



June 5, 2017

City of Hamilton
Planning Committee
71 Main Street West
Hamilton ON L8P 4Y5

Attention: Chair Maria Pearson and Committee Members

Dear Ms. Pearson and Committee Members,

RE: City of Hamilton Comprehensive Zoning By-law Updates
Parkside Hills Draft Approved Plan of Subdivision
619 Centre Road, Waterdown, City of Hamilton

WEBB Planning Consultants are retained by Parkside Hills to provide land use planning services in connection with the development of their lands located in North Waterdown.

It has come to our attention that the City is holding a Public Meeting on June 6th, 2017, to consider the adoption of Comprehensive Zoning By-law updates to implement new Commercial and Mixed Use Zoning and related amendments to the UHOP.

The new Zoning affects a portion of the Parkside Hills Draft Approved Plan of Subdivision, in particular, a Block located at the North-East corner of the development.

Based on our review of the Staff report and Appendices, the City intends to rezone the lands to the "C6" – District Commercial Zone, subject to site specific exception No. 583. We have reviewed the details of the Zoning and have noted a number of inconsistencies with the proposal including conflicts with the in-force Secondary Plan.

The purpose of this letter is to summarize our concerns with the proposed zoning and formally request that the subject lands be deferred from the draft Commercial and Mixed Use Zoning. The purpose of the deferral is to enable further dialogue between the owners and City Planning Staff.

BACKGROUND

The Parkside Hills Draft Plan of Subdivision is located within the Waterdown North Secondary Plan area of the Waterdown Urban Settlement Area. The municipal planning approvals to implement planned development were approved by the OMB in January 2013 pursuant to a negotiated settlement with the City. The approvals for Phase Two of the Subdivision provided for the development of a mix of residential dwelling types and densities, a mixed use block, and municipal infrastructure including a centralized stormwater management facility and the Waterdown By-pass.

The mixed use component for the project is intended to develop in keeping with the Medium Density Residential and the District Commercial Policies of the Waterdown North Secondary Plan. Site specific District Commercial Policies permit a combination of standalone residential development in the form of apartment buildings and other forms of multiple dwellings in addition to permitted commercial uses, Policy B.4.2.5 (j) reads as follows:

In addition to Policy B.4.2.5.1 b), residential uses in the form of stand-alone apartment buildings and other forms of multiple dwellings (including Stacked Townhouses), shall be permitted within the District Commercial designation; provided a minimum of 1,858m² of Commercial uses are developed, in accordance with Section E.4.7.2 – Permitted Uses of Volume 1

The current Zoning of the mixed use Block includes the “R6” - Medium Density Residential Zone along the westerly limit, with the remaining lands zoned as Urban Commercial – “UC” Zone, with modifications. The OMB approved Zoning implements the Secondary Plan Policies with permission for stand alone medium density residential uses and mixed use buildings within the easterly portion of the lands, adjacent to Centre Road.

The lands adjacent to the future Waterdown By-pass are subject to a Holding Provision. The removal of the Holding provision is contingent on final determination of the By-pass alignment, no commercial uses are permitted until such time as the By-pass is constructed.

The City will also be aware that planning applications to amend the current planning framework are pending. A Preconsultation meeting with held in December 2016 with the City issuing a Formal Consultation Document dated January 13, 2017, File No. FC-16-140.

The development proposal seeks modifications to harmonize the current planning framework to treat the block of land as a single development parcel. The preliminary concept plan shows the development of five buildings, each 6 storeys in height. Based on preliminary plans, each building will accommodate up to 60 dwelling units for a combined total of 300 dwelling units. Each building will have parking on the ground level with the exception of the building fronting Centre road which is intended to accommodate ground floor commercial uses in keeping with the intent of Policy B.4.2.5.1 (j).

PROPOSED OFFICIAL PLAN & ZONING MODIFICATIONS

The Staff recommendation for these lands includes modifications to the UHOP and rezoning to include lands within the new Commercial and Mixed Use Zoning.

The UHOP amendment proposes amendments to the land use schedules of Volume 1 and Volume 2 that recognize portions of the lands being vacant and the limit of designation having previously been determined by a Decision of the OMB. There are no concerns with the changes as they do not have a material effect on the site specific land use Policies of the North Waterdown Secondary Plan.

As noted above, the Zoning of the commercial portion of the Block is proposed to be changed from Town of Flamborough Zoning By-law Zones "UC-10" & "UC-11" to the "C6" - District Commercial Zone and subject to site specific exception No. 583.

The effect of the proposed zoning is to significantly limit the planned development of the subject property for standalone residential uses and the overall scale of residential development.

The proposed C6 Zoning only permits dwelling units in conjunction with commercial uses. Dwelling units are also restricted by Regulation 10.6.1.1.1 by limiting dwelling units to 50% of the total gross floor area of the property. While the exception does recognize Stacked Townhouses as an additional permitted use, there remains a fundamental conflict that restricts the scale and form of planned residential development.

SUMMARY

As we have noted above, it is our position that the proposed Zoning is not consistent with the Policies of the North Waterdown Secondary Plan and prejudices the ability to develop the lands for residential purposes in addition to planned commercial uses.

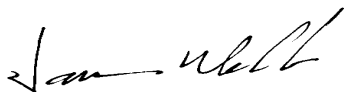
Having regard for the above discussion, it is our request that the subject lands be deferred from the current draft of the Commercial and Mixed Use Zoning. The Zoning of the subject lands will instead be evaluated and implemented through the City's review of planning applications pursuant to Formal Consultation File No. FC-16-140. Culmination of the planning process will be a Zoning By-law amendment that adds the lands to By-law 05-200.

Please note that we will be in attendance at the Public Meeting scheduled for June 6th and will provide an oral submission to Planning Committee in support of the above request.

Please contact our office immediately should you have any questions or require additional information regarding this submission.

Yours truly,

WEBB Planning Consultants Inc.



James Webb, MCIP, RPP

cc: Parkside Hills Inc.