



**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Planning Division**

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	January 16, 2018
<b>SUBJECT/REPORT NO:</b>	Applications to Amend the Urban Hamilton Official Plan, the Rural Hamilton Official Plan, Glanbrook Zoning By-law No. 464, Hamilton Zoning By-law No. 05-200, and for Approval of a Draft Plan of Subdivision "Mountaingate" for lands known as 9255 Airport Road West (Glanbrook) (Ward 11) (PED18017)
<b>WARD(S) AFFECTED:</b>	Ward 11
<b>PREPARED BY:</b>	Robert Clackett (905) 546-2424 Ext. 7856
<b>SUBMITTED BY:</b>	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

- (a) That **Urban Hamilton Official Plan Amendment Application UHOPA-15-03, by Hotz and Sons Limited, Owner,** to amend the Mount Hope Secondary Plan to redesignate lands from "Institutional" and "Low Density Residential 3f" to "District Commercial"; from "District Commercial" and "Low Density Residential 3f" to "General Open Space"; from "Low Density Residential 2", "Utility", and "Natural Open Space" to "Neighbourhood Park"; from "Low Density Residential 2" and "Utility" to "Natural Open Space"; from "Low Density Residential 2" and "Low Density Residential 2c" to "General Open Space"; from "Low Density Residential 2" and "Low Density Residential 2c" to "Utility"; from "Low Density Residential 2" to "Low Density Residential 2c"; from "Low Density Residential 2c" and "Low Density Residential 3f" to "Medium Density Residential 3"; from "Low Density Residential 2c", "Low Density Residential 3f", "Utility", and "Neighbourhood Park" to "Low Density Residential 2"; and from "Low Density Residential 2c", Low Density Residential 3f, and "Neighbourhood Park" to "Institutional". The amendment will also add a special policy area for lands designated "Low Density Residential 2" in order to restrict uses to single detached dwellings and establish a maximum density of 40 units per net hectare; add a special policy area for lands designated "Low Density Residential 2c" to establish a density range of 30 to 55 units per net hectare; add a site specific policy area for lands designated "Medium Density Residential" in order to allow for a maximum height of four storeys; add a site specific policy area for lands designated "Institutional" in order to allow for multiple

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dwelling and to permit a maximum building height of four storeys; remove Core Areas; Linkages and Streams from the Natural Heritage System; remove wetlands and streams from the Natural Heritage Features; and, establish new local roads, for the lands known as 9255 Airport Road West (Glanbrook), as shown on Appendix “A” to Report PED18017, be **APPROVED** on the following basis:

- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED18017, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
  - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe (2017).
- (b) That **Rural Hamilton Official Plan Amendment Application RHOPA-18-002, by Hotz and Sons Limited, Owner**, to amend the Schedule B-Natural Heritage System, Schedule B-4 - Detailed Natural Heritage Features Key Hydrologic Features, and Schedule B-8 - Detailed Natural Heritage Features Key Hydrologic Features Streams to remove the Key Hydrologic Features (Wetlands and Streams) and to apply a Site Specific Policy to allow for the development of a stormwater management facility to serve the adjacent urban area, for the lands known as 9255 Airport Road West (Glanbrook), as shown on Appendix “A” to Report PED18017, be **APPROVED** on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix “C” to Report PED18017, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
  - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe (2017).
- (c) That **Zoning By-law Amendment Application ZAC-07-111 by Hotz and Sons Limited, Owner**, for changes in zoning from the Deferred Development “DD” Zone and General Agriculture “A1” Zone to the Residential “R4-218(A)” Zone, Modified (Block 1); from the Deferred Development “DD” Zone and General Agriculture “A1” Zone to the Residential Multiple “RM2-194(A)” Zone, Modified (Block 2); from the Deferred Development “DD” Zone and the General Agriculture “A1” Zone to the Residential Multiple “RM3-284(A)” Zone and “RM3-284(B)” Zone, Modified (Blocks 3 and 4); and from the Deferred Development “DD” Zone and the General

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Agriculture “A1” Zone to the Shopping Centre Commercial “C2-309” Zone, Modified (Block 5) in Zoning By-law No. 464; for lands located at 9255 Airport Road West (Glanbrook), as shown on Appendix “A” to Report PED18017, be **APPROVED** on the following basis:

- (i) That the draft By-law, attached as Appendix “D” to Report PED18017, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (PPS) and conform to the Growth Plan for the Greater Golden Horseshoe (2017); and,
  - (iii) That the proposed changes in zoning comply with the Urban Hamilton Official Plan upon finalization of Urban Hamilton Official Plan Amendment No. 89.
- (d) That **Zoning By-law Amendment Application ZAC-07-111 by Hotz and Sons Limited, Owner,** for changes in zoning from the Deferred Development “DD” Zone to the Neighbourhood Park (P1) Zone; from the Deferred Development “DD” Zone and the General Agricultural “A1” Zone to the Open Space (P4) Zone; from the Deferred Development “DD” Zone and General Agriculture “A1” Zone to the Conservation / Hazard (P5) Zone; and from the Deferred Development “DD” Zone and General Agriculture “A1” Zone to the Conservation / Hazard Lands – Rural (P6) Zone, in Zoning By-law No. 05-200; for lands located at 9255 Airport Road (Glanbrook), as shown on Appendix “A” to Report PED18017, be **APPROVED** on the following basis:
- (i) That the draft By-law, attached as Appendix “E” to Report PED18017, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (PPS) and conform to the Growth Plan for the Greater Golden Horseshoe (2017); and,
  - (iii) That the proposed changes in zoning comply with the Urban Hamilton Official Plan upon finalization of Urban Hamilton Official Plan Amendment No. 89 and Rural Hamilton Official Plan Amendment No. 15.

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- (e) That approval be given to add a portion of the lands located at 9255 Airport Road West, Glanbrook, to Zoning By-law No. 05-200 and zone said lands District Commercial (C6) Zone in Zoning By-law No. 05-200, subject to the following:
- (i) That the draft By-law, attached as Appendix “I” to Report PED18017, be held in abeyance until such time as the Commercial and Mixed Use Zones are in force and effect; and,
  - (ii) That staff be directed to bring forward the draft By-law, attached as Appendix “I” to Report PED18017, for enactment by City Council, once Zoning By-law No. 17-240, the by-law to establish the Commercial and Mixed Use Zones, is in force and effect.
- (f) That **Draft Plan of Subdivision Application 25T-200723 by Hotz and Sons Limited, Owner,** to establish a Draft Plan of Subdivision known as “Mountaingate”, on lands known as 9255 Airport Road West (Glanbrook), as shown on Appendix “A” to Report PED18017, be **APPROVED** subject to the following conditions:
- (i) That this approval apply to the Draft Plan of Subdivision “Mountaingate”, 25T-200723, prepared by Odan-Detech Consulting Engineers and certified by Bruce MacLeod, O.L.S., dated September 12, 2017, consisting of a maximum of 217 lots for single detached dwellings (Lots 1 – 36, 71 – 159, 245 – 259, 284 - 360), a maximum of 143 lots for street townhouse units (Lots 37 – 70, 160 – 244, and 260 – 283), one block for 69 back-to-back and stacked decked townhouse units (Block 361), one block for institutional or 228 medium density residential units (conventional; back-to-back, stacked and / or stacked deck townhouse units) (Block 362), one commercial block (Block 363), one block for a future road widening (Block 364), one open space block (Block 365), one future servicing block (Block 366), one neighbourhood park (Block 369), three blocks for servicing corridor (Blocks 370, 371, and 372), two natural open space blocks (Blocks 373 and 376), two Stormwater Management Blocks (Blocks 374 and 375), and one future residential block (Block 377), one block for a 0.3 m reserve (Block 367), one block for a vegetation protection zone (Block 368), proposed Street “A”, Street “B”, Street “C”, Street “D”, Street “E”, Street “F”, proposed Mountaingate Road, the extension of Rosebury Way, and the extension of Provident Way, subject to the owner entering into a standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions attached as Appendix “G” to Report PED18017;

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- (ii) Acknowledgement by the City of Hamilton of its responsibility for cost-sharing with respect to this development shall be in accordance with the City’s Financial Policies and will be determined at the time of development; and,
- (iii) That pursuant to Section 51 of the *Planning Act*, 1.57 ha, being 5% of the subject lands and known as part of “Block 369” on the attached Draft Plan (Appendix “F” to Report PED18017), shall be dedicated to the City for Park land purposes. A credit for parkland dedication will be provided for the over dedication of 0.63 ha of “Block 369” to be used for parkland purposes, which is above and beyond the required 5% subject to Section 51 of the *Planning Act*;

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

## **EXECUTIVE SUMMARY**

The purpose of the subject applications are to amend the UHOP, in particular the Mount Hope Secondary Plan, the Rural Hamilton Official Plan, the Town of Glanbrook Zoning By-law No. 464, Zoning By-law No. 05-200, and for approval of a Draft Plan of Subdivision known as “Mountaingate”. The effect of the applications are to permit the development of:

- 217 single detached dwelling units;
- 143 lots for street townhouse units;
- 69 back-to-back and stacked townhouse units;
- one institutional or 228 medium density residential units (conventional; back-to-back, stacked townhouse units);
- one commercial block;
- one block for a future road widening;
- one open space block;
- one future servicing block;

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- one neighbourhood park;
- three blocks for servicing corridor purposes;
- two natural open space blocks;
- two Stormwater Management Blocks;
- one future residential block;
- one block for a 0.3 m reserve;
- one block for a vegetation protection zone;
- seven proposed streets (Street “A”, Street “B”, Street “C”, Street “D”, Street “E”, Street “F”, and proposed Mountaingate Road);
- the extension of Rosebury Way; and,
- the extension of Provident Way.

An amendment to the Urban Hamilton Official Plan is required to redesignate lands, add site specific policies, and remove Natural Heritage Features from mapping from lands that fall within the Mount Hope Secondary Plan area.

An amendment to the Rural Hamilton Official Plan is required to remove the Key Hydrologic Feature Wetlands identification, Key Hydrologic Feature Streams identification and to apply a site specific policy allowing the development of a stormwater management (SWM) facility on the lands located at 9255 Airport Road West to serve the adjacent urban area.

Site specific modifications to the Zoning By-law are required to accommodate the back-to-back townhouse units, stacked townhouse units, street townhouse units, and single detached dwelling units.

The proposal has merit and can be supported as it is consistent with the Provincial Policy Statement (PPS) and conforms to the Growth Plan for the Greater Golden Horseshoe (2017). The proposal will allow for an efficient use of land by permitting the development of a residential greenfield development with a total of 658 units at an

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overall density of approximately 49 units per hectare and will comply with the UHOP and RHOP upon approval of UHOP and RHOP Amendments.

New Commercial and Mixed Use (CMU) Zones in Zoning By-law No. 05-200 have been adopted by Council but the implementing zoning by-law (i.e By-law No. 17-240) has been appealed to the Ontario Municipal Board. Certain lands, including Block 363 of the subject property, were excluded from the CMU Zones as they were subject to existing planning applications. A draft by-law has been prepared with this report (attached as Appendix “I” to Report PED18017), to add Block 363 into Zoning By-law No. 05-200 at such time as the CMU Zones are in force and effect. The draft by-law will be held in abeyance until the CMU Zones are in force and effect, at which time the by-law will be brought forward to City Council for enactment. The subject property is to be rezoned a modified District Commercial (C6) Zone.

***Alternatives for Consideration – See Page 74***

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

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

**Staffing:** N/A

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

**HISTORICAL BACKGROUND**

**Proposal:**

The subject lands are located east of Highway No. 6, north of White Church Road West, and south of Airport Road West. The lands are legally described as Part of Lot 4, Concession 5 (Township of Glanford), and municipally known as 9255 Airport Road West (see location map attached as Appendix “A” to Report PED18017).

The proposal is for 217 lots for single detached dwellings (Lots 1 – 36, 71 – 159, 245 – 259, 284 - 360), 143 lots for street townhouse units (Lots 37 – 70, 160 – 244, and 260 – 283), one block for 69 back-to-back and stacked townhouse units (Block 361), one

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block for institutional or 228 medium density residential units (conventional; back-to-back, stacked and / or stacked townhouse units) (Block 362), one commercial block (Block 363), one block for a future road widening (Block 364), one open space block (Block 365), one future servicing block (Block 366), one neighbourhood park (Block 369), three blocks for servicing corridor (Blocks 370, 371, and 372), two natural open space blocks (Blocks 373 and 376), two Stormwater Management Blocks (Blocks 374 and 375), and one future residential block (Block 377), one block for a 0.3 m reserve (Block 367), one block for a vegetation protection zone (Block 368), seven proposed streets (Street “A”, Street “B”, Street “C”, Street “D”, Street “E”, Street “F”, proposed Mountaingate Road), the extension of Rosebury Way, and the extension of Provident Way, for a maximum total of 657 residential units

**Rural Hamilton Official Plan Amendment (RHOPA):**

The development applications discussed in this report are subject to the Clergy Principal as they predated the inclusion of the policies contained in Volume 1, Section C.5 – Stormwater Management Facilities of the Rural Hamilton Official Plan. A Site Specific Policy to the Rural Hamilton Official Plan for the proposed stormwater management facility is appropriate.

As the applications were submitted prior to the RHOP approval in March 2012 they are to be reviewed against the Region of Hamilton - Wentworth Official Plan as it pertains to the Natural Heritage System. As no Natural Heritage Features are identified within Map No. 4 of the Hamilton - Wentworth Official Plan, an amendment to remove these features from the Rural Hamilton Official Plan is appropriate.

These amendments to the RHOP will ensure consistency throughout the Plan and guarantee that the Plan is kept up to date on a go forward basis.

**Urban Hamilton Official Plan Amendment (UHOPA):**

An application has been made to amend the Mount Hope Secondary Plan. Specifically, the applicant has applied to:

- Redesignating lands from “Institutional” and “Low Density Residential 3f” to “District Commercial”;
- Redesignating lands from “District Commercial” and “Low Density Residential 3f” to “General Open Space”;



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- Redesignating lands from “Low Density Residential 2”, “Utility”, and “Natural Open Space” to “Neighbourhood Park”;
- Redesignating lands from “Low Density Residential 2” and “Utility” to “Natural Open Space”;
- Redesignating lands from “Low Density Residential 2” and “Low Density Residential 2c” to “General Open Space”;
- Redesignating lands from “Low Density Residential 2” and “Low Density Residential 2c” to “Utility”;
- Redesignating lands from “Low Density Residential 2” to “Low Density Residential 2c”;
- Redesignating lands from “Low Density Residential 2c” and “Low Density Residential 3f” to “Medium Density Residential 3”;
- Redesignating lands from “Low Density Residential 2c”, “Low Density Residential 3f”, “Utility”, and “Neighbourhood Park” to “Low Density Residential 2”;
- Redesignating lands from “Low Density Residential 2c”, “Low Density Residential 3f”, and “Neighbourhood Park” to “Institutional”;
- Add a special policy area to lands designated “Low Density Residential 2” in order to restrict uses to single detached dwellings and establish a maximum density of 40 units per net hectare;
- Add a special policy area to lands designated “Low Density Residential 2c” to establish a density range of 30 to 55 units per net hectare;
- Add a site specific policy area to lands designated “Medium Density Residential” to allow for a maximum height of four storeys;
- Add a site specific policy area to lands designated “Institutional” to allow for multiple dwellings and permit a maximum building height of four storeys;
- Remove Core Areas; Linkages and Streams from the Natural Heritage System;
- Remove wetlands and streams from the Natural Heritage Features; and,

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- to establish new local roads.

The effect of the amendments is to allow for a Plan of Subdivision that includes residential, commercial, utility, neighbourhood park, institutional, and open space land uses. The proposed amendments are contained in Appendix “B” to Report No. PED18017.

**Zoning By-law Amendment:**

A Zoning By-law Amendment was submitted to rezone the subject lands, as shown on Appendix “D” to Report PED18017 from the Deferred Development “DD” Zone and the General Agriculture “A1” Zone to site specific Residential “R4” Zone; Residential Multiple “RM2” Zone; Residential Multiple “RM3” Zone; and, Shopping Centre Commercial “C2” Zones.

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

A proposed Zoning By-law Amendment (Appendix “E” to Report PED18017) will also bring lands currently zoned Deferred Development (DD) Zone and General Agriculture (A1) Zone in Glanbrook Zoning By-law No. 464 into Hamilton Zoning By-law No. 05-200 and zone them Neighbourhood Park (P1) Zone, Open Space (P4) Zone, Conservation / Hazard (P5) Zone, and Conservation / Hazard – Rural (P6) Zone.

**Plan of Subdivision:**

The proposed Draft Plan of Subdivision (see Appendix “F” to Report PED18017) is intended to create:

- 217 single detached dwelling units;
- 143 lots for street townhouse units;
- 69 back-to-back and stacked townhouse units;
- one institutional or 228 medium density residential units (conventional; back-to-back, stacked townhouse units);
- one commercial block;

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- one block for a future road widening;
- one open space block;
- one future servicing block;
- one neighbourhood park;
- three blocks for servicing corridor purposes;
- two natural open space blocks;
- two Stormwater Management Blocks;
- one future residential block (Block 377);
- one block for a 0.3 m reserve;
- one block for a vegetation protection zone;
- seven proposed streets (Street “A”, Street “B”, Street “C”, Street “D”, Street “E”, Street “F”, and proposed Mountaingate Road);
- the extension of Rosebury Way; and,
- the extension of Provident Way.

Access to the proposed development will be via a connection to Cargo Drive, and extensions of Spitfire Drive, Provident Way, and Rosebury Way. The total unit yield for this Draft Plan of Subdivision would be a maximum of 658 residential units.

## **CHRONOLOGY**

<u>December 21, 2007:</u>	Applications OPA-07-035, ZAC-07-111, and 25T-200723 received.
<u>January 18, 2008:</u>	Applications OPA-07-035, ZAC-07-111, and 25T-200723 deemed complete.

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January 25, 2008: Circulation of Notice of Complete Application and Preliminary Circulation for Applications OPA-07-035, ZAC-07-111, and 25T-200723 to 91 property owners within 120 m of the subject lands.

February 15, 2008: Initial Public Notice Sign was posted on the subject lands.

January 2015: Urban Hamilton Official Plan Amendment UHOPA-15-003 received.

April 2016: Revised Urban Hamilton Official Plan Amendment and Draft Plan concept received.

December 2016: Revised Draft Plan concept received.

April 2017: Revised Draft Plan concept received.

September 2017: Revised Draft Plan concept received.

December 6, 2017: Public Notice Sign updated to include date of Public Meeting.

December 12, 2017: Rural Hamilton Official Plan Amendment RHOPA-18-002 received.

December 15, 2017: Circulation of Notice of Public Meeting to 91 property owners within 120 m of the subject lands and all residents who provided written comment.

December 20, 2017: Revised Circulation of Notice of Public Meeting to 91 property owners within 120 m of the subject lands and all residents who provided written comment.

**Details of Submitted Application**

**Location:** 9255 Airport Road West (Glanbrook)

**Owner:** Hotz and Sons Limited (c/o Martin Hotz)

**Agent:** Turkstra Mazza and Associates (c/o Scott Snider)

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**Property Description:**                      Frontage:      180.2 m (Airport Road West)  
   Lot Depth:    1, 251 m  
   Area:            27.4 ha

**Services:**                                      Municipal Piped Water System  
   Municipal Sanitary Sewer System  
   Storm Sewer

**EXISTING LAND USE AND ZONING:**

	<b><u>Existing Land Use</u></b>	<b><u>Existing Zoning</u></b>
<b><u>Subject Lands:</u></b>	Vacant	Deferred Development “DD” Zone

**Surrounding Lands:**

<b>North</b>	Single Detached Dwellings	Existing Residential “ER” Zone
	Hamilton Airport	Airport “U1” Zone
<b>East</b>	Public Elementary School	Institutional “I” Zone
	Vacant	Deferred Development “DD” Zone
	Woodlot	Public Open Space “OS2” Zone
	Single Detached Dwellings	Residential 3 “R3” Zone
	Utility Corridor	Private Open Space “OS1-148” Zone
	Single Detached Dwellings	Residential 4 “R4” Zone
	Vacant	Residential Multiple “H-RM3-147” Zone

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<b>South</b>	Agricultural	Agriculture “A1” Zone
<b>West</b>	Vacant	Airport Related Business (M8, H37) Zone
	Agricultural	Agriculture “A1” Zone

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

### **Provincial Planning Policy Framework**

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

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

- “1.1.1 Healthy, liveable and safe communities are sustained by:
- c) Avoiding development and land use patterns which may cause environmental or public health and safety concerns.
- 1.1.3.1 Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.
- 1.1.3.2 Land use patterns within settlement areas shall be based on:
- a) densities and a mix of land uses which:
    - 1. Efficiently use land and resources;
    - 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
    - 3. Minimize negative impacts to air quality and climate change, and promote energy efficiency;
    - 4. Support active transportation;
    - 5. Are transit-supportive, where transit is planned, exists or may be developed;
    - 6. Are freight-supportive; and,

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- b) A range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.
- 1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.
- 1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:
- a) permitting and facilitating:
    - 1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and,
    - 2. All forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;
  - c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
  - d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and,
  - e) Establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.”

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

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

“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.”

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 metres of a known archaeological site;
- 2) Within 300 metres of water or prehistoric water, or 200 metres of a secondary watercourse;
- 3) Documentary evidence, local knowledge or oral history associates the property with historic activities, events or occupations; and,
- 4) Within 100 metres of a historic transportation corridor.

Staff received a Stage 1-3 and 4 (P013-325-2007; P013-382-2007) archaeological report for the subject property (9255 Airport Road West) that were submitted to the City and the Ministry of Tourism, Culture and Sport. The Province signed off on the reports for compliance with licensing requirements in a letter dated April 21, 2008. Staff are of the opinion that the municipal interest in the archaeology of this portion of the site has been satisfied.

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

**Growth Plan for the Greater Golden Horseshoe (2017)**

The proposal conforms to the Guiding Principles, Section 1.2.1, as it provides for a range and mix of housing options to serve varying sizes, incomes, and ages of households.

The subject lands constitute a greenfield development as the lands are within the urban boundary but not within the built-up area.



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Policy Section 2.2.1 provides direction on managing this growth whereby population and employment growth will be accommodated by, amongst other things:

- “a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
- b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes; and,
- c) provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;”

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

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

- a) supports the achievement of complete communities;
- b) supports *active transportation*;
- c) encourages the integration and sustained viability of transit services.”

As mentioned above, the proposal will contribute to a complete community by providing a diverse range and mix of housing types as well as commercial uses.

Based on the foregoing, the proposal conforms to the policies of the Growth Plan for the Greater Golden Horseshoe (2017).

An application to amend the UHOP was submitted in 2015. The intent of this application was to update the land use designations as the UHOP had since been in full force and effect since the initial applications were made. The balance of the application (ie. Noise Exposure Forecast Contours, and the location of Stormwater Management Ponds) was

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evaluated against, and complied with, the policy framework existing at the time of the original submission.

**Hamilton – Wentworth Region Official Plan**

The applications were submitted prior to the UHOP having come into force and effect on August 16, 2013. Accordingly, the Urban Hamilton Official Plan Amendment application was reviewed against the Region of Hamilton-Wentworth Official Plan for the purposes of reviewing the proposed location of the Stormwater Management Ponds and evaluating the conformity to Noise Exposure Forecast (NEF) contours with respect to the proximity of the proposed development to the airport.

In review, the subject lands are designated “Rural” and “Urban” on Map No. 1 – Regional Development Pattern; and as “Prime Agricultural Lands” on Map No. 2 – Agricultural Lands and Niagara Escarpment Plan Area.

There are no policies in Section 4 (Infrastructure) of the Regional Official Plan that would prohibit the proposed development. Also, Policy 4.3.5.3 of the Plan states that no sensitive land uses are permitted to be developed within areas exposed to noise disturbance levels greater than the 28 NEF, except where the lands are currently designated Urban. As the subject lands are designated as Urban on Map No.1 of the Regional Official Plan, the proposed development implements this policy. As such, staff are supportive of the proposed applications.

**Glanbrook Official Plan**

The applications were submitted prior to the UHOP having come into force and effect on August 16, 2013. Accordingly, the Urban Hamilton Official Plan Amendment application was reviewed against the Glanbrook Official Plan for the purposes of reviewing the proposed location of the Stormwater Management Ponds and evaluating the conformity to Noise Exposure Forecast (NEF) contours with respect to the proximity of the proposed development to the airport.

The subject lands are designated “Residential” and “Agricultural” on Schedule “A” – Land Use Plan General Commercial; and, “Institutional”, “High Density”, “Medium Density”, and “Low Density” on Schedule “C” - Mount Hope Secondary Plan Land Use Plan.

“A.9.1 To ensure that municipal services, including piped municipal water and sanitary sewers and storm drainage facilities, and the required utilities are provided to the

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growth areas as designated in this Plan and the Regional Official Plan commensurate with the demand for the development of these designated areas.”

The subject lands have been identified as a growth area within the Official Plan, as such, the location of the SWM ponds implement the intent of the Glanbrook Official Plan.

“F.1.1 It is the intent of this Plan that full municipal services, including municipal water and sanitary sewers, be provided to the Urban Areas of the Township, including, the Binbrook and Mount Hope Urban Settlement Areas, the Residential lands on Twenty Road, the North Glanbrook and Airport Industrial – Business Parks, the Rymal Road Secondary Plan Area and the lands designated Airport – Related Commercial adjacent to Highway No. 6 directly to the south of the former City of Hamilton / Township of Glanbrook Municipal boundary, as designated on Schedule “A” – Land Use Plan.”

The proposed SWM ponds will not just service the subject lands, but will service the larger Mount Hope community as well.

“F.2.1 All new development shall be provided with adequate storm drainage facilities, satisfactory to the Township and other appropriate agencies having jurisdiction.

F.2.4 In considering development proposals, the Township may require a detailed storm water drainage study and implementation plan which will consider the principles of storm water management. The implementation plan shall include major and minor drainage concepts which will recognize the dual functions of providing convenience as well as protecting property.

The problems associated with storm water quality and quantity in the storm management system itself, as well as in the receiving streams, will be recognized, and mitigating measures will be identified to adequately address these problems. These measures may include, but not necessarily be limited to erosion and sediment control during and after construction of new developments, storm and snow melt water detention devices with controlled inlet and outlet mechanisms where appropriate, and provisions for the infiltration where appropriate, and provisions for the infiltration of surface run-off to the ground to the greatest practicable extent. The measures recommended must be to the satisfaction of the Township, the appropriate Conservation Authority, the Ministry of Environment, and the Ministry of Natural Resources.”

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A Stormwater Management Report was submitted, and subsequently revised through the application process. A revised report, in accordance with the City of Hamilton Drainage Policies, City of Hamilton Comprehensive Guidelines (2016) and the MOE&CC Stormwater Management Planning and Design Manual (2003) is required, and shall include the following:

- demonstrate a suitable pond outlet including an emergency spillway from the SWM facility block to the existing culvert on White Church Road;
- show how the pond shall be designed to meet the erosion flow exceedance target identified in the Fluvial Geomorphologic Assessment report;
- verify and confirm that the lesser of predevelopment flow or pond outflows can safely be conveyed through the existing culvert on White Church Road without an increase in flooding on adjoining lands;
- the pond geometry shall be as per City of Hamilton Comprehensive Development Guidelines (2016);
- the pond landscaping shall be as per City of Hamilton Landscape Design Guidelines for SWM facilities (2009); and,
- the stormwater management report shall demonstrate that 100-year HGL is located at or below the top of grade elevation at all inlet and rear-lot catch basin locations and that the 5-year HGL is within the sewer obvert based on 100-year and 5-year pond operating levels, respectively (Condition No. 16 of Appendix “G” to Report No. PED18017) will be required to ensure that adequate drainage can be provided.

**Urban Hamilton Official Plan (UHOP) and Rural Hamilton Official Plan (RHOP)**

The subject lands are identified as “Neighbourhoods” on Schedule “E” – Urban Structure, designated as “Neighbourhoods” on Schedule “E-1” – Urban Land Use Designations in the UHOP, outside of the Built Boundary on Appendix “G” – Boundaries Map; and “District Commercial”, “Institutional”, “Low Density Residential 2”, “Low Density Residential 2c”, “Low Density Residential 3f”, “Neighbourhood Park”, “Utility”, and “Natural Open Space” in the Mount Hope Secondary Plan of Volume 2. The lands where the proposed SWM Pond is to be located is in the rural area and designated as “Rural” on Schedule “D” – Rural Land Use Designations in the RHOP.

The following policies, amongst others, are applicable to the subject applications.

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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.
- 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.”

Furthermore, the subject lands are located within the 28 Noise Exposure Forecast (NEF) Contours, as such, the following policy shall apply:

- “C.4.8.10 Any permitted *development, redevelopment* or *infill development* at or above 25 NEF or within the Airport Influence Area shall be required to submit a *detailed noise study*, implement noise mitigative measures in accordance with provincial and federal guidelines/standards or municipal approaches that achieve the same objective, and include appropriate warning clauses in lease or rental agreements, agreements of purchase and sale, and within development agreements.”

HGC Engineering has prepared an environmental noise impact study titled “Noise Feasibility Study for 9255 Airport Road West (Hotz Lands), Hamilton, Ontario”, dated August 9, 2017, in support of the above noted developments. This study reviewed the acoustic requirements for this development with respect to road noise from Airport Road West, White Church Road and Highway 6; and, airport noise from the John C. Munro Hamilton International Airport.

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Based on the results of the study, noise warning clauses, specific building materials, and acoustical barriers will be required and future owners will be responsible to maintain any and all noise barriers of infrastructure required within the approved noise study as per Section C.4.8.10 of the UHOP (Condition Nos. 1 – 5 and 32 of Appendix “G” to Report No. PED18017).

Natural Heritage

Based on mapping within Volume 1 of the UHOP and RHOP (Schedule B - Natural Heritage System) and Volume 2 of the UHOP (Mount Hope Secondary Plan Land Use Plan Map B.5.4-1), Core Areas have been identified within and adjacent to the subject property. The Core Areas include a pond (in the northwest corner), Significant Woodland (on adjacent lands abutting the eastern property boundary), a wetland (southeast and southwest portions of the property) and watercourses regulated by the Niagara Peninsula Conservation Authority (NPCA). The pond, wetland and watercourses may be representative of fish habitat and the Significant Woodland has been identified as a feature to be preserved in the Mount Hope Secondary Plan (UHOP Volume 2 policy B.5.4.6.1 b).

- “C.2.5.3 New development and site alteration shall not be permitted within fish habitat except in accordance with provincial and federal requirements.
- C.2.5.4 New development and site alteration shall not be permitted within significant woodlands, significant valleylands, significant wildlife habitat and significant areas of natural and scientific interest unless it has been demonstrated that there shall be no negative impacts on the natural features or on their ecological functions; and,
- C.2.5.5 New development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in Section C.2.5.2 to C.2.5.4 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there shall be no negative impact on the natural features or on their ecological functions.”

As a result of the above policies, an Environmental Impact Statement (EIS) was required to be prepared to the satisfaction of the City and the NPCA. A draft EIS was prepared by Savanta Inc. (Sept. 2009) through consultation with NPCA; however City of Hamilton staff was not provided with this report and therefore no formal comments were issued. A revised EIS was prepared October 2013 and was reviewed by City staff. Due

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to concerns, further revisions were required and a final EIS was prepared (Dec. 2014). This EIS identified:

- A 15 metre vegetation protection zone (VPZ) (measured from the surveyed dripline) to protect the Significant Woodland and its functions;
- The potential utilization of the property by Barn Swallow and Eastern Meadowlark, two Species at Risk (SAR) (“threatened”);
- Removal of Core Areas (pond, watercourses and wetlands) since the function of these features would be replicated through the stormwater management ponds; and,
- Proposed trail creation within the Significant Woodland due to the disturbance of informal mountain bike trails.

An EIS Comment Response was submitted by Savanta Inc. (April 22, 2016) to address outstanding concerns with regards to Species at Risk (SAR) (discussions with Ministry of Natural Resources and Forestry staff) and creation of a formalized trail. Staff are satisfied with this response.

The boundaries of Core Areas are general in nature. Major changes to boundaries, the removal and addition of Core Areas require an amendment to the UHOP and RHOP, (UHOP Volume 1, policy C.2.2.2 and RHOP Volume 1, policy C.2.2.3).

“C.2.2.2 The boundaries of *Core Areas* and Linkages, shown on Schedule B - Natural Heritage System, are general in nature. Minor refinements to such boundaries may occur through Environmental Impact Statements, *watershed* studies or other appropriate studies accepted by the City without an amendment to this Plan. Major changes to boundaries, the removal or addition of *Core Areas* and Linkages identified on Schedule B - Natural Heritage System and Schedules B-1-8 – Detailed Natural Heritage Features require an amendment to this Plan.

C.2.2.3 The boundaries of *Core Areas* are shown on Schedule B - Natural Heritage System and *key natural heritage features*, *key hydrologic features* and any associated *vegetation protection zones*, provincially significant and *local natural areas* are shown on Schedules B-1 to B-8 - Detailed Natural Heritage Features. Minor refinements to such boundaries may occur through Environmental Impact Statements, *watershed* studies or other appropriate studies accepted by the City without an amendment to

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this Plan. Major changes to boundaries, the removal or addition of *Core Areas* identified on Schedule B - Natural Heritage System, and Schedules B-1 to B-8 – Detailed Natural Heritage Features require an amendment to this Plan.”

As a result of these policies, the following mapping changes are required:

- UHOP Volume 1 Schedule B (Natural Heritage System),
  - Removal of Core Areas: Linkages and Streams that include the pond in the northwestern corner, wetland southwest of the woodland and wetland north of White Church Road West.
- UHOP Volume 1 Schedule B-4 (Detailed Natural Heritage Features Key Natural Heritage Feature and Key Hydrologic Feature Wetlands)
  - Removal of the wetlands located southwest of the woodland and north of White Church Road West.
- UHOP Volume 1 Schedule B-8 (Detailed Natural Heritage Features Key Hydrologic Features Streams)
  - Removal of the watercourse located north of White Church Road West.
- RHOP Volume 1 Schedule B (Natural Heritage System)
  - Removal of Core Areas: Hydrologic Features and Streams located north of White Church Road West.
- RHOP Volume 1 Schedule B-4 (Detailed Natural Heritage Features Key Hydrologic Feature)
  - Removal of the wetlands located north of White Church Road West.
- RHOP Volume 1 Schedule B-8 (Detailed Natural Heritage Features Key Hydrologic Feature-Streams)
  - Removal of the watercourse located north of White Church Road West.



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As previously mentioned, a Core Area (Significant Woodland) has been identified adjacent to Block 369 (Neighbourhood Park). The Core Area and its functions are to be protected from the impacts of the proposed changes that will occur before, during and after construction. Generally, this protection is through the provision of a vegetation protection zone (VPZ). Within the EIS prepared by Savanta Inc. (Dec. 2014), it was identified that a 15 metre VPZ will be provided to protect the Significant Woodland. The VPZ (which will be located within Block 369) will be zoned as P5 (Conservation / Hazard Land). This zone would allow for both conservation (protection of the natural heritage feature and its functions) as well as limited recreation options (such as a formalized trail within the woodland).

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

Through the inventories within the EIS, hedgerows have been identified on the western and eastern boundaries of the subject property. These trees will be required to be removed to facilitate development. Since the City recognizes the importance of trees to the health and quality of life of the community and encourages the protection and restoration of trees, a Tree Protection Plan (TPP) will be required to be prepared by a tree management professional (i.e. certified arborist, registered professional forester, landscape architect) in accordance with the City’s Tree Protection Guidelines (Condition No. 6 of Appendix “G” to Report PED18017).

Through this Plan, only trees that have a diameter-at-breast-height (DBH) of 10 cm or greater would be inventoried. It is important to note that the trees within the Significant Woodland would not need to be inventoried unless tree removal is proposed in the Significant Woodland.

Since the vegetation protection zone (VPZ) is currently an agricultural field, staff requires that the VPZ be enhanced to return it to a natural state. As a Condition of Draft Plan approval, staff requires the preparation of a restoration plan identifying the plantings proposed for the VPZ. This restoration plan should also provide landscaping opportunities within the stormwater management areas (Condition No. 7 of Appendix “G” to Report PED18017).

The EIS also identified that the removal of the pond would result in the loss of habitat for Green Frogs. To mitigate this loss, as a Condition of Approval, staff requires the applicant to submit a fish / wildlife relocation plan (Condition No. 8 of Appendix “G” to Report PED18017).

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Finally, a Grading Plan and Erosion and Sediment Control Plan will be required for the subject lands (Condition No. 9 of Appendix “G” to Report PED18017).

Urban Design

The UHOP has detailed policies related to urban design. The following policy, amongst others apply:

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

By way of yard setbacks, frontages, and lot area requirements in the amending By-law (see Appendix “D” to Report PED18017) the proposed development is similar in design to the existing development in Mount Hope located to the east of the subject lands, which has already received planning approvals and is currently built out. As such, the proposed “Mountaingate” development will respect the planned character, development patterns and building form in the area while promoting urban design that is consistent with the locale and surrounding environment.

- “E.6.2.6 Notwithstanding Policy E.6.2.2, where institutional uses cease on lands designated Institutional, low density residential uses, parks and open space uses, or *community facilities/services* uses may be permitted without an amendment to this Plan, provided the uses are *compatible* with the surrounding area and are in keeping with the policies of this Plan.”

There is an “Institutional” Block located within the subject lands. When the Secondary Plan was prepared, this land was intended to be developed into a future separate elementary school. Discussions between the property owner and appropriate School Board officials regarding the proposed development have confirmed that the Hamilton-Wentworth Catholic District School Board is unsure as to whether or not these lands will

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be required for a future school. As such, the School Board would like to retain the ability for these lands to be dedicated for school purposes. The institutional policies of the UHOP allow for low density residential uses as-of-right on institutional sites should the applicable school board declare the lands are not required. This is acceptable to the applicant, provided there is an opportunity to develop these lands for residential development if the School Board deems these lands to be surplus.

**Mount Hope Secondary Plan:**

The subject lands are situated along the western edge of the Mount Hope Secondary Plan area, east of Highway 6, south of Airport Road West, and west of the “Institutional – Elementary School” Block, as well as the “Natural Open Space” Block (located centrally within the Secondary Plan area).

The subject lands are designated “District Commercial”, “Institutional”, “Low Density Residential 2”, “Low Density Residential 2c”, and “Low Density Residential 3f”, “Utility”, and “Neighbourhood Park” on Map B.5.4-1 – Mount Hope Secondary Plan Land Use Plan.

The proposed Draft Plan of Subdivision proposes:

- 217 single detached dwelling units;
- 143 lots for street townhouse units;
- 69 back-to-back and stacked townhouse units;
- one institutional or 228 medium density residential units (conventional; back-to-back, stacked townhouse units);
- one commercial block;
- one block for a future road widening;
- one open space block;
- one future servicing block;
- one neighbourhood park;

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- three blocks for servicing corridor purposes;
- two natural open space blocks;
- two Stormwater Management Blocks;
- one future residential block (Block 377);
- one block for a 0.3 m reserve;
- one block for a vegetation protection zone;
- seven proposed streets (Street “A”, Street “B”, Street “C”, Street “D”, Street “E”, Street “F”, and proposed Mountaingate Road);
- the extension of Rosebury Way; and,
- the extension of Provident Way.

“B.5.4.5.1 In addition to Section B.3.5 – Community Facilities/Services Policies, E.3.10 – Community Facilities and Services and E.6.0 – Institutional Designation of Volume 1, the following policies shall apply to the lands designated Institutional on Map B.5.4-1 – Mount Hope – Land Use Plan:

- a) The Institutional designation recognizes existing institutional uses in the general area of the District Commercial designation, including the Mount Hope Elementary School, Mount Hope Post Office, Mount Hope Branch of Wentworth Libraries, Glanford Community Hall, Glanbrook Fire Station No. 2 and the Mount Hope United Church. This Plan encourages the retention of these existing institutional uses in recognition of their importance in establishing and maintaining the Mount Hope Urban Settlement Area as a community and as a development focal point.
- b) Vehicular access to the Institutional lands adjacent to White Church Road shall be encouraged to be from the internal road network.”

There is an “Institutional” Block designated within the subject lands. When the Secondary Plan was proposed, this land was intended to be developed into a future separate elementary school. Discussions between the property owner and appropriate School Board officials regarding the proposed development have confirmed that the

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*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.*

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan, the Rural Hamilton Official Plan, Glanbrook Zoning By-law No. 464, Hamilton Zoning By-law No. 05-200, and for Approval of a Draft Plan of Subdivision “Mountaingate” for lands known as 9255 Airport Road West (Glanbrook) (Ward 11) (PED18017) - Page 29 of 75**

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Hamilton-Wentworth Catholic District School Board is unsure as to whether or not these lands will be required for a future school. As such, the School Board would like to retain the ability for these lands to be dedicated for school purposes. This is acceptable to the applicant, provided there is an opportunity to develop these lands for residential development (back to back / stacked townhouse dwellings) if the School Board deems these lands to be surplus. As such, an amendment to the Mount Hope Secondary Plan has been proposed to clarify that the development of back to back / stacked townhouse dwellings is allowed. This land is proposed to be redesignated as a site specific policy area.

“B.5.4.6.1 In addition to Sections B.3.4.3 – Parkland Policies and C.3.3 – Open Space Designation Network of Volume 1, the following policies shall apply to lands designated Community Park, Neighbourhood Park, Natural Open Space and General Open Space on Map B.5.4-1 – Mount Hope – Land Use Plan:

- a) The open space system planned for the Mount Hope Secondary Olan area includes the following:
  - i) Community Park;
  - ii) Neighbourhood Park;
  - iii) Natural Open Space; and,
  - iv) General Open Space.
- b) The wooded area of approximately 1.0 hectares at the western end of Aberdeen Avenue is designated Natural Open Space. This woodlot shall be preserved.
- c) Mount Hope Park (formerly Gord Oakes Park) located behind the Glanford Community Hall, approximately 3.1 hectares, shall be retained.”

The Secondary Plan also identifies a small portion of land within the proposed development as “Neighbourhood Park”. These lands, along with lands to the east, were to be used to provide park space for the Mount Hope Neighbourhood. The owner of the subject lands entered into an agreement to provide funds for the abutting lands and create a larger park on the subject lands. This park will be constructed by the applicant and then the ownership shall be provided to the City for public use. While situated in a new location, the proposed

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Neighbourhood Park will be 1.96 hectares in size and will accommodate the needs of the Mount Hope Neighbourhood.

A Utility corridor (TransCanada Pipeline) bisects the subject lands, and is currently designated as “Utility” within the Secondary Plan. These lands will be incorporated into the proposed design of the subdivision and be consolidated with the proposed residential lots allowing for deeper lots to off-set the constraints of the remaining easement. As such, lands will be redesignated from “Utility” to the residential designations which are proposed for the surrounding lands.

“B.4.8.1 In addition to Section C.4.0 – Integrated Transportation Network of Volume 1, the following policies shall apply to the Mount Hope Secondary Plan area:

- a) The internal public road system shall provide an efficient, practical and safe transportation network to accommodate the movement of people and goods within the Mount Hope Secondary Plan area and accommodate a limited number of intersections with the existing public roads adjacent to Mount Hope.
- b) All lands required for new internal public roads, road widenings for existing public roads and daylighting triangles, shall be dedicated free of charge and free of all encumbrances to the City.”

A realignment of the proposed collector road, which bisects the subject lands, and new local roads and daylight triangles, are proposed. A Traffic Impact Statement (TIS) was submitted, but will need to be updated in order to address the future impacts of the residential lots that may result from the eventual surplus school site.

(Condition No. 69 of Appendix “G” to Report PED18017)

- “B.4.8.1 c) The costs related to the design and construction of all new public roads and the upgrading of the adjacent existing public roads required as a result of the development of the Mount Hope Secondary Plan area shall be at the expense of the developer(s). The details regarding these works and costs shall be established in the subdivision agreement(s) and/or the development, maintenance and use (site plan) agreement(s) to be approved by the City and executed by the City and the developer(s).

- d) An overall preliminary traffic study to assess the impact of development on adjacent provincial highways and roads, shall be required to the satisfaction of the Province and the City, prior to the formal submission of any draft plan of subdivision.”

The costs related to the design and construction of all new public roads, the upgrading of the adjacent existing public roads, and an overall preliminary traffic study to assess the impact of development on adjacent provincial highways and roads are reflected in Condition Nos. 25 to 29 of Appendix “G” to Report PED18017.

**“B.4.2.2 Low Density Residential**

- a) Notwithstanding Section E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the lands designated Low Density Residential 2 on Map B.5.4-1 – Mount Hope – Land Use Plan:
  - i) The permitted uses shall primarily consist of single detached dwellings, duplex, semi-detached and triplex dwellings.
  - ii) The maximum density shall be 25 units per net hectare
- b) Notwithstanding Sections E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the lands designated Low Density Residential 2c on Map B.5.4-1 – Mount Hope – Land Use Plan:
  - i) The permitted uses shall be a variety of multiple dwelling unit types including townhouse dwellings and all other forms of horizontal multiple dwellings.
  - ii) The density range shall be from 26 to 40 units per net hectare.
- c) Notwithstanding Sections E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the lands designated Low Density Residential 3f on Map B.5.4-1 – Mount Hope – Land Use Plan:
  - i) The permitted uses shall primarily consist of low rise apartments.
  - ii) The density range shall be from 40 to 60 units per net hectare.”

The “Low Density Residential 2” designation in the Secondary Plan identifies a maximum density of 25 units per net residential hectare (uph), which primarily consists of single detached dwellings, duplex, semi detached and triplex dwellings. In regard to this development, the density of development on the lands proposed for single detached dwellings is calculated at 40 uph (maximum) and will be comprised of single detached dwellings. As such, an amendment to the Secondary Plan is necessary to permit the increased density and restrict the uses to single detached dwellings.

The “Low Density Residential 2c” designation in the Secondary Plan identifies a density range of between 26 and 40 units per net residential hectare (uph), and shall be comprised of a variety of multiple dwelling unit types including townhouse dwellings and all other forms of horizontal multiple dwellings. In regard to this development, the density range for the development on lands designated “Low Density Residential 2c” is between 30 and 55 uph and will be made up of a variety of multiple dwelling unit types. An amendment to the Secondary Plan will be necessary to allow for the increased density.

The “Low Density Residential 3f” designation in the Secondary Plan identifies a density range of between 40 and 60 units per net residential hectare (uph), and shall primarily consist of low rise apartments. In regard to this development, the lands previously designated as “Low Density Residential 3f” will be used for additional lands to be designated “District Commercial”, “Medium Density Residential”, for the purposes of multiple dwelling units, and “Low Density Residential 2”. As such, an amendment to the Secondary Plan is necessary to permit the changes in land use.

### **Medium Density**

- “E.3.5.1 Medium density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods in proximity to major or minor arterial roads, or within the interior of neighbourhoods fronting on collector roads.
- E.3.5.2 Uses permitted in medium density residential areas include multiple dwellings except street townhouses.
- E.3.3.5 Medium density residential uses shall be located within safe and convenient walking distance of existing or planned community facilities, public transit, schools, active or passive recreational facilities, and local or District Commercial uses.



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- E.3.5.7 For medium density residential uses, the net residential density shall be greater than 60 units per hectare and not greater than 100 units per hectare.
- E.3.5.8 For medium density residential uses, the maximum height shall be six storeys.”

The “Medium Density Residential 3” designation in the UHOP identifies a maximum density of 100 units per net residential hectare (uph), which consist of a full range of housing forms, but not single detached or semi detached dwellings. In regard to this development, the density of development on the lands proposed for multiple dwelling units is calculated at 100 uph (maximum) and the proposed built form will be limited to multiple dwelling units at a height of six storeys. An amendment to the Mount Hope Secondary Plan will be required to bring the “Medium Density Residential 3” designation into the Secondary Plan as it currently does not exist. Furthermore an amendment to the Secondary Plan will also be necessary to limit the height to 4 storeys. This will be provided to ensure consistent height and density throughout all of the proposed amendments to the plan.

### **District Commercial**

- “B.5.4.4.1 In addition to Section E.4.7 – District Commercial of Volume 1, the following policies shall apply to the lands designated District Commercial on Map B.5.4-1 – Mount Hope – Land Use Plan:
- a) Existing and future commercial uses within the District Commercial designation are intended to serve the existing and future residents of the Mount Hope Secondary Plan area as well as the surrounding rural area, the Hamilton Airport and the Airport Industrial-Business Park.
  - b) In addition to the uses permitted in Policy E.4.7.2 of Volume 1, permitted uses in the District Commercial designation shall include retail and service commercial, personal and business services, recreational and entertainment facilities, restaurants, taverns, hotels, and motels. Cultural facilities, community facilities/services, and institutional uses may also be permitted provided they do not interfere or conflict with the satisfactory development and operation of the District Commercial designation for the predominant general commercial uses.

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- c) Lands with District Commercial designation shall be encouraged to be redeveloped for District Commercial uses. It is recognized that the redevelopment of the existing residential lots for commercial uses will occur over a relatively lengthy period of time.
- d) Development of commercial uses shall be planned and coordinated to limit the establishment of a continuous strip of individual developments.
- e) Redevelopment shall consider and be sensitive to existing residential development and ensure that the bulk, scale, height and design of commercial developments and other permitted uses are compatible with adjacent residential uses.
- f) The District Commercial designation adjacent to Airport Road West and Homestead Drive enjoys a high degree of visibility and provides a gateway to the John C. Munro International Airport. To ensure this area develops in a coordinated, well-designed and aesthetically-pleasing manner with adequate infrastructure and amenities, and to provide funding eligibility, the City shall investigate the designation of these lands as a Community Improvement Project Area.
- g) All outdoor lighting shall be oriented away from residential areas and adjacent public roads, and shall not interfere with airport operations.”

The enlarged area proposed to be designated “District Commercial” will increase the commercial opportunities for existing and future residents of the Mount Hope Secondary Plan area as well as the surrounding rural area, the Hamilton Airport and the Airport Industrial-Business Park. The uses proposed will not change within this area, nor will any of the policy requirements of the “District Commercial” designation be amended. The lands designated as such, will simply increase in size, as such, staff are supportive of this amendment.

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:

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

The proposed plan of subdivision 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, will comply with the UHOP and the RHOP upon approval of the required amendments, will not adversely impact upon the transportation system; respects the natural environment and will integrate well with the existing development in the area, being the Mount Hope Neighbourhood Area.

**Glanbrook Zoning By-law No. 464**

The subject lands are currently zoned Deferred Development “DD” Zone and General Agricultural “A1” Zone in Glanbrook Zoning By-law No. 464, as shown on Appendix “A” to Report PED18017.

The Deferred Development “DD” Zone is a future development Zone and prohibits residential uses not existing at the date of the passing of the By-law (December 2000). As such, a Zoning By-law Amendment is required.

The General Agricultural “A1” Zone is an agricultural Zone which permits agricultural uses, and buildings, structures and uses accessory thereto, including one (1) single

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detached dwelling for the farm owner or operator; one (1) single detached dwelling on one (1) lot, and buildings, structures and uses accessory thereto; greenhouse operations for horticultural purposes only, and uses buildings and structures accessory thereto including one (1) single detached dwelling for the greenhouse owner or operator; kennels; farm help house; seasonal farm produce stands; home occupations and home professions; home industries; bed and breakfast establishments; outside parking and storage of larger vehicles; and fish, wildlife and / or forest management.

The Zoning By-law Amendment will rezone the subject lands to the Residential “R4-218(A)” Zone, Modified; the Residential Multiple “RM2-194(A)” Zone, Modified; the Residential Multiple “RM3-284(A)” Zone, Modified and Residential Multiple “RM3-284(B)” Zone, Modified; and the Shopping Centre Commercial “C2-309” Zone, Modified.

The modified Shopping Centre Commercial “C2-309” Zone implements the District Commercial Policies of the UHOP. As such, staff will ensure that these uses are carried forward, by way of a Site Specific Zone, into the proposed C6 Zone forming part of the new Commercial Mixed-Use (CMU) Zones.

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

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

An amending by-law will also be required to bring lands into By-law No. 05-200 and zone them Neighbourhood Park (P1) Zone, Open Space (P4) Zone, Conservation / Hazard (P5) Zone, and Conservation / Hazard – Rural (P6) Zone.

The proposed zoning regulations are described in greater detail in the Analysis and Rationale for Recommendation section of this Report.

**RELEVANT CONSULTATION**

The following Departments / Agencies have no comments or objections:

- Capital Budget Projects Division, Public Works Department; and,
- Capital Budget Project Coordination Division, Public Works Department.

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

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**Enbridge Utilities** requested that future agreements of purchase and sale and / or lease include provisions prohibiting the landscaping, developing, or erecting of any buildings or permanent structures, including but not limited to, fences, decks, swimming pools or shed, over, under or upon the lands when an easement in favour of the utility exists, unless written approval is provided by Enbridge Pipelines Inc. These requirements are included as Condition No. 10 of Appendix “G” to Report PED18017.

Enbridge has also advised that during the construction period, any proposed crossings of the right-of-way by roads, laneways, bike / walking paths, services and utilities are permitted in accordance with the regulations of the National Energy Board (NEB) Act and subject to approval by Enbridge’s Crossings Coordinator, Ann Newman at (519) 339-0503. The applicant will be required to enter Enbridge’s Standard Crossing Agreement.

During the entire construction phase, the Enbridge right-of-way shall be delineated with snowfence or equivalent material which is subject to Enbridge’s approval, where applicable. No work shall take place on Enbridge’s right-of-way without the presence of an Enbridge inspector and / or written approval including but not limited to grading, placing fill, operation of heavy equipment or landscaping.

Finally, Enbridge is regulated by the *National Energy Board* (NEB) Act. Section 112 of the Act states that “No person shall, unless leave is first obtained from the Board, construct a facility across, on, along or under a pipeline or excavate using power operated equipment or explosives within 30 metres of a pipeline”.

**Ministry of Transportation (MTO)** requested that all proposed permanent buildings and structures both above and below ground, utilities, frontage roads / fire routes, parking facilities, stormwater management ponds and associated berms, must be set back 14.0 metres (45 feet) from the Right-of-way limit of the Highway 6 Corridor. This setback requirement also implements the regulations found in the General Provisions (Section 7.23) of the Glanbrook Zoning By-law No. 464, which requires a setback of 13.7 metres, or a setback specifically required by the MTO. As demonstrated on the Draft Plan of Subdivision, attached to this report as Appendix “F”, Block 373 provides the necessary 14.0 metre setback to address this requirement.

Also, noise berms or grading of any kind will not be permitted on the Highway 6 Corridor property. The developer is solely responsible for all noise mitigation measures. In addition, all site illumination must be directed away from the Highway 6 Corridor.

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The MTO will require the following be included as conditions of draft approval for the Plan of Subdivision:

1. That prior to final approval, the owner shall submit to the Ministry of Transportation for their review and approval, a stormwater management plan and report indicating the intended treatment of the calculated runoff and impacts on the Highway 6 New Right-of-way.
2. That prior to final approval, the owner shall submit to the Ministry of Transportation for their review and approval, a copy of a traffic impact assessment addressing the anticipated traffic volumes, resulting from the development, and their impact on the Highway 6 and Highway 6 New intersection.

(Condition Nos.11 and 12 of Appendix “G” to Report PED18017)

The MTO also advised that the proposed subdivision is within their permit control, and Ministry Building and Land use permits for all buildings within permit control will be required prior to any grading and construction on this site. Separate building / land-use permits will be required for each stormwater management pond serving this subdivision. Sign permits will be required as well.

**Transport Canada** noted that the proposed development is in close proximity to the Hamilton Airport and appears to be under the Outer Surface of the Hamilton Airport Zoning Regulations (AZR). They advise that it is incumbent on the owner(s) or other persons in possession or control of the property, to ensure compliance with these regulations, if applicable.

The Hamilton AZR include a clause restricting the disposal of waste edible by or attractive to birds. Any waste from a new use of this land must be properly covered and managed such that it does not attract birds.

Finally, any temporary crane erections associated with or necessary for the construction of this development may require an exemption to the Hamilton Airport Zoning Regulations. Crane erections should be coordinated with the Hamilton Airport Manager and with Transport Canada. In advance of construction, an Aeronautical Obstruction Clearance Form must be submitted to Transport Canada for assessment.

(Condition Nos.72 and 73 of Appendix “G” to Report PED18017)

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**Hamilton International Airport** has advised that the proposed development falls within their noise influence area, and as a result they are not in favor of any of the proposed Zoning By-Law Amendments. The development of more homes in areas surrounding the Airport is not conducive to the future growth of the facility and they strongly object to these plans.

If the application is to be approved as submitted, they would like to make the following recommendations:

- “1. That visible signage is placed on the development indicating that it falls within the Airport’s noise influence area;
2. That documentation is placed on the Deed of these homes indicating that the property is located within the Airport’s noise influence area; and,
3. The proponent consider additional noise mitigating measures in the construction of the homes such as air conditioning, additional noise insulation and window glazing.”

The necessary warning clauses and signage will be provided advising future residents that they are within the Airport Noise Influence Area. Also, once detailed grading information is available, a revised noise study will be required as well as architectural drawings to ensure that any noise impacts have been mitigated against.

(Condition Nos. 1 - 5 of Appendix “G” to Report PED18017)

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

(Condition No. 1.21 of the City’s Standard Conditions of Subdivision Approval)

**The Niagara Peninsula Conservation Authority (NPCA)** has reviewed the “Scoped Environmental Assessment for the Proposed Mountaingate Community within the Township of Glanbrook” (October 2013) prepared by Sevanta Inc. Based on the submission, the NPCA is satisfied that the Environmental Impact Statement (EIS) demonstrates no negative impacts to the natural heritage features and their hydrological and ecologic functions under NPCA policies.

The NPCA requires that the mitigation measures outlined in the EIS be incorporated into the Subdivision Agreement and a work permit from the NPCA be obtained.

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The NPCA also reviewed the submitted Functional Servicing Report (FSR) (October 30, 2013) and are satisfied that the proposed Stormwater Management blocks contain adequate area in order to construct a facility to provide the required level of storm water quantity, quality and erosion control for the contributing 112 hectare catchment.

Prior to construction, the NPCA will require that detailed grading, storm servicing, stormwater management, and erosion and sediment control drawings be circulated to them for review and approval.

(Condition Nos. 13 to 18 of Appendix “G” to Report PED18017).

**Canada Post** advised that the proposed Mountaingate subdivision will receive mail service to centralized mail facilities provided through their Community Mailbox program.

They have requested to have included in all offers of purchase and sale, a statement that advises the prospective purchaser / lessor:

- i) that the home / business mail delivery will be from a designated Centralized Mail Box.
- ii) that the developers / owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.

Canada Post has also requested that the owner further agree to work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision. Also, to install a concrete pad in accordance with the requirements of, and in locations to be approved by, Canada Post to facilitate the placement of Community Mail Boxes. The owner shall also identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and / or curb installation within each phase of the plan of subdivision. The location of all centralized mail receiving facilities shall be determined in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations. Finally, Canada Post's multi-unit policy, which requires that the owner / developer provide the centralized mail facility at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

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(Condition No. 19 of Appendix “G” to Report PED18017 and Condition 1.22 of the City’s Standard Conditions of Subdivision approval)

**Hamilton-Wentworth District School Board (HWCDSB)** requested that prior to any final approval of the Plan of Subdivision, the applicant should make arrangements with the HWDSB for the acquisition, or reservation of future acquisition of Block 362 designated in the Draft Plan for elementary school purposes. Also, the clearing, grubbing, engineered filling, where required, and grading of Block 362 should be carried out to the satisfaction of the HWCDSB. This would include the removal of any and all buildings and structures, tanks and utility structures.

The HWCDSB also requested that the designation of Block 362 as an elementary separate school site is subject to the completion of a soils report, of which the findings would be addressed by the applicant, to the satisfaction of the HWCDSB.

(Condition No. 20 Appendix “G” to Report PED18017)

**Recreation Planning Division, Community Services Department** have indicated that according to Section B.3.5.34(b) of the UHOP, a Neighborhood Park should have a minimum size of 2.0 hectares, thus the proposed Neighbourhood Park is of a sufficient size. They have also requested that the setback from the existing woodlot not be included in the parkland dedication amount.

**Landscape Architecture Services Division and the Parks and Cemeteries Division, Public Works Department** have advised that the proposed Neighbourhood Park is configured in an appropriate square formation, that allows for future recreational programming, and is appropriately located within the central area of the subdivision and adjacent to the woodlot.

The significant woodlot buffer should be included in the P5 Zone, and not as parkland, as this land will not permit active recreation uses. The woodlot buffer is proposed to be zoned Conservation / Hazard (P5) Zone (see Appendix “E” to Report PED18017). The woodlot will not be counted towards the parkland dedication. A parkland dedication credit will be provided for the lands above and beyond the required 5% dedication.

The **Forestry and Horticulture Section, Public Works Department** indicated that there are several Municipal Tree Assets located along the road allowance and therefore Tree Management will be required.

(Condition Nos. 6 and 39 of Appendix “G” to Report PED18017).

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A Landscape Planting Plan, prepared and signed by a certified Landscape Architect, will also be required. This plan, together with the Tree Management Plan, must be submitted for review and comments by the Forestry & Horticulture Section.

The condition of Street Tree Planting will be cleared upon receipt of a plan depicting new trees and a cash payment.

(Condition 2.8 of the City’s Standard Conditions of Subdivision Approval)

**Hamilton Street Railway (HSR)** advised that they currently operate the Route #20 (A-Line) buses past the subject lands with no planned changes in service. Furthermore, for transit to succeed in its role, it is essential that redevelopments along transit corridors incorporate mixed uses and higher densities and are built in a manner that puts people first. Finally, the HSR are of the opinion that the construction of higher densities and more mixed uses will help transit to reduce net operating costs.

**Public Consultation**

In accordance with the provisions of the *Planning Act* and the Council Approved Public Participation Policy, Notice of Complete Application and Preliminary Circulation was sent to 91 property owners within 120 m of the subject property on January 25, 2008, for the proposed Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision applications.

On June 10, 2016 the revisions to the proposed Urban Hamilton Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision applications were circulated to 229 property owners within 120 m of the subject property.

To date, sixteen letters have been received from the public through this circulation. These letters are attached as Appendix “I” to Report PED18017, and summarized in the Analysis and Rationale for Recommendation section of this Report.

A Public Notice Sign was posted on the property on February 15, 2008, and updated on December 6, 2017, with the Public Meeting date. Finally, Notice of the Public Meeting was given in accordance with the requirements of the *Planning Act* on December 15, 2017.

### **Public Consultation Strategy**

As the Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of subdivision applications were submitted before July 1, 2016, a Public Consultation Strategy was not required.

### **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

1. The proposed UHOP and RHOP Amendments, Zoning By-law Amendment and Draft Plan of Subdivision applications have merit and can be supported for the following reasons:
  - (i) They are consistent with the Provincial Policy Statement and conform to the Growth Plan for the Greater Golden Horseshoe, as they represent an opportunity for growth in settlement areas;
  - (ii) They comply with the general intent of the UHOP and RHOP, subject to the approval of the UHOP and RHOP Amendments, as they are an extension of the approved developments to the east of the subject lands, add to the creation of a complete community, and address servicing needs of the Mount Hope area;
  - (iii) The proposed development is considered to be compatible with the existing and planned development in the immediate area. It will provide a complete community, with a variety of lands uses, and address the servicing needs of the Mount Hope Neighbourhood; and,
  - (iv) The proposed development represents good planning by, among other things, providing a compact and efficient urban form, including a range of housing types and a mix of land uses. Furthermore, it acts as a natural extension of approved adjacent development, thereby providing servicing to the area. The form of development will be an efficient use of infrastructure.
2. As discussed in the policy section of this Report, an amendment to the UHOP is required to amend the Mount Hope Secondary Plan as follows:
  - Redesignating lands from “Institutional” and “Low Density Residential 3f” to “District Commercial”;

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- Redesignating lands from “District Commercial” and “Low Density Residential 3f” to “General Open Space”;
- Redesignating lands from “Low Density Residential 2”, “Utility”, and “Natural Open Space” to “Neighbourhood Park”;
- Redesignating lands from “Low Density Residential 2” and “Utility” to “Natural Open Space”;
- Redesignating lands from “Low Density Residential 2” and “Low Density Residential 2c” to “General Open Space”;
- Redesignating lands from “Low Density Residential 2” and “Low Density Residential 2c” to “Utility”;
- Redesignating lands from “Low Density Residential 2” to “Low Density Residential 2c”;
- Redesignating lands from “Low Density Residential 2c” and “Low Density Residential 3f” to “Medium Density Residential 3”;
- Redesignating lands from “Low Density Residential 2c”, “Low Density Residential 3f”, “Utility”, and “Neighbourhood Park” to “Low Density Residential 2”;
- Redesignating lands from “Low Density Residential 2c”, “Low Density Residential 3f”, and “Neighbourhood Park” to “Institutional”;
- Add a special policy area to lands designated “Low Density Residential 2” in order to restrict uses to single detached dwellings and establish a maximum density of 40 units per net hectare;
- Add a special policy area to lands designated “Low Density Residential 2c” to establish a density range of 30 to 55 units per net hectare;
- Add a site specific policy area to lands designated “Medium Density Residential” in order to allow for a maximum height of four storeys;

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- Add a site specific policy area to lands designated “Institutional” in order to allow for multiple dwellings and to permit a maximum building height of four storeys;
- Remove Core Areas; Linkages and Streams from the Natural Heritage System;
- Remove wetlands and streams from the Natural Heritage Features; and,
- to establish new local roads.

As discussed in the policy section of this Report, an amendment to the UHOP is required to delete the subject lands from Volume 1 Schedule B (Natural Heritage System); from Volume 1 Schedule B-4 (Detailed Natural Heritage Features Key Natural Heritage Feature and Key Hydrologic Feature Wetlands); from Volume 1 Schedule B-8 (Detailed Natural Heritage Features Key Hydrologic Features Streams); and, from the Rural Hamilton Official Plan Volume 1 Schedule B (Natural Heritage System); from Volume 1 Schedule B-4 (Detailed Natural Heritage Features Key Hydrologic Features); and from Volume 1 Schedule B-8 (Detailed Natural Heritage Features Key Hydrologic Features Streams). These amendments reflect the findings of the EIS, as approved by staff and the Niagara Peninsula Conservation Authority.

Staff are supportive of the land use changes in the Secondary Plan as they create a community which is in conformity with the existing residences in Mount Hope. Low density detached homes will complement the existing large lots to the east. Also, residential densities gradually increase; moving further west into the site, with medium density townhouses intended to minimize potential adverse impacts from the adjacent airport employment uses. Medium density building types are also strategically located at the northern extent of the site, in proximity to Airport Road West, to support the commercial property to the north, the proposed school, and potential future transit routes.

The proposed Mountaingate Road forms the gateway to the community, with primary access from Airport Road West. A number of local roads, which include crescents and cul-de-sacs, branch out from this main collector road, providing connectivity to Provident Way, Rosebury Way, Spitfire Drive and the existing neighbourhoods to the east.

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### **Stormwater Management Pond**

The proposal is for establishing a stormwater management pond in the rural area to service the subject lands located in the urban area. As the applications were submitted prior to the RHOP approval in March 2012 and amendment No. 5 of the RHOP, which prohibits storm water management facilities outside the urban area that support urban development, which came into effect in September 2014, the Zoning By-law Amendment application, and the Draft Plan of Subdivision application are to be reviewed against the Region of Hamilton - Wentworth Official Plan as it pertains to the proposed SWM Pond to be located in the rural area. In reviewing the proposed SWM Blocks, staff have determined that there are no policies in the Hamilton - Wentworth Regional Official Plan that would prohibit the construction of the SWM Pond in its proposed location. As such, staff are supportive of the proposed application and the amendment to the RHOP for the SWM facility.

The subject lands have been identified in the Glanbrook Official Plan as a growth area within the Official Plan, as such, the location of the stormwater management ponds implement the intent of the Glanbrook Official Plan policies. Furthermore, the proposed stormwater management ponds will not just service the subject lands, but will service the larger Mount Hope community as well. Staff are supportive of this amendment.

### **Natural Heritage System**

As the applications were submitted prior to the RHOP approval in March 2012 the Zoning By-law Amendment application and the Draft Plan of Subdivision application are to be reviewed against the Region of Hamilton - Wentworth Official Plan as it pertains to the Natural Heritage System and the SWM facility. In reviewing Map No. 4 of the Hamilton - Wentworth Official Plan, staff have found that there are no Natural Heritage Features identified within the Plan on the subject lands. As such, staff are supportive of the proposed application and the amendment to the RHOP.

The amendments to the RHOP will ensure consistency throughout the Plan and guarantee that the Plan is kept up to date on a go forward basis.

## **Institutional**

As previously discussed, there is an “Institutional” Block located within the subject lands. When the Secondary Plan was approved, this land was intended to be developed into a future separate elementary school. Discussions between the property owner and School Board officials regarding the proposed development have confirmed that the Hamilton-Wentworth District School Board is unsure whether or not these lands will be required for a future school. The School Board would like to retain the ability for these lands to be dedicated for school purposes. This is acceptable to the applicant, provided there is an opportunity to develop these lands for residential purposes if the School Board deems these lands to be surplus, without requiring further amendments to the UHOP. An amendment to the UHOP has been proposed which will allow for flexibility in the permitted uses proposed for this Block. Specifically, this amendment will allow for back to back / stacked townhouse units to be permitted at a density range of 60 to 100 units per hectare. This land is proposed to be redesignated as “Site Specific Policy Area E”. The location of the Institutional Block has not changed. It has however increased in size to accommodate the development of residential units in the event the Block is declared surplus by the School Board. Staff are supportive of this amendment.

## **Medium Density Residential**

The lands to the west of the “Institutional” block are proposed to be redesignated to “Medium Density Residential 3”. The proposed uses and density within this block will mirror the uses and density that would be allowed if the “Institutional” block to the east was to be declared surplus by the School Board and developed for residential purposes. While the Medium Density Residential policies set out in Section E.3.5 of the UHOP permit a maximum height of 6 storeys, an amendment has been included to limit the height on these lands to 4 storeys. This amendment is in keeping with direction staff received from Council for the restriction of height in “Mixed Use – Medium Density”, Area Specific Policy - Area D, located to the east of the subject lands. In this Area, the height has been restricted to 3 storeys. Staff are of the opinion that the proposed 4 storeys is in keeping with UHOP policies for new Medium Density Designated lands within greenfield areas throughout the City. Also, the 4 storey units will mainly be situated along the periphery of the site; and where they are internal to the site, these units will have sufficient setbacks to ensure adequate privacy and amenity areas can be provided. Furthermore, the Medium Density Blocks will be subject

to the Site Plan Control process. As such, the specific design, orientation and height of the units can be further reviewed and scoped at that time.

Medium Density Residential blocks in the proposed development which is in keeping with a motion brought forward by Council for the Mount Hope community, and the requirements set out in the Commercial and Mixed Use Zoning, for lands that are to be designated Medium Density (OPA No. 69).

Furthermore, the proposed densities will implement both Provincial and Municipal intensification policies by permitting a variety of housing forms, as such, staff are supportive of this amendment.

### **District Commercial**

A Retail Feasibility Study was submitted by the applicant (completed by J.C. Williams Group, November 2016) which concluded that additional commercial lands are needed within the Mount Hope Secondary Plan area. As such, lands currently designated as “Institutional”, “District Commercial”, and “Low Density Residential 3f” have been consolidated and proposed to be designated “District Commercial”. As these new commercial lands will provide additional retail services to the growing population of the Mount Hope Community, staff are in support of this amendment.

These additional Commercial lands have also created a need to amend Schedule E-1 of the UHOP to redesignate lands from “Neighbourhoods” to “District Commercial” (Appendix “B” to Report PED18017).

The proposed Commercial uses implement the District Commercial Policies of the UHOP. As such, staff will ensure that these uses are carried forward into the CMU Zoning, by way of a Site Specific Zone as outlined in the Zoning By-law Amendment component of the Analysis and Rationale Section of this report.

### **Utility**

A Utility corridor (Enbridge) bisects the subject lands, and is currently designated as “Utility” within the Secondary Plan. These lands will be incorporated into the proposed design of the subdivision, redesignated “Low Density Residential 2”, and merged into adjoining proposed residential lots with an easement established along the northerly portion of the rear yards. Warning clauses, at the request of Enbridge regarding the location of the easement, are included in the Draft Plan Conditions.



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(Condition No. 10 of Appendix “G” to Report PED18017)

These lots have been designed to have additional depth to compensate for the constraints associated with the existing easement. Staff are supportive of this amendment.

### **Neighbourhood Park**

The Secondary Plan also identifies a small portion of land within the proposed development as “Neighbourhood Park”. These lands, along with lands to the east, were to be used to provide park space for the Mount Hope Neighbourhood. The owner of the subject lands entered into an agreement to provide funds for the abutting lands and create a larger park on the subject lands. This park will be constructed by the applicant and then dedicated to the City for public use.

(Condition No. 70 of Appendix “G” to Report PED18017)

As the Neighbourhood Park Block is 2.20 ha in size (1.97 ha without the Vegetation Protection Zone), which makes up 7% of the area of the proposed development, it exceeds the required 5% in land dedication. As such, a parkland dedication credit will be provided for the lands which are above and beyond the required 5% dedication.

While situated in a new location, the proposed Neighbourhood Park will accommodate the needs of the Mount Hope Neighbourhood. The Neighbourhood Park has been relocated in order to provide a focal point for the community, providing residents with a shared and secure outdoor facility. Pedestrian pathways connect the park and its amenities to the proposed school Block, and proposed residential uses to the north, south, and west. Staff are in support of the Official Plan Amendment to create the park.

### **Low Density Residential**

The development proposes “Low Density Residential 2c” along the western portion of the subject lands. The lands within the designation will be used for street townhouse units. The proposed density of this area is 30 to 55 units per hectare; as such, site specific amendments to the Secondary Plan policies will be required to recognize the increased densities.

The low density development proposed to the east of the townhouse block will be designated “Low Density Residential 2”. This block will be restricted to single

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detached dwellings only and the maximum density shall be 40 units per net hectare within the Mount Hope Secondary Plan. These modifications will require a UHOP amendment as the existing permitted maximum density is 25 units per net residential hectare and a variety of uses are permitted.

Staff are in support of these amendments as they will allow for greater flexibility in the way in which the subject lands are utilized. Also, the density proposed can be supported as it will act as a transition between the single detached dwellings central to the proposed development and the proposed block townhouses (to the north) and street townhouse units to the west, that make up the remainder of the proposed development.

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

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

### **Stormwater Management Pond**

Lands located at the most southerly portion of the subject lands are proposed to be redesignated from “Low Density Residential 2” and “Utility” to “General Open Space” to accommodate a proposed Stormwater Management Pond. This enlarged facility will accommodate the stormwater needs of the entire Mount Hope Neighbourhood. Furthermore, a Stormwater Management Report was submitted, and subsequently revised through the application process. The revised report will result in the design of a facility that is in accordance with the City of Hamilton Drainage Policies, City of Hamilton Comprehensive Guidelines (2016) and the MOE&CC Stormwater Management Planning and Design Manual (2003). As such, staff are in support of the proposed UHOP amendment.

## **Natural Features**

As discussed in the policy section of this Report, an amendment to the UHOP is required to delete the subject lands from Volume 1 Schedule B (Natural Heritage System); from Volume 1 Schedule B-4 (Detailed Natural Heritage Features Key Natural Heritage Feature and Key Hydrologic Feature Wetlands); from Volume 1 Schedule B-8 (Detailed Natural Heritage Features Key Hydrologic Features Streams); and, from the Rural Hamilton Official Plan Volume 1 Schedule B (Natural Heritage System); from Volume 1 Schedule B-4 (Detailed Natural Heritage Features Key Hydrologic Features); and from Volume 1 Schedule B-8 (Detailed Natural Heritage Features Key Hydrologic Features Streams). The EIS prepared by Savanta Inc. (2016) to address the removal of these features from the City’s Natural Heritage System has been accepted by both the City and the NPCA. As such, Planning staff are supportive of this amendment.

3. The applicant has requested amendments to Glanbrook Zoning By-law No. 464 in order to implement the draft Plan of Subdivision known as “Mountaingate”. The applicant has requested that the Residential “R4-218” Zone, Residential “RM2-194” Zone, Residential Multiple 2 “RM2-194” Zone, Residential Multiple 3 “RM3-284” Zone, and Shopping Centre Commercial “C2-309” Zone, established through previous By-laws, in particular By-law Nos. 04-336, 09-047, and 14-243 be applied to the subject lands with some additional modifications. The provisions of these previously approved by-laws will be brought forward and applied to this proposal.

### **Residential “R4-218(A)” Zone (see Appendix “D” – Block 1):**

To provide for a consistent and complimentary development as that on the adjacent lands, the applicant seeks to establish similar modifications for Mountaingate as approved by Hamilton Council under the Residential “R4-218” Zone, Modified, with some additional modifications with respect to the minimum lot frontage and minimum side yard setbacks to reflect current standards.

#### **Minimum Lot Frontage:**

The applicant has requested a minimum lot frontage of 9.0 metres, except on a corner lot, where the minimum frontage shall be 10.8 metres. Currently the “R4-218” Zone requires a minimum lot frontage of 9 metres, except on a corner lot where the minimum frontage shall be 11 metres. In this regard, the applicant intends on varying lot sizes throughout the proposed draft plan of subdivision,

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thereby providing for additional built forms and housing types and tenures, with sufficient width to maintain good engineering practices. As such, this request for a reduction for corner lots is considered minor and appropriate as it is compatible with the surrounding neighbourhood and staff are supportive of this modification.

Restrictions:

A provision has been added to the site specific by-law to indicate that where an Enbridge Pipelines easement is located within a property, the owner of the property is prohibited from landscaping, developing, or erecting and building any permanent structures including, but not limited to: fences, decks, swimming pools which are located over, under or upon the Pipeline Lands. Furthermore, a 7.0 metre rear yard setback is required to the pipeline. These modification to the by-law will not restrict the residential development, as the pipeline runs through the rear of lots 71 – 91 and 94 - 115. These lands will provide additional amenity space, while still providing the necessary access to the utility for maintenance and upkeep. Staff are supportive of this modification.

Minimum Side Yard:

The applicant has requested modifications to the minimum required side yard to permit on a corner lot, a minimum side yard abutting the flanking street of 3.0 metres. A lot which flanks lands zoned Open Space shall have a minimum side yard setback of 2.4 metres. Finally, the minimum setback for any building or structure to a daylight triangle of visibility triangle shall be 0.3 metres.

The By-law requires a 1.2 metre setback, except on an interior yard where no attached garage or attached carport is provided, where the minimum side yard on one side shall be 4.2 metres; and, on a corner lot, the minimum side yard abutting the flanking street shall be 4.5 metres. Staff are satisfied that this request is considered minor, maintains good planning principles and can be supported to compliment similar compact development occurring to the east, in other residential areas within the Mount Hope community.

**Residential Multiple “RM2-194(A)” Zone (see Appendix “D” – Block 2):**

To provide for a consistent and complimentary development as that on the adjacent lands and elsewhere in Glanbrook, the applicant seeks to establish similar modifications as approved by Hamilton Council for other development proposals in Glanbrook, under the Residential “RM2-194” Zone, Modified, with

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additional modifications relating to maximum lot coverage, minimum front yard, and minimum side yard setbacks.

Maximum Lot Coverage:

The applicant has requested an increase in the maximum lot coverage from the required 35 percent permitted in the by-law to 55 percent. The front yard and side yard setbacks, which follow in this report, establish a building footprint that is appropriate for this form of development and provide adequate outdoor amenity space. Also, similar forms of development exist to the east in other residential areas within the Mount Hope community. As such, staff are supportive of this modification as it maintains the existing character of the Mount Hope community.

Minimum Front Yard:

Modifications are also being sought for a minimum front yard setback, to the garage, to be increased to 8.0 metres for those lots abutting 9555 Airport Road. For all other lots the RM2-194 provisions shall apply. The City’s Engineering staff have requested this modification to ensure for additional parking opportunities on the individual lots. This increased setback will be provided by decreasing the right-of-way width for Mountaingate Road to meet current City standards and providing additional depth to the lots abutting 9555 Airport Road to accommodate the increased driveway lengths. As such, additional on-site parking opportunities will be provided to accommodate the modification to the right of way widths. Staff are satisfied with this modification.

Minimum Side Yard:

Modifications to the minimum required side yard are also being requested for each end dwelling unit not abutting a flanking street to have a minimum side yard of 1.2 metres; for a corner lot abutting a flanking street to have a setback of 3.0 metres; for an end dwelling unit abutting an area zoned Open Space shall have a setback of 2.4 metres; and any building or structure to a daylight triangle or visibility triangle shall have a side yard setback of 0.3 metres.

The By-law requires a minimum side yard setback of 1.2 metres except, on a corner lot the minimum side yard abutting the flankage street shall be 2.4 metres, except that an attached garage which fronts on the flankage street shall not be located within 6 metres of the flankage street line. Staff are satisfied that the reductions in side yard are considered minor and maintain good planning

principles and can be supported as they complement similar compact development occurring to the east and in other residential areas within the Mount Hope community.

**Residential Multiple 3 “RM3-284(A)” Zone (see Appendix “D” – Block 3):**

To provide for a consistent and complimentary development as that on the adjacent lands, the applicant seeks to establish similar modifications for Mountaingate as approved by Hamilton Council, under the Residential “RM3-284” Zone, Modified, with some additional modifications relating to maximum density, minimum side and rear yards, maximum height, and definitions.

Maximum Density:

Due to the proposed built form and irregular lot shape, and to ensure a density that is supported by adequate infrastructure and community services, a maximum density of 100 units per residential hectare has been requested, whereas the maximum density permitted in the RM3-284 Zone is 63 units per hectare. Staff are supportive of this amendment as it is a product of constructing a unique form of development (i.e stacked townhouse units), resulting in a density that achieves and complies with the Secondary Plan policies.

Minimum Side and Rear Yards:

Modifications to the required yards will relate to the entire block. Specifically, 3.5 metres will be provided from the northern boundary of the block to the façade of a townhouse; 4.5 metres will be provided from the western boundary of the block to the façade of a townhouse; and, 3 metres will be provided from the south boundary of the block to the townhouse. All units will be oriented internally to the site and will have common amenity space in addition of private space amenity space in the form of a deck or balcony. The parent by-law requires 1.5 metres for a westerly side yard; 5m for an easterly side yard from the side façade of a townhouse; 7.5m for an easterly side yard from the rear façade of a townhouse; and, 6m for a rear yard. Staff are satisfied that this request is considered minor and maintains good planning principles as it allows for a more compact form of intensification which will implement municipal and provincial intensification policies. Furthermore, the modifications requested are consistent with zoning for other areas of Mount Hope.

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Maximum Height:

The maximum height is proposed to be increased from the required 10.7 metres from the parent “RM3” Zone to 14.0 metres to accommodate four residential storeys and additional roof top mechanical equipment. The interface with the street townhouse units to the south will be mitigated by the proposed total setback of 5.0 metres between the buildings on abutting lots as well as design and landscaping treatments that will be reviewed through the Site Plan Control process for these lands. The subject lands will be surrounded by future employment lands to the west, open space to the north, and an 18.0 m right-of-way to the east. As adequate setbacks have been proposed for the height, and due to the fact that this block will require Site Plan Control approval, at which point enhanced landscaping will be evaluated, the proposal can be supported by Planning staff.

As previously discussed in this Report, the proposed amendment to the UHOP will permit multiple dwellings on this Block, but will restrict them to four storeys in height. As such, these modifications to the Zoning By-law will implement the amendment to the UHOP.

Definitions:

For the purposes of this by-law, the definition of “Dwelling, Block Townhouse” has been changed to mean a dwelling divided vertically and/or horizontally, with each unit separated by a common or party wall or walls and having two or more private entrances at grade. The only modification to the definition is to include the division of units in a horizontal manner. This will allow for stacked townhouse units, which is a built form not previously considered when By-law 464 was originally drafted. Staff are supportive of this modification, as it allows for additional housing forms.

**Residential Multiple 3 “RM3-284(B)” Zone (see Appendix “C” – Block 5):**

The Block proposed to be zoned “RM3-284(B)” Zone was previously intended to be developed into a future separate elementary school. In discussions between the property owner and School Board officials regarding the proposed development, the Hamilton-Wentworth Catholic District School Board is unsure as to whether or not these lands will be required for a future school. The School Board would like to retain the ability for these lands to be dedicated for school purposes. This is acceptable to the applicant, provided there is an opportunity to

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develop these lands for residential if the School Board deems these lands to be surplus.

The proposed land use, if the lands are deemed to be surplus by the School Board, would be multiple dwelling units. This would be consistent with the lands to the west which are proposed to be zoned “RM3-284(A)” which allows for Block Townhouse units. If this block is not used for Institutional purposes, the same form of development is proposed as that on lands to the West. As such, the same modifications to the By-law found in the “RM3-284(A)” Zone have been applied to this block.

**Shopping Centre Commercial “C2-309” Zone (see Appendix “D” – Block 5):**

The applicant has also requested changes to the Shopping Centre Commercial “C2” Zone. The modifications are related to the minimum front yard setback as well as minimum side and rear yard setbacks.

Minimum Front, Side and Rear Yards:

The applicant has requested a reduction in the minimum front, side and rear yard setbacks from 15.0 metres (front) and 10.7 metres (side and rear), to 6.0 metres from the proposed minimum front yard and 5.0 metres for the minimum side and rear yards.

Staff are satisfied that this request is considered minor and maintains good planning principles as it allows for a more compact form of development. The modifications requested are consistent with zoning for similar new commercial developments throughout the City and will represent good urban design practices by bringing structures closer to the street edge to enhance pedestrian usability and streetscape. Therefore staff are supportive of the proposed modifications.

These modifications are appropriate for the subject lands, as they implement the District Commercial Policy of the UHOP. As such, staff will ensure that these uses are carried forward, by way of a Site Specific Zone, once the Commercial Mixed-Use (CMU) Zones (By-law No. 17-246) are approved by the Ontario Municipal Board, as they have been Council adopted, but appealed to the OMB.



**4. Hamilton Zoning By-law No. 05-200**

The purpose of the Zoning By-law Amendment to Zoning By-law No. 05-200 is to remove portions of the subject lands which are zoned Deferred Development “DD” Zone and General Agriculture “A1” Zone in the Township of Glanbrook By-law No. 464 and add them to the Hamilton Zoning By-law No. 05-200 to be zoned Neighbourhood Park (P1) Zone, Open Space (P4) Zone, Conservation / Hazard (P5) Zone, and Conservation / Hazard Lands – Rural (P6) Zone to permit the development of an elementary school, a neighbourhood park, stormwater management ponds, and natural buffers (refer to Appendix “E” to Report PED18017). The proposed development will conform to all of the requirements of the Neighbourhood Park (P1) Zone, Open Space (P4) Zone, Conservation / Hazard (P5) Zone, and Conservation / Hazard Lands – Rural (P6) Zone.

Staff are satisfied that the proposal complies with the intent of the relevant policies set out in the UHOP and are supportive of the Zoning By-law Amendment.

The subject lands to be zoned commercial will be incorporated into Zoning By-law No. 05-200 once the Commercial and Mixed Use Zones of Zoning By-law No. 05-200 are in force and effect. A draft by-law has been prepared to add the subject lands to Zoning By-law No. 05-200 and establish a modified District Commercial (C6) Zone, and will be held in abeyance until the Commercial and Mixed Use Zones are in force and effect, at which time the draft by-law will be brought forward to City Council for enactment.

The implementing By-law for Zoning By-law No. 05-200 attached as Appendix “I” to Report PED18017, proposes the District Commercial (C6) Zone which will implement the policies of the Mount Hope Secondary Plan and the UHOP. The lands proposed to be zoned C6 will prohibit Day Nurseries, Dwelling Units, and Multiple Dwellings. The proposed By-law Amendment will increase the area of lands to be zoned District Commercial, thereby providing more commercial opportunities to the Mount Hope Neighbourhood. A Retail Feasibility Study was completed (J.C. Williams Group, November 2016) which evaluated the current commercial opportunities within and surrounding the Mount Hope community. It concluded that the proposed Mountaingate development requires additional Commercial and Retail opportunities. As such, staff are supportive of the recommendations of the Retail Feasibility Study.

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5. The proposed Plan of Subdivision will consist of 217 lots for single detached dwellings (Lots 1 – 36, 71 – 159, 245 – 259, 284 – 360), 143 lots for street townhouse units (Lots 37 – 70, 160 – 244, and 260 – 283), one block for 69 back-to-back and stacked townhouse units (Block 361), one block for institutional or 228 medium density residential units (conventional; back-to-back, stacked townhouse units) (Block 362), one commercial block (Block 363), one block for a future road widening (Block 364), one open space block (Block 365), one future servicing block (Block 366), one neighbourhood park (Block 369), three blocks for servicing corridor (Blocks 370, 371, and 372), two natural open space blocks (Blocks 373 and 376), two Stormwater Management Blocks (Blocks 374 and 375), and one future residential block (Block 377), one block for a 0.3 m reserve (Block 367), one block for a vegetation protection zone (Block 368), proposed Street “A”, Street “B”, Street “C”, Street “D”, Street “E”, Street “F”, proposed Mountaingate Road, the extension of Rosebury Way, and the extension of Provident Way.

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 Mount Hope Secondary Plan, the proposal represents a logical and timely extension of existing development and services, and is in the public interest;
- (c) It complies with the applicable policies of the Rural Hamilton Official Plan and Urban Hamilton Official Plan as well as the proposed Rural Hamilton Official Plan Amendment and Urban Hamilton Official Plan Amendment;
- (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;

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*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.*

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- (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 are supportive of the proposed Draft Plan of Subdivision and recommend its approval.

6. With respect to Engineering, in accordance with City financial policies, the City will share costs with the owner for the proposed stormwater management facility as follows:
- i) Construction costs shall be in accordance with the City’s Development Charge Policy for quality and quantity ponds;
  - ii) The land cost for Stormwater Management Block 374 will be in accordance with City’s Development Charge Policy for quality and quantity ponds; and,
  - iii) The land cost for Stormwater Management Block 375 will be based on an independent land appraisal.

Any other cost sharing provisions for this development shall be in accordance with the City’s Financial Policy, if any.

In order to allow for orderly development, the Owner shall show on the final plan a 0.3 m reserve along the west side of the future servicing Block 366, between Residential Condominium Block 361 and Open Space Block 365, to the satisfaction of the Senior Director of Growth Management (Condition No. 21 of Appendix “G” to Report PED18017).

In order to maintain privacy and public safety, the Owner shall include in the Engineering design and cost estimates provisions for the construction a 1.5 m high

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black vinyl coated heavy duty chain link fence, entirely at the owner’s expense, in the following locations:

- a. along east and west boundaries of Block 371 from Provident Way to Street E;
- b.
- c. continuously along the east property limit of Lot 125, across the rear property limits of Lots 125 to 134 (inclusive), and along the west property limit of Lot 134;
- d.
- e. continuously along the west property limit of Lot 292, across the rear property limits of Lots 292 to 301 (inclusive), and along the east property limit of Lot 301;
- f.
- g. along the south and north property limits of Block 372 from Street F to the west property limit of Block 372 except where noise barrier is required;
- h.
- i. along the south property limit of Lot 1 from Rosebury Way to the west property limit of Lot 1 except where noise barrier is required;
- j.
- k. along the east and west property limits of Block 370 from Street E to the North property limit of Block 370 and along the north property limit of block 370;
- l.
- l. along the south property limit of Lot 350 from Street D to the east property limit of Lot 350; and,
- m. along the east property limit of Block 374 from Rosebury Way to the south Property limit of Block 374 and continuing along the south property limit of Block 374 to the west property limit of Block 377, then north along the west limit of Block 374 to the south limit of Lot 1.

(Condition No. 24 of Appendix “G” to Report PED18017)

The Owner will provide to the City a Dust Mitigation Plan and a Construction Management Plan.

(Conditions No. 38 and 45 of Appendix “G” to Report PED18017)

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The necessary transfer deeds will be submitted to the City’s Legal Services to convey, to the City, adequate lands including Blocks 374 and 375 for the stormwater management facility. The land costs for Stormwater Management Block 374 will be in accordance with City’s financial policies and the lands value for Stormwater Management Block 375 will be based on an independent land appraisal all to the satisfaction of Senior Director of Growth Management (Condition No. 61 of Appendix “G” to Report PED18017).

Block 377 and Lots 1 to 3 on the draft plan will remain undevelopable until the SWM pond design has been approved by the City, to the satisfaction of Senior Director of Growth Management.

(Condition No. 62 of Appendix “G” to Report PED18017)

The existing temporary turning circles at the west ends of Rosebury Way and Provident Way shall be removed in their entirety at the owner’s expense to the satisfaction of the City.

(Condition No. 63 of Appendix “G” to Report PED18017)

A detailed sump pump design shall be submitted and include a secondary relief / overflow on surface and back-up power unit.

(Condition No. 60 of Appendix “G” to Report PED18017)

A maximum of 100 residential units of the final plan of subdivision shall be permitted to be constructed with only one (1) public road access to service each phase of the development. A second public road access to the subject lands is required, prior to development, beyond the initial one hundred (100) residential units to the City’s satisfaction.

(Condition No. 37 of Appendix “G” to Report PED18017)

## **Water**

Existing watermains adjacent to the subject lands include: a 200 millimetre diameter watermain stub at the existing west limit of Thames Way; a 200 millimetre diameter watermain stub at the existing west limit of Rosebury Way; and, a 300 millimetre diameter watermain stub at the existing west limit of Provident Way.

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The existing sanitary sewer on Provident Way from the upper limit at the west end of Provident Way (approximately 42 m west of Penfold Court) shall be replaced, as required, to provide sufficient capacity for the proposed development while maintaining capacity for the existing Southampton Estates development.

(Condition No. 22 of Appendix “G” to Report PED18017)

### **Wastewater**

Existing sanitary sewers adjacent to the subject lands include: a 450 millimetre diameter sanitary sewer on Airport Road, that drains to the east and increases to 525 millimetre in diameter approximately 380 metres east of the airport entrance on Airport Road; a 250 millimetre diameter sanitary sewer stub at the existing west limit of Thames Way that drains east; a 250 millimetre diameter sanitary sewer stub at the existing west limit of Rosebury Way that drains east; a 300 millimetre diameter sanitary sewer stub at the existing west limit of Provident Way that drains east; and, a 300 millimetre diameter sanitary sewer stub in an easement between 23 and 27 Penfold Court that drains east.

The Owner will be required to demonstrate in the engineering design and cost estimate schedules provisions how the sanitary sewer stub that exists between Lots 19 and 20 (municipal addresses 23 and 27) on Penfold Court to the north-most existing manhole on Penfold Court are to be abandoned, entirely at the owner's expense.

(Condition No. 71 of Appendix “G” to Report PED18017)

Sanitary flows from the proposed development to Thames Way or Rosebury Way will drain south to the Southampton pumping station located at Thames Way and Fulmar Way. Sanitary flows draining to Provident Way or the Penfold Court easement will drain by gravity to the pumping station at Homestead Drive.

### **Storm Drainage and Stormwater Management**

There is a temporary stormwater management pond at the south-west corner of the adjacent Southampton subdivision. Flows currently directed to this pond are to be rerouted and accepted by the proposed stormwater management pond at the south end of the Mountaingate subdivision. There is an existing 1200 millimetre diameter storm sewer stub at the west limit of Thames Way that will convey flows from the existing development to the Mountaingate stormwater management pond.

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There is a drainage ditch on the north side of White Church Road that is to act as the drainage outlet.

As such, the owner shall design and construct a suitable storm outlet to convey all external drainages as shown on Figure 5 of the Mountaingate Plan of Subdivision Functional Servicing Report (April 4, 2017) through the subject lands.

(Condition No. 48 of Appendix “G” to Report PED18017)

The City of Hamilton will pay the owner for Block 374 required for the stormwater management facility in accordance with the City’s Development Charge Policy for quality and quantity ponds and for Block 375 based on an independent land appraisal to the satisfaction of Senior Director of Growth Management.

(Condition No. 68 of Appendix “G” to Report PED18017)

The storm outlets from the proposed SWM Facility to White Church Road culvert will be designed and constructed at the owner's cost.

(Condition No. 66 of Appendix “G” to Report PED18017)

Lots 350 & 351 on the draft plan are to remain undevelopable until the grading and storm designs demonstrate appropriate minor and major system outlets to accommodate the future developments on the adjacent lands known as 78 Marion Street.

(Condition No. 64 of Appendix “G” to Report PED18017)

A 4.5 m drainage easement in favour of the City on Lots 115 to 124, shall be provided.

(Condition No. 65 of Appendix “G” to Report PED18017)

## **Roadways**

The existing width of Airport Road West adjacent to the subject lands is 23.16 metres. The ultimate right of way width is 26.21 metres requiring a 3.0 metre road widening to be dedicated along the south side adjacent to the subject lands. Therefore, the final plan of subdivision shall identify a separate block that shall be

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dedicated to the City of Hamilton for road widening purposes. Currently Airport Road West has a rural cross section.

(Condition No. 23 of Appendix “G” to Report PED18017)

There are existing cul-de-sacs on the subject lands at the west ends of Rosebury Way and Provident Way that will have to be removed in order to extend those roads through the subject lands. Each road has a 20 metre cross-section that shall be maintained along the extension of the road.

There is also an existing cul-de-sac at the west end of Thames Way situated on the existing lands to the east of the subject lands.

With respect to the proposed Zoning By-law amendment, Engineering staff have requested that 1.2 metre minimum setback be required at the garage side of the lot, for the street townhouse units backing onto 9555 Airport Road, in accordance with the City’s Grading Policy and to provide additional space for on street-parking. This requirement has been included in the amending Zoning By-law for these lands (Appendix “D” to Report PED18017).

Also, the Owner agrees to include in all notices of purchase and sale of residential units, the following warning clause:

“On-street, public parking in the surrounding neighbourhood will be limited and cannot be guaranteed in perpetuity. Garage space for this unit is provided and intended for the purposes of parking a vehicle. It is the owner’s responsibility to ensure that their parking needs can be accommodated.”

(Condition No. 33 of Appendix “G” to Report PED18017)

In addition, the proposed zoning amendment contains a provision to require a minimum 2.0 metre clearance between the adjacent dwellings in case of back to front drainage or a major overland flow route is identified on the approved grading plan for the subject lands. These provisions have been addressed in the Amending By-law (Appendix “D” to Report PED18017).

The proposed 23 metre Right of Way for Mountaingate Road shall be reduced to 20 metres as per the City standard and the residual 2 metres is to be added to the lots along the west side of Street “F” and the additional 1 metre is to be distributed to the lots along Mountaingate Road as required to optimize lot layout. The garage



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setback requirements for Lots 160 to 209, inclusive, shall be 8 metres in order to accommodate tandem parking for one vehicle in a garage, and one vehicle in a driveway (see Amending By-law attached as Appendix “D” to Report PED18017).

The Owner will also provide a plan to prospective landowners, which shows the location of the sidewalks throughout the subject lands.

(Condition No. 34 of Appendix “G” to Report PED18017)

1.5 metre wide sidewalks are to be installed on both sides of Rosebury Way, Mountaingate Road, Provident Way, Street ‘A,’ and Street ‘B’ and on one side of Streets ‘C’, ‘D’, ‘E’ and ‘F’ (sidewalk on east side) including wheel chair ramps that incorporate integrated tactile accessibility features as per RD-124 to the City’s satisfaction.

(Condition No. 41 of Appendix “G” to Report PED18017)

Mountaingate Road shall be established as a 20.0 metre Right of way from Street ‘B’ to Street ‘E’ to the City’s satisfaction.

(Condition No. 28 of Appendix “G” to Report PED18017)

Block 365 shall be dedicated to the City of Hamilton as a public highway, by Owner’s certificate on the final plan of subdivision for road widening on Airport Road West to the satisfaction of the Senior Director of Growth Management.

(Condition No. 29 of Appendix “G” to Report PED18017)

The Owner agrees in writing that the removal of all existing septic beds, garages, playground equipment, wells, and any structures will be at the sole cost to the owner to the satisfaction of the City.

(Condition No. 35 of Appendix “G” to Report PED18017)

Also, the Owner will be required to relocate, as required, all affected utility poles, hydrants, pedestals, hydro vaults, etc. on Airport Road, Rosebury Way, and Provident way, entirely at the owner’s expense to the City’s satisfaction.

(Condition No. 36 of Appendix “G” to Report PED18017)

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The minimum urban residential horizontal centreline road radius excluding 90 deg. Curves shall be: 90 m for local roads, 95 m for minor collectors and 160 m for major collectors, to the satisfaction of the Senior Director of Growth Management.

(Condition No. 40 of Appendix “G” to Report PED18017).

A Hydrogeological report shall be submitted to the City, to assess impacts, identify any significant recharge and discharge zone, and provide recommendations to mitigate the groundwater impacts during any construction within the subdivision, including but not limited to house construction, and to undertake the works as recommended including monitoring.

(Condition No. 42 of Appendix “G” to Report PED18017)

A pre-construction survey of surrounding roads that are outside the subject lands shall be provided to the City, as well as an adequate security for costs to repair and reconstruction to any of these roads that are damaged due to construction.

(Condition No. 46 of Appendix “G” to Report PED18017).

A post-construction survey / photo inventory shall be provided that corresponds to the pre-construction survey required in Condition No. 46 to identify any damages and the owner further agrees to repair those damages.

(Condition No. 47 of Appendix “G” to Report PED18017)

A reverse crowned concrete walkway within Block 371 shall be designed and constructed by the owner, to convey major system flows from Street ‘E’ to Provident Way entirely at the owner’s expense, to the City’s satisfaction.

(Condition No. 49 of Appendix “G” to Report PED18017)

All driveway locations on the engineering drawings for all lots shall be indicated, and no driveway shall be located within a daylight triangle. Further, all driveway locations at bends and corners shall be situated to ensure that the driveways are within their own lot frontages.

(Condition No. 50 of Appendix “G” to Report PED18017)

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It shall be demonstrated that a 13.0 m pavement radius is provided along the inside curb line at the 90 degree bends on Streets “D”, “E”, and “F” complying with the City’s Engineering Guidelines.

(Condition No. 51 of Appendix “G” to Report PED18017)

**Functional Servicing Report**

Currently, Airport Road West is a rural cross section. The Owner will be required to make a cash payment to the City of Hamilton for the future urbanization of Airport Road West based on the “New Roads Servicing Rate”.

(Condition No. 31 of Appendix “G” to Report PED18017)

The servicing corridor to the adjacent lands to the west, known as Block 372, shall be constructed and finished with low-maintenance landscaping.

**Sanitary**

The existing 300 millimetre diameter sanitary sewer on Provident Way from the upper limit to Fulmer Way is incorrectly labelled as being 450 millimetres in diameter under existing conditions.

The sanitary sewer design is based on the understanding that all sanitary sewers will be installed at adequate depth such that an infiltration factor of 0.4L / ha / s is appropriate.

The Owner acknowledges that the development shall not proceed until it has been demonstrated that adequate capacity is available in the downstream sanitary sewer system to service the subject lands, including:

- i. along Rosebury Way;
- ii. along Provident Way;
- iii. the pumping station at the south end of Fulmar Way; and,
- iv. the pumping station at Strathearn Place and Homestead Drive.

(Condition No. 67 of Appendix “G” to Report PED18017)

## **Water**

As there are a number of narrow lots, the detailed design shall include adequate fire separation between units as necessary based on the requirements of the Water Supply for Public Fire Protection (1999) by the Fire Underwriters Survey. This will be provided through the approval of the Engineering submissions of the draft plan.

The Owner, through a soil consultant or other qualified consultant, shall: check existing wells which provide potable water supply to other properties located within a reasonable distance of the subject lands to establish the existing depth of water within wells, prior to commencement of construction; monitor these wells during construction and continue monitoring and checking the wells after completion of construction until full buildout of the subdivision. Where, in the opinion of the City, if any problems arise, they must be appropriately addressed by the Owner to the City's satisfaction.

(Condition No. 43 of Appendix “G” to Report No. PED18017)

## **Parking Plan**

Revisions to the submitted parking plan are necessary to show the final locations of hydrants, utility boxes, mailboxes, and other appurtenances. This plan shall be revised to include dimensions of parking spaces and driveway widths.

(Condition No. 44 of Appendix “G” to Report No. PED18017)

## **Stormwater**

The Owner shall submit a detailed Stormwater management report prepared by a qualified professional engineer, in accordance with the City of Hamilton Drainage Policies, City of Hamilton Comprehensive Guidelines (2016) and the MOE&CC Stormwater Management Planning and Design Manual (2003) (Conditions Nos. 58 and 59 of Appendix “G” to Report No. PED18017).

Also, the Owner agrees to monitor drainage across the lands from the SWM facility outlet to 500m south of the White Church Road culvert (located approximately 100m west of outlet) to ensure that the existing lands are not negatively impacted by the development. The monitoring plan will occur throughout the construction of the subdivision and for a period of not less than 2 years after all lot / blocks within the draft approved plan are fully developed. In the event that a problem arises, the

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Owner further agrees to take the necessary remedial action as per the monitoring report at their cost. The engineering design and cost schedule for the outlet works shall include a minimum of \$100,000 security for potential remedial works. The security shall not be released or reduced until it has been demonstrated that there are no impacts as a result of development for a period of not less than 2 years after full buildout of the draft approved plan to the satisfaction of the Senior Director of Growth Management.

(Condition No. 57 of Appendix “G” to Report No. PED18017)

A Fluvial Geomorphological assessment and erosion flow exceedance analysis shall be submitted for the Welland Creek tributary from the proposed SWM facility outlet to 500 metres south of White Church Road.

(Condition No. 52 of Appendix “G” to Report No. PED18017)

It shall be demonstrated that the subject development has riparian rights to drain onto and across downstream private lands. The Owner shall notify the downstream land owner(s) whose properties are traversed by Welland Creek from the SWM outfall to 500 metres south of the White Church Road Culvert, of a proposed SWM outfall, and impending pond construction.

(Condition No. 53 of Appendix “G” to Report No. PED18017)

The increase or alteration of the existing floodplain on adjoining lands will not be permitted without a written authorization from the land owner.

(Condition No. 54 of Appendix “G” to Report No. PED18017)

An adequate outlet to convey flows from the proposed SWM facility to the White Church Road culvert shall be secured, which may require acquisition of lands or easements from adjacent land owners.

(Condition No. 55 of Appendix “G” to Report No. PED18017)

A minimum 2.0 metre separation between foundation walls and a maximum water surface depth of 0.30 metres on rear lot catch basins in any case where there is a requirement of an overland flow route to the municipal road allowance shall be included in the engineering design and cost schedules.

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(Condition No. 56 of Appendix “G” to Report No. PED18017)

**Functional Servicing Report**

Additional justification is necessary to elaborate on the post - development imperviousness, which is 34% for existing residential development as this is too low. A stage – storage - discharge chart will also be required which shows the following at 0.1 metre stages from the permanent pool elevation to the emergency spillway elevation:

- i. Stages / elevations for all storm events;
- ii. Incremental and cumulative surface area of the forebay and main cell;
- iii. Incremental and cumulative volumes of the forebay and main cell;
- iv. Discharges through individual control structures and total discharge through all control structures; and,
- v. Pond drawdown time.

The Geomorphological Assessment and Erosion Analysis prepared by Geo-Morphix, dated January 2017, is based on the theoretical analysis for the existing channel between Highway 6 and White Church Road. However, this analysis did not consider a field survey and the proposed outlet conditions (a box culvert and channel) along the bottom of the road embankment. Staff have some concerns for the proposed outlet such as road embankment stability, erosion and meander belt width, emergency spillway location, etc. Staff recommends that the geomorphologic assessment should extend 500 metres south of White Church Road. The report should provide a clear professional statement for the erosion potential based on erosion exceedance analysis.

7. As per the *Planning Act* and the Council approved Public Participation Policy, Notice of Complete Application and Preliminary Circulation was sent to 91 property owners within 120 m of the subject lands on January 25, 2008, and a Public Notice sign was posted on the property on February 15, 2008. In total, sixteen letters were received (see Appendix “I” to Report PED18017). The overall issues are generally summarized as follows:

### Nature of the Proposed Development

Clarification was requested regarding the form and function of the proposed development. As indicated earlier in this report, the proposed development will be made up of 217 single detached dwelling units; 143 street townhouse units; 69 back to back and stacked townhouse units; one institutional block or 228 back to back or stacked townhouse units; one commercial block; one open space block; one future servicing block; one neighbourhood park; two natural open space blocks; two stormwater management (SWM) blocks; one future residential block; and four (4) future roads.

### Name of Proposal – “Mountaingate”

Staff have received correspondence objecting to the name of the proposal: “Mountaingate”. The name that a proposal is assigned is not determined by staff, and is chosen by the owner. It is important to note that this name has no reflection on the type and form of development proposed and is often a personal choice or “marketing” name chosen by the landowner.

### Number of Homes / Density

A concern was raised with respect to over intensification of the subject lands and increased densities. The proposed development conforms to both Provincial and Municipal density and intensification guidelines as well as the parent Multiple Residential “RM2” Zone and Residential “R4” Zone regulations, as such, staff feel that the proposal represents good planning. The only increase in density from a zoning perspective is in the “RM3” Zone where a maximum density of 100 units per hectare has been requested, and 30 units per hectare are permitted in the by-law. Furthermore, staff considers the density increase appropriate as adequate parking, transportation and infrastructure capacity, and amenity areas are being provided for the proposed development. The proposed development has been designed to be compatible with the surrounding uses and is maintaining and enhancing the character of the neighbourhood.

### Traffic Volume

One of the concerns raised by residents in the area was related to potential increased traffic volumes resulting from the proposed new development. A Traffic Impact Study has been submitted and reviewed by staff in the Corridor

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Management Division, Public Works Department. No concerns were raised by staff regarding this study.

Trail System

One of the letters that staff received requested that all of the park and open space throughout the subject lands be linked together by way of a trail system. It was also requested that this trail system be connected to systems in other neighbourhoods within Mount Hope.

The proposed draft plan, including the proposed Neighbourhood Park, is connected by way of sidewalks and servicing corridors (which will be grassed) enabling pedestrian connectivity throughout the “Mountaingate” community, which will function in the same way that a formal trail system would. The community will be connected to others within Mount Hope by way of the extension of Rosebury Way, Provident Way, and the eventual extension of Spitfire Drive.

Builder / Cost of Homes / Timing of Construction

Some correspondence asked who the builder of “Mountaingate” would be and the cost of homes. The owner of the subject lands, Hotz and Sons Limited, is not a builder. Once the proposed development has approvals in place, the owner will look to sell the lands to a builder. When the builder initiates the construction process the cost of homes will be determined, and will be done so based upon market demand. The construction of homes will commence once all Draft Plan conditions have been addressed.

School Block

An inquiry was submitted about the Institutional block. As noted previously in this report, there is an “Institutional” block located within the subject lands. When the Secondary Plan was written, this land was intended to be developed into a future separate elementary school. Discussions between the property owner and appropriate School Board officials regarding the proposed development have confirmed that the Hamilton-Wentworth Catholic District School Board is unsure as to whether or not these lands will be required for a future school. As such, the School Board would like to retain the ability for these lands to be dedicated for school purposes. This is acceptable to the applicant, provided there is an opportunity to develop these lands for residential development if the School Board deems these lands to be surplus. As such, an amendment to the UHOP has been



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proposed which will allow for the development of multiple dwellings at a higher density. This land is proposed to be redesignated as “Site Specific Policy Area E”.

18 Aberdeen Avenue

A question was posed to staff as to what the proposed development would be behind 18 Aberdeen Avenue. There has been no development application submitted for these lands.

Housing Mix

Staff has received an inquiry related to the housing mix which is proposed. 33 % of the proposed development will be single detached dwelling units; 22 % will be traditional freehold townhouse units; 10 % will be back to back or stacked townhouse units; and 35 % will be a combination of back to back, and / or stacked townhouse units if the School Block is declared surplus.

Drainage

Concerns have been raised related to the proposed drainage system on the Draft Plan lands. A Stormwater Management Report was submitted, and subsequently revised through the application process. A revised report will be required to ensure that adequate drainage can be provided.

Institutional / Mixed – Use

A question was raised related to what types of uses could be expected in an Institutional / Mixed – Use block. There are no Mixed-Use blocks proposed for the “Mountaingate” project. If the Institutional block is declared surplus by the School Board, 228 townhouse units are proposed.

Southampton Phase 2 Plan of Subdivision

The developers of the Southampton Phase 1 and Phase 2 Plans of Subdivision (1536708 Ontario Inc.) indicated that terms of their draft plan approval required that a temporary Stormwater Management Pond was required to be maintained until the Mountaingate proposal was developed. As such, they have requested that any approvals applying to the Mountaingate proposal, related to the construction of permanent stormwater management facilities, both in terms of quantity, quality, size and location, would enable them, upon registration, to fully develop the entirety of

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan, the Rural Hamilton Official Plan, Glanbrook Zoning By-law No. 464, Hamilton Zoning By-law No. 05-200, and for Approval of a Draft Plan of Subdivision “Mountaingate” for lands known as 9255 Airport Road West (Glanbrook) (Ward 11) (PED18017) - Page 74 of 75**

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Block 149 on Plan 62M-1051 for residential purposes. Block 374 and Block 375 as shown on the Draft Plan (Appendix “F” to Report PED18017 and Condition No. 58 of Appendix “G” to Report No. PED18017) facilitate the development of permanent Stormwater Management Ponds to meet the needs of the subject lands and the surrounding community. As such, upon review of the proposal by the City’s Growth Management staff, this future development could be permitted.

They also advise that they were required to post securities and enter into an Indemnity Agreement with the adjoining land owner in respect of the construction and maintenance of temporary turning circles at the westerly limits of Provident Way and Rosebury Way. They have requested that all such securities and Indemnity Agreement be fully and finally released immediately upon registration of the Mountaingate proposal, and that the applicable one foot reserves be lifted. Following registration the City’s Growth Management staff will review and determine the status of the outstanding securities and Indemnity Agreement which applies to these 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 Deferred Development “DD” Zone, which permits limited agricultural and residential uses.

## **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.*

### **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”:	Urban Hamilton Official Plan Amendment
Appendix “C”:	Rural Hamilton Official Plan Amendment
Appendix “D”:	Zoning By-law No. 464 Amendment

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Appendix “E”: Zoning By-law No. 05-200 Amendment  
Appendix “F”: Draft Plan of Subdivision  
Appendix “G”: Special Conditions for Draft Plan of Subdivision  
Appendix “H”: Written Comments  
Appendix “I” Zoning By-law No. 05-200 CMU Amendment

RC:jp