



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	November 1, 2016
SUBJECT/REPORT NO:	Proposed Zoning By-law Amendment Application (ZAC-16-018) for Property Located at 61 Clapham Road, Hamilton (PED16201) (Ward 5)
WARD(S) AFFECTED:	Ward 5
PREPARED BY:	Cam Thomas Senior Planner (905) 546-2424 Ext. 4229 Steve Robichaud Director of Planning and Chief Planner
SUBMITTED BY:	Jason Thorne General Manager Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That **Amended Zoning By-law Amendment Application ZAC-16-018, by LaCaban Developments Inc., Owner**, for a change in zoning from the “DE-2/S-48A” (Multiple Dwellings) District, Modified to the “RT-30/S-1738-‘H’” (Street Townhouse) District, Holding, Modified in order to permit five street townhouse units for lands located at 61 Clapham Road (Hamilton), as shown on Appendix “A” to Report PED16201, be **APPROVED** on the following basis:
- (i) That the draft By-law, attached as Appendix “B” to Report PED16201, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the amending By-law, attached as Appendix “B” to Report PED16201, be added to District Map No. E105 of Zoning By-law No. 6593;

- (iii) That the amending By-law apply the Holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990 to the subject lands by introducing the Holding symbol 'H' as a suffix to the proposed Zoning;

The Holding provision "RT-30/S-1738-'H'" (Street Townhouse) District, Holding, Modified, be removed conditional upon:

- (1) an updated Functional Servicing Report to address storm water management and site servicing prior to Site Plan Approval and agree in writing to implement the Functional Servicing Report through an External Works Agreement and all financial requirements to the satisfaction of the Manager of Engineering Approvals;
- (iv) Acknowledgement by the City of Hamilton that there shall be no cost sharing for this development for the extension of municipal sewers;
- (v) That the proposed change in zoning is consistent with the Provincial Policy Statement (PPS), conforms to the Growth Plan for the Greater Golden Horseshoe (Growth Plan) and complies with the Urban Hamilton Official Plan (UHOP);
- (b) That the Greenford Neighbourhood Plan be amended by changing the designation from "Medium Density Apartments" to "Attached Housing".

EXECUTIVE SUMMARY

Kyle Khadra, on behalf of LaCaban Developments Inc., has applied for approval of a Zoning By-law Amendment to develop a five unit street townhouse block on lands located at the intersection of Clapham Road and Catalina Drive, known municipally as 61 Clapham Road (Appendix "A" to Report PED16201). Due to the orientation of the proposal, the street townhouses would front and have access onto Catalina Drive instead of Clapham Road.

The proposal has merit and can be supported as it is consistent with the PPS, conforms to the Growth Plan for the Greater Golden Horseshoe and complies with the UHOP. The proposal is considered to be compatible with existing residential development in the area and represents good planning by providing a compact and efficient urban form that would fit into the Greenford Neighbourhood.

The recommended zoning will include the application of a Holding Provision and a number of modifications for setbacks and parking space size to reflect the urban form.

Alternatives for Consideration – See Page 29

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: None.

Staffing: None.

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

HISTORICAL BACKGROUND

The subject property is located at the northeast corner of Clapham Road and Catalina Drive in the Greenford Neighbourhood, which is located southeast of Queenston Road and Nash Road. The property is currently developed with a one storey single detached dwelling that fronts onto Clapham Drive and is surrounded by multiple dwellings as well as single detached and semi-detached dwellings. The property is zoned “DE-2/S-48A” (Multiple Dwellings) District, Modified which permits a two family dwelling, a three family dwelling, a multiple dwelling (to a maximum height of eight storeys or 26 m), an emergency shelter; long-term care facility and day nursery.

Description of Proposed Zoning By-law Amendment (ZAC-16-018)

Original Proposal

The applicant, Lacaban Developments Inc., is proposing to demolish the existing single detached dwelling and construct a two storey street townhouse block consisting of five dwelling units that would be oriented along Catalina Drive (Appendices “C” and “D” to Report PED16201). The applicant is proposing to create separate ownership for each of the units through future severances.

The proposed street townhouse development would require an amendment to Hamilton Zoning By-law No. 6593 to change the zoning from the “DE-2/S-48A” (Multiple Dwellings) District, Modified to the “RT-30” (Street Townhouse) District, Modified with special provisions. The proposed unit widths conform to the “RT-30” District requirement and range from 6 m, for the three interior units, to 8.0 m for the westerly (flankage) unit.

The following setbacks and special zoning provisions were proposed for the initial concept (Appendix “D” to Report PED16201):

<u>Zoning Provision</u>	<u>Proposed</u>	<u>Requirement Under “RT-30” District</u>
Front Yard	5.5 m	6.0 m

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Rear Yard	5.0 m	7.5 m
Side Yard	1.2 m (east side lot line) and 1.4 m (west side lot line)	2 m
Minimum Area of Dwelling Unit	149.6 sq m for interior units and 182 sq m for end units	180 sq m
Minimum Dimensions of a Parking Space (within Garage)	2.8 m by 5.8 m	2.7 m by 6.0 m
Minimum Dimensions of a Manoeuvring Space (Driveway)	2.6 m by 5.5 m	3.0 m by 5.8 m
Minimum Access Driveway Width	2.6 m	2.8 m

Revised Proposal

The applicant has proposed minor revisions for the proposed five unit street townhouse development to address functional requirements for access and parking and to provide improved compatibility with the adjacent semi-detached dwelling to the north.

The following setbacks and special provisions are currently proposed through the revised concept plan (Appendix “C” to Report PED16201):

- The front yard would be increased to 5.5 m and rear yards would be increased to 6.5 m for the first floor and 5.8 m above the first storey with a cantilevered rear elevation;
- The required parking space (within the garage) would be increased in size to 3.0 m by 5.8 m;
- The minimum access driveway width would be increased to 2.8 m and conforms to Zoning By-law No. 6593.

Chronology:

January 19, 2016: Zoning Amendment Application ZAC-16-018 submitted by Kyle Khadra on behalf of LaCaban Developments Inc. (Registered Owner)

February 8, 2016: Application ZAC-16-018 deemed complete.

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February 12, 2016: Circulation of Notice of Complete Application and Preliminary Circulation for Application ZAC-16-018 to 129 property owners within 120 m of the subject lands

February 20, 2016: Public Notice Sign posted.

July 14, 2016 Submission of Revised Concept for Zoning Amendment Application ZAC-16-018.

October 5, 2016: Public Notice Sign updated.

October 14, 2016: Circulation of Notice of Public Meeting to 129 property owners within 120 m of the subject lands.

Details of Submitted Applications

Owner: LaCaban Developments Inc.

Applicant / Agent: Kyle Khadra

Location: 61 Clapham Road, Hamilton
(see Appendix "A" to Report PED16201)

Property Size: Frontage: 38.31 m (Catalina Drive)

Depth: 24.94 m

Area: 850.9 sq m

EXISTING LAND USE AND ZONING

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands:</u>	Single Detached Dwelling	"DE-2/S-48A" (Multiple Dwellings) District, Modified
<u>Surrounding Lands:</u>		
North	Semi-detached dwelling	"DE-2/S-48A" (Multiple Dwellings) District, Modified

South	Four Storey Apartment Building	“DE-3” (Multiple Dwellings) District “D” (Urban Protected Residential – One and Two Family Dwellings, Etc.) District
East	Four Storey Apartment Building	“DE-3” (Multiple Dwellings) District
West	Single Detached Dwellings	“C” (Urban Protected Residential, Etc.) District

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* require that all municipal land use decisions made under the *Planning Act* conform to the Growth 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 are reviewed and discussed in the Urban Hamilton Official Plan analysis provided below.

The matters of Provincial interest with respect to this application are addressed in the following section and include the following:

- Promoting compact and efficient development patterns;
- Accommodating an appropriate range of housing; and,
- Encouraging residential intensification.

As the application for a change in zoning complies with the Urban Hamilton Official Plan, it is staff’s opinion that the application is:

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

Urban Hamilton Official Plan (UHOP)

Neighbourhoods Designation

The subject property is designated “Neighbourhoods” on Schedule “E-1” – Land Use Plan of the UHOP. The property is within an area that is characterized by various housing forms including low rise apartments (i.e. four storeys). The following policies, among others, apply to low density residential uses in the Neighbourhoods designation:

- “E.3.3.1 Lower density residential uses and building forms shall generally be located in the interior 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;
- E.3.4.1 The preferred location for low density residential uses is within the interior of neighbourhoods;
- E.3.4.2 Low density residential areas are characterized by lower profile, grade-oriented built forms that generally have direct access to each unit at grade;
- E.3.4.3 Uses permitted in low density residential areas include single-detached, semi-detached, duplex, triplex, and street townhouse dwellings;
- E.3.4.4 For low density residential areas the maximum net residential density shall be 60 units per hectare;
- E.3.4.5 For low density residential areas, the maximum height shall be 3 storeys; and,
- E.3.4.6 Development in areas dominated by low density residential uses shall be designed in accordance with the following criteria:
 - a) Direct access from lots adjacent to major or minor arterial roads shall be discouraged.
 - b) 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.
 - c) A mix of lot widths and lot sizes compatible with streetscape character; and a mix of dwelling unit types and sizes compatible in exterior design, including character, scale, appearance and design features shall be subject to the Zoning by-law regulations for

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appropriate minimum lot widths and areas, yards, heights, and other zoning regulations to ensure compatibility.”

The proposed development is a low density housing form consistent with Policy 3.4.3 that is within an existing stable residential area which contains both low and medium density housing forms.

The proposed development consisting of five street townhouses located at the corner of two local roads would be consistent with the policy direction for street townhouses to be suitably located within the interior of a neighbourhood (Policies E.3.3.1 and E3.4.1) and at a corner location.

The proposed density of 58.8 units per hectare is at the upper limit for low density residential but is still consistent with the maximum density limit of 60 units per hectare prescribed in Policy E.3.4.4. The proposal would not exceed two storeys and therefore is within the prescribed height limit of three storeys for low density development as noted in Policy E.3.4.5.

With respect to Policy E.3.4.6, the proposal would only have access from Catalina Drive which is a local road (Policy E.3.4.6(i)) and there would be no requirement for backlotting (Policy E.3.4.6 (ii)). The proposal, while small in scale, would also provide some variation in lot widths, adding to the character of this area, and would be compatible with the adjacent semi-detached dwellings to the north, which are also an attached form of housing. Solid screen fencing is recommended along the common property boundary to ensure privacy for the abutting semidetached dwellings.

Residential Intensification

The following Volume 1 policies pertain to residential intensification:

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

- (a) A balanced evaluation of the criteria in b) through g) as follows:
- (b) The relationship of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form;
- (c) The development's contribution to maintaining and achieving a range of dwelling types and tenures;
- (d) The compatible integration of the development with the surrounding area in terms of use, scale, form and character. In this regard, the

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City encourages the use of innovative and creative urban design techniques;

- (e) The development's contribution to achieving the planned urban structure as described in Section E.2.0 – Urban Structure;
- (f) Infrastructure and transportation capacity; and,
- (g) The ability of the development to comply with all applicable policies.”

With respect to item (b) above, the proposed development would maintain and enhance the existing character of the residential area surrounding Clapham Road and Catalina Drive by providing a compact, low rise housing development that would allow for landscaping along both streets. The proposal would complement the two existing semi-detached dwellings to the north (four units), an attached housing form, and is also suitably located at an intersection between existing apartment buildings to the east and south to provide a transition in massing and height.

With respect to item (c), the proposal would provide for the development of a new housing form in this area (i.e. street townhouses) that would contribute to the provision of a range of housing options for residents of this neighbourhood. There is a predominance of rental housing within this area due to the high number of apartment dwellings (i.e. six apartment buildings within 120 m of the subject property). The proposed development may provide an opportunity for persons to remain within the community who are downsizing or seeking a more compact or affordable form of accommodation as an alternative to existing single detached dwellings or rental apartment dwellings.

The proposal provides for the compatible integration of the proposed street townhouse dwellings (item (d)), within an area of low density development in which there is a wide range of housing styles, setbacks and lot areas. In terms of height, the proposed street townhouse block would be compatible with existing building heights within this area, ranging from single storey detached dwellings to four storey apartment buildings. The proposed street townhouse block would also provide massing that would fit into the existing range of housing forms in this area that includes single detached dwellings, semi-detached dwellings and apartment buildings. The proposed street townhouse block therefore complements but does not dominate the streetscape in this area.

With respect to item (e), the proposal complies with the Urban Structure policies of Section E.2.0 by supporting residential intensification, providing a compact form of development, expanding the range of housing within the community and providing a design that is respectful of the neighbourhood character.

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With respect to item (f), infrastructure and transportation capacity, it was noted that adequate services are available for the proposal which include a separated sanitary sewer, storm sewers and municipal water services. An adequate separated system is available for collection of storm water and waste water from the subject property, however the preferred connection for storm drainage is from Catalina Drive. The storm sewer and sanitary sewer on Catalina Drive would have to be extended eastward to allow for proper connections for the proposed development. A Storm Water Management Brief to address proper storm drainage to Catalina Drive including an outlet (i.e. rear yard catch basin) with swale has been submitted. Additional details for water services, such as water generation and fire flow calculations will be required at the Site Plan Control stage. There are no transportation capacity or access issues associated with the proposal.

Finally, with respect to item (g), the proposal conforms to the other applicable policies of the UHOP such as urban design, land use, housing, and servicing, which are examined further in this Report.

“B.2.4.2.2 When considering an application for a residential intensification development within the Neighbourhoods designation, the following matters, among others have been evaluated:

- a) the matters listed in Policy B.2.4.1.4;
- b) compatibility with adjacent land uses including matters such as shadowing, overlook, noise, lighting, traffic, and other nuisance effects;
- c) the relationship of the proposed building(s) with the height, massing, and scale of nearby residential buildings;
- d) the consideration of transitions in height and density to adjacent residential buildings;
- e) the provision of amenity space and the relationship to existing patterns of private and public amenity space; and,
- f) the ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations.”

With respect to compatibility issues (item b)), the proposed street townhouse block would be a low-rise building (i.e. two storeys) that would not contribute to overshadowing or overlook on the abutting semi-detached dwelling to the north being that the buildings would be of comparable height (i.e. within half a storey difference)

and would be reasonably separated by the rear yards of the proposed street townhouses. In addition, rear decks would be provided for the street townhouses at grade level and fencing would be provided for additional privacy.

The proposed street townhouses would not contribute to vehicular noise or lighting impacts as the driveways are located along Catalina Drive and do not directly abut single detached or semi-detached dwellings. The proposal would have activity levels that are consistent with low density forms of development. The proposed rear yards would have sufficient depth to ensure that noise from outdoor activities would not conflict with the adjacent semi-detached dwelling to the north. The provision of fencing and landscaping along the northerly property boundary would help to maintain privacy between these uses and reduce lighting impacts from the rear yards.

There were no traffic issues identified with respect to the proposed development. Each of the units would have a separate driveway along Catalina Drive and each unit could accommodate up to two parking spaces.

Therefore, it is staff's view that the proposed street townhouse dwelling units are appropriately located on the subject property and do not contribute to incompatibility issues such as shadowing, overlook, noise or lighting with the adjacent dwellings.

With respect to item c), the proposal is within an area which is characterized by a range of lot sizes and housing forms. In particular, the area is unique in terms of having low and mid-rise apartment buildings interspersed with single detached and semi-detached dwellings. The proposed building height would be consistent with other low rise housing forms in this area, ranging from one to two storeys and would be lower than the mid-rise apartments. The massing and scale of the proposed street townhouses would also be transitional between that of existing single detached and semi-detached dwellings and adjacent four storey apartments. While the proposed street townhouses would have more building massing and lot coverage than the single detached and semidetached dwellings in this area, the proposed street townhouse development would be complementary to these forms of housing on account of the low rise design and angled features (i.e. gable roof and dormers) being proposed.

The proposed street townhouses would provide a transition in height and density (item (d)) between apartment buildings to the east and south, and semi-detached dwellings and single detached dwellings to the north and west. The height and density of the proposed street townhouses provide a transitional interface between the existing low density uses which range from 15-20 units per hectare, and the abutting mid-rise apartments, which are in the range of 53-130 units per hectare.

With respect to item e), the proposed development would maintain the pattern of rear yard privacy areas established by the abutting semi-detached dwellings and single detached dwellings by creating separate rear yards for each of the street townhouse

units. The proposed rear yards would allow for useable private amenity space and also allow for the accommodation of decks and accessory buildings.

With respect to item f), the proposal is consistent with the range of existing setbacks for development in this area. More specifically, the proposed street townhouse block would provide a front yard setback of 5.5 m and would fit into the existing front setback range for existing housing on Catalina Drive, which is generally in the 5.7 m - 7 m range.

The flankage yard (Clapham Road) would have a setback of 2.9 m, and with the exception of a proposed entrance which would have a setback of 1.49 m, would be consistent with the setback range on the easterly side of Clapham Road being between 2.6 m and 7.0 m. The proposed easterly side yard side yard which is 1.2 m would be within the range of 0 m to 1.5 m for most side yards on Clapham Road and Catalina Drive.

The revised rear yard setback of 6.5 m would be slightly less than the existing range of rear yard setbacks along Clapham Road and Catalina Drive which is between 7.5 m and 37 m. The proposed rear setback is regarded as compatible with existing development and would allow for proper drainage via a 1.5 m swale and a useable rear yard depth of at least 5.0 m for the proposed units.

Based on the foregoing, the proposal complies with the Residential Intensification policies of the UHOP.

Urban Design

The following Volume 1 urban design policies are applicable:

- “B.3.3.3.1 New development shall be located and organized to fit within the existing or planned context of an area as described in Chapter E – Urban Systems and Designations.
- B.3.3.3.2 New development shall be designed to minimize impact on neighbouring buildings and public spaces by:
 - a) creating transitions in scale to neighbouring buildings;
 - b) ensuring adequate privacy and sunlight to neighbouring properties; and,
 - c) minimizing the impacts of shadows and wind conditions.
- B.3.3.3.3 New development shall be designed to respect existing and planned street proportions.”

Policies B.3.3.3.1 and B.3.3.3.2 identify the importance of built form and fit with surrounding development.

The proposal is compatible with the surrounding residential uses, consisting of one storey to one-and-a-half storey single detached and semi-detached dwellings and four to six storey apartment buildings (Appendix “D” to Report PED16201). The proposed two storey street townhouse development would provide a transition in scale and height between these housing forms. The proposed street townhouses would be designed to maximize sunlight through the roof design, they would allow for privacy areas within the rear yard, and they would not contribute to wind or shadow impacts on neighbouring properties. With respect to Policy B.3.3.3.3, the proposed street townhouses would be oriented along Catalina Drive instead of Clapham Road but would be suitably situated to allow for development on a corner which fits into the neighbourhood context and provides for appropriate setbacks.

“B.3.3.2.6 Where it has been determined through the policies of this Plan that compatibility with the surrounding areas is desirable, new development and redevelopment should enhance the character of the existing environment by:

- a) complementing and animating existing surroundings through building design and placement as well as through placement of pedestrian amenities;
- b) respecting the existing cultural and natural heritage features of the existing environment by re-using, adapting, and incorporating existing characteristics;
- c) allowing built form to evolve over time through additions and alterations that are in harmony with existing architectural massing and style;
- d) complementing the existing massing patterns, rhythm, character, colour, and surrounding context; and,
- e) encouraging a harmonious and compatible approach to infilling by minimizing the impacts of shadowing and maximizing light to adjacent properties and the public realm.”

The proposal would allow for a building design that is complementary to existing single detached dwellings and semi-detached dwellings (item (a)) by providing a low rise building form (i.e. two storeys) that would enhance the corner of Clapham Road and Catalina Drive. The proposed building design would provide an attractive roof design, with dormers, decorative mouldings along windows, and enclosed entrances that would

animate the streetscape. Pedestrian connections to Catalina Drive and Clapham Road would be provided by walkways to existing sidewalks.

The proposal employs a popular hip roof design which is common in single detached and semi-detached dwellings throughout the neighbourhood (item b)). The use of alternating gable roof sections provide an additional design element that is also employed in several of the detached dwellings along Clapham Road.

The proposal would provide an improved streetscape at the corner of Clapham Road and Catalina Drive (item c)) which may encourage opportunities for design improvements within existing neighbourhood dwellings through building additions and the use of architectural features such as dormers and enhanced roof design.

The proposed street townhouse block would complement existing massing patterns, rhythm, character, colour and surrounding context (item d)). As noted, the surrounding residential area is characterized by a unique mix of housing forms, building sizes and heights. The proposal provides a suitable transition between the lower density uses and the apartment buildings in terms of the building massing and would provide architectural rhythm and street interest through the use of alternating gable roof sections and dormers that would maintain and enhance the character of the area. In addition, the proposed street townhouse development would enhance the character of the area of the two streets through the provision of building entrance features on both Clapham Road and Catalina Drive. The proposal would provide complementary materials including brick, stone and stucco, that are employed in many of the dwellings in this area. The proposal also maintains the existing context by preserving greenspace in the front and rear yards.

The proposal represents a harmonious and compatible approach to infilling (item e)), on the basis of the height, massing, setbacks and form that are proposed. The low rise nature of the building, being two storeys would not contribute to overshadowing, respecting the adjacent semi-detached dwellings to the north. In addition, the proposed roof design, with alternating gable roof sections and dormers, provides opportunities to maximize light penetration north and south of the townhouses.

Based on the foregoing, the proposal complies with the Urban Design policies of the UHOP.

Housing

The following housing objectives are applicable to the proposal:

- “B.3.2.1.6 Increase the mix and range of housing types, forms, tenures, densities, affordability levels, and housing with supports throughout the urban area of the City.

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- B.3.2.4.1 The development of a full range of housing forms, types, and densities shall be provided for and promoted throughout the City of Hamilton through residential intensification and new development. A full range of housing forms, types, and densities means the full spectrum of physical housing types including single detached dwellings, semi-detached dwellings, duplexes, townhouses of various types (street, block, stacked), apartments and other forms of multiple dwellings, and lodging houses, built at a range of densities.”

With respect to the aforementioned policies, the proposal would provide an intensified housing form as well as a built form not currently found in this area (i.e. street townhouses) which would add interest and diversity to the community while still maintaining the overall character of the area. As noted, the proposed street townhouses are suitably located to serve as a transitional housing form between the existing higher density apartments to the south and east and lower density housing to the north and west. The proposal would also provide additional housing options for residents of this area who may wish to upgrade from rental accommodations or downsize to a smaller dwelling.

Based on the foregoing, the proposal complies with the Housing policies of the UHOP.

Noise Policies

The following noise policies are relevant to the proposal:

- “B.3.6.3.7 A noise feasibility study, or detailed noise study, or both, shall be submitted as determined by the City prior to or at the time of application submission, for development of residential or other noise sensitive land uses on lands in the following locations:
- a) 400 m of a truck route; and,
 - b) 400 m of a Provincial Highway, as identified on Schedule C – Functional Road Classification.”

Staff note the proposed development is located approximately 220 m south of Queenston Road, and 447 m west of Centennial Parkway which are recognized as major truck routes within the City.

At the time of the Formal Consultation, the requirement for a noise study was not required due to the location of the property within the interior of a neighbourhood, the prevalence of larger buildings to the north, which may deflect noise away from the property. Upon further consideration, a noise study would be applicable to the proposed street townhouse development because of the northerly orientation of the outdoor living areas (i.e. rear yards) and habitable rooms which are partially exposed to noise sources

from Queenston Road. The noise study would ensure that suitable building materials are provided for noise mitigation as well as the inclusion of noise warning clauses, if applicable, in any purchase and sale agreements. Staff are of the opinion that this matter can be addressed as a standard condition of approval at the Site Plan Control stage (see Appendix “B” to Report PED16201). Based on the foregoing, the proposal conforms to the Noise policies of the UHOP.

Servicing

The following policies are applicable for servicing:

- “C.5.3.5 All new development and redevelopment within the Urban Area shall be connected to the City’s water and waste water system.
- C.5.3.11 The City shall ensure that any change in density can be accommodated within the municipal water and wastewater system.
- C.5.3.15 The City shall be satisfied that adequate infrastructure services can be provided prior to any development or intensification proceeding, and where technically and economically possible, the City shall require such services to be located underground.
- C.5.4 The City shall ensure that appropriate storm water management facilities are built and maintained to provide a safe and secure system for storm water.
- C.5.4.9 All land designated on Schedule E-1 – urban Land Use Designations shall meet the following conditions:
 - a) development and / or redevelopment shall be connected to, or serviced by, a storm water drainage system or other appropriate system such as ditches, or any other technique acceptable to the City, Conservation Authorities, or the Province and / or detailed in a storm Water Master plan or relevant study;
 - b) development shall be in accordance with the system capacity for drainage and storm water management and where relevant, will conform to storm water management plans, a Storm Water Master plan, site plans and / to other relevant studies, guidelines or regulations; and,
 - c) Storm water systems shall be designed and constructed, in accordance with the city’s standards and guidelines, storm water

master plans, master drainage plans and any other relevant study or legislation.

The proposal has required the submission of a Functional Servicing Report (FSR) to examine the availability of existing services, preferred options for servicing and servicing issues. The subject property has services for watermain, sanitary sewers, and storm sewers available on Clapham Road and Catalina Drive. The storm sewer on Catalina Drive however does not extend the full length of the property and may require an extension.

Based on the review of the FSR, the issue for the proposed development is storm water management due to grades to ensure that a suitable outlet can be provided for storm services. The preferred servicing option by the City is for an outlet to be established in the north easterly corner of the rear yard through the provision of a rear yard catchbasin to allow for swale drainage and a connection to the system on Catalina Drive via the easterly side yard, which the applicant is in agreement with. Planning staff are of the opinion that a Holding 'H' Provision is required in the zoning in order to examine the servicing requirements further at the Site Plan Control stage. The owner shall be required to submit an updated Functional Servicing Report to address storm water management and site servicing prior to Site Plan Approval and agree in writing to implement the Functional Servicing Report through an External Works Agreement and all financial requirements to the satisfaction of the Manager of Engineering Approvals.

With respect to water and sanitary services, these services are available and adequate, however, additional information is required with respect to water generation and fire flow requirements, which has been submitted for review. As noted, the sanitary sewer is also required to be extended along Catalina Drive.

As a servicing strategy has been determined for the proposed development and will be finalized prior to the removal of the Holding Provision, the proposal complies with the Servicing policies of the UHOP.

Neighbourhood Plans

- "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.

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

With respect to the above-noted policies, an Amendment to the Greenford Neighbourhood Plan is required to change the designation from “Medium Density Apartments” to “Attached Housing.” Staff are in support of this Neighbourhood Plan Amendment which is discussed in the following section.

Greenford Neighbourhood Plan

The Greenford Neighbourhood Plan has designated the subject property “Medium Density Apartments” which does not permit the proposed street townhouse development. An amendment would be required to change the Neighbourhood Plan designation to “Attached Housing.”

The proposed change to the Greenford Neighbourhood Plan is supportable as it would allow for the development of an attached housing form which would be more compatible with the existing semi-detached dwellings to the north than a medium density apartment building. The proposal would conform to the density requirements for “Attached Housing” which are 24 units per acre (59 units per hectare).

The location within the interior of a neighbourhood is preferable for street townhouses, whereas apartment buildings are more appropriately located along arterial or collector roads. As noted, the proposed street townhouses also provide a suitable transition and interface between lower and higher density housing forms and between varying building heights.

Holding Provisions

With respect to Holding Provisions for Zoning By-law Amendments, the following policy applies:

- “F.1.8.2 A Holding Symbol may be applied under any or all of the following circumstances and specified in the Holding By-law:
- c) Where municipal infrastructure is not adequate or available to support the ultimate use.”

The use of the Holding provision is considered appropriate because of a more detailed review at the Site Plan Control stage that would include the extension of the sanitary sewer. It is noted that the current “DE-2/S-48A” District zoning would permit a multiple dwelling as of right without the application of a holding provision.

Based on the foregoing, the proposal complies with the policies for Holding Provisions.

Centennial Neighbourhoods Secondary Plan (Draft)

The subject property is within the Centennial Neighbourhoods Secondary Plan which is currently under review and includes neighbourhoods in East Hamilton and Stoney Creek south of Queenston Road and those north of the QEW and between the Redhill Parkway and Lake Avenue. This area is significant because it is recognized in the UHOP as a Sub-Regional Node which is an area with a regional retail function that provides a range of housing, jobs, services and recreation in close proximity. The Centennial Neighbourhood plan is expected to be presented to Planning Committee in early 2017.

The subject property is proposed to be designated as “Low Density Residential 3” which would permit street townhouses and a density range between 40 – 60 units per hectare. The proposed development would comply with this draft policy direction.

RELEVANT CONSULTATION

The following internal departments and external agencies had no concerns or objections to the proposed applications:

- Landscape Architectural Services, Public Works Department.

Corridor Management, Public Works Department

Corridor Management has advised that they have no comments with respect to the proposed Zoning By-law Amendment. The following comments provided are with respect to requirements and considerations at the Site Plan Control stage:

- “A minimum 1.2 metre clearance between an access and utility pole or fire hydrant is required. Utility relocation costs are the responsibility of the owner;
- Urban Forestry should be consulted concerning potential tree removals on City property;
- Objects such as fencing, shrubs or other landscaping features adjacent to Catalina Drive must be kept under 0.7 metres in height so that the driver's views are not obstructed;
- It is a standard requirement for new development construction that the required parking spaces be provided on private property and not on the City's road allowance boulevard area;
- All sidewalk repair and driveway approach ramp construction within the City road allowance must be completed by a contractor bonded by the City of Hamilton;
- Access permits will be required from the Public Works Department for the proposed driveway approach ramps. The owner should contact all respective utilities prior to commencing any work within the road allowance. Any costs for utility relocation or other items are the sole responsibility of the applicant / owner.”

Urban Forestry and Horticulture Section, Public Works Department

Urban Forestry has advised that the proponent would require the submission and approval of a Tree Management Plan and Landscape Plan by a Registered Landscape Architect to address the proposed development in light of four municipal tree assets that were identified for removal on the road allowance portion of the subject property.

Planning staff have noted that at the time of the Formal Consultation, the Tree Management Plan could be submitted at the rezoning or Site Plan Control Approval stage. Although a Tree Management Plan has not been submitted, an acknowledgement to retain one or more of the four municipal trees has been expressed by the applicant. Further discussions are provided in the Analysis and Rationale for Recommendations Section of this Report.

Transportation Planning Section, Public Works Department

Transportation Planning has advised that based on the Urban Hamilton Official Plan Road Network Classification (Section 4.5), Clapham Road is recognized as a Local Road and would require road widening dedication for a 4.57 m Local to Local daylighting triangle.

Planning staff were advised that a 6.1 m arc has been provided at the corner and that a 4.57 m daylighting triangle would be acquired from the arc through dedication as a condition of Site Plan Approval. .

Growth Planning Division, Planning and Economic Development Department

Growth Planning has advised that based on the submitted concept plan and orientation of the proposed development, the municipal addresses will be on Catalina Drive as follows:

Unit 1 – 14 Catalina Drive
Unit 2 – 12 Catalina Drive
Unit 3 – 10 Catalina Drive
Unit 4 – 8 Catalina Drive
Unit 5 – 6 Catalina Drive

Growth Management Division, Planning and Economic Development Department

The proposed Zoning By-law Amendment has required the review of a Functional Servicing Report to determine the suitability of services for the proposed development. Growth Management has noted that the subject property has available municipal services which include a 200 mm watermain, a 250 mm diameter sanitary sewer and 375 mm diameter storm sewer on Clapham Road. A storm sewer is located along Clapham Road but extends only partially along Catalina Drive.

With respect to storm water management, the proposed development has challenges due to the topography, the requirement for a swale along the future rear lot lines and an outlet (i.e. rear yard catch basin), as well as the preferred servicing option for the storm sewer to be serviced from Catalina Drive instead of from Clapham Road. The extension of the storm sewer along the easterly side property line and for the servicing of the separate units within the individual rear yards would also require a swale in accordance with City policies. In addition, the proposal would require sump pumps and permeable pavers for infiltration.

There are a few options that have been evaluated to address storm water servicing. Growth Management recommend that the matter be addressed through a Holding Provision to be examined prior to the Site Plan Approval stage as a servicing strategy

has been identified. In addition, the use of Holding Provisions for servicing is supported in the UHOP and allows for the proposal to move forward while finalizing the servicing strategy.

Public Consultation

In accordance with Council's Public Participation Policy, the Zoning By-law Amendment application was pre-circulated to all property owners within 120 m on February 20, 2016 and a notification sign was posted on the site. A total of 129 notices were circulated. The circulation resulted in the submission of one letter received from the public for the proposed applications. The concerns raised in this letter are summarized in the Analysis and Rationale for Recommendations Section.

Notice of the Public Meeting was given on September 19, 2016 in accordance with the requirements of the *Planning Act* through the circulation to property owners within 120 m of the subject lands and through the posting and subsequent updating of a notification sign on the property.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The Zoning By-law Amendment application 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, in terms of intensification compact development, and the provision of a wider range of housing types;
 - (ii) Upon finalization of the change in the Neighbourhood Plan, the proposal will comply with the Urban Hamilton Official Plan; and,
 - (iii) It is considered to be compatible with the existing and planned development in the immediate area; and represents good planning by, among other things, providing a compact and efficient urban form.
2. The rationale for supporting the proposed townhouse development are further provided in the following discussion:
 - i) Compatibility of Use

The proposed street townhouse development would be a compatible use within the Greenford Neighbourhood and has been identified as providing a transition between the adjacent single storey single and semidetached dwellings and mid-rise (four-storey) apartment buildings. The proposal is two storeys in height thereby maintaining compatibility with the adjacent semidetached dwelling units.

The proposal would be within the density range permitted under the Low Density Residential designation of the UHOP, which is up to 60 units per hectare. While the proposal is close to the maximum density permitted for Low Density it is recognized that this area contains an assortment of medium density apartments which have a higher density than the proposed development. This proposal functions as an interface between those existing higher density developments and the abutting low density dwellings.

The design of the proposed street townhouses would incorporate many of the architectural elements of the surrounding community such as hip roof designs that include alternating gable sections. Elements such as dormers and a roofed entrance would add architectural interest to the proposed development. The design would provide for suitable setbacks for the creation of yards and greenspace. New street trees would also be provided based on the City's compensation requirements (i.e. 1:1) to maintain neighbourhood character. As the proposal is on property which is not a block within an approved plan of subdivision, it would be subject to Site Plan Approval to address all matters of development.

ii) Appropriateness of Location

The proposal is appropriately located in accordance with the requirements of the UHOP for Neighbourhoods within the interior of the Greenford Neighbourhood, along Clapham Road and Catalina Drive, which are local roads. The proposed orientation of the development, along Catalina Drive, is well-suited for this corner lot and would improve the existing streetscape, which is currently dominated by apartment buildings and their associated parking areas.

In addition, the proposed street townhouses are within the "Built-up Area" of the City to which 40% of new development is directed. In such areas, consistent with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe, compact development forms such as street townhouses are encouraged.

The proposed development is also located adjacent to the Centennial Parkway / Queenston Road Sub-Regional Node which is a prominent area for retail and transportation within the City. Within the area surrounding the sub regional node, a range of residential uses is encouraged. The draft Centennial Secondary Plan also identifies the subject property as being within the Low Density Residential 3 designation which would permit street townhouses.

iii) Full Range of Housing

The proposal would contribute to the building of “complete communities” and a full range of housing consistent with the Growth Plan for the Greater Golden Horseshoe and PPS by providing an additional housing form within the Greenford Neighbourhood. The provision of compact housing forms are desirable for a range of housing needs and would accommodate persons who may need to downsize from a single detached dwelling or enter the housing market. As noted, new forms of housing are required in this area as the adjacent Sub-Regional Node function continues to evolve.

3. There was one letter received from the public for the proposed Zoning By-law Amendment application (Appendix “E” to Report PED16201). The following issues were identified in the public correspondence:

i) Parking issues

The concern of street parking is that an additional five parking spaces would be required on the street. Staff note that new development proposals are required to satisfy their parking requirements on site, without relying on the availability of street parking. As the proposed development satisfies the required parking for street townhouses, being one parking space per unit; separate visitors parking spaces are not required. Additional flexibility has been provided in the amending zoning, recognizing the higher density of this area to permit parking within driveways or garages, with the allowance for the manoeuvring space to be located on the City’s portion of the driveway. Potentially, this would allow for a second parking space on the property reducing the need for street parking.

ii) Scale and Orientation of Proposed Development

A second concern is that the proposal should be scaled down to three or four units and oriented to Clapham Road. Staff note that street townhouses are a more compact form of development with reduced yards and building setbacks. The creation of street townhouses fronting Clapham Road would achieve a less desirable form because of the creation of overly-long rear yards.

Staff support the proposed orientation and scale of the development because it addresses the corner well, it provides for suitably sized street townhouse units and meets the density requirement of the UHOP. In addition, the proposed development would provide an enhanced streetscape along Catalina Drive in an area where there is a residential parking lot and several apartment buildings.

4. The proposed change in zoning from the “DE-2/S-48A” (Multiple Dwellings) District, Modified to the Site-Specific “RT-30” (Multiple Dwelling) District is required to permit the proposed street townhouse development.

The proposal would comply with the maximum building height provision of three storeys and 11.0 m, the minimum width provision for each dwelling unit of 6.0 m and would also comply with the standard zoning provisions for dwelling unit placement (i.e. maximum of eight units in a row), the minimum number of parking spaces (i.e. one space per unit) and minimum access driveway width (i.e. 2.8 m).

The proposed development would require special provisions in the amending zoning to address reduced setbacks (i.e. front, rear and side), the minimum lot area for each dwelling unit and minor modifications to parking and manoeuvring requirements.

The following discussion addresses the special zoning provisions required for the Site-Specific “RT-30” (Multiple Dwelling) District.

i) Minimum Front Yard

A modification to the “RT-30” District is required to change the minimum front yard depth for street townhouses from 6.0 m to 5.5 m. This modification replaces the original proposed setback of 5.0 m. The adjusted setback of 5.5 m would provide a reasonable driveway length to accommodate a parked vehicle without encroaching onto City lands if a second parking space is required in keeping with existing front yards. The adjustment also provides additional space to increase the rear yard depths in light of the requirement for a drainage swale along the rear yard boundaries for storm water management.

Therefore the proposed reduced front setback is reasonable and can be supported.

ii) Minimum Rear Yard

A modification to the “RT-30” District is required to change the minimum rear yard depth for street townhouses from 7.5 m to 6.5 m. This setback was increased from the original proposed rear yard of 5.0 m to increase the depth of the rear yards. Staff were initially concerned that the intensity of the development with five rear yards could impact the abutting neighbour to the north if the rear yards were too shallow (i.e. less than 5.0m). The revised rear yard setback provides deeper rear yards which are closer to the standard requirement and which are considered adequate for useable private amenity areas for the proposed units in light of the requirements for rear yard swales. Planning and Engineering staff are of the opinion that the proposed lot depths would be acceptable for the provision of a

maximum 1.5 m wide swale for drainage near the rear property line and for a rear yard catchbasin in the rear yard of lot 5 (easterly lot).

The rear setback would also require a provision to permit the level above grade to have a reduced setback of 5.8 m to allow for a cantilevered rear elevation for the second floor. As this floor would be approximately 3.25 m above the grade of the rear yard, this would not interfere with the useable space within the rear yard.

Therefore, the proposed reduced rear setback is reasonable and can be supported.

iii) Minimum Side Yard

A modification to the “RT-30” District is required to change the minimum side yard from 2.0 m for two storey street townhouses to 1.2 m for the easterly side yard and 1.4 m for the westerly side yard.

The easterly side yard would abut a parking area for an apartment dwelling and the reduced setback for the end townhouse unit would not impact this use. The westerly (flankage) side yard would be adjacent to Clapham Road. It is staff’s opinion that the reduced setback (i.e. 1.4 m) for the flankage side is not significant because it is required to accommodate a building projection (i.e. bump out) for an entrance. The setback would otherwise be 2.8 m for this side yard and would comply to the standard side yard provision.

Consideration was also given to the reduced side yard setback of the westerly end unit under the “RT-30” District in comparison with the more significant front yard of the abutting semidetached dwelling to the north (8.8 m). It is staff’s view that since the buildings are reasonably separated from each other, the difference in setbacks would not negatively affect the streetscape. Therefore, staff are supportive of the requested modification.

iv) Minimum Lot Area

A modification is required to the “RT-30” District to permit the interior units to have minimum lot areas of 149 sq m, instead of 180 sq m. However, this does not apply to the easterly and westerly end units which are wider than 6.0 m and which would exceed this requirement.

Staff note that the proposed street townhouse units are considered to have suitable lot areas which provide for adequately sized front and rear yards, driveway and garages. Staff support the requested modification.

v) Minimum Manoeuvring Space

Zoning By-law No. 6593 requires a manoeuvring space for right angled parking with a minimum length of 6.0 m. Where the required parking is provided in the garage or behind the front wall of a dwelling, the driveway would typically function as the manoeuvring space. While a manoeuvring space of 5.5 m could be provided within an individual driveway for the proposed development, Staff are of the opinion that the manoeuvring space requirement could be modified to permit manoeuvring to occur off-site. This change would provide the option of permitting parking to occur within the driveway space which would have appropriate dimensions to accommodate a parking space (i.e. 2.8 m by 5.5 m) in addition to the garage. The proposed width under 3.0 m may allow for the retention of street trees. It was recognized that the boulevard between the front property line and sidewalk would have a minimum depth of 4.0 m which would provide an area for manoeuvring to ensure safety for vehicular egress. Staff support the recommended modification.

vi) Minimum Parking Space Size

The minimum parking space size required in By-law No. 6593 is 2.7 m by 6.0 m, which may include parking within a garage. In By-law No. 6593, one parking space is required for each street townhouse dwelling unit. Based on the applicant's proposed design, the required garage parking space would have dimensions of 3.0 m by 5.8 m. Staff are of the opinion that a parking space within a garage should have a minimum width of 3.0 m to accommodate the space required for door swings and access. The slight reduction in length of 5.8 m continues to be suitable for the parking of most vehicles.

As noted in the manoeuvring space comments above, staff support the option of permitting the parking to occur within the garage or the driveway which would have the same dimensions to allow for flexibility where garage parking is not possible or if a second vehicle is required. This modification would also be incorporated into the amending by-law. Staff support the recommended modification.

vii) Visual Barrier

Staff recommend that a special provision be added to the amending zoning by-law to require a visual barrier between 1.5 – 2.2 m in height along the easterly side property line, abutting a parking area for the adjacent four storey apartment building to the east and along the northerly property boundary abutting an existing semi-detached dwelling. This provision is to ensure privacy and to minimize visual impacts for the end street townhouse unit and the abutting semidetached unit. The height of the visual barrier will be subject to final grades for the rear yard that will be determined at the Site Plan Approval stage.

viii) Accessory Buildings

In light of storm water management requirements for swales and rear yard drainage, as well as the limited rear yard areas, it is recommended that accessory buildings be prohibited for the individual street townhouse lots.

ix) Holding Provision

A Holding 'H' Provision is recommended to address servicing requirements for the proposed development to ensure a proper rear yard outlet for swale drainage and a connection and extension of storm and sanitary sewers on Catalina Drive to the satisfaction of the Manager of Engineering Approvals through an updated Functional Servicing Report. The owner will be required to agree in writing to implement the Functional Servicing Report through an external works agreement to the satisfaction of the Manager of Engineering Approvals in order for the Holding provision to be lifted. As noted, Holding Provisions are permitted in the UHOP to address servicing requirements prior to Site Plan Approval stage. It is further noted that there would be no cost share by the City of Hamilton for the extension of services municipal services along Catalina Drive for this development.

5. The proposal would be subject to Site Plan Control as per the City's Site Plan Control By-law (By-law No. 15-176) because it is situated on lands which are not a block within a Registered Plan of Subdivision. This requirement would allow for a detailed review of the development including matters such as conformity to the approved zoning, grading, detailed stormwater management, landscaping, access, parking, fencing and building design. Fencing would be required along the easterly (side yard) and northerly (rear yard) boundaries to minimize visual impacts and for privacy purposes. The creation of the five individual lots for separate street townhouse units would be addressed through separate consent applications following construction of the development or the foundations for each of the units.
6. Trees have been identified on the subject property which include five street trees and three private trees. Staff recognizes the importance of trees to the health and quality of life of the community and encourage the protection and restoration of trees (policy C.2.11.1). However, there is no private tree protection by-law in place for this section of the City. Staff also recognizes that not all trees can or should be preserved (i.e. trees may be structurally unstable, in poor health or an undesirable species). To maintain existing tree cover, the City generally requires compensation for the removal of trees on a one for one basis. The owner is intending to retain one or more of the street trees. A Tree Management Plan would be required at the Site Plan Approval stage to examine how one or more of the existing street trees can be retained and integrated into the development. A Landscaping Plan will also be required at the Site Plan Approval stage to address new landscape and any compensatory plantings. The proposed street townhouse development

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would provide suitable areas on the property in which compensatory and additional landscaping can be provided.

ALTERNATIVES FOR CONSIDERATION

Should the proposed Zoning By-law Amendment application be denied, the property could continue to be used as an existing single detached dwelling under the “DE-2/S-48A” (Multiple Dwellings.) District, Modified or it could be developed as a two family dwelling, a three family dwelling or as a multiple dwelling under the current zoning.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities

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

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”: Draft Amending Zoning to Hamilton By-law No. 6593
- Appendix “C”: Revised Conceptual Site Plan
- Appendix “D”: Proposed Elevation Plans
- Appendix “E”: Correspondence

:CT/khm