not scheduled for further construction within 45 days will be provided with a suitable temporary mulch and seed cover within 7 days of the completion of that particular phase of construction; and,
 - d) All disturbed areas shall be revegetated with permanent cover immediately following completion of construction.
2. That the applicant prepares and implements a stormwater management plan for the subject property to the satisfaction of the Hamilton Conservation Authority. The approved plan shall ensure that post development flows will equal pre-development levels and that current Provincial drainage and stormwater quality guidelines are implemented.
3. That the applicant prepares and implements a lot grading plan to the satisfaction of the Hamilton Conservation Authority.
4. That the development be undertaken in accordance with the recommendations of the Hydrogeological Assessment prepared by Soil-Mat Engineers and Consultants Ltd. dated November 12, 2014.

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5. That the applicant obtain a permit from the Hamilton Conservation Authority under its *Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation 161/06* under Ontario Regulation 97/04 prior to any construction and / or grading activities, or watercourse alterations within the area regulated by the Hamilton Conservation Authority.”

The above noted conditions have been addressed as Conditions 21 – 25 in Appendix “E” to Report PED16012.

Corridor Management, Public Works Department advise that the Traffic Impact Study titled “Traffic Impact Study: Proposed Residential Development” completed by Trans-Planning, dated October 2014 must receive final approval by their group. As such, a Condition of Draft Plan approval has been added to address this concern (Condition No. 28 of Appendix “E” to Report PED16012).

Furthermore, Corridor Management staff have advised that Garner Road East is classified as a major arterial road with an average daily traffic of 13,500 vehicles and a posted speed limit of 60 km/hr at this location. The proposed development is expected to generate 96 vehicles in the a.m. peak hour and 113 vehicles in the p.m. peak hour. With the required infrastructure improvements on Garner Road East, these volumes can be accommodated on the adjacent road network without negative impact. In this regard, they have no further comments regarding the Zoning By-law Amendment. They do however advise that eastbound left turn lanes are warranted at both accesses to Garner Road East. Due to the close proximity of both driveways, the required eastbound left turn lanes will be constructed on Garner Road East, in front of the subject lands, to form a continuous centre turn lane along the frontage of the draft plan.

As a condition of Draft Plan approval, Corridor Management staff require the construction of a continuous centre turn lane along the Garner Road East frontage of the draft plan. The storage length at the start of the west taper shall be 25 m. This has been provided as Condition No. 26 in Appendix “E” to Report PED16012.

Also, as a condition of Draft Plan approval, Corridor Management staff will also require a Traffic Signs and Pavement Markings plan be submitted for the required centre turn lane on Garner Road East. The drawing must be submitted in micro-station to the satisfaction of the Manager of Traffic Operations and Engineering. This has been provided as Condition No. 27 in Appendix “E” to Report PED16012.

Driveway access to Garner Road East must be a minimum 8.0 m wide at the property line with a 6 m unobstructed throat. This has been provided as Condition No. 29 in Appendix “E” to Report PED16012.

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Corridor Management staff also require a minimum 5.0 m by 5.0 m visibility triangles between the access limits and the ultimate road allowance limits of Garner Road East in which the maximum height of any object or mature vegetation cannot exceed the height of 0.70 m above the corresponding perpendicular centreline elevation of the adjacent street. These requirements will be addressed at the detailed design stage of the Site Plan Control process.

A municipal sidewalk shall be constructed along the Garner Road frontage of this development and connect to Raymond Road. This sidewalk must be continuous through the driveway approaches. All driveway curbing must end behind the municipal sidewalk. This has been provided as Condition No. 30 in Appendix “E” to Report PED16012.

It is also recommended that a pedestrian walkway from Block 1 through Block 8, as per Appendix “D” to Report PED16012, be provided for direct access to the new elementary school and abutting City park to the north of the subject lands on Raymond Road. This walkway will be addressed through the detailed design stage of development through Site Plan Control.

A multi-unit driveway (condo driveway) will not be permitted within the elbow of Beasley Grove. Planning staff advise that the proposed form of development is street townhouses throughout Blocks 4–7 in Appendix “D” to Report PED16012 which will front on a public road, being Beasley Grove. A multi-unit driveway is not proposed.

An Access Permit from the Public Works Department is required. Prior to commencing any work within the road allowance, we recommend that the applicant / owner contact all the respective Utilities. This permit can be obtained at the Site Plan Control stage of development.

Transportation Planning, Strategic Planning Division, Public Works Department have advised the applicant that a Transportation Demand Management (TDM) Options Report will be required at the Site Plan Control stage of development. This report will need to follow the City’s TDM for Development policies and guidelines.

They also advised that at the detailed design stage of development, the Hamilton Pedestrian Mobility Plan must be considered. Specifically, the needs of Pedestrians with disabilities (i.e. AODA regulations and barrier free designs) must be taken into consideration. Also, built environmental standards and regulations must be considered, including the provision of sidewalks along both sides of the right-of-way and through the site, which must be a minimum of 1.5 m wide; and the provision for trees in the boulevard (Condition No. 18 of Appendix “E” to Report PED16012).

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Transportation Planning staff advised that the development proposal should follow the City’s approved Transit Oriented Development (TOD) guidelines.

Finally, Transportation Planning staff advised that the recommendations of the Garner / Rymal and Garth Environmental Assessment will need to be followed.

Mobility Programs and Special Projects, Strategic Planning Division, Public Works Department noted that the proposed development is along the proposed S-line which is a future Rapid Transit project detailed in the Metrolinx Regional Transportation Plan. As such, the development will be required to put a specific amount of funding toward improvement of Route 44. This specific amount will be determined at a later date.

Due to the site’s adjacency to the proposed S-line rapid transit corridor, the development should contribute to a positive pedestrian environment and be consistent with the urban design policies detailed in the UHOP. Furthermore, the pedestrian connections should be enhanced without having to cross a parking lot. Also, site amenities should also enhance the pedestrian environment (i.e. benches, awnings etc.). These specific design elements will be addressed at the detailed design stage of development through the Site Plan Control process. Finally, Mobility Programs and Special Projects staff feel that the proposed development should follow the approved Transit Oriented Development (TOD) guidelines, given the location, additional uses and / or increased density would be beneficial, especially given the proximity to the Rapid Transit S-Line.

PUBLIC CONSULTATION

In accordance with the provisions of the *Planning Act* and the Council approved Public Participation Policy, Notice of Complete Application and Preliminary Circulation of the original proposal was sent to 30 property owners within 120 m of the subject lands on January 21, 2015. A Public Notice sign was posted on the property on January 20, 2015, and updated with the Public Meeting date on December 9, 2015. Three letters were received from the public through this circulation and are attached to this Report as Appendix “F” to Report PED16012 and summarized in the Analysis and Rationale for Recommendation section of this Report. The Notice of the Public Meeting was given in accordance with the provisions of the *Planning Act*.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposed UHOP Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications have merit and can be supported for the following reasons:

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- (i) They are consistent with the Provincial Policy Statement and conform to the Growth Plan for the Greater Golden Horseshoe, as they represent an opportunity for growth in settlement areas;
- (ii) They comply with the general intent of the UHOP, subject to the approval of the UHOP Amendment, as they are an extension of the approved developments to the north and east of the subject lands;
- (iii) The proposed development is considered to be compatible with the existing and planned development in the immediate area; and,
- (iv) The proposed development represents good planning by, among other things, providing a compact and efficient urban form, including a range of housing types and a mix of land uses. Furthermore, it acts as a natural extension of approved adjacent development, thereby providing servicing to the area. The form of development will be an efficient use of infrastructure.

2. Urban Hamilton Official Plan Amendment

As discussed in the policy section of this Report, an amendment to the UHOP is required to delete the subject lands from the “Natural Heritage System” designation on Schedule “B” of the UHOP and implement the proposal as shown in Appendix “D” and Appendix “G” to Report PED16012. These amendments will redesignate the middle third of the subject lands from “Low Density Residential 2b” to “Low Density Residential 3b” to allow for a density not currently permitted within the “Low Density Residential 2b” designation, allow for the development of street townhouse units within the “Low Density Residential 2b” designation and permit a maximum density of 45 units per hectare on the northern third of the subject lands, and remove the northerly public road identified on the Secondary Plan within the subject lands.

The density proposed can be supported as it will act as a transition between the single detached dwellings to the north and the proposed block townhouses that make up the remainder of the proposed development.

Furthermore, UHOP policies, focus on providing for a diversity of housing types. Given the prescribed density ranges within the UHOP as well as market demand, the proposed development contains an appropriate range of housing sizes and forms and aligns with other existing and proposed built forms in the neighbourhood.

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Finally, the proposed development does not deviate significantly from the direction established in the Secondary Plan and generally conforms to its broader policy vision; however, due to the differences identified and discussed above, an amendment will be required to allow for the proposed development. Based on the foregoing, staff support the proposed UHOP Amendments.

In addition, two local roads lie within the limits of the subject lands as well as the lands to the east, which are also in the process of being developed. City staff have determined, along with the applicant, that the more southern of the two local east - west roads dividing the subject lands horizontally is not necessary as it would not provide any additional access or other circulatory benefits to future residents. In addition, its removal allows appropriate future development of the lands to the west and north of the subject lands in a comprehensive manner which has been generally envisioned in the Secondary Plan.

3. The applicant has requested amendments to Town of Ancaster Zoning By-law No. 87-57 and for approval of a Draft Plan of Subdivision known as “Garner Estates”. By way of these applications, the applicant is seeking to permit the development of the lands on the north side of Garner Road East, between Springbrook Avenue to the west and Raymond Road to the east, for a maximum of 114 dwelling units comprised of a mixture of block townhouse, maisonettes, and street townhouses.

The requested amendments to the Ancaster Zoning By-law No. 87-57 includes site specific regulations for the street townhouse dwelling units, block townhouses and maisonettes, which are summarized in the table found in Appendix “H” attached to this Report.

Permitted Uses

Currently, the parent Residential Multiple “RM5” Zone permits triplexes, multiplex dwellings and uses, buildings and structures accessory thereto. The applicant is requesting to add block townhouses as a permitted use. Staff are supportive of this added use as block townhouses are a similar form and design as multiplex dwellings and the proposal is a consistent form of development with the existing and proposed development surrounding the subject lands, which will be developed for single detached and townhouse dwellings.

Minimum Lot Area

The applicant has requested a minimum lot area of 145 sq m for the proposed Residential Multiple “RM2-667” Zone, and a reduction in minimum lot area to 150

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sq m for a dwelling unit area, and 80 sq m of unit area for a multiplex unit in the proposed Residential Multiple “RM5-668” Zone.

The reduction in minimum unit area will have a negligible impact on the form and function of the development. In order to provide for a higher density and diverse gradation of lot areas, additional built forms and housing types and tenures are required. This request is supportable as it is consistent with the surrounding development, which will be developed for single detached and townhouse dwellings.

Minimum Lot Frontage

The applicant has requested a minimum lot frontage of 5.7 metres per dwelling unit for a townhouse unit within the Residential Multiple “RM2-667” Zone, and 5.5 metres within the Residential Multiple “RM5-668” Zone. Staff are of the opinion that the request is considered good planning and appropriate as it allows for a more compact form of development which is consistent with the surrounding development, which will be developed for single detached and townhouse dwellings.

Minimum Lot Depth

The applicant has requested a minimum lot depth of 26.0 m for townhouse units and 13.0 m for maisonette units. The reduction in minimum lot depth is considered minor as it will still allow for individual privacy areas and will be consistent with the existing and proposed built form surrounding the subject lands, which will be developed for single detached and townhouse dwellings.

Maximum Lot Coverage

The applicant has also requested a maximum 55 percent lot coverage for a townhouse unit, whereas the By-law requires 35 percent. The increase in lot coverage will allow for greater flexibility in architecture and design, while maintaining an established building footprint as a result of the minimum required setbacks. Furthermore, the increase in coverage will still allow for adequate drainage of the site as the proposed infrastructure and engineering will allow for such. As a result, this request is considered supportable by staff.

Minimum Front Yard

Relief is being sought for a minimum front yard of 4.9 m, except 6.0 m to an attached garage, in the proposed Residential Multiple “RM2-667” Zone; and 4.5

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m to a dwelling and 6.0 m to an attached garage in the proposed Residential Multiple “RM5-668” Zone, whereas the By-law requires 7.5 m for a front yard. This request is considered appropriate and corresponds with guiding principles of urban streetscape character and design, while maintaining consistency of front yards for the entire draft plan of subdivision; therefore staff are supportive of the amendment.

Minimum Side Yard

Modifications to the minimum required side yard are also being requested. For the block townhouse units in the “RM5-668” Zone, a 1.2 m side yard has been requested for end units including end units abutting a street, and for flankage end units abutting a street, and 3.0 m for flankage yards abutting Garner Road East. Staff are satisfied that this request is considered minor and maintains good planning principles as it allows for a more compact form of development. The modifications requested are consistent with zoning for similar townhouse developments elsewhere within the City of Hamilton and in the Meadowland IV Neighbourhood Secondary Plan. Therefore, staff are supportive of the amendment.

Minimum Rear Yard

Relief is being sought for the proposed Residential Multiple “RM5-668” Zone area, for a minimum rear yard of 6.5 m, whereas the By-law requires a 9.0 m for a rear yard. This is considered minor, and would not significantly impact the proposed amenity space. Staff are of the opinion that the proposed modification is considered appropriate from a functional and urban design perspective and therefore is supportable.

Maximum Height

The applicant has also requested a maximum height of 12.6 metres for the proposed Residential Multiple “RM5-668” Zone area, whereas the By-law permits a maximum height of 10.5 m. Staff are of the opinion that the request is considered good planning and appropriate as it will be a compatible form of development with the surrounding properties, which will be developed for single detached and townhouse dwellings, as well as the development interior to the site, which will be developed for townhouse and maisonette dwelling units.

Minimum Landscaping

The applicant has also requested a minimum landscape open space of 30 percent of the unit area (including required privacy areas) for the proposed townhouse units located within the proposed Residential Multiple “RM5-668” Zone. The By-law requires 40 percent of the lot area for triplex dwellings and 50 percent of the lot area for multiplex dwellings. Staff are satisfied that the requested reduction is considered minor. Furthermore, townhouse units will have individual privacy areas as well. The units are within close proximity to the park located north of the subject lands and therefore sufficient space for recreational opportunities are available within walking distance for recreational purposes. Therefore, staff are supportive of the amendment.

Parking

The applicant has requested that in addition to the requirements of Subsection 7.14 of the By-law, each dwelling shall have at least one of the two required parking spaces (excluding visitor parking) within an enclosed building. This will allow for tandem parking in a private driveway which is not permitted. As well, the By-law requires that in addition to the parking requirements of Subsection 7.14, 25 percent of the required parking spaces for multiplex dwellings (excluding required visitor parking) shall be within an enclosed building or underground.

Furthermore, visitor parking spaces shall be permitted to be located a minimum of 3.0 m from a dwelling on the same lot.

Staff are supportive of this modification to permit tandem parking as it will allow for a compact building form and not impact adjacent development or the streetscape.

The requirement of the parent zoning provisions remain unchanged, with the exception of the fact that the proposed provision allows for a parking space to be within an “enclosed building” while the parent zoning requires that the parking must be located within an “attached private garage” or within the “dwelling unit”.

Dwelling Unit Placement

For the street townhouse units in the Residential Multiple “RM2-667” Zone, the applicant has requested the removal of the dwelling unit placement provision in the By-law that requires that not more than four attached dwelling units shall be erected in a row without offsetting or staggering the front face or wall of the dwelling a minimum of 1 m or without varying the exterior design and materials of

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the front face or wall of the dwelling. The removal of this provision is largely due to design considerations and can be addressed through the Site Plan Control process. Furthermore, the provision requiring that not more than eight dwelling units shall be attached in a continuous row will remain, maintaining this design and functional criteria.

Building Separation

The applicant has requested a number of modifications with regards to building setbacks (end wall to end wall and rear wall to rear wall) as outlined in the table.

Staff are supportive of these amendments as adequate separation distances will still be provided to allow for adequate servicing of the site. Furthermore, privacy concerns will further be addressed through the detailed design stage of development through the Site Plan Control process.

Definition of Dwelling, Multiplex

For the purposes of maisonette units within the Residential Multiple “RM5-668” Zone the applicant has requested that Dwelling, Multiplex be defined as a building divided vertically into a minimum of four and a maximum of 16 side-by-side and / or back-to-back units, with each unit being separated by two or more common walls and each having private entrances to the outside. This proposed definition increases the maximum number of units in a row by four, from eight to twelve. Staff are supportive of this modification as it is to permit the proposed form of development which is appropriate for the subject lands.

Yard Encroachments

Additional provisions have been requested by the applicant to ensure that some flexibility is permitted with the final construction of units, thereby avoiding the unnecessary submission of potential minor variance applications.

The applicant requested that unenclosed porches, balconies, and / or open stairways may project into any minimum front yard and / or flankage side yard by a distance of not more than 3.0 m. These modifications are required to implement the desired built form and are supported by staff.

4. From the Engineering perspective, the following comments shall apply to the development proposal:

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It has been noted by Engineering staff that prior to preliminary grading, the Owner shall agree that suitable transition grading shall be used when matching into existing properties. The use of retaining walls should be avoided. This requirement is included as Condition No. 15 in Appendix “E” to Report PED16012.

Also, prior to servicing, the owner shall include in the engineering design the provision for a detailed sump pump design which shall include a secondary relief / overflow on surface and back-up power unit. The pump design shall consider the weeping tile inflow based on both the groundwater and severe wet weather conditions. This requirement is included as Condition No. 19 in Appendix “E” to Report PED16012.

Functional Servicing Report (FSR)

The FSR that was submitted with the initial applications should be revised to include information outlined in Section 2.3 of the City’s Development Engineering Guidelines and Financial Policies. Some of the required information includes: on-street parking plan; preliminary grading plan with cross sections at key points; cross section of block and identification / sizing of overland flow route; overall sanitary and storm drainage plans including external areas; full size preliminary engineering plans; labelling of pipe slopes, sizes, etc.; sewer design spreadsheets; functional watermain design (hydraulic report); background drawings of adjacent subdivision; identify fencing requirements; options to reconfigure the existing and proposed temporary turning circles at Blocks 5 and 8. Also, the internal road within Block 1 is in close proximity to the adjacent property. A preliminary grading plan should be provided with the FSR to review the impacts to adjacent properties. These items will be required as per Condition No. 5 in Appendix “E” to Report PED16012.

Public Roads

The future Right of Way width for the section of Garner Road East in front of the subject lands is 36.576 m (120 ft). As such, land dedication to establish this future width will be required (Condition No. 9 of Appendix “E” to Report PED16012). This has been provided for as Blocks 2 and 3 on the Draft Plan, as noted on Appendix “D” to Report PED16012. Furthermore, Garner Road East is currently constructed to a rural cross-section. As a condition of development approval the Owner will be required to submit a cash payment for the future urbanization of Garner Road East adjacent to the subject lands in accordance with the City’s current financial policies (Condition No. 10 in Appendix “E” to Report PED16012).

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Staff have requested that the plan and procedure for dealing with issues concerning dust control and street cleaning will be required. This documentation shall include first point of contact, a schedule for regular cleaning of streets that is specific to the methods to be used, the source for water, and the contractor or agent to be used to undertake the works as well as the contractor / agent contact information so that the City can direct works to be completed as necessary (Condition No. 12 in Appendix “E” to Report PED16012).

The installation and removal of the proposed temporary turning circle will be at the sole cost of the owner (Condition No. 20 in Appendix “E” to Report PED16012).

Also, the future Beasley Grove and Cooley Grove roads must align centerline to centerline with the sections that will be built by the adjacent developer; and in addition to the 0.30 m reserve at the west end of Beasley Grove shown as Block 8, a reserve will also be required across the northern right of way limit (Condition No. 6 in Appendix “E” and Block 9 on Appendix “D” to Report PED16012).

The owner shall also include in the engineering design and cost estimates, provisions to install municipal sidewalks, in accordance with existing City Policies. These requirements are addressed in Condition No. 16 of Appendix “E” to Report PED16012.

Water

It should be noted that as part of Ancaster Meadows Subdivision, 200 mm watermains will be stubbed at Cooley Grove and Beasley Grove, not a 300 mm. The need for a 300 mm watermain to service the block townhomes will have to be confirmed. Also, the need for the block townhomes to be serviced by two connections to the 400 mm watermain on Garner Road East as well as a connection to the water main being installed on Beasley Grove, where internal looping is possible will need to be confirmed. These requirements will be done through the detailed engineering stage of the development process.

A water servicing assessment report is required with the layout, residential demands and fire flow demands (FUS 1999). This is a requirement of Site Plan Control and will be addressed at that point in time.

Stormwater

Staff advise that the applicant may be required to enter into a private stormwater management agreement with the adjacent developer of 1169 Garner Road East

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stating how the maintenance responsibilities for the downstream stormwater management facilities (temporary and permanent ponds) are to be addressed (Condition No. 8 of Appendix “E” to Report PED16012).

Also, low impact development is encouraged for development of Block 1 (Appendix “D” to Report PED16012). These details can be further addressed at the detailed engineering stage of development, in a required Hydrogeological Report (Condition No. 13 of Appendix “E” to Report PED16012), as well as the detailed design stage through the Site Plan Control Process.

Overland flow routes should be identified on a grading plan demonstrating that the major storm event can be safely conveyed to roadways and / or stormwater management facilities. These requirements are addressed in Condition No. 14 of Appendix “E” to Report PED16012.

As per the Ancaster Woodlands Stormwater Management Report, this site is split into two catchments. The northern catchment drains to Robertson Road and ultimately the north stormwater management pond, while the south catchment drains to Garner Road and ultimately the south stormwater management pond. The north and south stormwater management ponds have been designed with an imperviousness of 63 percent and 60 percent respectively. Quality and quantity control will be required if the proposal exceeds this design criteria. Also, the appropriate share for maintenance responsibilities for the facility shall be paid by the owner, prior to registration (Condition 9, Appendix “E” to Report PED16012).

A storm sewer across the full frontage of Garner Road East will be required. City share (if any) to be identified. Furthermore, minor system discharge will be limited to the capacity of the downstream minor storm sewer system. The Functional Servicing Report should clarify if inlet controls for the minor system are required as the downstream sewer design and temporary pond design appears to have been completed utilizing a lower runoff co-efficient of 0.55 and different drainage area. Section 3.3 of the report contains a composite runoff calculation. The calculation should utilize 0.25 instead of 0.20.

The downstream temporary pond design appears to have been completed utilizing a lower runoff co-efficient of 0.55. Therefore, it appears the development cannot proceed in its entirety until the downstream ultimate pond is constructed and operating, or until adequate treatment capacity has been demonstrated. As such, a detailed Stormwater Management Report will be required to evaluate the feasibility of the proposed design (Condition No. 17 of Appendix “E” to Report PED16012).

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Sanitary

The servicing plan indicates a proposed 600 mm sanitary on Beasley Grove. As part of Ancaster Meadows Subdivision Cooley Grove and Beasley Grove will be serviced with a 250 mm sanitary sewer. Clarification will be necessary as to the size of the proposed sewer at the detailed engineering stage of development.

Also, as per the concept plan (Appendix “G” to Report PED16012) submitted with the applications, the proposal will contain 114 residential units. Staff estimate the density range to be 108 to 126 people per hectare at 3.0 to 3.5 people per hectare per unit. Staff recommend that the density of 126 people per hectare be used in the detailed design of the wastewater collection system for the proposed subdivision.

Also, the sanitary density appears high for area 3C in the engineering submissions (110 people per hectare versus 60 people per hectare). The applicant should demonstrate that there is capacity in the system to accommodate the proposed plan. A sewer design sheet and overall sanitary drainage area plan should be included in the revised FSR.

Finally, a sanitary sewer across the full frontage of Garner Road East will be required. City share (if any) for sanitary sewer to be identified.

5. Blocks 5, 7 and 8 on Appendix “D” to Report PED16012 are to be used for a temporary turning circle until the connection of Beasley Grove and Cooley Grove have been completed. Upon connection of these roads, Blocks 5 and 6 will be used for the development and continuation of street townhouse units, extended from Block 4, and Block 7 will be used for a private servicing easement. The intent for Block 7 is for it to also act as a private walkway to allow for residents of “Garner Estates” to access the community to the north of the subject lands as well as Ancaster Meadows park, situated to the North. Staff are supportive of the proposed development for these blocks as it represents efficient and orderly development allowing for the site to be appropriately serviced while allowing for a pedestrian connection to the development to the north of the subject lands.
6. The City recognizes the importance of trees and woodlands to the health and quality of life in the community and encourages sustainable forestry practices and the protection and restoration of trees and forests (Policy C.2.11.1). The City also recognizes that not all trees can or should be preserved (i.e. trees may be structurally unstable, in poor health or an undesirable species). Through the Formal Consultation process (June 18, 2014), a Tree Protection Plan (TPP) (identified in this submission as a Tree Preservation and Removals Plan) was

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required to be submitted. Planning staff has reviewed the TPP prepared by Sefarian Design Group (Bradley Smith, landscape architect; Nov. 28, 2014) and note that the analysis of trees early on in the planning process ensured that trees worth retaining were identified. In a memo provided by Sefarian Design Group (July 14, 2015) responses were provided to address Planning staff concerns. As a result, staff will require that a revised Tree Protection Plan be submitted. This requirement is addressed as Condition No. 5.10 of the City’s Standard Subdivision agreement.

7. As per the *Planning Act* and the Council approved Public Participation Policy, Notice of Complete Application and Preliminary Circulation was sent to 30 property owners. In total, three letters were received from surrounding neighbours (see Appendix “H” to Report PED16012). The overall issues are generally summarized as follows:

Traffic Volume

One of the concerns raised by residents in the area was related to potential increased traffic volumes resulting from the proposed new development. As noted by Corridor Management staff, the Traffic Impact Study titled “Traffic Impact Study: Proposed Residential Development” completed by Trans-Planning, dated October 2014 must receive final approval by their group. As such, a Condition of Draft Plan Approval has been added to address this concern (Condition No. 28 of Appendix “E” to Report PED16012).

Furthermore, Corridor Management staff have advised that Garner Road East is classified as a major arterial road with an average daily traffic of 13,500 vehicles and a posted speed limit of 60 km/hr at this location. The proposed development is expected to generate 96 vehicles in a.m. peak hour and 113 vehicles in the p.m. peak hour. With the required infrastructure improvements on Garner Road East, these volumes can be accommodated on the adjacent road network without negative impact.

Widening of Garner Road

Concerns were raised related to the widening of Garner Road East. This is in fact a municipal requirement in order to provide for the necessary services and infrastructure both on top of and beneath Garner Road. As such, this requirement will be evaluated and taken, if necessary at Site Plan Control stage of development (Condition No. 9 of Appendix “E” to Report PED16012). With respect to the mature trees along Garner Road on 1021 Garner Road East, these trees are not at risk of being removed, as the widening will not apply to 1021

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Garner Road East until such time as the City acquires any lands required for road widening purposes.

Interface of Parking on Subject Lands with Surrounding Properties

Concerns were raised regarding the interface between the proposed parking lots on the subject lands and the properties to the east and west. The mitigation of the impacts of the parking lot will be addressed at the detailed design stage of development through the Site Plan Control process of development. Furthermore, appropriate setbacks and plantings are required by the amending Zoning By-law to create an appropriate separation between the proposed parking areas and the surrounding properties.

Interface of Heritage Home at 1021 Garner Road East with Surrounding Properties

Concerns related to the juxtaposition between the heritage home at 1021 Garner Road East and the subject lands have been identified. Again, the interface between these two uses will be addressed at the detailed design stage of development through the Site Plan Control process. Cultural Heritage staff received a Cultural Heritage Impact Assessment report for 1021 Garner Road East, Ancaster, by Detritus Consulting Limited, dated November 2014 that was submitted as part of the subject application. The report concludes that the property located at 1021 Garner Road East meets the criteria for designation under Part IV of the *Ontario Heritage Act*, and as such it is a significant heritage resource and should be protected against adverse impacts associated with any proposed development. The report concludes that there could be some adverse impacts by the adjacent proposed development. The report provides recommendations to mitigate the impact and concludes that if the recommendations are implemented, minimal adverse impact is expected on the build heritage structure. Staff concur with the detailed recommendations made with respect to the proposed development that will surround 1021 Garner Road East. Staff strongly encourage the applicant to consider the massing and scale compatibility of the new development with the existing one and a half storey dwelling. Building materials and architectural styles should also be compatible with the existing building. The intent should not be to replicate a heritage architectural style, but to mimic some of the ratios, and design features to create a smoother visual transition between the old and new. Staff will require the applicant to make use of effective landscaping to provide a visual buffer between the existing dwelling and new development.

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These specific issues related to building materials, architectural style and landscaping will be addressed through the detailed design stage of development through Site Plan Control.

Staff also require that the Cultural Heritage Impact Assessment be updated at the Site Plan Control stage when detailed elevations are provided to further address the impact of the proposed mixed block of townhouses, street townhouses and maisonettes.

The Cultural Heritage Impact Assessment report will have to be reviewed by the Hamilton Municipal Heritage Committee and revised, as appropriate, to the satisfaction and approval of the Director of Planning and Chief Planner. This requirement has been set out in Condition No. 3 of Appendix “E” to Report PED16012.

Amenities and Density

Concerns have been raised with respect to the density of the proposal and a lack of amenity space. The proposed development conforms to both Provincial and Municipal density and intensification guidelines as well as the parent Multiple Residential “RM2” Zone and Multiple Residential “RM5” Zone regulations, as such, staff feel that the proposal represents good planning.

Furthermore, connections will be provided through the service easements (Blocks 1, 7, and 8 on Appendix “D” to Report PED16012) to allow for access to the neighbourhood park and school blocks to the north of the subject lands.

ALTERNATIVES FOR CONSIDERATION

Should the applications be denied, the lands could not be developed for a residential plan of subdivision. The lands could be developed for the range of uses permitted though the current Institutional “I” Zone in the Town of Ancaster Zoning By-law No. 87-57.

ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN

Strategic Priority #1

A Prosperous and Healthy Community

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

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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.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A”:	Location Map
Appendix “B”:	Urban Hamilton Official Plan Amendment
Appendix “C”:	Zoning By-law No. 87-57 Amendment
Appendix “D”:	Draft Plan of Subdivision
Appendix “E”:	Special Conditions for Draft Plan of Subdivision
Appendix “F”:	Public Submissions
Appendix “G”:	Concept Plan
Appendix “H”:	Proposed Modifications to Residential Multiple “RM2” Zone and Residential Multiple “RM5” Zone