



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	March 22, 2016
SUBJECT/REPORT NO:	Applications to Amend the Urban Hamilton Official Plan, Zoning By-law No. 3692-92, Zoning By-law No. 05-200, and for Approval of a Draft Plan of Subdivision, for Lands Located at 1831 Rymal Road East (Stoney Creek) (PED16072) (Ward 9)
WARD(S) AFFECTED:	Ward 9
PREPARED BY:	Alvin Chan Senior Planner (905) 546-2424 Ext. 1334 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-14-001, by 2324780 Ontario Limited, c/o Fred Losani, (Owner)**, for OPA No. [REDACTED], to establish three site specific policy areas for an increase in permitted density in the “Low Density Residential 1” and “Low Density Residential 2” designations, and for a reduction in the minimum density for the “Medium Density Residential 2” designation, and for changes in designation from: “Medium Density Residential 3” to “General Open Space”; “Medium Density Residential 2” to “Utility (SWM)”; “Natural Open Space” to “Utility (SWM)” and “General Open Space”; “Low Density Residential 2” to “General Open Space”; “Mixed Use – Medium Density” to “Low Density Residential 2”; from “Medium Density Residential 2” to “Low Density Residential 2”; from “Neighbourhood Park” and “General Open Space” to “Low Density Residential 2”; change in road network and, shifting of the trail, on Map B.7.7-1 – Trinity West Secondary Plan - Land Use Plan; removal of the “Core Area” and “Linkage” from Map B.7.7-2 – Trinity West Secondary Plan – Natural Heritage System; and to delete and replace the road network on Map B.7.7.-3 – Trinity West Secondary Plan – Road

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Classification Plan, for the lands known 1831 Rymal Road East (Stoney Creek), as shown on Appendix “A” to Report PED16072, on the following basis:

- (i) That the draft OPA, attached as Appendix “B” to Report PED16072, be adopted by Council.
 - (ii) That the proposed OPA is consistent with the Provincial Policy Statement (PPS), and conforms to the Places to Grow Plan.
- (b) That approval be given to **Amended Zoning Amendment Application ZAC-14-002, by 2324780 Ontario Limited, c/o Fred Losani, (Owner)**, for changes in zoning from Neighbourhood Development “ND” Zone to Single Residential “R1-20” Zone, Modified (Blocks 1-3); from Neighbourhood Development “ND” Zone to Single Residential “R3-41” Zone, Modified (Block 4); from Neighbourhood Development “ND” Zone to Multiple Residential “RSQ M-43” Zone, Modified (Blocks 5 and 6); from Neighbourhood Development “ND” Zone to Multiple Residential “RM3-56” Zone, Modified (Block 7); from Neighbourhood Development “ND” Zone to Multiple Residential “RM3-57” Zone, Modified (Block 8) from Neighbourhood Development “ND” Zone to Mixed Use Commercial (Holding) “MUC-9(H)” Zone, Modified (Blocks 9 and 10); and for lands to be added to City of Hamilton Zoning By-law No. 05-200 and zoned as Open Space (P4) Zone (Block 11); Conservation/Hazard Land (P5) Zone (Block 12); and, Neighbourhood Park (P1) Zone (Block 13), in order to permit the development of the proposed Draft Plan of Subdivision, “Part of Lot 33 – Concession 8” (25T-201401), for the lands known 1831 Rymal Road East (Stoney Creek), as shown on Appendix “A” to Report PED16072, on the following basis:
- (i) That the draft By-laws, attached as Appendices “C” and “D” to Report PED16072, which have been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.
 - (ii) That the amending By-law attached as Appendix “C” to Report PED16072, be added to Map 15 of Schedule “A” of Zoning By-law No. 3692-92.
 - (iii) That the amending By-law attached as Appendix “D” to Report PED16072, be added to Map Nos. 1501, 1502, 1548, and 1549 of Schedule “A” of City of Hamilton Zoning By-law No. 05-200.
 - (iv) That the proposed changes in zoning will be in conformity with the UHOP upon approval of OPA No. [REDACTED].

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- (c) That approval be given to **Draft Plan of Subdivision Application 25T-201401, by 2324780 Ontario Limited, c/o Fred Losani, (Owner)**, to establish a draft plan of subdivision on lands known as 1831 Rymal Road East (Stoney Creek), as shown on Appendix “A” to Report PED16072, subject to the following conditions:
- (i) That this approval apply to “Part of Lot 33 – Concession 8”, 25T-201401, prepared by Webb Planning Consultants, and certified by S.D. McLaren, O.L.S., dated February 25, 2014, showing 76 single detached residential lots (Lots 1-76), 147 street townhouse units (Blocks 77-103), two blocks for medium density residential development, being approximately 600 units (Blocks 104-105), two blocks for mixed use development (Blocks 106-107); one block for a neighbourhood park (Block 108); one block for open space purposes (Block 109); one block for a stormwater management pond (Block 110); one block for a pedestrian walkway (Block 111); one block for future development with adjacent lands (Block 112); one block for road widening purposes (Block 113); two blocks for a 0.3 m reserve (Blocks 114-115); and, six proposed streets (Streets A-F), as attached as Appendix “F” to Report PED16072, 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 PED16072.
 - (ii) Acknowledgement by the City of Hamilton of its responsibility for cost-sharing with respect to this development for the following items:
 - a) The City will cost share with the owner for the stormwater management facility (land and construction), in accordance with the City’s Development Charge Policy for quality and quantity ponds. The City will not cost share for SWM frontages along Highland Road, Upper Mount Albion Road and for the Channel works and upsized culvert on Upper Mount Albion Road.
 - b) The City will not pay for the component of the SWM facility land and construction costs attributed to the development of (i) the area identified “Potential Commercial Development Fronting Rymal Road” External Drainage Area EX2, and (ii) Heritage Highlands Commercial development identified as External Drainage Area EX3.
 - c) The City will not cost share for any pipe conveying over a five-year storm or for oversizing of the 100 year pipe from Street “A” to the pond.
 - d) There is City share for the urbanization of Upper Mount Albion Road from Street “A” to the southerly limit, terminating in a permanent cul-de-sac.

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- e) There is City share for oversizing in accordance with the City's financial policy.
 - f) There will be no City share for the Open Space Block, Block 109, regarding the frontage on Street "A".
- (iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the *Planning Act*, prior to the building permit stage. The calculation for the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the day of issuance of each building permit, with the exception of the Townhouse / Masionette Block (Block 104); the Apartment Building Block (Block 105); and the Mixed Use Medium Density Blocks (Blocks 106 and 107), to which payment shall be based on the value of the land on the day prior to the issuance of the first building permit for each said Block.
- a) With regard to Lots 1-76 (Single Family Detached Residential) will require a parkland dedication ratio of 5% of the Net land area;
 - b) Furthermore, regarding Blocks 77 to 103 (Street Townhouse), a parkland dedication, at a ratio of 0.6 ha of the Net land area per 300 dwelling units, will be required;
 - c) Additionally, Block 104 (Block Townhouse / Masionette), a parkland dedication, at a ratio of 1.0 ha of the Net land area per 300 dwelling units, will be required;
 - d) Moreover, Block 105 (Apartments), a parkland dedication, at a rate of 0.6 ha of the Net land area for each 300 dwelling units proposed; and,
 - e) Lastly, Blocks 106-107 (Mixed Use – Medium Density) shall require a parkland dedication based on the pro rata proportion of the proposed commercial floor area to the total floor area of the building, times the Net land area of the property times 2%, plus the pro rata proportion of the proposed residential floor area to the total floor area of the building, times the Net land area times 5%.

The calculation of the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the issuance of each building permit, and in the case of multiple residential blocks, prior to the issuance of the first building permit. Parkland Credits may be applied on a land value basis to the proposed Draft Plan of Subdivision in the event of any over-dedication of parkland from the registration of the "Part of Lot 33 – Concession 8"

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Draft Plan of Subdivision (25T-201401); in particular, Block 108 and any portion of Block 109 not required for overland drainage.

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

- (iv) That the Final Plan of Subdivision conform with all the applicable provisions of the final approved UHOP Amendment No. _____, and comply with the provisions of Stoney Creek Zoning By-law No. 3692-92 and the City of Hamilton Zoning By-law No. 05-200, as amended.
- (d) That upon final approval of the Core Area replication of the wetland as per Conditions "5" to "9"; "15"; and, "66" to "76", inclusive, on Appendix "E" to Report PED16072, that Planning and Economic Development staff be directed and authorized to revise Map B.7.7-2 – Trinity West Secondary Plan - Natural Heritage, to add the new Core Area as part of a future housekeeping amendment to the Urban Hamilton Official Plan.

EXECUTIVE SUMMARY

The applications are for amendments to the Urban Hamilton Official Plan (UHOP), the City of Hamilton Zoning By-law No. 05-200 and the City of Stoney Creek Zoning By-law No. 3692-92, and for approval of a Draft Plan of Subdivision, in order to permit 76 single detached residential lots, 147 street townhouse units, two blocks for medium density residential development, being approximately 600 residential units, two blocks for mixed use development; one block for a neighbourhood park; one block for open space purposes (eco-passage and multi-use corridor); one block for a stormwater management pond; one block for a pedestrian walkway; one block for future development with adjacent lands; one block for road widening purposes; two blocks for a one foot reserve; and, six proposed streets, Streets A-F (attached as Appendix "F" to Report PED16072).

The proposed development is compatible with and complementary to the existing residential uses in the immediate area, representing good planning and providing for the development of a complete community, while making efficient use of a vacant parcel of land and existing infrastructure within the urban boundary.

The proposed Official Plan and Zoning By-law Amendments and Draft Plan of Subdivision have merit, and can be supported, since the proposal is consistent with the PPS (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow), and complies with the UHOP, subject to the recommended amendment.

Alternatives for Consideration - See Page 78

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

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

HISTORICAL BACKGROUND

Proposal

The subject lands, 1831 Rymal Road East, totalling approximately 25 ha, are located west of Upper Mount Albion Road, north of Rymal Road East, south of Highland Road West, and east of the Upper Red Hill Valley Parkway.

The purpose and effect of the application is to amend the Official Plan to:

- establish three site specific policy areas for an increase in permitted density of “Low Density Residential 1” and “Low Density Residential 2” designations, and a reduction in minimum density for the “Medium Density Residential 2” designation;
- changes to the road network and shifting of the trail, on Map B.7.7-1 – Trinity West Secondary Plan - Land Use Plan;
- to delete the “Core Area” and “Linkage” from Map B.7.7-2 – Trinity West Secondary Plan – Natural Heritage System; and,
- to delete and replace the road network on Map B.7.7.-3 – Trinity West Secondary Plan – Road Classification Plan.

And for changes in designation from:

- “Medium Density Residential 3” to “General Open Space”;
- “Medium Density Residential 2” to “Utility (SWM)”;
- “Natural Open Space” to “Utility (SWM)” and “General Open Space”;
- “Low Density Residential 2” to “General Open Space”;
- “Mixed Use – Medium Density” to “Low Density Residential 2”;
- “Medium Density Residential 2” to “Low Density Residential 2”;
- “Neighbourhood Park” and “General Open Space” to “Low Density Residential 2”.

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The purpose and effect of the applications to amend the City of Stoney Creek Zoning By-law No. 3692-92 for changes in zoning from (refer to Appendix “C” to Report PED16072):

- Neighbourhood Development “ND” Zone to Single Residential “R1-20” Zone, Modified (Blocks 1-3);
- Neighbourhood Development “ND” Zone to Single Residential “R3-41” Zone, Modified (Block 4);
- Neighbourhood Development “ND” Zone to Multiple Residential “RSQ M-43” Zone, Modified (Blocks 5 and 6);
- Neighbourhood Development “ND” Zone to Multiple Residential “RM3-56” Zone, Modified (Block 7);
- Neighbourhood Development “ND” Zone to Multiple Residential “RM3-57” Zone, Modified (Block 8);
- Neighbourhood Development “ND” Zone to Mixed Use Commercial (Holding) “MUC-9(H)” Zone, Modified (Blocks 9 and 10); and,

For lands to be added to City of Hamilton Zoning By-law No. 05-200 and zoned as (Refer to Appendix “D” to Report PED16072):

- Open Space (P4) Zone (Block 11);
- Conservation / Hazard Land (P5) Zone (Block 12); and,
- Neighbourhood Park (P1) Zone (Block 13).

In review of the proposed draft zoning By-law, several of the requested modifications in the original application, as submitted, are not required and additional modifications were included by both the applicant and staff as a result of refinements to the multiple dwelling built forms and finalization of the road network layout, while also ensuring comprehensive development with respect to the mixed use blocks through the application of an “H” Holding Provision.

The purpose and effect of the application for approval of a Draft Plan of Subdivision is to permit the development of 76 single detached residential lots (Lots 1-76), 147 street townhouse units (Blocks 77-103), two blocks for medium density residential development, being approximately 600 units (Blocks 104-105), two blocks for mixed use development (Blocks 106-107); one block for a neighbourhood park (Block 108); one block for open space purposes being an eco-passage (multi-use) corridor (Block 109); one block for a stormwater management pond (Block 110); one block for a pedestrian walkway (Block 111); one block for future development with adjacent lands (Block 112); one block for road widening purposes (Block 113); two blocks for a 0.3 m reserve (Blocks 114-115); and, six proposed streets (Streets A-F), as per Appendix “F” to this Report PED16072.

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Chronology:

- January 22, 2014: Applications UHOPA-14-001, ZAC-14-002 and 25T-201401 submitted.
- February 10, 2014: Applications UHOPA-14-001, ZAC-14-002 and 25T-201401 deemed complete.
- February 18, 2014: Notice of Complete Applications and Preliminary Circulation for Applications UHOPA-14-001, ZAC-12-004 and 25T-201201 circulated to 64 property owners within 120 m of the subject lands.
- February 28, 2014: Public Notice Sign erected on the subject lands.
- February 24, 2016: Public Notice Sign updated with Public Meeting Information.
- March 4, 2016: Notice of Public Meeting sent to 64 property owners within 120 m of the subject lands.

Details of Submitted Application:

Location: 1831 Rymal Road East (See Appendix “A” to Report PED16072)

Owner/Applicant: 2324780 Ontario Limited (c/o Fred Losani)

Agent: WEBB Planning Consultants Inc. (c/o James Webb)

Property Description:

Lot Frontage: Highland Road West – 329.773 m
Rymal Road East – 45.13 m
Upper Mount Albion Road – 68.84 m

Lot Depth: Irregular – 888 m

Lot Area: 25.13 ha

Lot Area: Extension of Full Municipal Services

EXISTING LAND USE AND ZONING:

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands:</u>	Vacant Lands	Neighbourhood Development “ND” Zone

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<u>Surrounding Land Uses:</u>		
North	Vacant Commercial Lands	Shopping Centre (Holding) "SC2-7 (H1)(H2)(H3)(H4)" Zone, Modified
South	Single Detached Dwellings, Vacant Lands and Bishop Ryan High School	Residential "R1" Zone, Service Commercial "CS-1" Zone, Modified; and, Major Institutional (I3) Zone
East	Single Detached Dwellings and Open Space	Residential "R1" Zone and Neighbourhood Development "ND" Zone
West	Vacant Industrial Lands and Open Space	Prestige Business Park (M3, H28) – Holding, Zone; Open Space (P4) Zone; Service Commercial "CS-1" Zone, Modified; and, Neighbourhood Development "ND" Zone

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Statement (2014)

The applications have been reviewed with respect to the Provincial Policy Statement (PPS). The proposal provides for an efficient and resilient development and land use pattern that is healthy, liveable and safe as per Policy 1.1.

Furthermore, staff recognize that the applications are consistent with the policies that focus growth and development in Settlement Areas (Policy 1.1.3.1). In particular, as per Policy 1.1.3.2, the proposed land use pattern will provide for a mix of densities that efficiently use the land and resources, and is appropriate for the infrastructure and public service facilities planned or available for this area, including transit.

However, Policy 1.2.6.1 requires that 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.

It is noted that the subject lands are located in close proximity to Rymal Road East, Highland Road, and the future Upper Red Hill Valley Parkway and, therefore, subject to a noise study.

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A “Functional Environmental Noise Assessment Report, Highland Road and Upper Mount Albion Road” dated March 2014 and prepared by S. Llewellyn & Associates was submitted with the subject applications.

In review, staff had identified additional requirements to be assessed, at which point, a revised study dated December 2014, was provided and deemed satisfactory, subject to appropriate warning clauses for Lots 5 to 7; Lots 74 to 76; Blocks 79 to 84; and Blocks 89 to 91, as per Condition “2” and a future noise study for Blocks 104 to 107, inclusive, as per Condition “3” of Appendix “E” to Report PED16072.

Policy 2.6.2 restricts development and site alteration on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

In review, the subject property contains five registered archaeological sites and is within the 250 m buffer of nine other archaeological sites. The Kennedy Site (AhGw-193), Pottruff Site (AhGw-194), AhGw-195, AhGw-196, AhGw-197 and AhGw-198 underwent a Stage 3 archaeological assessment in 2007 and received Ministry sign-off in a letter dated June 3, 2008. A Stage 4 archaeological excavation and documentation report for the Kennedy and Pottruff Sites (P.I.F. # P083-124-2011) has been received by staff and received Ministry sign-off in a letter dated January 3, 2012. As such, staff have no further interest in the subject property in regards to archaeology.

With respect to Policy Section 2.1 regarding Natural Heritage, both Hamilton Conservation Authority and City of Hamilton Natural Heritage Planning staff are satisfied with the submitted studies and development may therefore proceed subject to the natural features being preserved, enhanced and / or replicated in accordance with Conditions “4” - “9”; “15”; “36”; and, “66” - “76”, inclusive, on Appendix “E” to Report PED16072 (a more detailed analysis is provided within the UHOP and Trinity West Secondary Plan sections below).

Based on the foregoing, as the subject lands are located within a settlement area, to be developed for a mix of densities with appropriate infrastructure, while protecting the provincial interest with respect to cultural and natural resources, the proposal is consistent with the PPS.

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

The subject applications conform with the Guiding Principles, Section 1.2.2 policies through a planned and managed form of growth that supports a strong and competitive economy, while protecting, conserving, enhancing, and wisely using the valuable natural resources of land for current and future generations; optimizing the use of

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existing and new infrastructure to support growth that is in a compact, efficient form; thereby establishing a compact, vibrant, and complete community.

The subject lands constitute a greenfield development as the lands are within the urban boundary but are not identified as being within the built-up area. Policy Section 2.2.2 provides direction on managing this growth whereby population and employment growth will be accommodated by, amongst other things:

- “c) building compact, *transit-supportive* communities in *designated greenfield areas*;
- d) reducing dependence on the automobile through the development of mixed-use, transit-supportive, pedestrian-friendly urban environments;
- g) planning and investing for a balance of jobs and housing in communities across the GGH to reduce the need for long distance commuting and to increase the modal share for transit, walking and cycling;
- h) encouraging cities and towns to develop as complete communities with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open space and easy access to local stores and services;
- i) directing development to settlement areas, except where necessary for development related to the management or use of resources, resource-based recreational activities, and rural land uses that cannot be located in settlement areas; and,
- j) directing major growth to settlement areas that offer municipal water and wastewater systems and limiting growth in settlement areas that are serviced by other forms of water and wastewater services.”

In review, the subject lands are located within a settlement area where full municipal services are available, and will provide for a complete community through a compact design that includes a range and mix of housing types with easy access to local stores and services in the area.

Moreover, Policy Section 2.2.7 provides direction with respect to Designated Greenfield Areas; in particular, Policy 2.2.7.1 states that “new development taking place in designated greenfield areas will be planned, designated, zoned, and designed in a manner that -

- a) contributes to creating complete communities;

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- b) creates street configurations, densities, and an urban form that support walking, cycling, and the early integration and sustained viability of transit services;
- c) provides a diverse mix of land uses, including residential and employment uses, to support vibrant neighbourhoods; and,
- d) creates high quality public open spaces with site design and urban design standards that support opportunities for transit, walking and cycling.”

As mentioned above, the proposal will provide for a complete community and has been designed as a vibrant people place including high quality open space accommodated by a street configuration, density and urban form that supports walking and cycling while also providing for a mix of residential built forms and tenures.

The subject lands are of a natural and cultural heritage value, which is governed by Sections 4.2.1 and 4.2.4, respectively. As previously mentioned, staff have no further comments and / or concerns with respect to cultural heritage assets, and have addressed natural heritage through conditions of approval, being Conditions “4” - “9”; “15”; “36”; and, “66” - “76”, inclusive, on Appendix “E” to Report PED16072.

Based on the foregoing, the proposal conforms to the policies of the Growth Plan for the Greater Golden Horseshoe (Places to Grow Plan).

Urban Hamilton Official Plan

The subject lands are designated “Neighbourhoods” and “Mixed Use – Medium Density” on Schedule “E-1” - Land Use Designations.

Additionally, the lands also form part of the Trinity West Secondary Plan and are designated as “Low Density Residential 1”; “Low Density Residential 2”; “Medium Density Residential 2”; “Medium Density Residential 3”; “Mixed Use – Medium Density”; “Neighbourhood Park”; “Natural Open Space”; “General Open Space”; “Utility”, with a “Trail Link” identified on Map B.7.7-1 – Trinity West Secondary Plan Land Use Plan.

Cultural Heritage:

Policy Section B.3.4 of Volume 1 provides direction as it relates to cultural heritage resources. As previously mentioned, the subject property contains five registered archaeological sites and is within the 250 m buffer of nine other archaeological sites. Staff note that the submitted archaeological assessments have been received by staff and received Ministry sign-off in a letter dated January 3, 2012. As such, staff have no further interest in the subject property in regards to archaeology.

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Noise:

Policy Section B.3.6.3.1 of Volume 1 requires that:

“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.”

As the subject lands are in close proximity to Rymal Road East, Highland Road West, and the future Upper Red Hill Valley Parkway, a noise study is required. A *“Functional Environmental Noise Assessment Report, Highland Road and Upper Mount Albion Road”* dated March 2014 and prepared by S. Llewellyn & Associates was submitted with the subject applications.

In review, staff had identified additional requirements to be assessed, which were addressed via a revised study dated December 2014 and deemed satisfactory, subject to Conditions “2” and “3” of Appendix “E” to Report PED16072.

Of note, additional investigation shall be completed and implemented through the future Site Plan Control application for Blocks 104 and 105 of the proposed Draft Plan of Subdivision, attached as Appendix “F” to Report PED16072.

Natural Heritage:

As per Volume 1, Schedule B – Natural Heritage Systems and Volume 2, Map B.7.7-2, natural heritage features have been identified within the subject property. These features include Core Areas (unevaluated wetland and tributary of Upper Davis Creek) and Linkages (springs, sinkholes, subsurface conduit and Eramosa Escarpment). It is important to note that a Core Area (Eramosa Karst Area of Natural and Scientific Interest) has been identified adjacent to the subject property.

Policy 2.3 of Volume 1, Natural Heritage System – Core Areas; Policy 2.5 of Volume 1, Core Areas – Outside the Greenbelt Plan Area; and Policy 2.7 of Volume 1, Linkages, requires that new development and site alteration shall demonstrate no negative impacts on natural features, linkages and their ecological functions through an Environmental Impact Statement and Linkage Assessment.

The applicant proposes to replicate the existing natural heritage core area (wetland) on the adjacent Hamilton Conservation Authority lands to the east, while also providing an eco-passage (multi-use) corridor on the subject lands as a linkage of the natural heritage system.

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Staff and the Hamilton Conservation Authority are generally satisfied that the above natural heritage features have been addressed, subject to the inclusion of conditions for a Tree Protection Plan; Landscape Plan; Karst Assessment; Design of the Multi-Use Corridor; and Wetland Compensation, which have been included as Conditions “4” - “9”; “15”; “36”; and, “66” - “76”, inclusive, on Appendix “E” to Report PED16072.

However, of note, as the final detailed design of the wetland replication has not yet been completed, staff have included recommendation (a)(ii) and Condition “10” of Appendix “E” to Report PED16072, whereby upon completion of the necessary studies and design, that Map B.7.7-2 – Trinity West Secondary Plan - Natural Heritage, be updated to reflect the newly established Core Area.

As per Policy F.1.14.1.21, approval of a Draft Plan of Subdivision is subject to the following criteria:

“F.1.14.1.21 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.
- 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*.”

In review, the proposed development conforms to the policies and land use designations of this Plan, subject to finalization of the OPA for the requested amendments which maintain the intent and purpose of the Plan and are in keeping with the vision for the Trinity West Secondary Plan.

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The development is of a design that has been integrated with adjacent lands and roadways, will be serviced by full municipal services and supporting community facilities, including a proposed neighbourhood park, and has demonstrated minimal impacts to the transportation system and natural environment, subject to the requested conditions of approval. Finally, the development will not adversely impact municipal finances and has satisfied the requirements of the *Planning Act*.

With respect to City's staging of development program and Policy Section F.3.6 of Volume 1 and the "Implementation" Policies of Section B.7.7.12 of Volume 2, this plan has been identified in the City of Hamilton's Staging of Development Plan. The proposal is consistent with the Criteria for Staging of Development in that the utilities and services are available. This proposal supports a healthy growing economy, provides for additional assessment and development charges revenue, housing opportunities and conforms to the Official Plan.

Therefore, the proposal complies with the applicable policies of Volume 1 of the UHOP.

Trinity West Secondary Plan:

The subject lands are designated as "Low Density Residential 1"; "Low Density Residential 2"; "Medium Density Residential 2"; "Medium Density Residential 3"; "Mixed Use – Medium Density"; "Neighbourhood Park"; "Natural Open Space"; "General Open Space"; "Utility" with a "Trail Link" identified on Map B.7.7-1 – Trinity West Secondary Plan Land Use Plan. The following policies, amongst others, are applicable:

- "B.7.7.2 d) Parks, Open Space, and Natural Heritage Features
- i) Provide a system of linked natural heritage features and parks, including the Eramosa Karst Conservation Area, the neighbourhood park and the East Mountain Trail Loop.
 - ii) Provide an integrated open space and park system with a clear functional relationship to the overall community, accessible to all citizens.
 - iii) Conserve the natural beauty, character, and hydrological function of the Eramosa Karst Conservation Area.
 - iv) Provide a Neighbourhood Park for active and passive recreational use, sized in accordance with City parkland standards.

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- v) Ensure linkages between Natural Open Space and the Neighbourhood Park, by means of walkways, multi-use paths, and the East Mountain Trail Loop.
- vi) Ensure that natural heritage features, including the Area of Natural and Scientific Interest, Core Area, Linkages (springs, sinkholes and other karst features) within and near the area are protected and enhanced.”

As part of the submission, an Environmental Impact Statement (EIS), which included a Linkage Assessment was prepared by Renovo Watershed Sciences Inc. (January 2014), and an updated Karst and Hydrogeological Assessment was also prepared by Terra Dynamics Consulting Inc. (January 2014).

Both Hamilton Conservation Authority and City of Hamilton Natural Heritage Planning Staff are satisfied with the submitted studies in principle, but require further assessment and detailed design of the replication of the existing natural heritage core area (wetland) on the adjacent Hamilton Conservation Authority lands to the east, while also providing an eco-passage (multi-use) corridor on the subject lands as a linkage of the natural heritage system and a trail connection to the east mountain trail loop in close proximity to the proposed neighbourhood park.

However, as mentioned above, the final design of the wetland replication has not yet been completed, staff have included recommendation (a)(ii) and Condition “10” of Appendix “E” to Report PED16072, whereby upon completion of the necessary studies and design, that Map B.7.7-2 – Trinity West Secondary Plan - Natural Heritage, be updated to add a Core Area feature through a future housekeeping amendment to the UHOP.

Accordingly, Map B.7.7-1 is to be amended to include an eco-passage (multi-use) corridor and trail on the north side of Collector Street “A”, which will maintain the linkage to the natural heritage core areas in the neighbourhood and provide connection to the east mountain trail loop.

Staff are satisfied that the proposal complies with the above and will satisfactorily address natural heritage conservation, subject to the inclusion of Conditions “4” - “9”; “15”; “36”; and, “66” - “76”, inclusive, on Appendix “E” to Report PED16072.

Moreover, the proposal complies with the transportation objective of Policy Section B.7.7.2(e) by providing a compact, mixed-use, transit-supportive, and active transportation friendly neighbourhood based on a land use pattern and street pattern of a barrier free design, to support vehicular traffic, transit, cycling, and pedestrian movement through the neighbourhood, while minimizing through vehicular traffic within

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low density residential development areas. It will provide for residential and mixed-use developments at densities that support planned extensions of the City transit system.

Additionally, Policy Section B.7.7.2(g) provides direction with respect to infrastructure objectives. The proposed development will comply as it will include full urban water and wastewater services, including stormwater management, in a manner that minimizes the impacts on the natural environment. Additional information is provided within the “Engineering Details” of the “Analysis and Rationale for Recommendation” section of this Report.

Furthermore, Policy Section B.7.7.2(h) provides direction with respect to Urban Design and Streetscape objectives, in particular:

“B.7.7.2 h) Urban Design

- i) Enhance the sense of community pride and identification by creating and maintaining a unique sense of place.
- ii) Provide and create quality spaces in all public and private development.
- iii) Create pedestrian-oriented places that are safe, accessible, connected, and easy to navigate for people of all abilities.
- iv) Ensure that new development is compatible with and enhances the character of the existing environment and locale.
- v) Design the community with a unique and cohesive character, including a focal point to which all elements of the design of area are connected.
- vi) Ensure that development adjacent to the Eramosa Karst Conservation Area minimizes impacts on natural heritage features and preserves views.”

The proposed development will establish a pedestrian-oriented character for the Trinity West Secondary Plan with the inclusion of an eco-passage (multi-use) corridor and neighbourhood park while minimizing impacts on the existing natural heritage features. Of further note, the design proposed for the medium density residential blocks are subject to a Site Plan Control application providing opportunity for high quality design on the periphery of the neighbourhood.

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Additionally, Policy Section B.7.7.7 provides direction with respect to Urban Design regarding outside storage and loading facilities. Of note, loading facilities would only apply to the Medium Density and Mixed Use designated lands. Staff note that these design considerations will be addressed through the future required Site Plan Control applications.

With respect to Streetscape and Built form as per Policy B.7.7.7.2, the proposed zoning requires that the garages be setback from the front of dwellings, with the layout of streets, configuration of lots, and the siting of buildings that avoids reverse lotting adjacent to streets, maintains generally an unobstructed road frontage adjacent to the park and provides a walkway connection where lots are located adjacent to the park.

Finally, the owner applicant has been advised to incorporate architectural variation with varied roof lines, materials, and colours in each building and from building to building, while avoiding a continuous row of building facades and enhanced facades for corner sites and / or buildings.

Lastly, Policy Section B.7.7.7.3 regarding the design of Commercial and Mixed Use Areas will be addressed through the future Site Plan Control application, upon completion of the necessary land assembly / consolidation as required by Condition “1” of Appendix “E” to Report PED16072.

With respect to the redistribution of density within the secondary plan, corresponding land use designations and establishment of special policy areas, staff note that the majority of these changes result from pre-submission discussions with the Hamilton Conservation Authority and the applicant with respect to the proposed eco-passage (multi-use) corridor and corresponding servicing strategy (stormwater management) for the development. A review of the respective land use designations and densities for the Trinity West Secondary Plan is provided below along with analysis of the proposed boundary adjustments and establishment of Special Policy Areas.

In review of the residential components of the plan, Policy Section 7.7.3.3 provides the general residential policies for the Trinity West Secondary Plan; in particular, development is subject to policy Section 7.7.9 – Environmental Policies. Accordingly, the following sub-policies of Policy B.7.7.9 amongst others, apply to the applications:

“B.7.7.9 Environment Policies

The Natural Heritage System in Trinity West is shown on Map B.7.7.2 - Trinity West - Natural Heritage System.

B.7.7.9.1 In addition to Section C.2.0 - Natural Heritage System of Volume 1, the following policies shall apply:

Subsurface Conduit Area Overlay

- b) The area identified as Subsurface Conduit Overlay on Map B.7.7 - 2 - Trinity West - Natural Heritage System, contains subsurface flow conduits originating from the Eramosa Karst ANSI to a spring within the Trinity West Neighbourhood. The subsurface water flow function shall be maintained to sustain the drainage function of the conduit.
- c) Prior to approval of development applications within the area subject to the Subsurface Conduit Overlay, the specific location and depth of this conduit and an appropriate buffer width shall be determined through further detailed study. Once defined, development including building structures and deep buried services shall only be permitted on land over the conduit and within the recommended buffer if accompanied by a detailed study, prepared by a professional geoscientist with demonstrated expertise in karst environments, which demonstrates that the function of the conduit can be maintained.
- d) In accordance with Policy 7.7.9.1 c), the study should include comprehensive tracer testing during several peak flow periods to be able to map out the main hydraulic conduit and its sub-conduits in sufficient detail such that the full extent of the hydraulic system and factors that contribute to its long-term functioning are well understood. Road crossings and shallow utilities may be permitted subject to the recommendations of the detailed study. Specific permitted uses may include amenity space, parks, recreation and open space uses, and those which are compatible with the planned residential neighbourhood and which shall maintain the conduit function. These uses shall be set out in the implementing Zoning By-law.

Buried Eramosa Escarpment

- e) The area identified as “Buried Eramosa Escarpment” on Map B.7.7-2 - Trinity West - Natural Heritage System, is an area of shallow soil depth over karstic bedrock. Development of buildings and structures which require extensive intrusions into bedrock, such as apartment buildings, shall be supported by a site-specific geotechnical study.

The geotechnical study shall be prepared in support of Site Plan applications, and any specific design measures resulting from the study shall be implemented.

Springs

- f) The location of Springs is identified on Map B.7.7-2 - Trinity West - Natural Heritage System. The function and geomorphology of these springs shall be maintained. Prior to approval of development applications, a geotechnical study shall be required to determine appropriate buffer widths and permitted uses.

Sinkholes

- g) The location of Sinkholes is identified on Map B.7.7-2 - Trinity West - Natural Heritage System. Prior to approval of development applications, a geotechnical study shall be required to determine whether or not the sinkholes should be protected and, if so, what protection measures are to be used.

Subwatershed Studies

- h) The eastern portion of Trinity West is subject to the Davis Creek Subwatershed Study, and the western portion of Trinity West is subject to the Hannon Creek Subwatershed Study. Development shall conform to the recommendations of these studies.”

As previously mentioned, the natural features were assessed through an EIS, which included a Linkage Assessment prepared by Renovo Watershed Sciences Inc. (January 2014). An updated Karst and Hydrogeological Assessment was also prepared by Terra Dynamics Consulting Inc. (January 2014) were submitted with the subject application.

The applicant proposes to replicate the existing natural heritage core area (wetland) on the adjacent Hamilton Conservation Authority lands to the east, while also providing an eco-passage (multi-use) corridor on the subject lands as a linkage of the natural heritage system. Staff are generally satisfied that the above requirements have been addressed, subject to the inclusion of the appropriate conditions of approval, being Conditions “4” - “9”; “15”; “36”; and, “66” - “76”, inclusive, on Appendix “E” to Report PED16072.

Similarly, the proposed servicing of the subject lands is to be completed in a manner to preserve, enhance and / or replicate the natural heritage features identified above, subject to a location and design of water and waste management systems which take into consideration of the karst features in Trinity West, and designed to minimize impacts on these features, as per Policy Section B.7.7.7.10 “Infrastructure” Policies of Volume 2.

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In order to ensure adequate services with minimal natural heritage impacts, the completion of the required natural heritage evaluation and replication of wetland requirements, including a water balance assessment are to be completed as per Conditions “4” - “9”; “15”; “36”; and, “66” - “76”, inclusive, on Appendix “E” to Report PED16072.

In review of the proposed boundary adjustment and establishment of a Special Policy Area of lands designated “Low Density Residential 1”, staff note this amendment is required to accommodate proposed lot depths and corresponding road network changes with an increase to the maximum permitted density. In review of Policy Section 7.7.3.4, the following policies would apply:

“B.7.7.3.4 Low Density Residential 1 Designation

In addition to Section E.3.4 - Low Density Residential Policies of Volume 1, for lands designated Low Density Residential 1 on Map B.7.7-1 - Trinity West - Land Use Plan, the following policies shall apply:

- a) Notwithstanding Policy E.3.4.3, permitted uses shall include only single detached dwellings.
- b) The maximum net residential density of development shall not exceed 20 units per hectare (uph).
- c) Notwithstanding Policy E.3.4.5, the maximum building height shall be two storeys.”

The development proposal for lands designated “Low Density Residential 1” (LDR1) includes 34 single detached residential lots with a maximum height of 11.0 m or two storeys with a net residential density of 22.1 units per hectare. The recommended UHOP amendment will permit a maximum density of 23 units per hectare for lands designated LDR1. Notwithstanding the requested increase, as previously mentioned, the overall number of units and densities are within the identified objectives of the Trinity West Secondary Plan, Policies B.7.7.2 of Volume 2 of the UHOP, and the amendment is therefore supportable.

Of further note, the Stoney Creek Zoning By-law currently regulates building height with a numerical value opposed to storeys, being 11.0 m; however, to ensure the two storeys is not exceeded, the proposed Zoning By-law will establish a maximum height of 11.0 m or two storeys.

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As for existing and proposed lands designated “Low Density Residential 2”, Section B.7.7.3.5 would apply:

“B.7.7.3.5 Low Density Residential 2 Designation

In addition to Section E.3.4 - Low Density Residential Policies of Volume 1, for lands designated Low Density Residential 2 on Map B.7.7-1 - Trinity West - Land Use Plan, the following policy shall apply:

- a) The net residential density of development shall be greater than 20 units per hectare, and shall not exceed 40 units per hectare (uph).”

Due to the inclusion of roads and supporting infrastructure, a boundary adjustment of this designation is proposed and a special policy area established to permit an increase in maximum permitted density from 40 units per net residential hectare to 42 units per net residential hectare.

In particular, the amendment seeks to add lands on the west and south sides of Local Road “B” on Map B.7.7-1, shown as Street “C” of the Draft Plan attached as Appendix “F” to Report PED16072, in order to accommodate the additional built form of street townhouses in addition to single detached residential units, thereby providing for a complete community, and is therefore supportable.

In review of Policy Section E.3.4 of Volume 1, the proposed built forms are low profile, grade-oriented built forms that have direct access to each unit at grade, located within the interior of the neighbourhood, which complies with Policies E.3.3.4.1 to E.3.4.3, inclusive, of Volume 1.

Finally, the proposal has been designed with a scale in compliance with the remaining scale and design policies of Policy Section E.3.4 of Volume 1, being a mix of lot widths and sizes compatible with streetscape character; and a mix of dwelling unit types and sizes compatible in exterior design, restricted to a height of three storeys or 13.5 m.

With respect to the density, and Policy B.7.7.3.5(a), the proposed density modification to a maximum of 42 units per net residential hectare is generally in keeping with the envisioned density. Notwithstanding the requested increase, as previously mentioned, the overall number of units and densities are within the identified objectives and the amendment is therefore supportable.

With respect to the Medium Density Residential areas, the inclusion of the eco-passage (multi-use) corridor and the increase in size of the required stormwater management facility results in the deletion of the lands designated as “Medium Density Residential 2”, and reconfiguration to the lands designated “Medium Density Residential 3”, for the

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lands north of Collector Road “A” of Map B.7.7-1, and Street “A” of the Draft Plan attached as Appendix “F” to Report PED16072.

With respect to the remaining lands designated as “Medium Density Residential 2” south of Collector Road “A” of Map B.7.7-1, and Street “A” of the Draft Plan attached as Appendix “F” to Report PED16072, a boundary adjustment to the designation is proposed as result of the realignment of the “Low Density Residential 2” designation and supporting infrastructure, along with the establishment of a special policy area for a reduction in the minimum permitted density from 60 units per hectare to 55 units per hectare.

“B.7.7.3.6 Medium Density Residential 2 Designation

In addition to Section E.3.5 - Medium Density Residential Policies of Volume 1, for lands designated Medium Density Residential 2 on Map B.7.7-1 - Trinity West - Land Use Plan, the following policies shall apply:

- a) Notwithstanding Policies E.3.5.2 and E.3.5.3, uses permitted include multiple dwellings as well as street townhouses.
- b) The net residential density of development shall be greater than 60 units per hectare, and shall not exceed 75 units per hectare (uph).
- c) Notwithstanding Policy E.3.5.9 a), the Trinity Church Arterial Corridor shall function as a controlled access arterial. Direct access to the Medium Density Residential 2 land uses shall not be permitted from the Trinity Church Arterial Corridor. Access to the Medium Density designated lands shall be provided by the adjacent collector and internal roads.”

In review, as per the concept plan and Draft Plan of Subdivision found on Appendix “F” to Report PED16072, the proposed built form of multiple dwellings is permitted and is to be accessed through Local Road “A” on Map B.7.7-1, shown as Street “C”.

The amendment to reduce the minimum permitted density is as result of the accommodation of the eco-passage (multi-use) corridor and the increase of the supporting stormwater management facility, and the resulting redistribution of densities. In addition, the loss of density for this block is off-set through increases to the “Low Density Residential 1” and “Low Density Residential 2” designations.

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“B.7.7.3.7 Medium Density Residential 3 Designation

In addition to Section E.3.5 - Medium Density Residential Policies of Volume 1, for lands designated Medium Density Residential 3 on Map B.7.7-1 - Trinity West - Land Use Plan, the following policies shall apply:

- a) The net residential density of development shall be greater than 75 units per hectare, and shall not exceed 100 units per hectare (uph).
- b) Notwithstanding Policy E.3.5.9 a), the Trinity Church Arterial Corridor shall function as a controlled access arterial. Direct access to the Medium Density Residential 3 land uses shall not be permitted from the Trinity Church Arterial Corridor. Access to the Medium Density designated lands shall be provided by the adjacent collector and internal roads.”

In review, as per the concept plan found on Appendix “F” to Report PED16072, the proposed built form of multiple dwelling accessed through Highland Road West, being a Collector Road, are in compliance with Policies E.3.5.1 and E.3.5.2 of Volume 1. The proposal will be restricted to a height of six storeys or 24 m, with a conceptual density of 100 units per net residential hectare, which complies with the Scale Policies E.3.5.7 and E.3.5.8.

Lastly, the development has been designed with a scale in compliance with the remaining design policies of Policy Section E.3.5 of Volume 1, being a development with direct access to a collector road, integrated with other lands in the Neighbourhoods designation with respect to density, design, and physical and functional considerations, on a site of suitable size with adequate landscaping, amenity features, on-site parking, and buffering with a height, massing, and arrangement of buildings and structures compatible with existing and future uses in the surrounding area.

Accordingly, the proposed amendment to adjust the boundaries of the Residential designations and corresponding site specific policy areas are supportable as it is in keeping with the envisioned density for the designation and the overall density and units for the Trinity West Secondary Plan.

“B.7.7.4.1 Mixed-Use - Medium Density

In addition to Section E.4.6 - Mixed-Use - Medium Density of Volume 1, the following policies shall apply to the lands designated Mixed-Use - Medium Density on Map B.7.7-1 - Trinity West - Land Use Plan:

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- a) In addition to Policy E.4.6.6 - Prohibited Uses, the following uses shall be prohibited on lands designated Mixed-Use - Medium Density on Map B.7.7-1 - Trinity West - Land Use Plan:
 - i) Hospitals; and,
 - ii) Hotels.
- b) Notwithstanding Policies E.4.6.7 and E.4.6.8, the following policies shall apply:
 - i) Within the Mixed-Use - Medium Density 1 and 2 designations adjacent to the Natural Open Space, which is the Eramosa Karst Conservation Area, on Map B.7.7-1 - Trinity West - Land Use, the maximum building height shall be three storeys.
 - ii) Within the Mixed-Use Medium Density Designation adjacent to Low Density Residential, the maximum building height shall be four storeys.
- c) Notwithstanding Policy E.4.6.11, the amount of retail and service commercial space within each area designated Mixed-Use - Medium Density in Trinity West, may be less than 25,000 square metres of floor area.
- d) Direct access to individual properties or units from Rymal Road shall be discouraged; shared or combined common access points and rear lane arrangements shall be provided, where possible, through land consolidation and/or rights-of-way.
- e) The Trinity Church Arterial Corridor shall function as a controlled access arterial with limited access points. Access to the land uses adjacent to the Trinity Church Arterial Corridor shall be from internal local and collector roads.
- f) Where Core Areas and Area Specific Policy - USC - 1 areas occur within the Mixed-Use - Medium designation, as shown on Map B.7.7.2 - Trinity West - Natural Heritage System, the policies in Section 2.0 - Natural Heritage System of Volume 1 and USC - 1 of Volume 3 shall also apply.

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- g) Any buildings containing both residential and commercial uses shall be subject to the following:
 - i) Amenity areas shall be provided exclusively for the residential component, and shall be separated from public areas associated with the commercial component; and,
 - ii) Customer parking areas for the commercial component shall be separated from residential uses, and shall not interfere with the safe and efficient use of residential parking areas.”

In review, staff note that development concepts for the lands owned by the applicant designated as “Mixed Use – Medium Density” have not been provided. Notwithstanding, the proposed amending Zoning By-law includes modifications to prohibit uses, include a minimum amenity area for residential components and to separate parking areas for the residential and commercial components as identified above.

Similar to the low density residential regulations, building height is regulated in metres opposed to storeys, currently being 20.0 m, therefore a reduction to 16.5 m is required which is typical for a four-storey development. The remaining items will be addressed through the future Site Plan Control applications required for these forms of development.

Of note, the development of these lands will require land assembly of adjacent properties not owned by the applicant to ensure a viable and high quality designed mixed use development. Accordingly, an “H” Holding Provision has been included within the amending By-law along with Condition “1” to Appendix “E” of Report PED16072.

Policy Sections B.7.7.5 and B.7.7.6 regulate Parks and Open Space Designations and Utility Designation and Utility policies have been satisfied, as the development proposes an increase of the stormwater management facility, and the removal of the Natural Open Space designation which was reviewed by City of Hamilton Natural Heritage Staff, the City’s Environmentally Sensitive Area Impact Evaluation Group, and the Hamilton Conservation Authority and deemed satisfactory subject to the wetland being replicated on the Hamilton Conservation Authority lands to the east, as per Conditions “4” - “9”; “15”; “36”; and, “66” - “76”, inclusive, on Appendix “E” to Report PED16072, and the requirements of the Standard Form Subdivision Agreement. Accordingly, the proposal complies with Policy Sections B.7.7.5 and B.7.7.6.

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“B.7.7.7.1 Parks and Open Space

- a) Open space connections shall be provided for pedestrian and cyclist access from public streets to trails within the Eramosa Karst Conservation Area.
- b) The design of the recreational trails shall be barrier-free and adhere to the City of Hamilton Parks and Open Space standards.
- c) Signage and safety requirements set out in the City of Hamilton Engineering and Parks and Open Space Standards shall be applied where sidewalks and pedestrian trails cross arterial and collector roads.
- d) Where possible, public open space (i.e. streets and trails) shall encourage connections with adjacent natural areas.”

Staff note that the design of the eco-passage (multi-use) corridor is still to be finalized as per Conditions “4” - “9”; “15”; “36”; and, “66” - “76”, inclusive, on Appendix “E” to Report PED16072.

“B.7.7.7.4 Entrance Features

- a) In order to promote and enhance community identity, two entrance features shall be provided in the following locations:
 - i) The intersection of Rymal Road East and Local Road B; and,
 - ii) The roundabout location at the Trinity Church Arterial Corridor and Collector Road A.
- b) In accordance with Policy 7.7.7.4 a), these entrances shall be designed to express the distinct character of the neighbourhood and signal entrance into a safe, pedestrian friendly, accessible area that is home to the Eramosa Karst Conservation Area. These entrances shall:
 - i) Be designed whereby buildings address the corner, through the use of glazing, building entrance features, signage, and/or other architectural features;

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- ii) Incorporate enhanced hard and soft landscaping within both the public and private realm, including but not limited to: enhanced paving materials, decorative fencing, pedestrian amenities, signature tree species, etc.;
- iii) Provide wayfinding elements to guide visitors to the Eramosa Karst Conservation Area;
- iv) Include enhanced pedestrian crossing through the use of enhanced paving materials, pedestrian scaled lighting, and incorporation of bicycle lanes; and,
- v) Incorporate public Art, where feasible.”

In review, staff have included a condition of approval requiring an entry feature design as part of the required Landscape Plan as per Condition “5” of Appendix “E” to Report PED16072. Of note the roundabouts are no longer proposed and are to be removed as part of the proposed housekeeping elements of the proposed amendment.

With respect to the “Transportation” policies of Section B.7.7.8, the identified roundabout of Policy B.7.7.8(o) is no longer required and is to be removed. The development will include sidewalks and an eco-passage (multi-use) corridor designed in accordance with the required daylight triangle, access management and traffic management requirements of Policies B.7.7.8(g) to B.7.7.8(p), inclusive. In addition, the development is subject to Conditions “62” - “64”, inclusive of Appendix “E” to Report PED16072 for alternative internal traffic calming measures. Of note, the closure of Upper Mount Albion Road has already been completed.

RELEVANT CONSULTATION

The following Departments and Agencies had no comments or objections to the applications:

- City Wide Services, Community and Emergency Services Department;
- Tax Administration / Banking Section, Corporate Services Department; and,
- Hydro One Networks Inc.

The following Departments and Agencies have provided comments on the applications:

Capital Budgets Section (Corporate Services Department) have advised that this development is subject to the sanitary sewer Summit Park 1 mainline fee of \$6,850.00 payable at permit issuance, severance, subdivision and / or site plan applications.

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Staff have included the above as Condition “55” of Appendix “E” to Report PED16072.

Business Programs Section (Public Works Department) have advised that they do not have any comments concerning the proposed Zoning By-law Amendment or the Official Plan Amendment.

However, the following warning clause has been requested, and will be incorporated as per Condition “2(i)” of Appendix “E” to Report PED16072:

“This property is eligible for weekly collection of Garbage, Recycling, Organics, and Leaf and Yard Waste through the City of Hamilton subject to compliance with specifications indicated by the Public Works Department and subject to compliance with the City’s Solid Waste Management By-law 09-067, as amended.”

Lastly, staff have provided the additional details and information:

- “1. Road layout must be designed to permit the continuous forward movement of collection vehicles, including the radius of a cul-de-sac turning circle. Continuous forward movement must be provided exclusive of any parking spaces and stored snow. A drive through access route, a 13 metre radius turning circle or a turnaround area allowing for a maximum three-point turn of not more than one truck length are all acceptable options for accommodating this requirement.
2. The City of Hamilton is committed to providing safe and effective waste collection service and will fully comply with Ontario Occupational Health and Safety Act (OHSA) regulations at all times. Section 104(1) of the 2012 OHSA, Ontario Regulation 213/91 states: “Every project shall be planned and organized so that vehicles, machines and equipment are not operated in reverse or are operated in reverse as little as possible.”
3. Waste collection service will commence when the development is substantially completed and there is free and clear access. The developer or owner is required to contact the Public Work Department to request the start of waste collection service. A site visit by Public Works staff is required prior to the start of waste collection service.
4. Prior to the commencement of City waste collection service, the developer is responsible for the collection of all waste (garbage, recycling, organics, etc.) from any and all occupied units.
5. Construction material will not be collected: collection arrangements must be made with a private contractor.

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6. For collection of waste on Private Roads, an Agreement for On-Site Collection of Municipal Solid Waste must be executed and submitted to the City prior to the start of service.
7. On collection day, the collection area shall be in an accessible location, free and clear of any construction debris and vehicles.”

Road Programming (Encroachments)

The City’s Encroachments on City Property Policy (the “Policy”) discourages encroachments on City Property. Accordingly, the applicant is advised that all proposed buildings and other structures (including awnings, eaves, and canopies), landscaping, fences, etc. must be constructed within the legal boundaries of the private property. It is incumbent on the applicant to determine the property lines. Any encroachments existing as of today’s date that are not permitted under an Encroachment Agreement must be removed. Alternatively, the applicant may choose to apply to have the existing encroachments legitimized by applying for an Encroachment Agreement under the Policy.”

Forestry and Horticulture Section (Public Works Department) have requested that a landscape plan and street tree planting plan be required as included in the Standard Form Subdivision Agreement, Section 2.08.

Sustainable Initiatives Section (Public Works Department) have advised that “the proponent, with the assistance of a Qualified Person, conduct a groundwater monitoring program to assess the local impacts of development during and post-construction. The development shall be phased and the monitoring results considered before the next phase is approved. The monitoring program shall include monitoring wells that are strategically placed around the site to accurately characterize and monitor potential off-site impacts, including potential effects to groundwater quality and quantity. The monitoring program shall include the use of water level data loggers in the monitoring wells, supported by periodic manual readings upon which the data loggers may be calibrated. SPP suggests that the proposed monitoring program be submitted to SPP for review, prior to the commencement of the monitoring program, to ensure that it meets our requirements. Please note that the intent of the condition is not to control the phasing of the development per se, but is a practice of due diligence to ensure that the development is not negatively impacting the environment and if it is negatively impacting the environment that these issues are properly mitigated prior to moving forward” (Conditions “29” - “31” of Appendix “E” to Report PED16072).

Hamilton Municipal Parking System (HMPS) (Planning and Economic Development Department) did not identify any concerns with the development and proposed parking standards, save and except for Block 105, which proposes a parking

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ratio of 1.25 spaces per apartment unit. In addition, HMPS have also requested the following warning clause which has been included as Condition “2(ii)” of Appendix “E” to Report PED16072:

“It is the responsibility of the property owner/tenant to ensure that the parking provided on site is sufficient for his/her needs. Parking in the surrounding neighbourhood is highly restrictive and on-street parking, over flow parking may not be available and cannot be guaranteed in perpetuity.”

With respect to Block 105, in review of this request, Planning staff have examined parking standards of other municipalities with respect to apartment parking ratios and also note the recent approval of the same standard within the City of Stoney Creek for the development of 101 Shoreview Place, under By-law No. 16-039, approved by Hamilton Council on February 10, 2016. Based on the foregoing, Planning staff support the requested parking ratio of 1.25 spaces per apartment unit.

Corporate Assets and Strategic Planning Division (Public Works Department)

have reviewed the application. In particular, Traffic Planning, Public Works staff have identified the required road widenings; daylight triangles; AODA requirements; Transportation Master Plans; Hamilton Pedestrian Mobility Plan; Hamilton Cycling Master Plan 2009 Shifting Gears; and Transportation Demand Management options.

Planning staff note that the majority of the above matters have been addressed through the design of the subdivision and the required Standard Form Subdivision Agreement with the remaining items are to be implemented as part of the future Site Plan Control application(s).

Landscape Architectural Services, Public Works staff have advised that “Block 109 was requested by the CA to be a naturalized corridor. This block is not considered parkland and does not contribute to the parkland dedication for this application.” References to this block being parkland have been removed from the drawings as result.

“The application contains a portion of the East Mountain Trail Loop, an initiative to create a 10km loop trail through the east mountain area. The path standard is 4 m wide, asphalt to city standards. The park and trail are eligible for the developer to construct. Should the developer be interested in constructing either the park or trail, we would require a park development finance agreement. Please advise LAS staff if the developer as communicated a desire to construct the path or park.”

Of note, the final limits of the trail component is to be determined through final design of Block 109, which will include the accommodation of the design requirements for the East Mountain Trail Loop, as required under Condition No. 69 of Appendix “E” to Report

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PED16072. The developer has not identified whether or not they would be amenable to constructing the path and / or park at this time.

“The proposed park (Block 108) includes a few constraints that need to be addressed: An easement, a woodlot and hedgerow could potentially inhibit the ability to provide Neighbourhood Park amenities. LAS staff would like to ensure that there are no concerns with the potential removal of this woodlot for park development. If there is a component to the woodlot that is recommended to remain, that area should not be included in the parkland dedication calculation.”

Planning staff note that there were no identified concerns by Natural Heritage Planning or Hamilton Conservation Authority staff regarding the removal of the trees within the proposed neighbourhood park.

“For a Neighbourhood Park, we require at least 2ha table land. We will accept the woodlot, but not as part of the 2ha parkland dedication. We will require additional table land for the park should the about mentioned constraints inhibit our ability to provide the community with the appropriate recreation amenities.”

Planning staff note that as per Policy B.3.5.3.4(b) of Volume 1 of the UHOP, the 2 hectare parkland requirement is an approximation. As per the proposed 1.5 hectare neighbourhood park, sufficient lands remain for parkland purposes, with standard requirement for cash-in-lieu for any remaining parkland requirements, staff are satisfied the above requirements have been met.

Finally, Mobility Programs and Special Projects staff have identified that “this development is along the S-line which is a future Rapid Transit project detailed in the Metrolinx Regional Transportation Plan. Due to the location adjacent 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 Urban Hamilton Official Plan.

The pedestrian connections should be enhanced without having to cross a parking lot. Site amenities would also enhance the pedestrian environment, i.e. Benches, awnings etc.

This development proposal 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.”

Planning staff note that the above have been addressed as the proposed development provides for a transit supportive density that has been designed generally in a standard grid road pattern, thereby providing for direct and efficient connections to transit

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locations and including natural linkages, East Mountain Trail Loop, as per the proposed eco-passage (multi-use) corridor.

Geomatics and Corridor Management Section (Public Works Department) have provided the following:

“Zoning ZAC-14-002 and future Site Plan Comments:

It is desirable to provide driveway access for Block 106 Mixed Use from the former Upper Mount Albion Road. Access to Rymal Road East will not be permitted as the frontage on Rymal Road does not conform to the required 70 m setback from the arterial road traffic controlled intersection.

These lands must be developed with adjacent properties to consolidate the lands and consolidate driveways. Accordingly, staff cannot comment on the location of the driveway to Block 106 from the former Upper Mount Albion Road; however, the owner / applicant is advised that any future driveway must be at least 30 m north of Rymal Road East.

Driveway access for Block 104 from Street A will be a minimum of 70 m from the Upper Red Hill Parkway. There is sufficient frontage to provide a desired setback of 90-110 m, which is preferred. Driveway access to Block 104 from Street B is acceptable. An ideal location would be opposite Street ‘F’.

Driveway access off Highland Road for Block 105 must be located a minimum of 70 m from the Upper Red Hill Valley Parkway; however, a greater setback is recommended considering the frontage is approximately 230 m. The Applicant is advised that driveway placement for Block 105 must consider sightlines for drivers in and out of proposed driveways given the vertical profile of Highland Road. Highland Road will be urbanized as per the requisite draft plan of subdivision condition of approval, and the centerline grade of the road will be modified and improved. However driveway placement must still consider safe driver sightlines.

We also note that potential driveway locations for Block 105 will be considered jointly with driveway access for the commercial lands on the north side of Highland Road as driveway turning conflicts on / off Highland Road must be avoided. Driveway access to the Upper Red Hill Parkway from Block 104 and Block 105 will not be permitted.

There is a section of land for Block 104 situated between Block 101 and 102 that appears to provide a vehicular driveway access point to Street C. If this land is proposed for vehicular access then we advise that the width must provide a 6 m access with radius design and a 1.5 m sidewalk connection. The area is not dimensioned however it scales to approximately 10-11m in width.

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Draft Plan 25T-201401:

It is recommended that Upper Mount Albion Road between Rymal Road East and Street E be urbanized. Works will include removal of the temporary cul-de-sac bulb constructed at the closed roadway just north of Rymal Road East, construction of a municipal sidewalk on both sides of the opened road, potential installation of additional streetlight poles and luminaires to adhere to required lighting for pedestrian facilities, and widening of the roadway to provide a southbound left and through / right turn lane. A traffic signal drawing has been prepared for the widened Rymal Road East project commencing this year; however, this drawing does not include the Upper Mount Albion Road leg, and accordingly this work still needs to be completed.

Upper Mount Albion road widenings shall conform to 26.213 m and not 26.0 m for Block 106 as currently shown, and should therefore be revised accordingly.

The ultimate ROW width of Highland Road West is 26.213 m. The required road allowance dedication shown as Block 105 and Block 110 must be in accordance with the 26.213 m dimension. Bike lanes are required on Highland Road West.

The ultimate ROW width of Rymal Road East is 36.576 m therefore any required road allowance widening from Block 106 and 107 must be dedicated to the City.

The provision of a pedestrian / cycling facility is required between the section of opened Upper Mount Albion Road and the relocated cul-de-sac portion near Street E.

A pedestrian / cycling trail connection is required between the intersection of Street 'A' at Upper Mount Albion Road and the entrance to the Conservation Authority parking lot / trail center. It appears that the parking lot entrance is just south of the intersection. It is also recommended that the portion of Upper Mount Albion Road between the cul-de-sac bulb and Highland Road be urbanized, including construction of the new cul-de-sac bulb, pedestrian walking facilities, and modifications to the centerline grading of Upper Mount Albion Road just south of Highland Road.

Any proposed gateway features are to be included in the engineering drawing submission. Approval by the Manager of Traffic Operations section of Public Works will be required for any gateway proposals at the signalized intersections of Rymal Road East and Upper Mount Albion Road and the future traffic signal at Street A and the Upper Red Hill Parkway. Physical features within the curb lines will be incorporated into the traffic signal design drawing."

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Finally, with respect to the Medium Density Residential blocks, the following comments have been provided:

“The proposed driveway access for Block 104 off Street ‘A’ is acceptable. Driveway access to Block 104 off Street B is also acceptable in the location shown. As previously noted, this driveway could align with future Street ‘F’; however, the location shown will provide sufficient separation between the street and the driveway. Driveway widths for both Blocks should be 7.5 m measured at the ROW limit with 7.0 m radii.

The Block 104 driveway to the internal local road Street ‘C’ as we have noted previously can be 6 m in width (it is a secondary access) with 7.0 m radius design and a 1.5 m sidewalk connection.

Driveway access off Highland Road for Block 103 must be considered jointly with the proposed driveway for the commercial lands to the north. We want to ensure that the placement of these driveways does not create a conflict for opposing turning movements in / out of each driveway. An application has been received for review for the lands to the north. Staff is not in a position to recommend approvals for the driveways to Block 103 at this time. In addition, driver sightlines on Highland Road are to be confirmed considering the vertical alignment proposed through the urbanization of Highland Road.”

Based on the foregoing, conditions of approval as identified by Geomatics and Corridor Management staff have been included as Conditions “57” to “65”, inclusive of Appendix “E” to Report PED16072.

Hamilton Conservation Authority (HCA) have reviewed the applications. Planning staff have provided a brief summary of the HCA review below and appended their full comments as Appendix “G” of Report PED16072.

Amec Foster Wheeler's Memo dated August 7, 2015:

The Functional Servicing and Stormwater Management report discusses verification of a hydrology model prepared in support of the Davis Creek Subwatershed Study demonstrating that the proposed changes in imperviousness do not result in flooding and erosion potential increase downstream of the development.

In addition, the Amec Foster Wheeler memo discusses options to maintaining water balance in a compensation wetland which is proposed within HCA lands located east of Upper Mount Albion Road. In order to ensure that the report fully addresses the flooding and erosion hazard and water balance requirements, conditions have been included within Appendix “E” to Report PED16072.

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Comments on the Site Hydrologic Modeling

The Stormwater Management Report Hydrology modeling outputs enclosed by S. Llewellyn and Associate's illustrate that inflows to the SWM facility related to the five-year and 100-year storm events exceed the Regional Storm peak flows associated with the areas discharging to the SWM facility. Clarification of weir capacity and peak flows, box culvert design, updates and calibration of the stormwater management models is required and will be addressed through the respective Hamilton Conservation Authority conditions included in Appendix "E" to Report PED16072.

Comments on S. Llewellyn and Associates Stormwater Management Report revised August 2015 and Enclosed Drawings

The report outlines that a SWM facility is designed to attenuate and treat discharge from the Central Park (Losani Homes) and Heritage Highlands (Effort Trust) developable lands. Clarification is required as it was understood that the Heritage Highlands drainage will be treated within the Effort Trust owned lands prior to discharging the runoff to the facility. Otherwise, the design should clearly demonstrate that the pond is also designed to accommodate the Heritage Highlands drainage from the quality control perspective.

The studies supporting the development on the Losani Homes property must be reviewed concurrently with the studies supporting the development on the adjacent Multi-Area lands and other adjacent lands to ensure all issues are considered holistically. Accordingly, the SWM report is to be updated to address technical issues as addressed through the conditions of draft plan approval in Appendix "E" to Report PED16072.

Engineering Comments

A stormwater management concept of both properties (Losani Homes and Multi-Area) must demonstrate that the compensation wetland receives adequate volume of the runoff in order to ensure that the existing water and ecological balances are maintained as required by the Hamilton Conservation Authority conditions.

Comments on Documentation Submitted February 12, 2014

No response to formal comments dated March 21, 2014 has been provided to date. Therefore, the submitted Revised Functional Servicing, Geotechnical and Hydrogeological reports were reviewed in conjunction with previous Hamilton Conservation Authority comments on the original Functional Servicing, Geotechnical and Hydrogeological reports submitted February 12, 2014, comments on the January

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16, 2015 submission and required additional investigation, addressed under Conditions “65” - “75”, inclusive, of Appendix “E” to Report PED16072.

Ecology Comments

Hamilton Conservation Authority have identified that ecology comments provided under letter dated February 2013 have not been addressed and will require updates to the required EIS with appropriate monitoring.

Based on the foregoing, and the comments included in Appendix “G” to Report PED16072, Conditions “66” - “76”, inclusive, of Appendix “E” to Report PED16072 have been included.

Canada Post have advised of the following:

“Service type and location

1. Canada Post will provide mail delivery service to the condominium through centralized Community Mail Boxes (CMB’s).
2. Given the number and the layout of the lots in the development, we have determined that CMB’s will be installed as listed below and must be identified on the site plan.
 - a) Rear of lot 52
 - b) Rear of lot 66
 - c) Rear of lot 71
 - d) Block 103, rear of lot facing street “A”
 - e) Block 91, rear of lot facing street “F”
 - f) Block 105, to be determined
 - g) Block 104, to be determined

Municipal requirements

1. Please update our office if the project description changes so that we may determine the impact (if any).
2. Should this subdivision application be approved, please provide notification of the new civic addresses as soon as possible.

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Developer timeline and installation

1. Please provide Canada Post with the excavation date for the first foundation / first phase as well as the date development work is scheduled to begin. Finally, please provide the expected installation date(s) for the CMB(s).

Additional Developer Requirements:

- The developer will consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The developer will then indicate these locations on the appropriate servicing plans.
- The developer agrees, prior to offering any units for sale, to display a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.
- The developer agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via Community Mail Box. The developer also agrees to note the locations of all Community Mail Boxes within the development, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box.
- The developer will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations. Canada Post will provide mail delivery to new residents as soon as the homes are occupied.
- The developer agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
 - A concrete pad(s) (consult Canada Post for detailed specifications)
 - Any required curb depressions for wheelchair access, with an opening of at least two metres (consult Canada Post for detailed specifications)."

In review, staff note that several of the above items are addressed through section 1.22; 1.46(f); 2.10(b); and, 4.01(h) of the Standard Form Subdivision Agreement. Any items not covered off by the agreement have been included as Conditions "77" and "78" of Appendix "E" to Report PED16072.

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Horizon Utilities have provided the following information:

- “• For Subdivision or Townhouse Development, the Developer needs to contact our Engineering Design Department at 905-521-4907;
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner’s expense. Please contact Horizon Utilities to facilitate this;
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment;
- Transformer vault access and location are to be approved by a Horizon Utilities representative;
- In order for Horizon Utilities to prepare design and procure the materials required to service this site in a timely manner, a minimum of 6 months notification is required. It would be advantages for the developer if Horizon Utilities were contacted at the stage where the new site plan becomes available. Please note that it takes approximately 20 weeks to purchase a transformer.
- Do not excavate within two metres of hydro poles and anchors;
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by a Horizon Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense;
- Horizon Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense;
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255; and,
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 3.1 (3.1.18.1);
 - Electrical Safety Code Rule 75-312;
 - Occupational Health and Safety Act (OH&SA) - Construction Projects (Electrical Hazards);
 - CAN/CSA-C22.3 No. 1-10, Overhead System; and,
 - C22.3 No. 7- 10 Underground Systems.”

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Union Gas have requested that as a condition of final approval that the owner / developer provide to Union the necessary easements and / or agreements required by Union for the provision of gas services for this project, in a form satisfactory to Union Gas.

It is noted that Section 1.21 “Utility Installations” of the Standard Form Subdivision Agreement addresses this requirement.

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 was sent to 64 property owners within 120 m of the subject property on February 18, 2014, for the proposed Official Plan and Zoning By-law Amendment and Draft Plan of Subdivision applications.

To date, four public submissions and one submission representing 13 property owners (of which include the four other submissions) have been received, identifying concerns regarding natural heritage; blasting and construction requirements; parking; cul-de-sac alignment; land use compatibility; construction start dates and completion dates of the dwellings and Upper Red Hill Valley Parkway; subsidized housing; and safety and security of open space areas (see Appendix "H" of Report PED16072).

Of note, a separate submission was received requesting notification. Staff have included this individual on all future mailings and notices. Lastly, additional correspondence was received with respect to grading activities on adjacent lands. Staff note that these works were approved through a Hamilton Conservation Authority permit and have no further comments and / or concerns.

Detailed review and discussion of these concerns are provided below in the Analysis and Rationale Section of this Report.

Furthermore, a Public Notice Sign was posted on the property on February 28, 2014, and updated on February 24, 2016, with the Public Meeting date. Finally, Notice of the Public Meeting was given in accordance with the requirements of the *Planning Act* on March 4, 2016.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposal has merit and can be supported for the following reasons:
 - (i) It is consistent with the Provincial Policy Statement, and conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow);

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- (ii) The proposed Official Plan Amendment complies with and maintains the intent and purpose of the Urban Hamilton Official Plan and the Trinity West Secondary Plan; and,
 - (iii) The proposed development is compatible with existing residential land uses in the immediate area and represents good planning by, among other things, providing for the development of a complete community, establishing and enhancing a continuous streetscape within the neighbourhood while making efficient use of a vacant parcel of land and existing infrastructure within the urban boundary, while preserving, enhancing and / or replicating natural heritage features and linkages, including the Hamilton Conservation Authority requested eco-passage (multi-use) corridor.
2. The purpose of the proposed Official Plan Amendment is for a redistribution of the land use designations, in order to accommodate the introduction of the multi-purpose open space corridor. In particular:

Volume 1:

- deleting the Linkage designations applicable to the subject property from Schedules B – Natural Heritage System of Volume 1.

Volume 2:

- establish Site Specific Policy Area “A” to increase the maximum permitted density of lands designated “Low Density Residential 1” from 20 uph to 23 uph;
- establish Site Specific Policy Area “B” to increase the maximum permitted density of lands designated “Low Density Residential 2” from 40 uph to 42 uph;
- establish Site Specific Policy Area “C” to reduce the minimum permitted density of the “Medium Density Residential 3” designation from 60 uph to 55 uph;
- deleting and replacing the proposed land use designations and road network of Map B.7.7-1;
- deleting the Core Area and Linkage and updating the road pattern for Upper Mount Albion Road on Map B.7.7-2 – Natural Heritage System of Volume 2; and,

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- deleting and replacing the road network of Map B.7.7-3 – Road Classification Plan.

Staff note that the primary purpose of the subject application is for amendments to the Trinity West Secondary Plan to allow for the inclusion of an eco-passage (multi-use) corridor as requested by the Hamilton Conservation Authority. As a result, additional modifications are proposed to allow for a redistribution of the residential land use designations with corresponding changes to the road network, deletion of the natural open space designation and establishment of three site specific areas with corresponding policies regarding minimum and maximum densities.

Additionally, mapping changes to Volume 1 schedules regarding the natural heritage system and housekeeping amendments are also proposed.

Staff support the amendments as the proposed development now incorporates an eco-passage (multi-use) corridor shifting the proposed trail to the north side of the proposed Collector Road (Street “A”). In addition, as the stormwater management pond has increased in size the Natural Open Space Area is to be deleted.

The proposal maintains the intent and purpose of the natural heritage system as demonstrated through the submitted supporting studies and corresponding requisite conditions of approval of the Draft Plan of Subdivision.

3. With respect to the residential land use designations as discussed previously, the proposed Draft Plan of Subdivision, generally maintains the intended road network and overall density and unit totals for the Trinity West Secondary Plan.

With respect to the “Medium Density Residential 3” block, Block 105, Real Estate staff have identified a condition for land assembly and consolidated development with a surplus city parcel. Accordingly, a condition has been included as Condition “14” of Appendix “E” to Report PED16072.

Lastly, additional housekeeping amendments to the Trinity West Secondary Plan are to be included within the proposed amendment, being:

- To delete and replace the text of policy B.7.7.7.4(a)(ii) of Volume 2 to reflect the removal of the roundabout and name change to Upper Red Hill Valley Parkway;
- To delete Policy B.7.7.8(o) as roundabouts are no longer required;

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- To delete policy B.7.7.1(x) as it is not applicable to this Secondary Plan;
- To delete and replace Trinity Church Arterial Corridor to Upper Redhill Valley Parkway for all policies within Policy Section 7.7 – Trinity West Secondary Plan; and,
- Mapping changes to remove the “Potential Traffic Control Roundabout”, change from Collector Road B to Collector Road A, and change from Trinity Church Arterial Corridor to Upper Red Hill Valley Parkway.

Based on the foregoing, staff support the requested amendments.

4. The applicant has requested amendments to City of Hamilton Zoning By-law No. 05-200 and the City of Stoney Zoning By-law No. 3692-92, in order to permit the associated Draft Plan of Subdivision.

In particular for changes in zoning:

- from Neighbourhood Development “ND” Zone to Single Residential “R1-20” Zone, Modified (Blocks 1 – 3);
- from Neighbourhood Development “ND” Zone to Single Residential “R3-41” Zone, Modified (Block 4);
- from Neighbourhood Development “ND” Zone to Multiple Residential “RSQ M-43” Zone, Modified (Blocks 5 and 6);
- from Neighbourhood Development “ND” Zone to Multiple Residential “RM3-56” Zone, Modified (Block 7);
- from Neighbourhood Development “ND” Zone to Multiple Residential “RM3-57” Zone, Modified (Block 8);
- from Neighbourhood Development “ND” Zone to Mixed Use Commercial (Holding) “MUC-9(H)” Zone, Modified (Blocks 9 and 10); and,
- and for lands to be added to City of Hamilton Zoning By-law No. 05-200 and zoned as Open Space (P4) Zone (Block 11); Conservation/Hazard Land (P5) Zone (Block 12); and, Neighbourhood Park (P1) Zone (Block 13).

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City of Stoney Creek Zoning By-law No. 3692-92

Single Residential “R1-20” Zone, Modified (Blocks 1 – 3)

The applicant has requested a reduction to the minimum lot frontage and the minimum side yard.

Minimum Lot Frontage

The applicant has requested a reduction to the minimum interior lot frontage from 18 m to 14 m and for a corner lot from 19.5 m to 15.8 m. Staff note that the subject lands are vacant and without an established lotting pattern, streetscape and / or neighbourhood character / identity.

In review of the blocks subject to the proposed site specific zoning, staff note that the proposal does not include corner lots; however, given additional lands owned by the applicant and the intention to apply these same zone provisions to these adjacent lands, the applicant has requested a reduction to the minimum lot frontage for corner lots.

The proposed lots will establish the lotting pattern, streetscape and character for this neighbourhood. The proposed lot widths are of sufficient width and are common for single detached residential lots, which will in turn provide additional lot and housing sizes for the neighbourhood. Staff therefore supports the requested modification.

Side Yard Setback

The applicant has requested a reduction in minimum side yard from 1.25 m to 0.6 m on the non-garage side; and an increase in minimum side yard from 1.0 m to 1.2 m to an attached garage. In addition, for corner lots, the applicant proposes a reduction from 3.0 m to 2.4 m for a side yard abutting a flankage yard, and an increase in setback for an attached garage from 5.5 m to 6.0 m.

The proposed side yards will maintain adequate separation for servicing purposes and have been applied to similar forms of single detached residential development throughout the City of Hamilton, and, are therefore supportable.

Single Residential “R3-41” Zone, Modified (Block 4)

The applicant has requested a reduction to minimum lot area; lot frontage; front yard setback to a dwelling; rear yard; setback from a daylight triangle; side yard;

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lot coverage; and, establishing encroachments for covered porches, bay windows either with or without foundations, and stairs.

In review, the proposed modifications are consistent with other developments within Stoney Creek; in particular, the Single Residential “R3-33” Zone, Modified of By-law No. 12-161 for the “Paramount” Registered Plan of Subdivision, 62M-1204.

Minimum Lot Area

The applicant has requested a reduction in the minimum lot area of an interior lot from 370 sq m to 290 sq m and for a corner lot from 425 sq m to 340 sq m.

The proposed reductions will maintain lot areas of sufficient size for single detached residential development. In addition, staff note that the smaller lot sizes are also required to accommodate lots to achieve the envisioned density and unit totals for the Trinity West Secondary Plan and are supportable.

Minimum Lot Frontage

The applicant has requested a reduction in the minimum lot frontage of an interior lot from 12 m to 10 m; and from 13.75 m to 11.7 m for a corner lot.

Staff note that the subject lands are vacant and without an established lotting pattern, streetscape and / or neighbourhood character / identity. The proposed lots will therefore establish a lotting pattern, streetscape and character for this neighbourhood.

The proposed lot widths are of sufficient width and are common for single detached residential lots, which will provide additional lot and housing sizes for the neighbourhood and is consistent with other lots proposed as part of these applications, and therefore supportable.

Minimum Front Yard

For clarification and design purposes, the applicant has requested a reduction in front yard setback to a dwelling only from 6.0 m to 4.5 m, while maintaining the 6.0 m front yard setback to a garage.

The proposed setbacks will establish a streetscape and character for this neighbourhood. The proposed reduction allows for a design that de-emphasizes garages and allows for a design that better promotes an animated and vibrant streetscape, and therefore supportable.

Side Yard Setback

The applicant has requested a reduction in minimum side yard from 1.25 m to 0.6 m on the non-garage side; and an increase in minimum side yard from 1.0 m to 1.2 m to an attached garage, all of which is to be subject to a maintenance easement registered on title for any minimum side yard that is less than 1.2 m, with said maintenance easement permitting encroachment for maintenance purposes only, for no more than 0.6 m into the side yard of the lot adjacent the yard with a side yard setback less than 1.2 m. A 0.6 m side yard setback shall not be permitted adjacent to any side lot line less than 1.2 m.

In addition, a reduction to the side yard setback for a corner lot from the flankage street from 3.0 m to 2.4 m; an increase in setback for an attached garage which fronts the flankage street from 5.5 m to 6.0 m; and, a reduction to the hypotenuse of the daylight triangle for a corner lot from 3.0 m to 2.0 m are also proposed.

The proposed side yards will maintain adequate separation for servicing purposes and have been applied to similar forms of single detached residential development throughout the City, with appropriate easements for maintenance and servicing purposes, and therefore supportable.

Minimum Rear Yard

The applicant has requested a reduction in minimum rear yard from 7.5 m to 7.0 m. The proposed yard reduction is minor in nature, and will maintain sufficient space for amenity and servicing purposes, and, is therefore supportable.

Maximum Lot Coverage

The applicant proposes to remove the lot coverage requirement.

In review, staff note that the setbacks will regulate the lot coverage, and are of sufficient size to ensure appropriate servicing is maintained for the development while providing flexibility to the developer for housing design, and therefore supportable.

Special Setbacks – Daylight Triangles

The applicant has requested a reduction in the setback to a daylight triangle from 3.0 m to 1.0 m. Due to the setback being taken to the hypotenuse of the daylight triangle and the proposed built-form, the modification will allow for design flexibility while ensuring a viable and efficient footprint.

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Staff note that the proposed reduction will maintain adequate separation from the daylight triangle which will ensure appropriate site lines and safety standards are maintained. Therefore, staff support the requested modification.

Yard Encroachments

The applicant has requested establishing permitted encroachments for covered porches, bay windows and stairways.

In particular, covered porches may encroach into a front yard a distance of not more than 3.0 m and 1.8 m into a flankage yard. Bay windows either with or without foundations may project into any required front, rear and / or flankage yards a distance of not more than 0.9 m. Finally, stairs may project into a required front yard a distance of not more than 3.5 m.

Of note, the proposed yard encroachments are to facilitate the proposed house designs. Sufficient setbacks will be maintained for servicing and maintenance purposes while also establishing a consistent streetscape, and the modifications are therefore supportable.

Multiple Residential “RSQ M-43” Zone (Blocks 5 and 6)

The applicant has requested a reduction to minimum lot area; lot frontage; front yard setback to a dwelling and a garage; side yard; rear yard; minimum privacy area; the deletion of the minimum landscape open space; an increase in maximum building height; deletion of maximum lot coverage; and, to establish encroachments for covered porches, bay windows either with or without foundations, and stairs.

In review, the proposed modifications are consistent with other developments within Stoney Creek; in particular, the Multiple Residential “RSQ M-29” Zone, Modified of By-law No. 12-161 for the “Paramount” Registered Plan of Subdivision, 62M-1204.

Minimum Lot Area

The applicant has requested a reduction in the minimum lot area of an interior lot from 180 sq m to 120 sq m; from 240 sq m to 145 sq m for an end unit; and, for a corner lot from 270 sq m to 175 sq m.

The proposed reductions will maintain lot areas of sufficient size for single detached residential development. In addition, staff note that the smaller lot sizes

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are also required to accommodate lots to achieve the envisioned density and unit totals for the Trinity West Secondary Plan, and is therefore supportable.

Minimum Lot Frontage

The applicant has requested a reduction in the minimum lot frontage of an interior lot from 6.0 m to 4.45 m; from 8.0 m to 4.45 m for an end unit; and, from 9.0 m to 4.45 m for a corner lot.

Staff note that the subject lands are vacant and without an established lotting pattern, streetscape and / or neighbourhood character / identity. The proposed lots will therefore establish a lotting pattern, streetscape and character for this neighbourhood.

The proposed lot widths are of sufficient width and are common for single detached residential lots, which will provide additional lot and housing sizes for the neighbourhood and is consistent with other lots proposed as part of these applications, and therefore supportable.

Minimum Front Yard

For clarification and design purposes, the applicant has requested a reduction in front yard setback to a dwelling only from 6.0 m to 4.5 m, and a reduction from 6.0 m to 5.8 m for the front yard setback of a garage.

The proposed setbacks will establish a streetscape and character for this neighbourhood. The proposed reduction allows for a design that de-emphasizes garages and allows for a design that better promotes an animated and vibrant streetscape.

Side Yard Setback

The applicant has requested a reduction in minimum side yard for an end unit from 2.0 m to 1.2 m and for a corner lot from 3.0 m to 2.4m while maintaining a 6.0 m setback for an attached garage which fronts on the flankage street.

The proposed side yards will maintain adequate separation for servicing purposes and have been applied to similar forms of single detached residential development throughout the City, with appropriate easements for maintenance and servicing purposes, and therefore supportable.

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Minimum Rear Yard

The applicant has requested a reduction in minimum rear yard from 7.5 m to 7.0 m; except where the dwelling is 2 storeys or less in height, a minimum 6.0 m will be required and maintained. The proposed yard reduction is minor in nature, and will maintain sufficient space for amenity and servicing purposes, and, is therefore supportable.

Minimum Privacy Area

The applicant has requested a reduction in minimum privacy area from 36 sq m to 27 sq m.

The proposed privacy area reduction is minor in nature, and will maintain sufficient space for amenity purposes, and therefore supportable.

Minimum Landscape Open Space

The applicant has requested the deletion of the minimum landscape open space requirement being a minimum of 30% of the lot area.

In review, staff note that sufficient yards will be maintained, being an approximate 5.0 m front yard and 7.0 m rear yard. Furthermore, staff note that the subject lands are in proximity to the proposed Neighbourhood Park, and therefore support the requested modification.

Maximum Building Height

The applicant has requested an increase in maximum building height from 11.0 m to three storeys or 13.5 m.

Staff note that the proposed increase is minor in nature, and will establish the neighbourhood character / identity with respect to height for the Trinity West Secondary Plan Area, and therefore supportable.

Maximum Lot Coverage

The applicant proposes to remove the lot coverage requirement.

In review, staff note that the setbacks will regulate the lot coverage, and are of sufficient size to ensure appropriate servicing is maintained for the development while providing flexibility to the developer for housing design, modified, and therefore supportable.

Yard Encroachments

The applicant has requested to establish permitted encroachments for covered porches, bay windows and stairways.

In particular, covered porches may encroach into a front yard a distance of not more than 3.0 m and 1.8 m into a flankage yard. Bay windows either with or without foundations may project into any required front, rear and / or flankage yards a distance of not more than 0.9 m. Finally, stairs may project into a required front yard a distance of not more than 3.5 m.

The proposed yard encroachments are to facilitate the proposed house designs. Sufficient setbacks will be maintained for servicing and maintenance purposes while also establishing a consistent streetscape, and is therefore supportable.

Multiple Residential “RM3-56” Zone (Block 7)

The applicant has requested modifications to: definitions; general provisions; minimum front yard setback; minimum side yard setback; minimum rear yard; minimum distance between buildings; minimum privacy area; landscape open space; required parking; parking space dimensions including barrier free spaces; parking area separation distances; maximum building height; deletion of the maximum lot coverage; to establish encroachments for covered porches, bay windows either with or without foundations, and stairs; a minimum required density; and, to increase the maximum permitted density.

Dwelling – Maisonette

As the definition of Maisonette is a back-to-back townhouse dwelling with no maximum on the number of units, the applicant has requested the definition be amended to include a maximum of 16 units within a maisonette block.

The proposed modification will not impact the streetscape and or character as the townhouse blocks are internal to the development block and therefore supportable.

Definitions “Dwelling - Townhouse”

The applicant has requested a change to the definition to allow for up to nine individual townhouse units within a townhouse block opposed to the currently permitted eight individual townhouse units within a townhouse block.

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The proposed modification allows for further intensification of development blocks in line with the envisioned density and will not impact the streetscape and or character as the townhouse blocks are internal to the development block and therefore supportable.

“Lot Line – Front”

Based on the Zoning By-law Definitions, Block 104 is considered to be a “Corner Lot”. With Block 104 being bounded by Street “A”; Street “B” and “Upper Red Hill Valley Parkway”, the frontage along Street “A” of the Draft Plan of “Part of Lot 33 – Concession 8”, 25T-201401, is deemed to be the front lot line by definition, as it is the shorter lot line abutting a street for a corner lot. To ensure that the zone regulations are applied correctly, the applicant has requested that the definition be amended to explicitly identify Street “A” of the Draft Plan of “Part of Lot 33 – Concession 8”, 25T-201401, as the front lot line.

As this modification is technical in nature and is to provide clarity and ensure the appropriate application of the amending By-law and its regulations, staff support the requested modification.

Definitions “Highway” and / or “Street”

The applicant has requested a change to the definition of “Street” such that the private condominium road will be deemed a “Street” in order to facilitate the proposed future tenure of individual townhouse and maisonette lots. In addition, staff have included additional modifications to the definition of “Highway” and to clarify that parking, amenity areas and landscaping are permitted within the street(s).

In review, staff note the definition of a “Street” is deferred to the definition of a “Highway”. Accordingly, both definitions are proposed to be modified. Furthermore, as common areas such as parking and landscaping are to be situated within the private condominium roadway, modifications to permit this are also required.

As the requested modification is technical in nature, due to the proposed built form and envisioned tenure, staff support the requested modification.

General Provisions

Staff note that the proposed development of Block 104 will be subject to a future Site Plan Control application whereby the layout of the townhouse / maisonette

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block will be established, and will also be subject to future development applications to create individual residential lots.

Accordingly, the applicant has requested that the regulations of the By-law apply to the existing meets and bounds of the development block and would not apply to any future lots created through a *Condominium Act* or *Planning Act* application.

In review, staff note that the requested modification is technical in nature to apply regulations and requirements to the development block and not to any future lots. Based on the foregoing, staff support the requested modification.

Minimum Front Yard

The applicant has requested a reduction in front yard setback from 7.5 m to 6.0 m; except for an end wall abutting a street, a minimum of 2.4 m shall be provided and maintained.

Staff note that this reduction is minor in nature for units parallel to “Street A”, as all other units have a side yard relationship to Street “A”, and will therefore not impact the streetscape or character, as shown on Appendix “F” to Report PED16072.

In addition, staff note that yard abutting Street “A” would function as a rear yard and not a typical front yard. Of further note, the Noise Feasibility study also contemplates noise barrier requirements for some of the development blocks along Street “A”, to be further determined through the future Site Plan Control application, and appropriate design measures will be reviewed and implemented through the Site Plan review process. As such, the streetscape along Street “A” will be irregular in nature due to noise attenuation requirements and access onto internal private streets opposed to Street “A”. Staff therefore support the requested modifications.

Minimum Side Yard for Maisonettes, Townhouses and Dwelling Groups

The applicant has requested a reduction in side yard setback to 6.0 m when abutting a flankage yard; and, to remove the requirement for abutting single detached, semi-detached, or duplex dwellings or from an end unit that abuts the lot line of a street townhouse.

In review, staff note that there are no abutting single detached, semi-detached, or duplex dwellings nor an end unit that abuts the lot line of a street townhouse; therefore, the removal of these requirements is supportable.

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With respect to the setback to a flankage yard (Upper Red Hill Valley Parkway), staff note that the current concept attached as Appendix “F” to Report PED16072, identifies what would function as rear yards for the proposed townhouse units adjacent to Upper Red Hill Valley Parkway. Accordingly, the reduction is technical in nature with the westerly lot line being deemed a side lot line. Notwithstanding, a 6.0 m yard for the proposed townhouse blocks adjacent to Upper Red Hill Valley Parkway is supportable as it will not impact the streetscape given anticipated required noise mitigation along Upper Red Hill Valley Parkway.

Minimum Rear Yard

The applicant has requested the reduction of the required 7.5 m rear yard setback to 6.0 m when abutting a street; except for an end wall abutting a street, a minimum of 2.4 m shall be provided and maintained.

In review, the proposed 6.0 m setback will not impact the streetscape and provides adequate area for servicing and amenity purpose, and, is therefore supportable. The proposed 6.0 m is consistent with the all other yard requirements for the zone and would maintain a consistent streetscape and character.

However, due to the irregular block shape and curvature of Street “B”, and to accommodate viable building floorplates, a 2.4 m setback for end walls abutting a street has been requested. The yard would only apply to the one townhouse unit with a side yard abutting Street “B”, and would therefore have minimal impact on the streetscape and character of Street “B”, as the predominant character will be the required 6.0 m for units backing onto Street “B”, as shown on Appendix “F” to Report PED16072. Staff therefore support the requested modification

Minimum Distance Between Buildings on the Same Lot

The applicant has requested modifications to the minimum distance between buildings on the same lot based on the limits of each individual multiple dwelling (townhouse and / or maisonette blocks, in particular:

- To reduce the distance between front walls from 15 m to 12 m;
- To reduce the distance between end walls from 3 m to 2.4 m;
- To reduce the distance between rear walls from 15 m to 12 m; and,
- To reduce the distance between an end wall and rear wall from 9.0 m to 7.0 m.

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In review, due to the reduction in yards a corresponding reduction to the minimum separation distance between buildings on the same lot is required and supportable as it maintains sufficient area for amenity, privacy and servicing purposes.

Permitted Density:

The applicant has requested an increase to the maximum density to 75 units per net residential hectare and to establish a minimum density of 55 units per hectare.

Staff support the increase in density and the proposed minimum density as it maintains the envisioned density and number of units for the “Medium Density Residential 2” designation of the Trinity West Secondary Plan, and is also in keeping with the intent and purpose of the overall vision for the Trinity West Secondary Plan, where sufficient transportation capacity and full municipal services are available.

Maximum Building Height

The applicant has requested an increase in building height from 11.0 m to 13.5 m or three storeys.

In review, the UHOP permits up to six storeys for medium density residential developments. The proposed increase in height will not adversely affect planned abutting development as it is consistent with a three-storey built form and provides transition through the adjacent proposed street townhouses to the existing and proposed single detached residential to the east.

Based on the foregoing, staff support the requested modification.

Maximum Lot Coverage

The applicant proposes to remove the lot coverage requirement.

In review, staff note that as per Condition No. “56” of Appendix “E” to Report PED16072, development of this block with respect to impervious coverage shall not exceed the percentage of impervious coverage accounted for in the pond design of Block 110.

Therefore, staff support the requested modification, as the lot coverage shall be regulated through the final design of the SWM facility and subject to the above noted condition of approval.

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Privacy Area Per Unit

The applicant has requested a reduction to the depth of the privacy area per townhouse unit from 4.5 m to 3.5 m and eliminated this requirement for maisonette (back-to-back) dwelling units.

In review, the proposed reduction will maintain sufficient depth and area for private amenity area for individual townhouse units with an overall rear yard of 6.0 m, while eliminating this requirement for maisonettes, as it is a function of the built form being back-to-back townhouse units. In addition, the proposed Draft Plan of Subdivision includes a Neighbourhood Park within walking distance to the east and is therefore supportable.

Minimum Landscape Open Space

The applicant has requested a reduction to the minimum landscape open space from 50% of the lot area to 20% of the lot area, whereby landscape strips shall not be required between any privacy area and any lot line, and / or for any portion of any lot that abuts a street.

In review, staff note that sufficient yards will be maintained, being an approximate 5.0 m front yard and 7.0 m rear yard. Furthermore, as per the above, a minimum privacy area with a depth of 3.5 m shall be provided for each unit, in addition to the fact that the subject lands are in proximity to the proposed Neighbourhood Park.

Minimum Parking Requirements:

The applicant proposes to reduce the required parking from 2.5 spaces per maisonette or townhouse dwelling unit to 2.25 spaces per maisonette or townhouse unit, which includes the visitors parking components. In addition, the applicant has requested to maintain the permission for tandem non-visitors parking.

In review, staff are of the opinion that the proposed reduction is minor in nature and supportable as adequate parking will be available for the development at a ratio of 2.25 parking spaces per unit, being a reduction from 600 spaces to 540 spaces.

It is further noted that upon ultimate build-out of this block with additional lands owned by the applicant as per Appendix “F” to Report PED16072, the applicant conceptually identifies 2.65 spaces per unit will be provided. Based on the foregoing, staff support the requested modification.

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Minimum Parking Space Dimensions:

The applicant has requested a reduction in the width of parking space dimensions from 2.75 m by 5.8 m long to 2.6 m wide by 5.5 m long. Additionally, the length of barrier free parking spaces is also to be reduced from 5.8 m long to 5.5 m long, while maintaining the 4.4 m parking stall width.

In review, staff note that this width represents the new City standard as established by Zoning By-law No. 05-200 and is therefore supportable.

Setbacks for Parking Areas:

The applicant has requested that parking areas be permitted no closer than 2.75 m from a dwelling unit on the same lot and that future property and / or unit boundaries created through a *Condominium Act* or *Planning Act* application shall not be subject to this zoning requirement.

The proposed setback retains sufficient setback of parking areas to dwelling units on the same lot thereby minimizing any nuisance effects and this development is further subject to Site Plan Control where enhance landscaping can be incorporated to help buffer the parking area from dwelling units. Staff therefore support the requested modification.

Yard Encroachments

The applicant has requested establishing permitted encroachments for covered porches, bay windows and stairways.

In particular, covered porches may encroach into a front yard a distance of not more than 3.0 m and 1.8 m into a flankage yard. Bay windows either with or without foundations may project into any required front, rear and / or flankage yards a distance of not more than 0.9 m. Finally, stairs may project into a required front yard a distance of not more than 3.5 m.

The proposed yard encroachments are to facilitate the proposed house designs. Sufficient setbacks will be maintained for servicing and maintenance purposes while also establishing a consistent streetscape, and is therefore supportable.

Multiple Residential “RM3-57” Zone (Block 8)

The applicant has requested modifications to: minimum front yard setback; side yard setback; minimum distance between buildings on the same lot / block; minimum landscape open space; minimum required parking; minimum parking

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space dimensions and separation distances; and, increases in maximum density; maximum building height; and, maximum lot coverage.

Minimum Front Yard for an Apartment Building

The applicant has requested a reduction in front yard setback from 7.5 m to 6.0 m.

In review, staff note that the proposed yard is consistent with future development along Highland Road West, as it is adjacent to a stormwater management pond and consistent with the setbacks for the industrial lands to the west zoned “Prestige Business Park” (M3) Zone, which require a minimum 6.0 m front yard setback. Based on the foregoing, staff support the requested amendment.

Minimum Side Yard for an Apartment Building

The applicant proposes to remove the requirements for a setback of half the height of the building and the requirement for 9.0 m from an abutting single detached and / or semi-detached residential zone.

In review, staff note that there are no single detached residential and / or semi-detached residential zones abutting the subject development block, and the removal of this zoning requirement is therefore supportable.

With respect to building height, the Official Plan and proposed amending By-law shall permit up to six storeys or 24 m, which would therefore require a minimum setback of 12 m under the existing provision. Therefore, the requested side yard reduction would be from 12 m to 6.0 m. The purpose of this regulation is to provide a 45 degree angular plane to avoid issues of overlook, shadowing, etc., on adjacent residential properties.

The side yards abut the future Upper Red Hill Valley Parkway (to the west) or the stormwater management pond (to the south and east). Accordingly, the proposed reduction would have minimal impact on adjacent development and would maintain sufficient setback for servicing purposes while maintaining an appropriate streetscape and is compatible with the adjacent stormwater management pond.

Staff therefore support the requested modification.

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Minimum Rear Yard for an Apartment Building

The applicant has requested a reduction to the minimum rear yard for an apartment building from the required 15.0 m to 6.0 m.

In review, staff note that the subject development block would back onto the eco-passage (multi-use) corridor as shown as Block 109 of Appendix “F” to Report PED16072. Accordingly, as the proposed reduction will have minimal impact on existing and / or planned development, staff support the requested modification.

Minimum Distance Between Buildings on the Same Lot

The applicant has requested modifications to the minimum distance between buildings on the same lot based on the limits of each individual multiple dwelling, in particular:

- To reduce the distance between front walls from 15 m to 12 m; and,
- To reduce the distance between rear walls from 9.0 m to 7.0 m.

Of note, the minimum required distance of 3.0 m between end walls is to be maintained.

In review, the proposed modifications facilitate the envisioned compact development allowing for greater intensification, while maintaining sufficient separation between buildings for amenity, privacy and servicing purposes, and therefore supportable.

Maximum Density:

The applicant has requested an increase to the maximum density to 100 units per net residential hectare. Staff support the increase in density as it maintains the envisioned density and number of units for the “Medium Density Residential 3” designation, in accordance with the policies of the Trinity West Secondary Plan, where sufficient transportation capacity and full municipal services are available.

Maximum Building Height

The applicant has requested an increase in building height from 11.0 m to 24.0 m or six storeys for an Apartment Building.

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In review, the UHOP permits up to six storeys for medium density residential developments. The proposed increase in height will not adversely affect planned abutting development as it is consistent with a six storey built form while providing a transition through the adjacent proposed street townhouses to the existing and proposed single detached residential lots to the east. Based on the foregoing, staff support the requested modification.

Maximum Lot Coverage

The applicant proposes to remove the lot coverage requirement for the development of Townhouses or Maisonettes, while proposing an increase to the lot coverage from 35% to 50% for Apartment Buildings.

In review, a 50% maximum lot coverage is common for Apartment Dwelling built forms, and sufficient area will remain available for on-site parking, servicing and amenity purposes. Of further note, the subject lands are also in close proximity to the proposed Neighbourhood Park thereby offsetting the proposed increase in lot coverage.

Lastly, staff note that Condition No. 25(iv) of Appendix “E” to Report PED16072 regulates that development not occur until final design of the SWM facility on Block 110, has also been approved and implemented.

Based on the foregoing, staff support the requested modification.

Minimum Landscape Open Space

The applicant has requested a reduction to the minimum landscape open space from 50% of the lot area to 20% of the lot area, whereby a minimum 6.0 m landscape strip shall be maintained adjacent to any portion of the lot or block which abuts a street except for points of ingress and egress.

In review, staff note that sufficient yards will be maintained, and as per the above, a minimum privacy area with a depth of 3.5 m shall be provided for each Townhouse or Maisonette unit, in addition to the proximity of the subject lands to the proposed Neighbourhood Park.

With respect to Apartment Buildings, adequate open space will be maintained for servicing and amenity purposes, while also ensuring landscaping adjacent to a street to provide a streetscape for this particular built form, and will be within close proximity to the Neighbourhood Park. Based on the foregoing, staff are of the opinion that the proposed modifications are supportable.

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Minimum Parking Requirements:

The applicant has requested a reduction in parking to a minimum of 1.25 parking spaces, being a total of 495 spaces instead of the required 708 spaces, and which shall include the visitors parking component, for any unit type.

Of note, the applicant proposes 100 one-bedroom units and 296 two-bedroom units. Accordingly, the By-law requires 1.25 parking spaces and 0.35 visitors spaces for each one bedroom dwelling unit and 1.5 parking spaces and 0.35 visitors spaces for each two bedroom dwelling unit, totalling 708 required parking spaces, whereas the applicant proposes a parking ratio of 1.25 spaces per unit, being 495 total parking spaces.

In review, staff note that the proposed 1.25 spaces per unit for Apartment building built-forms has been supported in other developments within the City of Stoney Creek, such as 101 Shoreview Place, within the Green Millen Shores Registered Plan of Subdivision, 62M-1211, and is common for such built-forms.

Furthermore, the proposed rates are consistent with other Zoning By-laws in the City. The proposal also achieves a greater parking rate than the City of Hamilton's Consolidated Zoning By-law No. 05-200, which requires for areas outside of Downtown Zones 1.0 space per multiple dwelling unit over 50 sq m in gross floor area, and 0.3 spaces per multiple dwelling unit under 50 sq m. The City of Hamilton Zoning By-law No. 05-200 does not include provisions for visitor parking, for multiple dwellings.

Moreover, the applicant will be required to implement Transportation Demand Management (TDM) measures through the future Site Plan Control process, which will introduce alternative modes of travel, and consequently reduce the demand for parking. In addition, the development is serviced by HSR Route #44 – Rymal and within walking distance of Route #22 – Upper Ottawa.

Lastly, staff note that due to the geology of the subject lands, opportunities for underground parking are limited. Based on the foregoing, staff support the requested modification.

Minimum Parking Space Dimensions:

The applicant has requested a reduction in the width of parking space dimensions from 2.75 m by 5.8 m to 2.6 m by 5.5 m. In addition, the applicant has also requested a reduction of the length of barrier free parking spaces from 5.8 m to 5.5 m.

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In review, staff note that this width represents the new City standard as established by Zoning By-law No. 05-200 and is therefore supportable.

Setbacks for Parking Areas:

The applicant has requested that parking areas be permitted no closer than 2.75 m from a dwelling unit on the same lot and that future property and / or unit boundaries created through a *Condominium Act* or *Planning Act* application shall not be subject to this zoning requirement.

The proposed setback retains sufficient setback of parking areas to dwelling units on the same lot, minimizing any nuisance effects and this development is further subject to Site Plan Control where enhance landscaping can be incorporated to help buffer the parking area from dwelling units. Staff therefore support the requested modification.

Mixed Use Commercial - Holding “MUC-9(H)” Zone (Blocks 9 and 10)

The owner / applicant had originally requested an amendment to the General Commercial Zone. Upon review by staff, it was determined that the Mixed Use Commercial Zone would be more appropriate as it already captures the majority of elements required by the UHOP, being minimum amenity area and parking separation for mixed use developments.

Notwithstanding, modifications have been included with respect to prohibited uses as per the policies of the UHOP, along with additional permitted uses and a reduction to maximum permitted building height.

Permitted Uses

As per the policies of the UHOP, Policy Section E.4.6.5(f) of Volume 1, multiple dwellings are permitted within the “Mixed Use – Medium Density” designation; therefore, staff support the inclusion of additional multiple dwellings built forms, in particular:

- Maisonettes; and,
- Townhouses.

Prohibited Uses

As per the policies of the UHOP, being Policy Section E.4.6.6 of Volume 1, staff support and have included a modification to prohibit the following uses:

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- drive-through facilities;
- gas bars and car washes;
- vehicular service station as a primary use;
- vehicle dealerships;
- garden centres as a primary use;
- hospital; and,
- hotels.

Regulations for Maisonette and / or Townhouses

The applicant has requested the application of the Maisonette and Townhouse provisions of the proposed Residential Multiple “RM3-56” Zone, Modified. As analysed above, the proposed modifications are supportable.

Maximum Building Height

As per the policies of the UHOP, staff support and have included a modification to reduce to the maximum building height from 20 m to 16.5 m or four storeys.

Holding Provision

Staff have included and support the following “H” Holding Provision to ensure compliance with Policy B.7.7.4.1(d), of Volume 2 of the UHOP. The Holding Provision states:

“That the subject lands not be developed until such time as they have been consolidated with adjacent lands to a minimum 1,500 square metres or until such time as the owner / applicant has applied for and received final approval of a Site Plan Control application demonstrating a viable development, to the satisfaction of the Director of Planning and Chief Planner.”

To facilitate the remainder of the Draft Plan of Subdivision, lands are to be added to City of Hamilton By-law No. 05-200 and zoned as per the below.

City of Hamilton Zoning By-law No. 05-200

Open Space (P4) Zone (Block 11)

In order to facilitate the accommodation of the Hamilton Conservation Authority’s request for an eco-passage (multi-use) corridor, these lands are to be added to Zoning By-law No. 05-200 and zoned Open Space (P4) Zone providing for recreational and open space uses.

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Notwithstanding, the owner / applicant has been advised that only the east mountain trail portion of the eco-passage (multi-use) corridor shall be eligible for parkland dedication purposes.

Conservation/Hazard Land (P5) Zone (Block 12)

In order to facilitate the proposed development, an increase to the limits of the identified stormwater management pond is proposed. The existing natural open space area (Wetland) is to be replicated on the Hamilton Conservation Authority lands on the east side of Upper Mount Albion Road, allowing for the expansion of the Stormwater Management Facility.

Accordingly, the lands that comprise the stormwater management pond are to be added to City of Hamilton Zoning By-law No. 05-200, and zoned as Conservation/Hazard Land (P5) Zone.

Staff support the modification as it maintains the intent and purpose of the Trinity West Secondary Plan, while also accommodating the requests of the Hamilton Conservation Authority for an eco-passage (multi-use) corridor.

Neighbourhood Park (P1) Zone (Block 13)

As identified within the Trinity West Secondary Plan, a Neighbourhood Park of 1.95 hectares is proposed adjacent to Upper Mount Albion Road.

In review, as per Policy B.3.5.3.4(b) of Volume 1, “Neighbourhood Parks primarily cater to the recreational needs and interests of the residents living within its general vicinity. Residents can easily walk or bike to these parks.

Neighbourhood Parks are generally comprised of municipal parkland, containing a mixture of passive areas, sports facilities, informal and formal play areas, and may include natural areas. They serve a population of approximately 5,000 people and have a minimum size of approximately 2 hectares.”

Accordingly, the lands proposed for parkland purposes are to be added to City of Hamilton Zoning By-law No. 05-200 and zoned as Neighbourhood Park (P1) Zone. Staff support the amendment as it implements the Trinity West Secondary Plan.

5. Engineering Details:

Draft Plan of Subdivision 25T-201401

These comments are based on the draft plan prepared by Webb Planning Consultants dated January 7, 2014, with the latest revision date of January 8, 2016.

The City requires that the channel provide an adequate freeboard and recommends that the channel be relocated southerly to provide for a maintenance access including a turnaround along the north limit of Block 109 adjacent to Block 105. In the event, the channel is not relocated the City will require a minimum 6m easement in favour of the City along the south limit of Block 105, for maintenance purposes. These matters have been addressed through Conditions “23”; “24”; and, “28” of Appendix “E” to Report PED16072.

The subject lands must be developed under a satisfactory plan of subdivision.

We require the Owner to provide more detail for the concept plan for the lands located south of Street “F” to ensure orderly and comprehensive development of the neighbourhood.

Due to the importance of providing adequate parking for the development, the City requires that the Owner provide an updated parking plan showing that the minimum 40% parking requirement has been met, prior to draft plan approval, as per Condition “52” of Appendix “E” to Report PED160172.

General Information

Water

Existing watermains adjacent to the subject lands include a 400mm diameter watermain on Highland Road, a 400mm diameter watermain on Rymal Road East and a 300mm diameter watermain on Upper Mount Albion Road extending 520m northerly from Rymal Road East.

On Upper Mount Albion Road the watermain should be extended from the existing terminal end on Upper Mount Albion Road to the existing watermain on Highland Road West. A looping network is required through road allowance / easement in accordance with the City’s design criteria and as required by Condition “38” of Appendix “E” to Report PED16072.

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The Owner will be responsible for 100% of the total cost of watermain from Highland Road West to Street 'A', which is addressed by Condition "37" of Appendix "E" to Report PED16072.

Static pressures at the street lines are on average in the range of 78-80 psi on Upper Mount Albion Road and 90-92 psi on Highland Road West.

A monitoring program will be required to assess any local impacts on the groundwater during and post construction to ensure the development is not negatively affecting the environment. Also, a program to mitigate any adverse impacts needs to be implemented if encountered. This has been addressed under Conditions "30" and "31" of Appendix "E" to Report PED16072.

Wastewater

Highland Road West: The existing sanitary outlet is located 160m west of Winterberry Drive and approx. 80m north of Highland Road West. The lands are serviceable by the extension of the sanitary sewer from the existing outlet, along Highland Road West to Upper Mount Albion Road.

The Owner will be required to install sanitary sewer along the frontage of this property abutting Highland Road from Upper Mount Albion to the Trinity Church Extension as per Condition "37" of Appendix "E" to Report PED16072.

Rymal Road East: A 750mm sanitary trunk sewer is available from the proposed Trinity Road Extension easterly to Dakota Boulevard/Upper Mount Albion Road. Lands fronting directly onto Rymal Road are serviceable by the existing sanitary sewer. There is adequate capacity in this system for servicing up to 10 to 20% +/- of the Trinity West lands that front onto Rymal Road East. The Owner shall pay any outstanding servicing costs when Block 107 is developed, as per Condition "55" of Appendix "E" to Report PED16072.

There are currently no sanitary sewers on Upper Mount Albion Road. Therefore Lots 1, 2, 3 and 4 are to remain undevelopable until sanitary sewers are available. This has been addressed under Condition "22" of Appendix "E" to Report PED16072.

The proposed sanitary sewer on Street 'A' must be designed to accommodate the drainage of the external lands, identified as 25T-201402, west of the Trinity Church Extension.

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Storm Drainage and Stormwater Management

Given that the proposed stormwater management facility is being constructed in the location of an existing wetland, it is anticipated that significant groundwater could be encountered. As such, the City deems it appropriate that the Applicant shall obtain a Permit to Take Water (PTTW) from the Ministry of the Environment as a condition of development prior to pre-grading.

Minor flows will be collected and conveyed by the proposed storm sewer system designed to accommodate the 5yr storm event. Major flows will be conveyed through the road network. Both the major and minor system storm will outlet into a SWM facility located at the southwest corner of Highland Road West and Upper Mount Albion Road.

The SWM facility will ultimately outlet to the 2250mm storm sewer approximately 160m west of Winterberry Drive and approximately 85 north of Highland Road West. However, an extension will be required along Highland Road West from the existing outlet to the proposed SWM facility.

There are currently no storm sewers on Upper Mount Albion Road, Rymal Road East or Highland Road West abutting the subject lands.

A culvert must be constructed on Upper Mount Albion Road to convey the existing creek, and to maintain flow to the wetland, in accordance with Condition “38” of Appendix “E” to Report PED16072.

The Owner shall apply for and secure a Permit To Take Water and an Environmental Compliance Approval (ECA) from the Ministry of the Environment and Climate Change, for the construction and operation of a stormwater management facility for the purpose of providing water quantity / quality control, if the required dewatering exceeds Ministry of the Environment and Climate Change standards.

During the detailed design, storm drainage boundaries will require refinement. Drainage areas to rear yard catch basins should not include drainage from the front of the lots and roadway.

A detailed analysis will be required to demonstrate that runoff from the rear lots can be captured and conveyed by each private rear yard catch basin to the municipal storm sewer with minimal ponding over the grate. The hydraulic analysis shall be performed using an inlet capacity that is reduced by at least 50% or greater if warranted by the design engineer taking responsibility.

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The medium density Block 104 must be designed and graded to drain independently from the adjacent freehold townhouses identified as Blocks 97 to 103 inclusive.

Roadways

The existing width of Highland Road West adjacent to the subject lands is 66 ft (20.12m). The ultimate right of way width is 86 ft (26.21m) requiring a 3.0m road widening to be dedicated along the south side adjacent to the subject lands. Therefore, the final plan of subdivision shall identify a separate block that shall be dedicated to the City of Hamilton for road widening purposes, as per Condition “19” of Appendix “E” to Report PED16072.

Currently Highland Road West has a rural cross section. The Owner will be required to urbanize, at his expense, Highland Road West from Upper Mount Albion Drive to the Trinity Church Road Extension including any necessary intersection improvements.

With respect to Highland Road West urbanization between Upper Mount Albion Road and the Trinity Church Extension the City will require verification that the Owner has entered into a cost sharing agreement with the landowner of #512 Highland Road West (Heritage Highland Corporation). This has been addressed under Condition “37” of Appendix “E” to Report PED16072.

The existing width of Rymal Road East adjacent to the subject lands is approximately 33.0m. The ultimate right of way width is 120 ft. (36.576m) requiring a 3.0m road widening to be dedicated on the north side. Therefore, the final plan of subdivision shall identify a separate block that shall be dedicated to the City of Hamilton for road widening purposes, as per Conditions “18” and “20” of Appendix “E” to Report PED16072.

The existing width of Upper Mount Albion Road adjacent to the subject lands is 66 ft (20m). However, the ultimate right of way width is 86 ft (26.21m) requiring a 3.0m road widening to be dedicated on the east and west sides from Highland Road West to the proposed Street ‘A’. Therefore, the final plan of subdivision shall identify a separate block that shall be dedicated to the City of Hamilton for road widening purposes, as per Condition 19 of Appendix “E” to Report PED16072.

Upper Mount Albion Road is a rural cross section but will be upgraded to a full urban cross section. The Owner will be required to urbanize Upper Mount Albion Road from Highland Road West to the southerly limits at Rymal Road East.

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Currently the road terminates in a cul-de-sac. This has been addressed as per Condition “38” of Appendix “E” to Report PED16072.

The cul-de-sac needs to be temporarily eliminated providing access from the south end of Upper Mount Albion Road while the northerly portion is being urbanized. The permanent cul-de-sac will be constructed in accordance with the City’s design criteria, in conjunction with the urbanization of Upper Mount Albion Road. The Owner shall urbanize the section of Upper Mount Albion from Highland Road West to Street “A” at his expense and the City will cost share for the remaining length of roadway to Rymal Road East in accordance with the City’s financial policy and approved budget. This has been addressed as per Condition “38” of Appendix “E” to Report PED16072.

Sidewalks will be constructed on both sides of the street, on all municipal roads according to City of Hamilton sidewalk policies. On Street ‘A’, sidewalks will be installed along the south side of the street. Along the north side of Street “A” the sidewalk will be integrated with the multi-use pathway within the open space corridor. This has been addressed under Condition “33” of Appendix “E” to Report PED16072.

The centerline of Street ‘A’ of the subject lands east of the Trinity Church extension must align with the centerline of the street west of the Trinity Church Extension.

In addition to the proposed access to Block 104 from Street ‘C’ we recommend that a second access be included at the southern limit of Block 104.

Cost Sharing

In accordance with City financial policies, the City of Hamilton will share costs as follows:

1. The City will cost share with the owner for the stormwater management facility (land & construction), in accordance with the City’s Development Charge Policy for quality and quantity ponds. The City will not cost share for SWM frontages along Highland Road, Upper Mount Albion Road and for the Channel works and upsized culvert on Upper Mount Albion Road.
2. The City will not pay for the component of the SWM facility land and construction costs attributed to the development of (i) the area identified “Potential Commercial Development Fronting Rymal Road” External Drainage Area EX2, and (ii) Heritage Highlands Commercial development identified as External Drainage Area EX3.

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3. The City will not cost share for any pipe conveying over a 5 year storm or for oversizing of the 100 year pipe from Street “A” to the pond.
4. There is City share for the urbanization of Upper Mount Albion Road from Street “A” to the southerly limit, terminating in a permanent cul-de-sac.
5. There is City share for oversizing in accordance with the City’s financial policy.

Functional Servicing Report, Stormwater Management Report

These comments are based on the revised Functional Servicing Report by S.Llewellyn & Associates Ltd. dated August 2015, revised Stormwater Management Report by S. Llewellyn & Associates Ltd. dated August 2015. The Owner agrees to update the FSR within 90 days of draft plan approval.

Water

There appears to be a discrepancy between the number of residential units in Section 2 FSR (1,107) and the number of units recorded in Appendix A of the Preliminary Hydraulic Analysis (1,173). The number of units needs to be clarified. The FSR makes reference to potentially 5 commercial buildings which have not been included in the scope of the PWHA. These need to be included for future development and to ensure that the water distribution network is properly sized for Form 1 application approval.

The second paragraph of Section 4.3 in the FSR should clearly indicate that the hydraulic analysis, performed at pressure district (PD7) level, is based on the Average Day, Maximum Day plus Fire Flow and Peak hour scenarios under 2011 and 2011 demand conditions.

While the General Services Plan (Drawing GS-1) indicates mixed use for Blocks 106 and 107 the PWHA has not included these blocks within the scope. Details of the intended use and occupancy along with water demands and Required Fire Flow (RFF) for the proposed buildings on these blocks needs to be provided and accounted for in the hydraulic analysis.

The Watermain Hydraulic Analysis report shall demonstrate that the model constructed and calibrated by WSP can be reliably used to simulate flows and pressures in the general area of the subject development and that the boundary conditions and modelling assumptions reflect the actual physical configuration & hydraulic conditions and standard operating procedures of the closed pressure district (PD7) system.

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The proponent must reconsider construction type and separation distances for the proposed dwellings and consider installation of additional fire walls to enable adequate water servicing. Narrow separation distances (i.e. less than 3.0m) and the wood frame type of construction proposed for many of these dwellings trigger the applicability of 'Note D' of the "Water Supply for Public Fire Protection", 1999 Fire Underwriters Survey (FUS). This note requires that "Wood frame structures separated by less than 3 metres shall be considered as one fire area" and its application may lead to potentially very large Required Fire Flows (RFF) that might not be satisfied by the water distribution system under the existing and proposed configurations.

Any assumptions made for the approval process will become a commitment that will be tracked and evaluated at the Building Permit stage. Proposal that exceed the commitment will void the approval requiring a new approval.

To facilitate filing and internal circulation, electronic copies of the revised documents should be provided along with signed and sealed originals.

Wastewater

Sanitary Drainage Area Plan – SAN D-2: We require the external drainage area to the west of the Trinity Church Extension including 601 Pritchard Road to be clearly indicated on the drainage plan. The Sanitary Sewer Design Sheet incorrectly indicates a 300 mm diameter sanitary sewer between MH25A to 1A which is inconsistent with the diameter (250mm) indicated on the Sanitary Drainage Area Plan.

Storm Drainage – Stormwater Management

Section 4.0.2 (Potential Commercial Development). While the stormwater management analysis carried out does include the lands from future commercial development, there is no documentation of how Spring 3 will be maintained.

It is understood that discharge from the spring is to be maintained and directed to the roadside ditch along the east side of the future Trinity Church Extension; ultimately discharging to the watercourse provided through the eco-corridor and relocated wetland.

If any portion of these lands are to discharge through the communal stormwater management facility, then the report should include a separate section to identify the specific on-site requirements to facilitate development.

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Any portion of the land designated as Potential Commercial Development that discharges via the communal stormwater management pond will not benefit from Development Charges as a result of the pond construction; stormwater management infrastructure to facilitate the development of Institutional-Commercial-Industrial (ICI) lands will be constructed at the owner's expense.

Section 4.2 (Minor and Major System). The City's policy for storm sewer sizing for the conveyance of minor flows is the 5-Year storm event; the proposal to use a 10-Year storm is contrary to the City's design criteria. There is a discrepancy between the statement made and the calculations within Appendix C, as the storm sewer sizing sheets indicate pipes have been sized using the 5-Year design storm criteria. Please clarify this discrepancy.

Further discussion regarding the sizing criteria proposed by the engineering consultant is required with the City.

Section 4.3 (Westland Enhancements). Please fix Figure number reference for the conceptual design of the open space corridor.

A copy of the proposed draft plan shall be appended to the SWM report.

Functional Design-SWM

We note the following deficiencies in the design of the facility that will have to be addressed at the detailed design stage. Please note that some of the deficiencies may result in the need for a larger footprint.

- The maintenance access to the forebay should terminate at the inlet structure;
- The maintenance access to the main cell should terminate at the outlet structure;
- The inlet for the external lands ("Heritage Highlands") shall be directed to the forebay, direct connections are not permitted to the main cell of the stormwater management facility. A connection to the main cell may be achieved by extending a pipe along the common property line of Block 110 and Block 105;
- The slope of the sediment drying area is less than 2%;
- A gravity drawdown pipe with a gate valve shall be provided to facilitate maintenance requirements; and,

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- A gate valve shall be provided on the outlet control structure in order for the City to isolate the SWM facility in the event of an emergency.

The storm sewer for Highland Road and Upper Mount Albion Road appears to be incomplete as pipe sizes and percent-gradient values were not assigned on the storm drainage plan (STM D-1).

The Owner will demonstrate that the storm sewer within Upper Mount Albion Road is not in conflict with the proposed culvert crossing.

The drainage boundaries for the external drainage areas No.1 and No.5 have not been illustrated. It is unclear as to how drainage from the associated external properties (#1825 through #1847) has been accounted for in the functional design. The following issues require addressing:

- Allowances shall be made in the minor storm sewer system to accommodate 100-Year conveyance from External Areas 1 & 5;
- The Functional Design does not demonstrate how runoff from the 100 Year storm event will be captured from the external areas;
- If a pipe is to be extended beyond the City's right-of-way for the purpose of providing conveyance from private lands, external to the site development, then appropriate easements shall be provided; and,
- The design of the conveyance systems shall ensure that there are no impacts to the private lands, beyond the existing condition.

Lot Grading/Drainage

A monitoring program will be required to assess any local impacts on the groundwater during and post construction to ensure the development is not negatively affecting the environment. Also, a program to mitigate any adverse impacts needs to be implemented if encountered.

The proposed grading design is not in compliance with the City's Lot Grading Policy for Block 94, Block 97, Block 98, Block 100, Block 101, Block 102, Block 103 – The rear yard catch basin collects more than four (4) properties from any one side of the catch basin.

It is not clear as to how Block 104 will be drained, as no functional design information was provided. Please be advised that Block 104 shall be independently drained, and shall not rely on the rear yard catch basins of the adjacent freehold Blocks. We are not able to confirm where the major overland

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flow for the 5.87 Ha of land will outlet and whether those flows can be conveyed to an adequate outlet.

The City requires an alternative design for the grading along the rear yards of units within Block 81 to avoid the construction of the proposed retaining walls.

The following major overland flow routes are not acceptable to the City:

- i. Block 97 to Block 101 (servicing 38 Lots);
- ii. Block 102 to Block 103 (servicing 15 lots); and,
- iii. Block 92 to Block 96 (servicing 49 lots).

The Rear Yard Catch Basin (RYCB) for Lot 23, does not have a major overland flow route to the municipal road allowance – ponding on the RYCB will impact the neighbouring property outside the development limit.

RYCB for Lot 16, does not have a major overland flow route to the municipal road allowance – ponding on the RYCB will impact the neighbouring property outside the development limit.

RYCB for Lot 5, does not have a major overland flow route to the municipal road allowance – ponding on the RYCB will impact the neighbouring property outside the development limit.

RYCB located on Block 79, does not have a major overland flow route to the municipal road allowance – ponding on the RYCB will impact the neighbouring property outside the development limit.

RYCB located on Block 80, does not have a major overland flow route to the municipal road allowance – ponding on the RYCB will impact the neighbouring property outside the development limit.

The RYCB's located on Block 82, do not have a major overland flow route to the municipal road allowance – ponding on the RYCB will impact the neighbouring property outside the development limit.

The proposed roadway connecting the subdivision to Rymal Road East impacts private property. The grading and roadway alignment impact properties # 1843, 1845 and 1847 Rymal Road East. The width of the owned portion of lands between the two external private properties (1847 Rymal Road East & 17 Upper Mount Albion Road) is 15 m (substantially less than what is required).

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The proposed channel should have a minimum of 0.3 m freeboard above the Regulatory storm event level.

A staging plan must be shown how the proposed wetland can be maintained if Multi-Area development cannot proceed.

Appendix C - Geotechnical Investigation by Soil-Mat February 28, 2014

According to the geotechnical report bedrock was encountered between depths of 1.2 to 6.2 metres below the surface. While the report does not mention method of excavation, either blasting or hoe ramming will be required. Due to the proximity of existing dwellings to the subject lands a pre-blast survey as well as on site monitoring will be required if blasting is used.

Roadways

The minimum grade allowed for a roadway with a right-of-way of 20m is 0.75%. Street "D" and Street "E" are not in compliance with the City's design requirements.

The maximum grade allowed at the intersection of Street "D" and Street "B" along Street "B" is 2.5% as per the City's design requirements.

General Services Plan GS-1: On the plan Street "E" from Rymal Road East to Street "D" is to be a 26.21 metre road allowance. The drawing depicts the right of way tapering to 20 metres at Street "D".

Also, there is an awkward transition at the north limit adjacent to Lot 5 and the south limit at the rear of #1843 to #1847 Rymal Road East. This configuration is not acceptable to the City. Lands will have to be acquired from the adjacent private landowners to establish a 26m Right of Way in accordance with the City's design criteria.

Parking Plan

The parking plan submitted with the FSR has been reviewed. The parking plan must be revised to ensure that the minimum 40% parking requirement is met, as per Condition "52" of Appendix "E" to Report PED16072.

6. To date, four public submissions and one submission representing thirteen property owners (of which include the four other submissions) have been received, identifying concerns regarding natural heritage; blasting and construction requirements; parking; cul-de-sac alignment; land use compatibility; construction start dates and completion dates of the dwellings and Upper Red

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Hill Valley Parkway; subsidized housing; and safety and security of open space areas (see Appendix "H" to Report PED16072).

Natural Heritage:

Concerns have been raised with respect to the development impact on natural heritage features and animals in the area.

As part of the submission, an Environmental Impact Statement (EIS), which included a Linkage Assessment was prepared by Renovo Watershed Sciences Inc. (January 2014). An updated Karst and Hydrogeological Assessment was also prepared by Terra Dynamics Consulting Inc. (January 2014). The proposed eco-passage (multi-use) corridor will provide linkages and is in proximity to the proposed neighbourhood park.

In review, Staff are satisfied that the proposal complies with the above and will satisfactorily address natural heritage conservation, subject to the inclusion of Conditions "4" - "9"; "15"; "36"; and, "66" - "76" of Appendix "E" to Report PED16072.

Blasting and Construction Requirements:

Concerns have been raised with respect to potential blasting for construction and the resultant dust and pollution as result of construction.

In review, any blasting would be subject to a pre-blast survey and requirements of section 2.6.1(j) of the City of Hamilton Development Engineering Guidelines and Financial Policies. Additionally, Conditions "45" to "47", inclusive, of Appendix "E" to Report PED16072.

With respect to construction impacts regarding dust and pollution, these items would be addressed under Section 3.06 "Street Maintenance / Cleaning Plan" of the Standard Form Subdivision Agreement.

In addition, a condition of approval for dust control and street cleaning, being Condition "35" of Appendix "E" to Report PED16072, further addresses this concern. Based on the foregoing, staff are of the opinion that the above concerns have been appropriately addressed.

Required Parking

Concerns have been raised with respect to the required parking for the development. Of note, only Block 105 proposes a parking reduction, all other

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development blocks and lots will maintain the required parking in accordance with the City of Stoney Creek Zoning By-law No. 3692-92.

In review of Block 105, the applicant proposes a parking requirement of 1.25 spaces per dwelling unit. Staff note that this standard has been supported in other developments within the City of Stoney Creek, such as 101 Shoreview Place, within the "Green Millen Shores" Registered Plan of Subdivision, 62M-1211, is common for such built-forms (6 storey apartments), and is located in proximity to HSR Route #44 – Rymal and Route #22 – Upper Ottawa.

Furthermore, the proposed rates are consistent with other Zoning By-laws in the City. The proposal also achieves a greater parking rate than the City of Hamilton's Consolidated Zoning By-law No. 05-200, which requires for areas outside of Downtown Zones 1.0 space per multiple dwelling unit over 50 sq m in gross floor area, and 0.3 spaces per multiple dwelling unit under 50 sq m. The City of Hamilton Zoning By-law No. 05-200 does not include provisions for visitor parking.

Moreover, the Applicant will be required to implement Transportation Demand Management (TDM) measures through the future Site Plan Control process, which will introduce alternative modes of travel, and consequently reduce the demand for parking. In addition, the development is serviced by HSR Route #44 – Rymal and within walking distance of Route #22 – Upper Ottawa.

Lastly, staff note that due to the geology of the subject lands, opportunities for underground parking are limited. Based on the foregoing, Staff support the requested modification.

In addition, this particular development block is also subject to a future Site Plan Control application whereby additional Transportation Demand Management Options will be implemented. Therefore, staff are therefore satisfied that adequate parking will be provided.

Cul-de-sac Alignment:

Concerns have been raised with respect to the proposed closure of Upper Mount Albion Road and the potential impacts on existing adjacent residential development.

In review, staff note that Upper Mount Albion has been closed and the proposed cul-de-sac completed. Notwithstanding, the proposed cul-de-sac does not impact existing adjacent residential development as the bulb design is off-set with the majority being within the adjacent Hamilton Conservation Authority Lands.

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Land Use Compatibility:

Concerns have been raised with respect to the number of units proposed behind the existing residences along Upper Mount Albion Road and the need for a buffer from the development.

In review, staff note that the proposal maintains the envisioned intent and purpose of the Trinity West Secondary Plan for low density residential behind the existing residence of Upper Mount Albion Road.

The rear yard to rear yard relationship between residential units is commonplace and does not trigger a need for buffering as the proposed heights are in keeping with the Secondary Plan and that of the existing residences. Higher density and building heights increase going westerly and are well separated from the existing residences. Based on the foregoing, staff are satisfied with the compatibility of the proposed development and the existing residences along Upper Mount Albion Road.

Construction start dates and completion dates of the dwellings:

Concerns have been raised as to the timing of construction and its completion.

In review, staff have no comment with respect to the proposed start and completion dates as this would be at the discretion of the owner / applicant to begin construction upon receipt of final approvals and the corresponding timelines of their contractors.

Notwithstanding, staff is aware of the variety of development applications in this area and will ensure co-ordination of construction works where possible and where appropriate, thereby minimizing impacts on existing development.

Construction start and completion of Upper Red Hill Valley Parkway:

Concerns have been raised with respect to the start and completion of the proposed Upper Red Hill Valley Parkway.

In review, since the receipt of this submission, the construction of the Upper Red Hill Valley Parkway has begun. It is anticipated to be completed by August of this year.

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Subsidized Housing:

Concerns were raised as to whether or not subsidized housing is proposed within the development.

Staff are have not been made aware of any intent for the residential units to be subsidized. The sale and marketing of residential units are of the discretion of the owner / applicant.

Safety and Security of Open Spaces:

Concerns have been raised with respect to open space areas and the use of them by neighbouring high school students and retail developments.

Staff are not aware of any supporting information or documentation that would substantiate this concern, or any empirical data with respect to the safety of open spaces and adjacent land uses and the corresponding demographics.

Notwithstanding, these concerns would substantiate and enforcement issue should they occur and would be subject to standard policing and enforcement.

ALTERNATIVES FOR CONSIDERATION

If the applications are denied, the applicant would be restricted to the use of the lands for which it was used on the date that this By-law was passed until such land has been rezoned by a By-law, as per the provisions of Section 7.1.1 “Scope” of the Neighbourhood Development “ND” Zone.

ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN

Strategic Priority #1

A Prosperous & Healthy Community

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

Strategic Objective

- 1.2 Continue to prioritize capital infrastructure projects to support managed growth and optimize community benefit.
- 1.4 Improve the City's transportation system to support multi-modal mobility and encourage inter-regional connections.

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1.5 Support the development and implementation of neighbourhood and City wide strategies that will improve the health and well-being of residents.

1.6 Enhance Overall Sustainability (financial, economic, social and environmental).

Strategic Priority #2

Valued & Sustainable Services

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

Strategic Priority #3

Leadership & Governance

WE work together to ensure we are a government that is respectful towards each other and that the community has confidence and trust in

APPENDICES AND SCHEDULES ATTACHED

- Appendix “A”: Location Map
- Appendix “B”: Urban Hamilton Official Plan Amendment
- Appendix “C”: Zoning By-law No. 3692-92 Amendment
- Appendix “D”: Zoning By-law No. 05-200 Amendment
- Appendix “E”: Draft Plan of Subdivision Special Conditions
- Appendix “F”: Draft Plan of Subdivision and Concept Plans
- Appendix “G”: Hamilton Conservation Authority Comments
- Appendix “H”: Public Submissions

:AC/YR