



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	September 20, 2016
SUBJECT/REPORT NO:	Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9)
WARD(S) AFFECTED:	Ward 9
PREPARED BY:	Robert Clackett Planner (905) 546-2424 Ext. 7856 Steve Robichaud Director of Planning and Chief Planner
SUBMITTED BY: SIGNATURE:	Jason Thorne General Manager Planning and Economic Development Department

RECOMMENDATION

- (a) That approval be given to **Zoning By-law Amendment Application ZAC-15-050 by 1322285 Ontario Ltd., Paul Silvestri, 1125920 Ontario Ltd., and Edward and Cheryl Babineau, Owners**, for changes in zoning from the Neighbourhood Development “ND” Zone to the Single Residential “R3-42” Zone, Modified (Block 1); and from the Single Residential “R1” Zone to the Single Residential “R3-42” Zone, Modified (Block 2) for the lands known as 316 Second Road West, 262 Eringate Court, 2079, 2081, 2083, 2085, and 2095 Rymal Road East, as shown on Appendix “A” to Report PED16181, on the following basis:
- (i) That the draft By-law, attached as Appendix “B” to Report PED16181, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9) - Page 2 of 33

- (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2014), conform to the Growth Plan for the Greater Golden Horseshoe (Places to Grow), and comply with the Urban Hamilton Official Plan;
- (b) That approval be given to **Draft Plan of Subdivision Application 25T-201509 by 1322285 Ontario Ltd., Paul Silvestri, 1125920 Ontario Ltd., and Edward and Cheryl Babineau, Owners,** to establish a Draft Plan of Subdivision known as “Eringate Court”, on lands known as 16 Second Road West, 262 Eringate Court, 2079, 2081, 2083, 2085, and 2095 Rymal Road East (Stoney Creek), as shown on Appendix “A” to Report PED16181, subject to the following conditions:
 - (i) That this approval apply to the Draft Plan of Subdivision “Eringate Court”, 25T-201509, prepared by A.T. McLaren Limited, and certified by Dan McLaren, O.L.S., dated September 8, 2015, showing: a maximum of 27 lots for single detached dwelling units (Lots 1 – 27); one block for a road widening (Block 28), and one proposed street, shown as “Eringate Court”, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions attached as Appendix “D” to Report PED16181;
 - (ii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 42 of the *Planning Act*, prior to the issuance of each building permit. The calculation for the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the day of issuance of each building permit;

With regards to lots 1 – 27 (Single Detached Residential) will require a parkland dedication rate of 5%;

All in accordance with the Financial Policies for Development and the City’s Parkland Dedication By-law, as approved by Council;
- (c) That upon finalization of the implementing zoning by-law and issuance of draft plan approval, that the Highland Neighbourhood Plan be amended to revise Eringate Court on the Neighbourhood Plan as per Appendix “C” of Report PED16181 by extending the required cul-de-sac and thereby modifying the proposed road network.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9) - Page 3 of 33

EXECUTIVE SUMMARY

The purpose of the subject applications is to amend the City of Stoney Creek Zoning By-law and for approval of a Draft Plan of Subdivision known as “Eringate Court” to permit the development of lands situated east of Second Road West, between Rymal Road East and Gatestone Drive, for residential purposes. The applicant is proposing to rezone the site from the Neighbourhood Development “ND” Zone to the Single Residential “R3-42” Zone, Modified; and from the Single Residential “R1” Zone to the Single Residential “R3-42” Zone, Modified to accommodate a maximum of 27 single detached dwelling units and the construction of Eringate Court.

The proposal has merit and can be supported since the applications are consistent with the Provincial Policy Statement (PPS), conform to the Growth Plan for the Greater Golden Horseshoe, and comply with the Urban Hamilton Official Plan (UHOP). The proposed development is considered to be compatible with, and complementary to, the existing and planned development in the immediate area and in keeping with the intent of the West Mountain Area (Heritage Green) Secondary Plan.

Alternatives for Consideration – See Page 32

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: There is no the City share for completion of the proposed works for the draft plan lands.

Staffing: N/A

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

HISTORICAL BACKGROUND

Proposal:

The subject lands are located east of Second Road West, between Rymal Road East and Gatestone Drive. The lands are legally described as Part of Lot 28, Concession 8 (Geographic Township of Saltfleet), and municipally known as 16 Second Road West,

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9) - Page 4 of 33

262 Eringate Court, 2079, 2081, 2083, 2085, and 2095 Rymal Road East (see location map attached as Appendix “A” to Report PED16181).

The submission includes a Zoning By-law Amendment and Draft Plan of Subdivision, comprised of 27 lots for single detached dwellings; one block for a road widening, and the construction of Eringate Court.

Zoning By-law Amendment:

The Zoning By-law Amendment application was submitted to rezone the lands, as shown on Appendix “C” to Report PED16181, from the Neighbourhood Development “ND” Zone; and the Single Residential “R1” Zone to the Single Residential “R3-42” Zone, Modified in the Stoney Creek Zoning By-law 3692-92.

The residential zone will contain site specific provisions reducing the minimum lot area in the Single Residential “R3” Zone from 370 sq m to 350 sq m to implement the proposed development and are described in greater detail in the Analysis and Rationale Section of this Report.

Plan of Subdivision:

The proposed Draft Plan of Subdivision (see Appendix “C” to Report PED16181) is intended to create:

- 27 single detached dwelling lots (Lots 1 - 27);
- 1 block for a road widening (Block 28); and,
- The extension of Eringate Court.

Access to the proposed development will be via Eringate Court, which provides access to Gatestone Drive, which connects to Second Road West. The total unit yield for this Draft Plan of Subdivision would be a maximum of 27 single detached dwellings.

Chronology:

September 8, 2015: Applications ZAC-15-050 and 25T-201509 received.

October 8, 2015: Applications ZAC-15-050 and 25T-201509 deemed to be complete.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9) - Page 5 of 33

October 19, 2015: Application circulated to the relevant departments and agencies.

October 23, 2015: Notice of Complete Application and Preliminary Circulation mailed to 85 property owners within 120 m of the subject lands.

November 2, 2015: Public Notice Sign posted on site.

August 24, 2016: Public Notice Sign updated to include date of Public Meeting.

September 2, 2016: Circulation of Notice of Public Meeting to 85 property owners within 120 m of the subject lands and all residents who provided written comments.

DETAILS OF SUBMITTED APPLICATIONS:

Location: Part of Lot 28, Concession 8 (Geographic Township of Saltfleet), municipally known as 16 Second Road West, 262 Eringate Court, 2079, 2081, 2083, 2085, and 2095 Rymal Road East, in the City of Stoney Creek (see Appendix “A” to Report PED16181)

Owners: 1322285 Ontario Ltd.

Paul Silvestri

1125920 Ontario Ltd.

Edward and Cheryl Babineau

Agent: James Webb
c/o WEBB Planning Consultants

Property Size: Lot Area: 1.9208 ha
Frontage: 152.48 m (Rymal Road East)
Depth: 128.787195 m

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9) - Page 6 of 33

Existing Land Use and Zoning:

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
Subject Land:	Vacant (Block 1)	Neighbourhood Development “ND” Zone
	Residential (Block 2)	Single Residential “R1” Zone
Surrounding Land:		
North:	Single Detached Dwellings	Single Residential “R1” Zone
		Single Residential “R2-44” Zone, Modified
South:	Street Townhouses	Multiple Residential “RM2-173” Zone, Modified
		Multiple Residential Holding “H-RM4-257” Zone, Modified
East:	Single Detached Dwellings	Single Residential “R1” Zone
		Single Residential “R3-28” Zone, Modified
		Single Residential “R3” Zone
West:	Single Detached Dwellings	Single Residential “R1” Zone

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Planning Policy Framework

The Provincial Planning Policy Framework is established through the *Planning Act* (Section 3), the Provincial Policy Statement (PPS 2014), the Growth Plan for the Greater Golden Horseshoe (the Growth Plan) and the Greenbelt Plan. The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the PPS. The *Places to Grow Act* and the *Greenbelt Act* require that all municipal land use decisions made under the *Planning Act* conform to the Growth Plan and the Greenbelt Plan.

The mechanism for the implementation of the Provincial plans and policies is through the Official Plan. Through the preparation, adoption and subsequent Ontario Municipal Board approval of the City of Hamilton Official Plans, the City of Hamilton has established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of provincial interest (e.g. efficiency of land use, balanced growth and environmental protection) are reviewed and discussed in the Official Plan analysis below.

Staff also note Cultural Heritage policies have not been updated within the UHOP in accordance with the PPS (2014). The following policy of the PPS (2014) also applies:

“2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.”

Staff note that the subject property meets four of the ten criteria used by the City of Hamilton and Ministry of Tourism, Culture and Sport for determining archaeological potential:

- 1) Within 250 m of known archaeological sites;
- 2) Within 300 m of a primary watercourse or permanent waterbody, 200 m of a secondary watercourse or seasonal waterbody, or 300 m of a prehistoric watercourse or permanent waterbody;
- 3) In the vicinity of distinctive or unusual landforms; and,
- 4) Along historic transportation routes.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9) - Page 8 of 33

A Stage 1-2 Archaeological Assessment (P017-0389-2015) for 16 Second Road West, 262 Eringate Court, 2079, 2081, 2083, 2085, and 2095 Rymal Road East was previously submitted and accepted by the Ministry of Tourism, Culture and Sport. Staff concurs with the recommendations made in this Report and consider the archaeological interests for the subject lands to have been met.

As the applications comply with the Official Plan, it is staff’s opinion that the applications are:

- consistent with Section 3 of the *Planning Act*;
- consistent with the Provincial Policy Statement (2014); and,
- conforms to the Growth Plan for the Greater Golden Horseshoe.

Urban Hamilton Official Plan (UHOP)

The subject lands are identified as “Secondary Corridor” on Schedule “E” – Urban Structure, designated as “Neighbourhoods” on Schedule “E-1” – Urban Land Use Designations in the UHOP, within the Built Boundary on Appendix “G” – Boundaries Map; “Low Density Residential 2b” in the West Mountain Area (Heritage Green) Secondary Plan of Volume 2; and Area Specific Policy “USC-1” of Volume 3. The following policies, amongst others, are applicable to the subject applications.

Built Form and Compatibility:

Areas designated “Neighbourhoods” shall function as complete communities that are compact, mixed-use, transit-supportive and include a full range of residential dwelling types and densities that are intended to serve local residents.

Also, as per Section E.3.2.3, uses permitted within the “Neighbourhoods” Designation shall include residential dwellings.

“E.3.2.3 The following uses shall be permitted on lands designated Neighbourhoods on Schedule E-1 – Urban Land Use Designations:

- a) residential dwellings, including second dwelling units and housing with supports;
- b) open space and parks;

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9) - Page 9 of 33

- c) local community facilities / services; and,
- d) local commercial uses.”

The proposed layout and form of development complies with the “Residential Uses – General Policies”, as well as the “Low Density” policies of Section E.3.3, being:

“E.3.3 Residential Uses – General Policies

- E.3.3.1** Lower density residential uses and building forms shall generally be located in the interiors of neighbourhood areas with higher density dwelling forms and supporting uses located on the periphery of neighbourhoods on or in close proximity to major or minor arterial roads.”

The proposed development is for single detached dwellings located within the interior of the neighbourhood, in close proximity to a major arterial road (Rymal Road East) thereby complying with the above noted policies. This built form is considered to be low density.

The following goals of the Neighbourhoods designation apply to the proposed applications:

- “E.3.1.1** Develop compact, mixed use, transit-supportive, and active transportation friendly neighbourhoods.
- E.3.1.4** Promote and support design which enhances and respects the character of existing neighbourhoods while at the same time allowing their ongoing evolution.
- E.3.1.5** Promote and support residential intensification of appropriate scale and in appropriate locations throughout the neighbourhoods.”

Staff are of the opinion that the proposed development, in conjunction with approved developments to the north of the subject lands (Shadyglen Phase 1 & 2), will function as a complete community in the West Mountain (Heritage Green) Area. The proposed residential use and building form is in keeping with density policy direction in the UHOP, and is compatible with the existing approved and future uses in the surrounding area.

- “E.3.4.1** The preferred location for low density residential uses is within the interior of neighbourhoods.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

E.3.4.2 Low density residential areas are characterized by lower profile, grade-oriented built forms that generally have direct access to each unit at grade.”

While the preferred location for low density residential uses is within the interior of neighbourhoods, as discussed in the Analysis and Rationale section of this Report, the application implements the general intent of the Neighbourhood Plan in terms of land use. The proposal is consistent with the remainder of the Low Density Residential policies of the UHOP.

“E.3.4.6 Development in areas dominated by low density residential uses shall be designed in accordance with the following criteria:

- a) Backlotting along public streets and in front of parks shall be discouraged. The City supports alternatives to backlotting, such as laneway housing and window streets, to promote improved streetscapes and public safety, where feasible.”

While the UHOP does not encourage backlotting, in this particular case there are some significant design constraints that preclude fronting of lots on Rymal Road East. Staff has explored a number of options including:

- lots with direct frontage to Rymal Road East, which would not be favourable as there are no municipal services along Rymal Road East; it would also not be appropriate to have individual driveway connections onto an Arterial Road as this design would conflict with Transportation policies found within the UHOP. This design would also result in reduced greenspace in front yards as each lot would have to incorporate hammer-head driveways or a window road to allow for vehicles to enter / exit the properties in a forward manner; and,
- hammer-head driveways or a window road would incur higher maintenance costs to the City. While a potential window street or hammer-head driveways are options that would allow for compliance with the Secondary Plan, they are land intensive and as such not efficient uses of private and public amenity space for such a relatively small parcel of land. This option would result in poor lotting design that would not be in keeping with the existing lotting fabric of the surrounding neighbourhood.

While the Secondary Plan promotes lotting onto Rymal Road East, transit supportive uses, and envisions mixed use developments, this section of Rymal Road is designated

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9) - Page 11 of 33

Low Density Residential 2b, permitting and promoting the proposed built form. No mixed uses are being proposed, making it unlikely that these lots would benefit from fronting onto this portion of Rymal Road. Instead, the proposed lotting pattern to extend Eringate Court and promote integration with the surrounding residential neighbourhood. This pattern will allow for the most efficient use of land within this small remnant parcel.

This proposal still maintains the intent of the Plan (specifically, the Secondary Plan) as it allows for the alignment and extension of Eringate Court, extending southerly from Gatestone Drive towards Rymal Road East and ending in a cul-de-sac. Furthermore, to achieve compatibility with the existing development surrounding the subject lands, backlotting along Rymal Road East is an efficient design while still maintaining the general intent of the Secondary Plan.

Finally, backlotting is also a reasonable solution based on the availability of the Eringate Court extension, the availability of planned municipal services within the road stub, and the compliance with the Secondary Plan and Neighbourhood Plan policies and layout. This issue is further discussed in the Analysis and Rationale Section of the Report.

On this basis, the proposal complies to the Secondary Plan policies as it is an efficient and compatible type of development in keeping with the permitted built form, size, and configuration of the land.

Noise

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

“B.3.6.3 Noise, vibration, and other emissions such as dust and odours from roads, airports, railway lines and stationary sources have the potential to negatively impact the quality of life of residents. The objective of the following policies is to protect residents from unacceptable levels of noise, vibration, and other emissions and to protect the operations of transportation facilities, commercial, and employment (industrial) uses.

B.3.6.3.1 Development of noise sensitive land uses, in the vicinity of provincial highways, parkways, minor or major arterial roads, collector roads, truck routes, railway lines, railway yards, airports, or other uses considered to be noise generators shall comply with all applicable provincial and municipal guidelines and standards.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9) - Page 12 of 33

B.3.6.3.2 Any required noise or vibration study shall be prepared by a qualified professional, preferably a professional engineer with experience in environmental acoustics, in accordance with recognized noise and vibration measurement and prediction techniques, to the satisfaction of the City, and in accordance with all applicable guidelines and standards.”

In regard to the above applicable policies, staff are satisfied that they will be addressed through an update to the noise study titled “Environmental Noise Assessment Report – Eringate Court, - City of Hamilton, Silvestri Investments”, prepared by S. Llewellyn & Associates Limited Consulting Engineers, dated July 2015 and the implementation of noise control measures (noise wall) (Condition No. 1 in Appendix “D” to Report PED16181).

Archaeology

With respect to archaeological concern, the UHOP identifies applicable policy under Section B.3.4.4.2:

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

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

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

A Stage 1-2 Archaeological Assessment (P017-0389-2015) for 16 Second Road West, 262 Eringate Court, 2079, 2081, 2083, 2085, and 2095 Rymal Road East was previously submitted and accepted by the Ministry of Tourism, Culture and Sport. Staff concurs with the recommendations made in this Report and consider the archaeological interest for the subject lands to have been met.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

Natural Heritage

Karst Features

The subject lands have been identified on Schedule B – Natural Heritage Systems as being in close proximity to a Core Area. Core Areas are the most important components of the Natural Heritage System in terms of biodiversity, productivity and ecological and hydrological functions. In this case, the Core Area has been identified as the Eramosa Karst Earth Science Area of Natural and Scientific Interest (ANSI).

Karst is a landscape commonly developed on limestone, characterized by sink holes, sinking streams, closed depressions, subterranean drainage and caves. The Eramosa Karst ANSI has been divided into various zones with different levels of protection. The specific zones are Karst Core Area (undeveloped area with a high density of significant karst features), Karst Development Area (an urban area where karst features have been impacted by development but remaining karst features are significant and worth preserving) and Karst Feeder Area (an area that includes all of the watershed for streams that contribute flow to the Karst Core Area). The subject properties are located within the Karst Feeder Area. As such, there are Site Specific policies within the UHOP which apply to Karst lands; and in particular, those lands impacted by the proposed development.

“USC-1 1.0 a) The Eramosa Karst Area of Natural and Scientific Interest (ANSI) has been divided into various zones, with different levels of protection. The Core Area includes the highest density of significant features and has been identified as a Core Area in the Natural Heritage System. The Feeder Area includes all of the watersheds for streams that contribute flow to the provincially significant karst systems in the Core Area. The Feeder Area provides water flows which are important to the continued functioning and development of the karst features within the Core Area.”

The subject lands are located within the Karst Feeder Area.

“USC-1 1.0 b) Notwithstanding Section C.2.0 – Natural Heritage System of Volume 1, the Feeder Area shall be afforded a level of protection to ensure that:

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9) - Page 14 of 33

- i) the flows of the creeks into the Core Area are substantially maintained (i.e. stream discharge including low flow and high flow characteristics and discharge response to runoff events);
 - ii) water quality is improved (i.e. primarily a reduction in sediment load); and,
 - iii) protective measures are employed to reduce the risk of contamination of surface streams by substances that would significantly impact groundwater and the karst.
- c) Notwithstanding Section C.2.0 – Natural Heritage System of Volume 1, no development shall occur within the Feeder Area unless it can be shown, through technical studies completed to the satisfaction of the City, the Province and the Conservation Authority, that these objectives shall be met. Individuals who review these studies must have expertise in environmental hydrology and geomorphology, and civil engineering.”

In order to address these policies, a Karst Assessment was prepared by Terra-Dynamics Consulting Inc., dated November 27, 2014 and submitted to the City and Hamilton Conservation Authority for review. The Assessment concluded that there are no Karst features present on the subject lands. Both Planning Development staff and Hamilton Conservation Authority staff are satisfied with this assessment and do not feel that any additional actions are required.

Tree Protection

Trees have been identified on the subject lands. These trees will be required to be removed to facilitate this development. As per Policy C.2.11.1 of the UHOP, “the City recognizes the importance of trees and woodlands to the health and quality of life in the community and encourages the protection and restoration of trees and forests.”

A General Vegetation Inventory (GVI) was submitted to ensure that the applicant considers the existing natural features and, where possible, incorporates them into the site design at an early stage to maximize tree preservation.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9) - Page 15 of 33

Within the GVI, two trees (#36 and #45 – Basswood) were identified as “moderate priority area”. Staff is satisfied with the approach to identify these trees since they represent a native species, are large size (60 cm and 35 cm DBH respectively) and are in fair to good condition. Furthermore, staff is satisfied with the approach that has been provided within the “Analysis” section of the GVI, requiring a Tree Protection Plan (TPP). As per Condition No. 3 of Appendix “D” to Report PED16181, a TPP will need to be submitted to implement these conclusions.

To ensure that existing tree cover is maintained, the City requires one for one compensation for any trees that are to be removed. Based on the inventory that has been provided, a total of 51 trees have been identified for removal. As a result, a Landscape Plan will be required to identify the location of these compensation trees (Condition No. 2 of Appendix “D” to Report PED16181).

The timing of any removal of trees must occur outside of local breeding seasons. However, in the event that vegetation removal is proposed during the restricted breeding period, the owner / applicant shall have a qualified biologist conduct a nest search of the vegetated area with City Natural Heritage Planning staff, prior to any work commencing. Accordingly, removal may occur if it is determined that active nests are not present in the proximity to the removal area, to the satisfaction of the Director of Planning and Chief Planner (Condition No. 4 in Appendix “D” to Report PED16181).

The proposal complies with Volumes 1 and 3 of the UHOP.

West Mountain Area (Heritage Green) Secondary Plan:

The subject lands are designated as “Low Density Residential 2b” on Map B.7.6-1 – West Mountain Area (Heritage Green) Secondary Plan Land Use Plan. The proposed Draft Plan of Subdivision proposes 27 single detached dwelling units of varying lot sizes, all of which comply with the policies of the Secondary Plan:

- “B.7.6.2.2 a) Low Density Residential 2b designation:
- i) the permitted uses shall include single detached dwellings, duplex and semi-detached dwellings; and,
 - ii) the density shall not exceed 29 units per net residential hectare.”

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9) - Page 16 of 33

The “Low Density Residential 2b” designation in the Secondary Plan identifies a maximum density of 29 units per net residential hectare (uph), which permits single detached dwellings, duplex and semi-detached dwelling units. In regard to this development, the proposed Draft Plan of Subdivision for single detached dwellings, in this designation, are calculated at 18 uph, which complies with Policy B.7.6.2.2 a).

The proposal also complies with the relevant Urban Design policies found within the Secondary Plan:

“B.7.6.8.8 The West Mountain Core Area shall be developed in accordance with the following urban design principles:

- a) urban form that is *compatible* with the adjacent residential neighbourhood;”

The requirements of the Zoning By-law will ensure that building setbacks are adequate to address land use compatibility. This compatibility will be achieved as the proposal will be located in an area already intended for low density residential development and developed for single detached dwellings.

The proposal complies with the policies of the West Mountain Area (Heritage Green) Secondary Plan.

City of Hamilton Staging of Development

Policy F.1.14.1.2 of Volume 1 identifies that: “Council shall approve only those plans of subdivision that meet the following criteria:

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

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9) - Page 17 of 33

- 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*.”

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 utilities and services are available. This proposal supports a healthy growing economy, provides for additional assessment and Development Charges revenue, provides housing opportunities, complies with the UHOP, will not adversely impact upon the transportation system; respects the natural environment and is well integrated into the existing development in the area, being the West Mountain Area (Heritage Green).

Highland Neighbourhood Plan

The Highland Neighbourhood Plan identifies the subject lands as “Low Density Residential”. Furthermore, while a cul-de-sac is located on the subject lands in the Neighbourhood Plan, it is not in the same location originally envisioned in the Neighbourhood plan and as a result does not conform.

Policy F.1.2.8 of the UHOP notes:

“F.1.2.8 Any amendment to the Neighbourhood Plan must be evaluated using the provisions of Policies F.1.1.3 and F.1.1.4 and shall require a formal Council decision to enact the amendment.”

Also, Policy F.1.1.3 indicates:

“F.1.1.3 Amendments to this Plan, including secondary plans, shall be required to create, modify or expand land use designations and policies which do not comply with this Plan.”

Policy F.1.1.4 states:

“F.1.1.4 Amendments to this Plan shall be undertaken by the City:

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9) - Page 18 of 33

- a) to update this Plan to reflect new provincial or municipal planning policies at the time of Official Plan Five Year review or other appropriate time through a City initiative; or,
- b) to update and streamline administration of municipal planning policies.”

And Policies F.1.2.7 and F.1.2.8 state:

“F.1.2.7 *Neighbourhood Plans* are policies adopted by council resolution and do not form part of the Official Plan. Any proposal for *development or redevelopment* must conform to the designations, and policies in the Neighbourhood Plan.

F.1.2.8 Any amendment to the *Neighbourhood Plan* must be evaluated using the provisions of Policies F.1.1.3 and F.1.1.4 and shall require a formal Council decision to enact the amendment.”

The proposed development will not have a discernible impact on the City’s vision for a sustainable community as it will be in keeping with the surrounding area by providing single detached dwellings which front onto a cul-de-sac. Also, as previously discussed in this Report, backlotting is the most efficient use of space for the subject lands while still maintaining the intent of the Secondary Plan. Finally, as identified in this Report, the proposal is compatible with the surrounding area.

An amendment to the street pattern within the Highland Neighbourhood Plan will be required.

Stoney Creek Zoning By-law No. 3692-92

The subject lands are currently zoned Neighbourhood Development “ND” Zone and Single Residential “R1” Zone in Stoney Creek Zoning By-law No. 3692-92, as shown on Appendix “A” to Report PED16181.

The Neighbourhood Development “ND” Zone is a future development Zone and only permits: agricultural uses, except poultry farms, mushroom farms, fur farms, piggeries, hatcheries, kennels and also excluding any residential use not existing at the date of the passing of the By-law (December 8, 1992); one single detached dwelling, buildings or structures accessory thereto, existing at the date of passing of this By-law; greenhouses

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9) - Page 19 of 33

subject to Site Plan Control under the City’s Site Plan Control By-law; and, community gardens.

The Single Residential “R1” Zone allows for single detached dwellings; uses, buildings or structures accessory to a permitted use; and home occupations.

The purpose of this Zoning By-law Amendment will be to rezone the subject lands to a modified “R3” Zone to allow for the development of 27 single detached dwelling units. The proposed zoning for the subject lands will be discussed in greater detail in the Analysis and Rationale Section of this Report.

The effect of the amendment will be to reduce the minimum lot area in the Single Residential “R3” Zone from 370 sq m to 350 sq m to implement the proposed development.

RELEVANT CONSULTATION

The following Departments / Agencies had no comments or objections:

- Recreation Planning Division, Community and Emergency Services Department.

Transportation Planning, Strategic Planning Division, Public Works Department recommend that Section C.4.5.1 of the UHOP as it pertains to Functional Classification of Roads should be considered. As such, Local Roads should be 20.117 m wide all subject to the relevant policies found within the UHOP.

They also advised that at the detailed design stage of development, the Hamilton Pedestrian Mobility Plan must be considered. Specifically, the needs of Pedestrians with disabilities (i.e. AODA regulations and barrier free designs) must be taken into consideration. Also, built environmental standards and regulations must be considered, including the provision of sidewalks along both sides of the right-of-way and through the site, which must be a minimum of 1.5 m wide; and the provision for trees in the boulevard (Condition No. 2.08 of the City’s Standard Form Subdivision Agreement).

EA Initiatives and Ongoing Studies, Transportation Planning, Strategic Planning Division, Public Works Department noted that the ROPA9 Transportation Master Plan Review Addendum to the 2006 Phase 1 and Phase 2 Report should be considered in the development of the subject lands.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9) - Page 20 of 33

Public Health Services (PHS) requested that “a dust mitigation plan should be formulated. The plan must identify all potential sources of dust generation (both pre and post construction). Details must be provided regarding effective practices to be used (e.g. wetting, sodding, etc.) through all stages of development for the purpose of dust abatement. This should also include measures for adjacent lands including but not limited to roadways, sidewalks etc. Clear information be provided to who will be carrying out dust mitigation actions.”

Through the Standard Form Subdivision Agreement (Clauses 1.35 and 3.06), the applicant / owner is required to address and provide a mitigation plan related to construction processes, thereby, addressing this issue.

Corridor Management, Public Works Department noted as a condition of draft plan approval, the Applicant will be required to remove all redundant driveways and culverts on Rymal Road East and re-instate the shoulder and ditch area (Condition No. 19 of Appendix “D” to Report PED16181).

Also, prior to registration, the Owner shall prove that all driveways for the proposed lots on Eringate Court will be maintained within the limits of the subject lot and not encroach in the corner lots onto the adjacent property frontage (Condition No. 20 of Appendix “D” to Report PED16181).

Finally, Corridor Management staff has advised that they do not have a scheduled capital project for the installation of sidewalks along Eringate Drive.

The **Hamilton Conservation Authority (HCA)** recommend that existing drainage boundaries be maintained, with all new development located within the Davis Creek subwatershed area requiring the implementation of Enhanced (Level 1) quality control and sediment and erosion control measures in accordance with the recommendations of the Hamilton Harbour Remedial Action Plan.

The HCA received a copy of the Storm Water Management Brief prepared by Lamarre Consulting Group Inc., dated August 2015, and a copy of the Servicing Report for the Eringate Subdivision prepared by Urbex Engineering Ltd., dated August 2015. They note that both reports indicate that drainage to the Davis Creek subwatershed will be routed to the existing stormwater management facility situated on the west side of Second Road West, south of Highland Road, between Shadetree Crescent and Richdale Drive, which was constructed in the early 2000s in conjunction with the development of the Shadyglen Subdivision. However, the Lamarre report indicates that

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9) - Page 21 of 33

the existing wet pond was designed as a quantity and quality control facility, providing Normal (Level 2) treatment while the Urbex report indicates that the existing pond only provides quantity control, with no quality treatment. In recognition that current 2003 MOE guidelines and HCA requirements stipulate that Enhanced (Level 1) quality control is now required for new development within the Davis Creek subwatershed area, the Lamarre report recommends that a Stormceptor 4000 be installed to provide Enhanced treatment. The Urbex report also seems to suggest that an OGS unit be installed to provide quality control.

In order to clarify some discrepancies between the two reports with respect to the function of the existing stormwater management pond and also to confirm how Level 1 quality control treatment would be attained, HCA staff contacted both engineering firms and were advised that as a result of discussions with staff in the City of Hamilton's Growth Management Division, the proposed stormwater management for the site may involve the installation of Low Impact Development (LID) devices to address the Level 1 quality control requirements. In order to address these concerns, HCA requests that a full Stormwater Management Report, a Site Grading Plan, a Site Servicing Plan, and a Sediment and Erosion Control Plan be prepared by a qualified professional engineer that clearly identifies if drainage to the existing subwatershed areas will be maintained.

The HCA have advised that the westerly half of the subject property is located within an area regulated by HCA pursuant to the HCA's *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation 161/06 under Ontario Regulation 97/04* as these lands are located within the Eramosa Karst Feeder Area, being part of a Provincially Significant ANSI. As such, a permit from the HCA will be required for any development, including fill placement and removal, grading activities, and the construction of new buildings and structures within the regulated portion of the property.

In light of the identification of the Karst System, the HCA requested that a karst assessment be conducted. The assessment included a review of both historic (1954 and 1965) and recent aerial photographs focusing on drainage features, areas of potential sinking streams, and any evidence of fill Placement, as well as a site inspection. As such, the HCA advise that they accept the conclusions of the report, which identified that "no natural karst hazards appear to be present at the subject property."

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9) - Page 22 of 33

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

1. That the applicant obtain a permit from the Hamilton Conservation Authority under its Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation 161/06 under Ontario Regulation 97/04 prior to any watercourse alteration, construction and / or grading activities within HCA's Regulated Area.
2. That the applicant prepares and implements an erosion and sediment control plan for the subject property to the satisfaction of the Hamilton Conservation Authority. The approved plan should include the following notes:
 - a) All erosion and sediment control measures shall be installed prior to development and maintained throughout the construction process, until all disturbed areas have been revegetated;
 - b) All erosion and sediment control measures shall be inspected after each rainfall to the satisfaction of Conservation Authority staff;
 - c) Any disturbed area not scheduled for further construction within 45 days will be provided with a suitable temporary mulch and seed cover within 7 days of the completion of that particular phase of construction; and,
 - d) All disturbed areas shall be revegetated with permanent cover immediately following completion of construction.
3. That the applicant prepares and implements a lot grading plan to the satisfaction of the Hamilton Conservation Authority.
4. That the applicant prepares and implements a stormwater management plan for the subject property to the satisfaction of the Hamilton Conservation Authority. The approved plan shall implement the recommendations of the Stormwater Management Report for Hampshire Place and Eringate Court, dated March 2016, by AMEC as applicable to the draft plan lands.

The above noted conditions have been addressed as Conditions 5 - 8 in Appendix “D” to Report PED16181.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9) - Page 23 of 33

Horizon Utilities has requested that the applicant review their requirements for Subdivision or Townhouse developments. Municipal standards and requirements relating to utilities will be addressed in the Standard Conditions of Subdivision approval, specifically, in Condition 1.21 of the City’s Standard Form Subdivision Agreement.

PUBLIC CONSULTATION

In accordance with the provisions of the *Planning Act* and the Council approved Public Participation Policy, Notice of Complete Application and Preliminary Circulation of the original proposal was sent to 85 property owners within 120 m of the subject lands on October 23, 2015 and a Public Notice sign was posted on the property on November 2, 2015, and updated with the Public Meeting date on August 10, 2016.

To date, one public submission has been received identifying concerns with respect to the location of potential sidewalks connecting the subject lands to surrounding residential developments (see Appendix “E” to Report PED16181). These concerns area addressed as item No. 7 of the Analysis and Rationale section of Report PED16181.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposal has merit and can be supported for the following reasons:
 - (i) It is consistent with the PPS and conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow).
 - (ii) It complies with the UHOP and the West Mountain (Heritage Green) Secondary Plan) Secondary Plan.
 - (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, while making efficient use of a vacant parcel of land and existing infrastructure within the urban boundary.
2. The applicant has requested amendments to City of Stoney Creek Zoning By-law No. 3692-92 and for approval of a Draft Plan of Subdivision known as “Eringate Court”. By way of these applications, the applicant is seeking to permit the

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9) - Page 24 of 33

development of part of the lands situated east of Second Road West, between Rymal Road East and Gatestone Drive, for 27 single detached dwellings.

The requested amendments to the Stoney Creek Zoning By-law No. 3692-92 will rezone the subject lands from the Neighbourhood Development “ND” Zone and the Single Residential “R1” Zone to the Single Residential “R3-42” Zone, Modified, for the lands known as 316 Second Road West, 262 Eringate Court, 2079, 2081, 2083, 2085, and 2095 Rymal Road East.

The effect of this Zoning By-law Amendment will also modify the regulations of the Single Residential “R3” Zone to allow for the proposed development. Specifically, the requested amendment to Stoney Creek Zoning By-law No. 3692-92 includes a site-specific regulation for a reduction in the required minimum lot area for interior lots from 370 sq m to 350 sq m to implement the proposed development.

To provide for a consistent and complimentary development as that on the adjacent lands to the north and north-east of the subject lands, the applicant seeks to establish the Single Residential “R3” Zone found on these abutting lands. Staff are supportive of the changes in zoning from Single Residential “R1” Zone to the Single Residential “R3-42” Zone, Modified.

This modification will allow for the provision of a higher density and diverse gradation of lot areas while ensuring adequate side yards and rear yard amenity areas are not impacted. This request is supportable as it complies with the policies outlined in the West Mountain Area (Heritage Green) Secondary Plan and is consistent with approved zoning elsewhere within the surrounding area.

3. The proposed Plan of Subdivision will consist of a total of 27 lots for single detached dwelling units (Lots 1 - 27), one block for a road widening (Block 28), and the construction of one public road (Eringate Court).

In review of Sub-section 51(24) of the *Planning Act*, to assess the appropriateness of the proposed subdivision, staff advise that:

- (a) It is consistent with the PPS;
- (b) Through the phasing of development within the West Mountain Area (Heritage Green) Secondary Plan, the proposal represents a logical and

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9) - Page 25 of 33

timely extension of existing development and services, and is in the public interest;

- (c) It complies with the applicable policies of the Official Plan;
- (d) The lands can be appropriately used for the use for which it is to be subdivided;
- (e) The proposed roads will adequately service the proposed subdivision and can connect with the current road system;
- (f) The dimensions and shape of the lots are appropriate;
- (g) Restrictions and regulations for the development of the subdivision are included in the implementing Zoning By-law Amendment, conditions of draft plan approval and Subdivision Agreement;
- (h) No substantial natural resources are evident on site, and flood control will be addressed through stormwater management plans that will be required as standard conditions of draft plan approval;
- (i) Adequate municipal services will be available, the particulars of which will be determined as part of the conditions of draft plan approval and Subdivision Agreement; and,
- (k) Public land will be conveyed to create road rights-of-way, the particulars of which will be determined as part of the Standard Subdivision Agreement and final registration of the Plan of Subdivision.

Therefore, staff is supportive of the proposed Draft Plan of Subdivision and recommend its approval.

4. Engineering Details:

It should be noted that the ultimate width of Rymal Road East, adjacent to the subject lands, is 120 ft (36.576 m). Therefore, a land dedication from the subject lands to the City of Hamilton will be required to establish the south property line of the subject lands 60 ft away of the existing centre line of Rymal Road East (Condition No. 9 of Appendix “D” to Report PED16181).

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9) - Page 26 of 33

The section of Rymal Road East adjacent to the draft plan lands has a rural cross section. Therefore, the owner is required to provide cash payment for the future urbanization of the road based on the current ‘New Roads Servicing Rate’ (Condition No. 11 of Appendix “D” to Report PED16181).

It should be noted that there is an existing 300 mm diameter watermain on Rymal Road East adjacent to the subject lands. Also, there is an existing 150 mm diameter watermain, an existing 250 mm sanitary sewer, and an existing 450 mm diameter storm sewer on the existing street stub at Eringate Court. However, there are no municipal sewers on Rymal Road East adjacent to the subject lands at this time.

The Owner shall include, in the engineering design and cost estimates, a provision to upsize the existing 150 mm diameter watermain stub on Eringate Court including the costs for full width existing pavement replacement, at 100% of their expense (Condition No. 17 of Appendix “D” to Report PED16181).

The existing storm and sanitary drainage plans for Shadyglen Stage 2 Subdivision suggest that storm and sanitary flows from the southern portion of draft plan lands should be directed to the existing sewers on Second Road West. The remaining portion of the proposed development is intended to be serviced via the existing municipal services on Eringate Court.

There is an existing 0.3 m reserve on Eringate Court, identified as Block 155 on 62M-964 that shall be removed prior to development of the subject lands. The owner will be required to pay all outstanding servicing charges associated with removal of the said reserve (Condition No. 12 of Appendix “D” to Report PED16181).

Finally, a 0.3 m reserve along the Rymal Road East shall be established due to the double frontage of Lots 8 to 15, inclusive, as a condition of the draft plan approval (Block No. 28 on Appendix “C” and Condition No. 13 of Appendix “D” to Report PED16181).

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

Servicing

Site Grading

The existing topographical; survey, prepared by A.T. McLaren Limited, dated December 19, 2014 suggests that the majority of the site drains via the existing ditch inlet at the south end of Eringate Court and the existing private catchbasin adjacent to the northeast corner of the subject land.

The southern portion of the site drains to the existing ditch and continues to drain to the south via the existing culvert under Rymal Road East. It appears that the northern portion of the draft plan lands, currently known as 2079 Rymal Road East, and the northeast corner of the draft plan lands known as 262 Eringate Court are low laying areas, adjacent to the private lands, which could be a challenge from a grading perspective. Staff also request that the proponent demonstrate that the surface drainage is contained within the draft plan lands in case of a minor storm event. Also, the proponent shall demonstrate an adequate outlet for the major flows from the rear portion of the proposed lots, adjacent to the existing developments (Condition Nos. 15 and 17 of Appendix “D” to Report PED16181).

Sanitary Sewer System

The submitted reports pertaining to the drainage plans for the subject lands and the related Shadyglen Stage 2 subdivision do not demonstrate that there is sufficient capacity in the existing system from Gatestone Drive to the existing junction, just south of the intersection between Second Road West and Fairhaven Drive.

Furthermore, there is no discussion in the report to clarify how the proposed servicing scheme is going to affect the future development of the existing properties along Rymal Road East, to the east of the draft plan lands, which are intended to be serviced by extension of the existing sanitary stub at Second Road West. Engineering staff would like to advise that as a condition of development of the draft plan lands the owner will be responsible for 50% of the costs of the future sanitary sewer along Rymal Road East adjacent to the property. This requirement is set out in the Cost Sharing requirements listed in the Special Conditions for the Draft Plan of Subdivision of Appendix “D” to Report PED16181.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

Storm Drainage System

The submitted Storm Drainage study acknowledges existing flooding issues downstream of the subject lands. The City has conducted a study for the area and concluded that sections of the minor storm sewer downstream of the site perform under surcharged conditions. Therefore, the owner will be required to submit a storm water management report to demonstrate that the post-development peak flow rate from the five year storm event, Mount Hope IDF parameters, is controlled within the draft plan lands to the allowable discharge rate based on the capacity of the downstream system. Also, the owner shall demonstrate that an adequate major overland flow route from the north limit of the draft plan lands to the existing pond exists. In addition, the stormwater management report shall demonstrate that Level 1 quality control of the surface runoff is provided for the subject lands at the existing service stub on Eringate Court (Condition No. 18 of Appendix “D” to Report PED16181).

Water Distribution System

The watermain hydraulic analysis completed by WSP Group dated August 24, 2015 has indicated a need to upsize the existing 150 mm watermain stub on Eringate Court to 200 mm diameter to provide compliance with the current design criteria. Staff would like to advise that all cost associated with upsizing of the existing watermain is at 100% owner’s costs.

The Required Fire Flow calculated per Water Supply for Public Fire Protection, 1999, Fire Underwriters Survey (FUS) was not provided. Details to support this calculation (e.g. floor area, type of construction, content fire hazard, separation distances and exposure charges, as applicable, etc.) shall be clearly identified and properly documented. If these details are not yet available / known, assumptions will need to be made with the understanding that to maintain any granted approvals (such as Form 1 approval) the detailed design parameters will need to be equal or less than the assumed parameters.

The reported hydraulic grade line (HGL) values in the area of the subject lands are higher than one would expect given the discharge pressure limitations currently in place at the pumping station which services the subject lands. Staff advise that the pumping station is fitted with recirculation lines controlled by valves, which act as pressure sustaining valves, and whose target set points are within the range of 440 – 520 kPa.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9) - Page 29 of 33

Staff also note that the hydrant whose flow test results (dated September 2013) used for calibration were tested before the upgrade and commissioning of the local pumping station. The pumps used to define the boundary conditions for 2011 and 2021 scenarios are the upgraded pumps therefore calibration as performed is not reflective of the post-upgrade conditions. To ensure that the model as constructed satisfactorily reproduces the hydraulic behaviour of the distribution system, staff requires the testing of the fire hydrants located close to the subject development site and recommend recalibration of the model.

Noise Impact

The submitted Noise Impact report suggests that installation of a 2.45 m to 3.05 m high noise wall is required along Rymal Road East for compliance with the current noise criteria. Staff feel that a site specific approach, to resolve the noise impact issues, would be beneficial.

An update to the noise study titled “Environmental Noise Assessment Report – Eringate Court, - City of Hamilton, Silvestri Investments”, prepared by S. Llewellyn & Associates Limited Consulting Engineers, dated July 2015 will:

- a) demonstrate how the implementation of the required mitigation measures that were set out in the original report will be achieved;
- b) confirm that the subject lands assessed were indeed 2079 - 2085 Rymal Road East as the report identifies the assessment was conducted for 601 Upper Centennial Parkway;
- c) show that the Report applies to Lots 8 through to 15, inclusive;
- d) provide a separate table and results for Lot 16 and the 2.45 m. easterly noise attenuation wall and alternative heights and attenuated noise levels; and,
- e) identify specific building components identified prior to any application approvals (Condition No. 1 in Appendix “D” to Report PED16181).

Furthermore, a warning clause will be required in all agreements of purchase of sale / lease for lots 8 – 15 noting the presence of a noise attenuation wall

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9) - Page 30 of 33

between these lots and Rymal Road East (Condition No. 1 in Appendix “D” to Report PED16181).

Stormwater Management Report (AMEC, March 2016) – Eringate

The proposed development was modeled at 60% imperviousness. The hydraulic assessment was based on Eringate Court Engineering Drawings (Urbex, May 2015). A 900 mm super pipe was proposed along future Eringate Court with 450 mm orifice control before outletting to the existing storm sewer. Inlet control devices are proposed in all proposed catch basins and also in the existing catch basins on Eringate Court south of Gatestone Drive. The catch basins were considered to act like a 70 mm square orifice.

The City will require that the detailed design be verified by the original model, as a condition of draft plan approval, all at 100% owner’s expense (Condition No. 18 in Appendix “D” to Report PED16181).

For information, it should be noted that ponding will occur on all proposed rear yard catch basins during major storm event. Based on Urbex design drawings, future rear yard catch basin #1 on Lot 3 (along west property line) will have 0.26 m ponding during major event, which will impact the existing house at 14 Second Road West.

The 100 year HGL at rear yard catch basin # 1 has been estimated at the elevation of 215.61 m, suggests possibility of spill occurrence at rear yard catch basin #6 & 7, to the north onto the existing properties, based on the info provided on the Grading Plan prepared by Urbex which is not acceptable to the City. As such, the owner shall agree to include in the engineering design provision, an overland flow route, from the rear portion of the proposed lots to a municipal road allowance, with the maximum ponding depth of 0.3 m over the top of rear yard catchbasin within the draft plan lands and to the satisfaction of the Senior Director, Growth Management Division (Condition No. 15 in Appendix “D” to Report PED16181).

Sump pumps are not allowed to discharge directly onto the surface. The sump pump must be connected to the storms sewer lateral and shall include provision for a secondary relief / overflow (Condition No. 16 in Appendix “D” to Report PED16181).

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

Finally, sufficient lands shall be dedicated to the City of Hamilton for the establishment of 4.5 m by 4.5 m daylight triangles on the plan of subdivision at the corner of Lot(s) 26 and 27 at the “L” shaped bend on the Eringate Court extension (Condition No. 10 of Appendix “D” to Report PED16181).

5. Backlotting

Staff advise that a 0.3 m reserve along the Rymal Road East shall be established due to the double frontage of Lots 8 to 15, inclusive, as a condition of the draft plan approval (Condition No. 12 of Appendix “D” to Report PED16181).

While the UHOP does not encourage backlotting, staff has explored a number of design options that promote frontage on Rymal Road and find that, in this particular case lots with direct frontage to Rymal Road East would not be favourable as there are no municipal services along Rymal Road East. Furthermore, hammer-head driveways or a window road would also not be ideal as they would incur higher maintenance costs, be a poor way to integrate the proposed built form into the existing lotting fabric, and not be an ideal design model given that this site is a residual parcel to a much larger, already developed, neighbourhood.

While the Secondary Plan promotes lotting onto Rymal Road East, transit supportive uses, and envisions mixed use developments, this section of Rymal Road is designated Low Density Residential 2b, permitting and promoting the proposed built form. No mixed uses are being proposed, making it unlikely that these lots would benefit from direct access onto this portion of Rymal Road. Instead, the proposed lotting pattern to extend Eringate Court and will promote integration with the surrounding residential neighbourhood. This pattern will allow for the most efficient use of land within this small remnant parcel.

In addition, the extension of Eringate Court all the way through to Rymal Road East is not advisable as the proximity between a proposed intersection at Eringate / Rymal Road East and an existing intersection at Second Road West / Rymal Road East would lead to unsafe access to / from Rymal Road East.

Instead, the development, as proposed, still maintains the intent of the Plan as it allows for the alignment and extension of Eringate Court, extending southerly from Gatestone Drive towards Rymal Road East and ending in a cul-de-sac.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9) - Page 32 of 33

The West Mountain (Heritage Green) Secondary Plan also envisions Eringate Court as a cul-de-sac, in keeping with the application.

Furthermore, policy C.4.5.8 of the UHOP outlines that the number of access points along Arterial Roads (i.e. Rymal Road) should be minimized in order to maintain efficiency, safety and traffic carrying capacity of the road. Also, policy E.3.4.6 a) discourages direct access from lots adjacent to major or minor arterial roads in order to achieve enhanced urban design. In order to mitigate the impact of the backlotting, an enhanced noise wall (including decorative elements) will be required along Rymal Road East (Condition No. 2 of Appendix “D” to Report PED16181). Therefore, staff are supportive of the design of this subdivision.

6. The proposed development must ensure that onsite parking spaces and garages are suitably dimensioned without encumbrances, to ensure the continued use of these facilities for parking purposes. Driveways which front onto a future public roadway should be aligned in such a way that it will maximize the availability of on-street parking. Also, an on-street parking plan demonstrating the achievement of on-street parking for 40% of the total number of single detached units is also required (Condition No. 14 of Appendix “D” to Report PED16181).
7. To date, one public submission has been received identifying concerns with respect to the location of potential sidewalks connecting the subject lands to surrounding residential development (see Appendix “E” to Report PED16181).

The submission made outlined concerns related to the proximity of potential sidewalks to existing amenity space on established lots abutting the subject lands.

Sidewalks will be restricted to the west side of the Eringate Court on the subject lands. Furthermore, Corridor Management staff has advised that there are no scheduled capital projects for the installation of sidewalks along Eringate Drive, between Gatestone Dr and the subject lands.

ALTERNATIVES FOR CONSIDERATION

Should the applications be denied, the lands could not be developed for the proposed residential draft plan of subdivision. The lands could be developed in accordance with the Neighbourhood Development “ND” Zone and Single Residential “R1” Zone provisions, which permit limited agricultural and residential uses.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Eringate Court”, for Lands Located at 16 Second Road West, 262 Eringate Court, and 2079 – 2095 Rymal Road East (Stoney Creek) (PED16181) (Ward 9) - Page 33 of 33

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Healthy and Safe Communities

Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.

Clean and Green

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A”:	Location Map
Appendix “B”:	Zoning By-law No. 3692-92 Amendment
Appendix “C”:	Draft Plan of Subdivision
Appendix “D”:	Special Conditions for Draft Plan of Subdivision
Appendix “E”:	Public Submissions

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.