



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	April 17, 2018
SUBJECT/REPORT NO:	Modifications to the Existing Residential “ER” Zone in the Town of Ancaster Zoning By-law No. 87-57 - Redevelopment in Mature Neighbourhoods (Ancaster) (Ward 12) (PED18036(a))
WARD(S) AFFECTED:	Ward 12
PREPARED BY:	Alana Fulford (905) 546-2424 Ext. 4771
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That Report PED18036(a) (City Initiative CI-18-A) to amend the Existing Residential “ER” Zone regulations in the Town of Ancaster Zoning By-law No. 87-57, to address the redevelopment of single detached dwellings in mature neighbourhoods, be received.
- (b) That City Initiative CI-18-A to amend the Existing Residential “ER” Zone regulations in the Town of Ancaster Zoning By-law No. 87-57, to address the redevelopment of single detached dwellings in mature neighbourhoods, as amended, be APPROVED on the following basis:
 - (i) That the Draft By-law, attached as Appendix “B” to Report PED18036(a), which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (PPS) 2014, conforms to the Growth Plan for the Greater Golden Horseshoe, 2017 (P2G), and complies with the Urban Hamilton Official Plan;
 - (iii) That in accordance with Subsection 34(17) of the *Planning Act*, no additional public meeting notice is required.

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- (c) That approval be given to amend Site Plan Control By-law No.15-176 to include single detached dwellings, as well additions, accessory structures, and decks for lands located in the established residential areas of Ancaster (“ER” zoned lands) attached as Appendix “C” to Report PED18036(a):
- (i) Relabel the three maps for the Beach strip from Schedule “B” of By-law No. 15-176 to “B1”, “B2” and “B3”;
 - (ii) Delete and replace Section 9.3 of By-law No. 15-170 as follows:
 - “9.3 any single detached dwelling, duplex dwelling and semi-detached dwelling, including accessory buildings and structures, decks, and additions, for lands located:
 - (i) east and west of Beach Boulevard, as shown on the maps attached to and forming part of this by-law as Schedules "B1" to “B3”;
 - (ii) in certain residential areas of Ancaster, as shown on the maps attached to and forming part of this by-law as Schedules "C1" to “C13”.”
 - (iii) Add 13 new Schedules (“C1” to “C13”) to By-law No. 15-176 identifying the area in Ancaster to which site plan control applies to any single detached dwelling, duplex dwelling and semi-detached dwelling, including accessory buildings and structures, decks, and additions.
- (d) That the Tariff of Fees By-law No. 12-282 be amended to establish a new fee of \$5,000 for a Site Plan Control By-law Application for the “ER” Zoned lands in Ancaster.
- (e) That a minimum refundable deposit of \$10,000 for performance securities indexed annually to the Consumer Price Index, in the form of a Letter of Credit or cash, be required as part of a Site Plan Control Application.
- (f) That any Building Permit Application received prior to April 26, 2018 be exempt from Site Plan Control, provided the permit is issued within 6 months of the effective date, unless already required by Section 9.1, 9.2, or 9.4 to 9.12 of Site Plan Control By-law No. 15-176.

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EXECUTIVE SUMMARY

This Report is a follow up to Report PED18036 - Modifications to the Existing Residential “ER” Zone in the Town of Ancaster Zoning By-law No. 87-57 - Redevelopment in Mature Neighbourhoods. Report PED18036, together with any written submissions and input from delegations received at the Statutory Public Meeting of the Planning Committee held on March 20, 2018, was referred back to staff for consideration.

In addition, at the March 28, 2018 City Council meeting, Council adopted the following recommendation:

- “(c) That staff be directed to include amendments to the Site Plan Control Bylaw regarding elevation, drainage patterns and tree preservation in their upcoming report respecting amendments to the Existing Residential “ER” Zone in the Town of Ancaster Zoning By-law No. 87-57 - Redevelopment in Mature Neighbourhoods.”

The purpose of this Report is to:

- Report back on the written submissions received after PED18036 was finalized and released, as well as the submissions that were received on or after the March 20, 2018 Planning Committee.
- Make any necessary changes to the Draft By-law, attached as Appendix “B” to Report PED18036(a), to address:
 - Written submissions received and input from delegations received at the March 20, 2018 Planning Committee; and,
 - To establish any additional site specific exceptions for properties that have approved variances (final and binding) but for which a building permit has not yet been obtained, to recognize existing permissions. Staff have captured one additional affected property through a site specific exception.
- Introduce changes to Site Plan Control By-law No. 15-176 to incorporate the properties zoned Existing Residential “ER” Zone in the Town of Ancaster Zoning By-law No. 87-57, based on Council’s direction from the March 28, 2018 meeting of City Council.
- Establish a lot grading and servicing connection process to review individual lot grading and its effect on the lot, adjacent properties and public infrastructure.

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Alternatives for Consideration – See Page 16

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: There are costs associated with both the Site Plan Control Application and the grading. Since these fees are new fees, the City’s Procedural By-law requires that such fees be advertised and these fees

Site Plan Control Application/Grading Fee

Based on the amount of work involved in the review of grading, elevations related to grade, tree preservation, engineering review and inspection, the fee for this application will be \$5,000. It should be noted the costs for this application may rise as a result of the full review of current fees that is currently being undertaken.

This new fee was advertised in the Hamilton Spectator on Saturday, March 31, 2018 in accordance with the City’s Procedural By-law.

In addition, the applicant will be required to submit a refundable deposit for performance securities in the amount of \$10,000 as either a Letter of Credit or cash, prior to the release of the site plan drawings for building permit purposes.

Staffing: Planning Division

Based on a five year average, there are approximately 21 new homes built per year and approximately five additions. Based on these new applications and any applications for additions, it is anticipated that up to one permanent full-time equivalent (FTE) position will be required. The cost of this position (\$97,560) will be offset by the revenue from the applications. Planning Division staff will monitor the implications for the balance of 2018 and report back to Committee accordingly.

Growth Management Division

The Growth Management Division will monitor the implications on staff. The positions involved in this process include a Project Manager for reviewing the lot grading and service connection and one Construction Inspector to inspect and administer the construction process.

Legal: The Statutory Public Meeting was held on March 20, 2018 and the Public Meeting was closed.

HISTORICAL BACKGROUND

As discussed in Report PED18036, staff undertook consultation with the Ancaster community in September 2016 to identify the concerns the community had about redevelopment in the established neighbourhoods in Ancaster which are zoned “ER” Zone. The consultation identified potential tools available to the City to address the impact of redevelopment on mature neighbourhoods. Based on public feedback, Committee of Adjustment activity, staff’s review of other municipal approaches, and consideration of the lot patterns and other existing conditions of the “ER” Zone, a series of changes are recommended to the regulations of the “ER” Zone. The new regulations are to be implemented as a pilot project, to be comprehensively monitored to evaluate the impacts of regulatory changes on built form.

On March 20, 2018, the Statutory Public Meeting of the Planning Committee was held to inform Planning Committee of the recommended changes to the regulations of the “ER” Zone and to allow members of the public to make delegation before Planning Committee. The delegations, as well as any written submissions received before, at, or after the Public Meeting, were considered by staff in preparing the draft By-law which is attached as Appendix “B” to Report PED18036(a). At the Public Meeting, four oral submissions (delegations) were received as well as several written submissions. In addition, a number of written submissions were received prior to and following the March 20, 2018 Planning Committee. All written and oral submissions have been considered by staff in finalizing the draft By-law attached to this Report and are discussed in the Analysis and Rationale for Recommendation section of the Report.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Planning Matters

Report PED18036 reviewed the proposed new and revised regulations for the “ER” Zone against provincial policy and the Urban Hamilton Official Plan (UHOP), including applicable secondary plans. As stated in that Report, the proposed changes to the “ER” Zone conform to the secondary plan policies of the UHOP. Permitted uses are not being modified. The changes to the “ER” Zone regulations are intended to regulate height, massing and scale so that new development is more compatible with adjacent existing built form.

Grading Matters

In accordance with the Ontario Building Code and By-law No. 08-161, the City reviews drainage/grading in relation to the impacts on the building being constructed. It does not allow for a full grading plan review.

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All proposed developments / redevelopments must be in conformity with Places to Grow legislation, the policies of the Urban Hamilton Official Plan (UHOP), *Planning Act*, and applicable City standards and guidelines.

This request to instate Infill Residential Lot Grading and Service Connections aligns with the City of Hamilton’s Lot Grading Policy, Criteria, and Standards, January 2012, and with the Property Standards By-law No. 10-221.

The long-standing practice related to the enforcement of grading issues has been to recommend civil action to address complaints between residential properties.

RELEVANT CONSULTATION

In addition to the consultation between Planning staff and Growth Management staff in the preparation of this Joint Report, the Building Division has been consulted on matters of Site Plan Control implementation and the transition to the new regulations for the “ER” Zone.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The purpose of this Report is:

- a) To report back on submissions received before, during and after the March 20, 2018 Statutory Public Meeting of the Planning Committee;
- b) To finalize the amending By-law to Zoning By-law No. 87-57 considering the feedback received and to incorporate any further site specific exceptions on “ER” Zone properties which have received approvals through the Committee of Adjustment but for which a building permit has not yet been issued;
- c) To recommend changes to Site Plan Control By-law No. 15-176 to incorporate the properties zoned Existing Residential “ER” Zone in the Town of Ancaster Zoning By-law No. 87-57, to address:
 - Grading;
 - Elevational changes of a property as it relates to grading; and,
 - Tree preservation;
- d) To establish the Infill Residential Lot Grading and Service connection process, as a pilot project, to ensure that staff review Grading and Servicing Plans prior to issuance of a building permit.

1.0 Summary of Submissions Received – Key Comments

In total, there were seven submissions from seven separate landowners received before, during and after the March 20, 2018 Planning Committee.

All of the submissions received supported the proposed regulations, either in whole or in part, noting the regulations are expected to have a positive impact on privacy and consistency in built form and represent positive change to help retain the character of mature neighbourhoods and lessen the disruptive impacts of new developments in these neighbourhoods.

While comments were generally in support of the proposed changes to the regulations, there were a number of concerns raised which are summarized as follows (an analysis and response to the comments is found in Section 2.0 to this Report):

1.1 Average Front Yard Setback

- For a corner lot, the exterior side (flankage) yard setback of a new dwelling or addition to existing dwellings should mirror the existing front yard setback of the adjacent dwelling to maintain existing streetscapes.
- There should be no permission for adjusting the front yard setback by + / - 20 percent as proposed for the new front yard setback regulation, as it does not provide enough certainty and consistency for an established front yard setback.

1.2 Side and Rear Yard Setbacks

- Existing vegetation along the side and rear property line offers privacy between dwellings and should be considered in the context of the proposed regulations requiring a minimum one metre free and clear area be maintained adjacent to these lot lines.

1.3 Dwelling Height

- Limitations should be placed on the finished first floor height of a new dwelling to limit grading changes between existing and new dwellings on a lot, and the resulting massing impacts.
- The reduction in the maximum height permitted may result in a dwelling design that has less character due to changes in roof design.

1.4 Lot Coverage

- The reduced maximum lot coverage permissions may deter future infill developments as people look elsewhere in the City to build new homes, resulting in unbalanced neighbourhoods consisting of older homes adjacent to infill development built before the new regulations came into effect.
- Reduced lot coverage permissions may be unfair to property owners with lots greater than 1,650 sq m, as lots slightly under this threshold size are subject to less restrictive lot coverage maximums.

1.5 Grading

- Grading Plans should be required for all infill developments as drainage issues are a significant concern.

1.6 Additional Comments

- All potential impacts of a new dwelling or addition on neighbouring properties should be considered before building permits are issued. More specifically, the design of new dwellings or additions should be reviewed with respect to the number of windows proposed to be overlooking adjacent properties to consider impacts on privacy.
- Mature trees should be protected on a lot when redeveloped.
- Variances should not be permitted for any new dwellings built.
- The proposed vacuum clause should be replaced with a 15 year statute of limitations.

2.0 Staff Response to Comments Received

2.1 Average Front Yard Setback

As it relates to the exterior side (flankage) yard, staff undertook an analysis of various “on the ground” scenarios where a corner lot was being redeveloped. An exterior side yard and front yard have different functions. Further, given the minimum side (flankage) yard requirement of 6 m (which is not to be changed through the proposed amendments to the By-law), differences between setbacks along a streetscape are generally lessened. Maintaining the existing side (flankage) yard setback regulation provides some flexibility for corner lots given the potential impact on the building envelope from having two lot lines facing a street.

A further comment was received regarding the proposed 20% increase / decrease permitted to the average front yard setback (provided a minimum 5 m front yard setback

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is maintained). Given the variability in the lot sizes and configurations in the “ER” Zone, staff maintain there has to be a certain degree of flexibility afforded to the average applied to the front yard setback regulation, given the range of possible lot conditions and scenarios. The average front yard setback regulation contributes to consistency in front yard setback along a street, while also being able to respond to the variations in front yard setbacks that are found across neighbourhoods in the “ER” Zone. It is not anticipated the front yard setbacks of new dwellings along a street will be incrementally reduced through successive redevelopments as development is unlikely to proceed in this manner. In staff’s review of newer infill developments in the “ER” Zone, many of the new dwellings have a front yard setback that maintains consistency with the established streetwall.

Staff Recommendation: no changes are recommended to the proposed average front yard setback regulation as it relates to the preceding comments, with the regulation being to require a front yard setback that is the average of the existing front yards of the nearest adjacent dwellings on either side of the lot, within 20% of the established average (but no less than 5 m). However, as it relates to the application of this regulation for corner lots, to provide additional clarity and to reduce potential variances, staff are recommending that the front yard setback regulation be modified to address scenarios where the principal dwelling on a corner lot faces the flankage lot line, not the front lot line. In these cases, the front yard setback regulation is recommended to be applied to the flankage yard, and the side yard setback regulation applied to the front yard.

2.2 Side and Rear Yard Setbacks

The regulations for both side yard setback and rear yard setback were initially proposing that at minimum, the 1 m wide swale immediately adjacent to the side and rear lot line be free and clear of all walkways, sidewalks or other hard-surfaced material, and landscaping other than sod. The intent of this regulation is to provide an adequate space for drainage between homes and at the rear of properties.

A potential unintended consequence of the regulation as proposed could be the removal of landscaping (vegetation) immediately adjacent to a property line that is providing privacy between dwellings.

Staff Recommendation: Modify the side and rear yard setback regulations as presented at the March 20, 2018 Planning Committee meeting, by removing the requirement to provide a 1 m free and clear space immediately adjacent to the lot line. Instead, this free and clear area can be located within the required yard. The location of the swale will be determined as part of the grading plan submission. As well, the regulation is to be modified to specify that structures are not permitted within this 1 m area, to provide further clarity.

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2.3 Dwelling Height

Grading is a matter that has been raised by the community, both in terms of impacts from a drainage perspective and changes to the grading of a lot that raises the grade elevation so the height of the new dwelling vis-à-vis the neighbouring properties is higher. The expansion of the Site Plan Control By-law to include all lots within the “ER” Zone, as recommended through Report PED18036(a), is intended to address grading concerns by requiring that a detailed review of lot grading be completed as part of the Site Plan Control process. It is expected that the review and approval of a grading plan will alleviate some of the massing impacts from grade changes on a property. As part of the upcoming monitoring program which will evaluate the impacts of the new regulations, staff will evaluate the reduction in maximum dwelling height permitted, together with implementation of the Site Plan Control process, to determine whether additional measures are warranted to address overall height permissions and / or the distance between grade and the finished floor height of the first floor.

Regarding potential impacts on dwelling design as a result of the reduction in maximum height permitted, the monitoring program for this pilot project is intended to evaluate whether the new regulations are working as intended as well as the suitability of other planning measures such as design guidelines.

Staff Recommendation: No changes are recommended to the proposed maximum dwelling height regulation to establish a maximum height of 7.5 m for a one-storey dwelling and 9.5 m for a two-storey dwelling.

2.4 Lot Coverage

With respect to the comment that changes to maximum lot coverage could deter future development, future trends in infill development are best evaluated through the upcoming monitoring program as staff will have the benefit of the results of the monitoring program for this pilot project to make informed decisions when evaluating the impacts of the new regulations.

Regarding the minimum lot area of 1,650 sq m established for the additional reduction in maximum lot area permitted, staff are of the opinion that this further reduction is appropriate given the size of dwelling that could be constructed on these lots that represent the top 10th percentile in lot area. Staff recognize that establishing a threshold has greater impact on properties immediately above or below the threshold but are of the opinion that this threshold is appropriate given the intent of the regulation. Again, as indicated previously, all regulations will be evaluated through the monitoring program for this pilot project.

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Staff Recommendation: No changes are recommended to the proposed maximum lot coverage regulation, to permit a maximum lot coverage of 35% for a one-storey dwelling and 25% for a two-storey dwelling, and further, to permit a maximum lot coverage of 30% for a one-storey dwelling and 20% for a two-storey dwelling on lots with an area greater than 1,650 sq m.

2.5 Grading

Grading was identified as a significant issue in a number of the submissions received. In light of these concerns and as directed by Council, staff are recommending the Site Plan Control By-law be modified to include the “ER” Zone lots in Ancaster to address grading and tree preservation. A more detailed discussion can be found under Section 6.0 to this Report.

2.6 Additional Comments

Dwelling Design

With respect to the comment regarding the review of all potential impacts of new development on adjacent properties, zoning by-law regulations are intended to establish parameters for a building footprint, the location of a dwelling on a lot, and building mass. These regulations are intended to provide consistency along a streetscape and neighbourhood that share common built form characteristics. They are also intended to provide a degree of flexibility in the ultimate built form and are not intended to remove the flexibility of land owners when building new homes or additions by controlling the specific design of a dwelling. There are other regulatory tools, namely, design guidelines, which can establish certain design recommendations to guide the design of new development to complement the existing built form and established character of a neighbourhood. The Site Plan Control process which is being recommended for the “ER” Zone in Ancaster, will evaluate grading and tree preservation which could impact the adjacent properties.

Staff Recommendation: No changes are recommended to the proposed regulations.

Tree Preservation

Ancaster has a tree removal by-law (By-law 2000-118) which regulates the injury or destruction of certain classes of trees on public and private property in Ancaster. With the recommended introduction of Site Plan Control to “ER Zone lots in Ancaster, as part of that application process, an inventory of vegetation on a lot will be required, as will a tree protection plan for those properties where existing vegetation has been identified for protection and preservation through the redevelopment of the property.

Staff Recommendation: Tree removal is dealt with through the Ancaster tree removal By-law and Site Plan Control By-law.

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VariANCES

A comment was received that no variances should be permitted for any new dwelling constructed. While Zoning By-law regulations establish parameters for built form, varied lot fabrics, unique lot configurations, the placement of the existing dwelling on a lot, grade changes along a street, etc., may necessitate variances in certain situations. The Committee of Adjustment process is intended to address more minor deviations from the by-law requirements that meet the general intent of the zoning by-law. On a go forward basis, the new regulations and the intent behind their introduction, will inform the review and evaluation of applications that go before the Committee of Adjustment.

Vacuum Clause

A comment was received suggesting a statute of limitations be placed on the proposed vacuum clause. The purpose of the vacuum clause is to recognize existing situations as it relates to the location of any building or structure existing on the effective date of the proposed By-law to amend the regulations of the “ER” Zone. The vacuum clause is a common regulation in zoning by-laws to recognize existing situations to ensure that changes to the regulations of a zoning by-law do not place undue hardship on property owners when regulations are changed. Zoning is applied on a property by property basis and does not have a time frame on it.

Staff Recommendation: No changes are recommended to the vacuum clause.

3.0 Monitoring Program

As detailed in Report PED18036, City Initiative CI-18-A is a pilot project, intended to introduce a series of regulations that are to be comprehensively monitored to evaluate the impacts of regulatory changes on the built form in the “ER” Zone and to assess the ease of administering the regulations. The monitoring program will be undertaken over an 18 – 24 month period as part of the residential zoning project.

4.0 Site Specific Exceptions

VariANCES may have been granted on properties that are zoned “ER” Zone but for which a building permit has not yet been issued to build as per the approved variance application. To ensure that approved variances to the regulations of the “ER” Zone that are being changed through the proposed modifications to the “ER” Zone continue to be permissible once the modifications to the “ER” Zone are in effect, a site specific exception must be added to an affected property.

Two such properties have been identified. Site specific exceptions have been added to the Draft By-law attached as Appendix “B” to Report PED18036(a) to ensure the variance permissions are carried forward once the proposed modifications to the “ER”

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Zone regulations are in effect. The two properties are 357 Shaver Road and 196 Woodview Crescent.

5.0 In Process Applications

Once the proposed regulations for the “ER” Zone are in force and effect, all “ER” Zone properties must comply with the new regulations. Staff have notified the applicants of in process Committee of Adjustment Applications that are affected by changes to the regulations for the “ER” Zone so that the applications may be amended. Further, there is one active appeal of a Committee of Adjustment decision before the Ontario Municipal Board (OMB) respecting an application for severance. Once the OMB issues a decision, site specific exemptions may be required to recognize the decision.

To inform the public of the proposed changes to the “ER” Zone regulations and amendments to the Site Plan Control By-law, a notice has been posted on the 3rd Floor and 5th Floor of City Hall (Building Division and Planning Division, respectively), advising of the proposed changes.

With respect to in process Building Permit Applications vis-à-vis the proposed changes to the Site Plan Control By-law, a specific recommendation has been included in the Report to allow building permits received before April 26, 2018 to be completed without the need for a Site Plan Control (SPC) Application based on the new process, provided the permit is issued within 6 months of the effective date. This exemption however, does not include any “ER” Zone properties that are currently subject to Site Plan Control under Section 9.0 of the existing Site Plan Control By-law.

6.0 Site Plan Control (SPC)

There were a number of speakers that identified grading as a significant issue for redevelopment and in particular the impact on existing home owners.

Council, at its meeting of March 28, 2018, directed staff to place the “ER” zoned lands under site plan control to address:

- Grading
- Elevational changes of a property as it relates to grading; and,
- Tree preservation.

SPC generally does not apply to single and semi-detached dwellings, except in special circumstances (e.g. Beach strip). This application applies to new dwellings, additions to existing dwellings, decks and accessory structures.

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Site plans address a number of matters including building locations, grading, elevations, access to and on the site, tree preservation, landscaping, among other matters. Council directed staff to require applications to address the three matters identified above. There may be some additions that may not require a SPC Application if there are no grading or tree preservation issues. The staffing and cost of the application is addressed in the Financial / Staffing Section of the Report.

6.1.1 Amendments to the SPC By-law No. 15-176

The following changes to the By-law No. 15-176 are recommended:

- 1) Change the three Schedule “B” maps on the Beach strip to “B1”, “B2” and “B3”;
- 2) Delete and replace Section 9.3 as follows. Italics are the newly added areas:

“9.3 any single-detached dwelling, duplex dwelling and semi-detached dwelling, including accessory buildings and structures, decks, and additions, for lands located:

 - (i) east and west of Beach Boulevard, as shown on the maps attached to and forming part of this by-law as Schedules “B1” to “B3”; and,
 - (ii) *in certain areas within Ancaster, as shown on the maps attached to and forming part of this by-law as Schedules “C1” to “C13”;*
- 3) Add 13 new Schedules (“C1” to “C13”) which identify the area in Ancaster to which the SPC by-law applies.
- 4) Add the following transition regulations:
 - Building Permit Applications received by the City before April 26, 2018, provided the permit is issued within 6 months of the effective date, are not subject to Section 9.3 (ii) of the By-law.
 - Site Plan Control for the lands described in Section 9.3 (ii) will not come into effect until April 26, 2018.

7.0 Infill Residential Lot Grading and Service Connection Process

Currently, the City receives and approves about 160 infill residential Building Permit Applications (demolitions and rebuilding of homes) every year (last five years average) on a city wide basis and 25 homes per year in Ancaster. Most of the infill rebuild houses are generally much bigger in footprint than the existing buildings. This increase

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in imperviousness can potentially result in higher run-off rate during storm events and can cause downstream flooding. These new homes may have major impacts to the neighbouring properties and City streets.

The Building Division is currently not conducting a detailed review of the grading plans as part of Building Permit Application to identify the impacts to stormwater management, tree preservation and the City right-of-way including utility impacts. Staff identified that there is a gap in the level of service provided by the City to make sure that the lots are planned, designed and constructed to reduce the impacts to neighbouring properties, downstream flooding and the environment.

As part of the infill development approval process, it is important to check the capacity of storm water systems such as swales, ditches, sewers, storm water management ponds etc., if applicable, to ensure that they are sized appropriately to handle the increased imperviousness or altered characteristics of the area. If the capacity of the infrastructure is not addressed, this can lead to the deterioration of the quality of the receiving water bodies as well. Erosion and sedimentation is a direct consequence of systems not being able to handle the increased load put on them. Other impacts due to insufficient capacity and controlled grading include increased flooding, septic tank and tile bed failure; impacts to utilities, structures and trees.

The pilot study assessment of the increase in lot coverage in rurally serviced roadways in Ancaster determined that increased impervious surfaces through severances or redevelopment has the potential to increase peak flows, runoff volumes, and contaminant loads, leading to reduced roadside ditch performance and degraded storm water quality. Options to mitigate the increased runoff problems can be achieved through on-lot Best Management Practices (BMPs), including forms of Low Impact Development (LID) technologies. These technologies can be an effective means of mitigating the increased run-off (peaks and volumes) however, long-term oversight and sustainability in a residential setting requires municipal resources and policy that are not currently in place.

8.0 Next Steps

The new zoning regulations will be monitored as part of the residential zoning project to determine if the regulations are working as intended, if any modifications or new regulations are warranted, and if these regulations should be extended to other areas of the city with mature neighbourhoods and larger lots.

SUBJECT: Modifications to the Existing Residential “ER” Zone in the Town of Ancaster Zoning By-law No. 87-57 - Redevelopment in Mature Neighbourhoods (Ancaster) (Ward 12) (PED18036(a)) - Page 16 of 16

ALTERNATIVES FOR CONSIDERATION

- Option 1: Planning Committee / City Council could choose alternative performance standards for the Existing Residential “ER” Zone.
- Option 2: Planning Committee / City Council could table this Report and direct any future changes to be included in the new residential zones for Zoning By-law No.05-200.
- Option 3: Planning Committee / City Council could recommend the changes proposed to the Existing Residential “ER” Zone not be approved. The existing “ER” Zone regulations would remain in effect.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Built Environment and Infrastructure

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

APPENDICES AND SCHEDULES ATTACHED

- Appendix “A”: Location Map
- Appendix “B”: Draft Zoning By-law No. 87-57 Amendment
- Appendix “C”: Draft Site Plan Control By-law No. 15-176 Amendment

ALF:BK:mo