



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

Hamilton

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| TO: | Chair and Members Planning Committee |
| COMMITTEE DATE: | February 6, 2018 |
| SUBJECT/REPORT NO: | Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 503 and 515 Garner Road West (Ancaster) (Ward 12) (PED18032) |
| WARD(S) AFFECTED: | Ward 12 |
| PREPARED BY: | George T. Zajac (905) 546-2424 Ext. 1024 |
| SUBMITTED BY: | Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department |
| SIGNATURE: | |

RECOMMENDATION

- (a) That **Amended Urban Hamilton Official Plan Amendment Application UHOPA-16-007, by 1186559 Ontario Inc., (Owner)** to refine the Natural Heritage mapping within Volume 1 of the Urban Hamilton Official Plan, and to re-designate a portion of the subject lands from “Low Density Residential 1” to “Low Density Residential 3a” within the Shaver Neighbourhood Secondary Plan to permit a forty-seven (47) unit townhouse development on a private (condominium) road, as well as re-designate a portion of the lands from “Low Density Residential 1” to “Natural Open Space” for lands located at 503 and 515 Garner Road West, as shown on Appendix “A” to Report PED18032 be **APPROVED**, on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED18032, 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) (Places to Grow).
- (b) That **Zoning By-law Amendment Application ZAC-16-017 by 1186559 Ontario Inc., (Owner)** for a change in zoning from the Agricultural “A-216” Zone

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to the Residential Multiple “RM2-690” Zone, Modified, to permit a forty-seven (47) unit townhouse development on a private (condominium) road for lands located at 503 and 515 Garner Road West, as shown on Appendix “A” to Report PED18032, be **APPROVED** on the following basis:

- (i) That the draft By-law, attached as Appendix “C” to Report PED18032, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (2017) (Places to Grow), and will comply with the Urban Hamilton Official Plan, upon finalization of UHOPA No. XX.
- (c) That **Zoning By-law Amendment Application ZAC-16-017 by 1186559 Ontario Inc., (Owner)** for a change in zoning from the Agricultural “A-216” Zone to the Conservation / Hazard Land (P5) Zone to permit a stormwater management pond, natural open space and vegetation protection zone for lands located at 503 and 515 Garner Road West, as shown on Appendix “A” to Report PED18032, be **APPROVED** on the following basis:
- (i) That the draft By-law, attached as Appendix “D” to Report PED18032, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (2017) (Places to Grow), and will comply with the Urban Hamilton Official Plan, upon finalization of UHOPA No. XX.
- (d) Should the abutting properties wish to derive benefit, cost recovery would be based on the flat rate identified under the funding methodology of Infrastructure Policy plus actual drain cost.

EXECUTIVE SUMMARY

The proposed Official Plan Amendment is to refine the Natural Heritage mapping within Volume 1 of the Urban Hamilton Official Plan, and re-designate a portion of the subject lands from “Low Density Residential 1” to “Low Density Residential 3a” within the Shaver Neighbourhood Secondary Plan of the Urban Hamilton Official Plan (UHOP) to permit a forty-seven (47) unit townhouse development on a private (condominium) road. A portion of the subject lands is to also be re-designated from “Low Density Residential 1” to “Natural Open Space”, while the balance of the subject lands are to remain “Natural Open Space”.

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The proposed Zoning By-law Amendment to the former Town of Ancaster Zoning By-law No. 87-57 is to change the zoning of a portion of the subject lands shown as Block 1 on Appendix “A” to Report PED18032 from the Agricultural “A-216” Zone to a Modified. The modifications to the RM2 Zone are to permit site specific modifications, including lot area, frontage, depth coverage and side and rear yards. Residential Multiple “RM2” Zone to permit a forty-seven (47) unit townhouse development on a private (condominium) road.

The proposed Zoning By-law Amendment under Hamilton Zoning By-law No. 05-200 is to rezone a portion of the subject lands shown as Block 2 on Appendix “A” to Report PED18032 as Conservation / Hazard Land (P5) Zone in order to permit a stormwater management pond, natural open space and vegetation protection zone.

The proposed Official Plan Amendment and Zoning By-law Amendments have merit, and can be supported, since the proposal is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (2017) (Places to Grow), and comply with the UHOP, as well as the Shaver Neighbourhood Secondary Plan, subject to the recommended Amendment.

It should be noted that the subject lands include a 0.06 hectare parcel of land directly adjacent to the subject lands and currently owned by the City of Hamilton. The parcel was part of additional lands that were to be utilized for a future pedestrian and cyclist connection. The applicant is proposing a similar trail elsewhere on the property that will be deeded to the City and therefore, this parcel is no longer required. The applicant is currently seeking to acquire the subject parcel shown as Part 8 on Plan 62R-19552 in Appendix “F” to Report PED18032. The subject parcel has therefore, been added to the Official Plan and Zoning By-law Amendment applications. If the applicant is unsuccessful in acquiring the parcel, then a minor redesign will be required to eliminate up to two (2) proposed townhouse units shown within the north-west quadrant of the development concept, attached as Appendix “E” to Report PED18032.

Alternatives for Consideration – See Page 29

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

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 and Zoning By-law.

HISTORICAL BACKGROUND

Proposal

The subject lands, 503 and 515 Garner Road West (Ancaster), is an assembly of two separate properties and are located on the north side of Garner Road West, approximately 275 metres west of Hamilton Drive. Currently, there is a single detached dwelling with accessory structures located on each of the properties. The subject lands, being both properties, are approximately 4.3 hectares in area with a total frontage on Garner Road West of 147 metres and a depth of 308.9 metres. In addition, as previously mentioned, the subject lands also include a 0.06 hectare parcel of land, owned by the City of Hamilton, shown as Part 8 on Plan 62R-19552 and included in the proposed Official Plan and Zoning By-law Amendments.

The applicant proposes to redevelop a portion of the subject lands at a density of approximately 35 units per hectare for a maximum of forty-seven (47) two storey townhouse units fronting on a private condominium roadway. In addition, twenty-three (23) visitor parking spaces are proposed, as well as a block for a stormwater management pond. The balance of the lands will be used for open space purposes. Through discussions with City staff, a public trail is also proposed that will link with Garner Road West and the existing trail at the northerly limit of the subject lands. The trail, the remaining open space, as well as the road widening will be deeded to the City with future planning approvals, as shown on Appendix “E” to Report PED18032.

The purpose and effect of the proposed Official Plan Amendment to the Urban Hamilton Official Plan is to refine the Natural Heritage mapping within Volume 1, and re-designate the subject lands from “Low Density Residential 1” to “Low Density Residential 3a” within the Shaver Neighbourhood Secondary Plan of the Urban Hamilton Official Plan to permit a forty-seven (47) unit townhouse development on a private (condominium) road, as well as re-designate a portion of the subject lands from “Low Density Residential 1” to the “Natural Open Space” designation.

The purpose and effect of the proposed Zoning By-law Amendment is to change the zoning of a portion of the subject lands from the Agricultural “A-216” Zone to a site specific Residential Multiple “RM2” Zone within the former Town of Ancaster Zoning By-law No. 87-57 in order to permit the proposed development. An Amendment to the City of Hamilton Zoning By-law No. 05-200 is also proposed in order to zone a component of the subject lands as Conservation / Hazard Land (P5) Zone to permit a stormwater management pond, natural open space and a vegetation protection zone.

Site specific modifications to the “RM2” Zone have been requested and will include the establishment of: the proposed built form; minimum lot area per unit; minimum lot frontage per unit; minimum lot depth per unit; maximum lot coverage per unit; minimum

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side yard (internal); minimum yard abutting Garner Road West; minimum rear yard per unit and maximum building height.

Chronology:

February 3, 2016: Submission of Applications UHOPA-16-007 and ZAC-16-017.

February 26, 2016: Applications UHOPA-16-007 and ZAC-16-017 deemed complete.

March 11, 2016: Circulation of Notice of Complete Application and Preliminary Circulation for Applications UHOPA-16-007 and ZAC-16-017, to 29 property owners within 120 m of the subject lands.

March 15, 2016: Public Notice Sign installed on subject lands.

January 10, 2018: Public Notice Sign updated with Public Meeting Information.

January 19, 2018: Circulation of the Notice of Public Meeting to 29 property owners within 120 m of the subject lands.

Details of Submitted Application:

Location: 503 and 515 Garner Road West (see Appendix “A” to Report PED18032)

Owner/Applicant: 1186559 Ontario Inc. (c/o Charles Wah)

Agent: Fothergill Planning & Development Inc.
(c/o: Ed Fothergill, President)

Property Description: Lot Frontage: 147 metres (Garner Road West)

Lot Depth: 308.9 metres (irregular)

Lot Area: 4.3 Hectares

Servicing: Existing Municipal Water Available
Municipal Sanitary / Storm Not Currently Available

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Existing Land Use and Zoning:

| | <u>Existing Land Use</u> | <u>Existing Zoning</u> |
|--------------------------------------|--|-------------------------------|
| <u>Subject Lands:</u> | Single Detached Dwellings | Agricultural “A-216” Zone |
| <u>Surrounding Land Uses:</u> | | |
| North | Open Space | Public Open Space “O2” Zone |
| South | Garner Road West and Single Detached Dwellings | Rural (A2) Zone |
| East | Single Detached Dwellings | Agricultural “A-216” Zone |
| West | Single Detached Dwellings | Agricultural “A-216” Zone |

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Statement (2014)

The following policies, amongst others, from the Provincial Policy Statement (PPS) are considered to be applicable to the applications.

The proposal provides for an efficient and resilient development and land use pattern that is healthy, liveable and safe as per Policy 1.1.

Furthermore, staff recognizes that the applications are consistent with the policies that focus growth and development in Settlement Areas (Policy 1.1.3.1). In particular, as per Policy 1.1.3.2, the proposed land use pattern will contribute to a mix of densities that efficiently use the land and resources, and is appropriate for the infrastructure and public service facilities planned or available for this area, including transit.

Policy 2.1.8 restricts development and site alteration on lands adjacent to natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

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The proposed developable portion of the subject lands are located adjacent to a Core Area (tributary of Big Creek, unevaluated wetland, significant valleylands and a significant woodland) within the Urban Hamilton Official Plan. An Environmental Impact Statement, entitled, “503 & 515 Garner Rd W, Environmental Impact Statement” prepared for 1186559 Ontario Inc. by LGL Limited, dated January, 2016 and further revised in January, 2017 was reviewed by City staff. In addition, the City’s Environmentally Significant Areas Impact Evaluation Group (ESAIEG) also reviewed the aforementioned document.

Initially, City staff expressed concerns with the proposed development and the intrusion into the significant woodland, as well as the inadequate vegetation protection zone proposed. ESAIEG expressed the same concerns at their meeting on August 10, 2017. City staff subsequently met with the applicant and their agent a number of times and ultimately a revised vegetation protection zone was provided and supported by City staff.

Furthermore, policy 1.5.1 provides that healthy, active communities should be promoted by planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and where practical, water-based resources. As mentioned, as part of the proposed development, a public trail is proposed that will be dedicated to the City, linking Garner Road West with the existing trail system to the north of the subject lands.

Policy 2.6.2 restricts development and site alteration on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved. Accordingly, a Stage 1-2 Archaeological Report (P046-0101-2015), dated January 8, 2016, was submitted to the Ministry of Tourism, Culture and Sport and entered into the Ontario Public Register of Archaeological Reports, without technical review, on January 20, 2016. Therefore, all archaeological concerns have been addressed.

Based on the foregoing, as the subject lands are located within a settlement area, and the subject proposal is to be developed with appropriate infrastructure, while also protecting the Provincial interest with respect to natural and cultural heritage resources, the subject proposal is consistent with the PPS.

Growth Plan for the Greater Golden Horseshoe (2017) (Places to Grow)

As of July 1, 2017, the policies of the Growth Plan for the Greater Golden Horseshoe (2017) (Places to Grow) apply to any Planning decision. Therefore, development proposed in this application conforms to the plan as follows.

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The Growth Plan supports intensification within built-up urban areas, particularly in proximity to transit. As noted in Section 2.1 of the Plan:

“To support the achievement of *complete communities* that are healthier, safer, and more equitable, choices about where and how growth occurs in the *GGH* need to be made carefully. Better use of land and *infrastructure* can be made by directing growth to *settlement areas* and prioritizing *intensification*, with a focus on *strategic growth areas*, including *urban growth centres* and *major transit station areas*, as well as *brownfield sites* and *greyfields*. Concentrating new development in these areas provides a focus for investments in transit as well as other types of *infrastructure* and *public service facilities* to support forecasted growth, while also supporting a more diverse range and mix of housing options. However, to protect public safety and prevent future flood risks, growth should generally be directed away from hazardous areas, including those that have been identified as Special Policy Areas in accordance with the PPS.”

Furthermore as noted in Section 2.2.1.2 (d):

“Development will be directed to settlement areas, except where the policies of this Plan permit otherwise.”

The subject lands are located within a settlement area where it will be developed with full municipal services, will provide for a complete community through a compact design that includes an additional housing type and form for the area and is located on an existing transit route. Therefore, the proposal conforms to the policies of the Growth Plan for the Greater Golden Horseshoe (2017) (Places to Grow).

Urban Hamilton Official Plan (UHOP)

The subject property is identified as “Neighbourhoods” on Schedule “E” – Urban Structure, designated as “Neighbourhoods” and “Open Space” on Schedule “E-1” – Urban Land Use Designations in the UHOP and shown outside of the Built Boundary on Appendix “G” – Boundaries Map. The subject property is also designated “Low Density Residential 1” and “Natural Open Space” on Map B.2.2-1 – Shaver Neighbourhood Secondary Plan – Land Use Plan. The following policies, amongst others, are applicable to the subject applications.

Policy Goals

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

- “E.3.1.1 Develop compact, mixed use, transit-supportive, and active transportation friendly neighbourhoods.

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- E.3.1.2 Develop neighbourhoods as part of a *complete community*, where people can live, work, shop, learn, and play.
- E.3.1.3 Plan and designate lands for a range of housing types and densities, taking into account affordable housing needs.
- E.3.1.4 Promote and support design which enhances and respects the character of existing neighbourhoods while at the same time allowing their ongoing evolution.
- E.3.1.5 Promote and support *residential intensification* of appropriate scale and in appropriate locations throughout the neighbourhoods.”

Per Section E.3.2.1, areas designated “Neighbourhoods” shall function as *complete communities*, including the full range of residential dwelling types and densities as well as supporting uses intended to serve the local residents.

- “E.3.2.3 The following uses shall be permitted on lands designated Neighbourhoods on Schedule E-1 – Urban Land Use Designations:
- a) residential dwellings, including second dwelling units and *housing with supports*;
 - b) open space and parks;”

The proposed development complies with the above-noted policy goals as the proposed form of townhouses contributes to a compact urban form and complete community, is transit supportive as it is located on a major arterial roadway, contributes to a range of housing types, respects the existing character of the neighbourhood and provides an appropriate scale and location for the development. In addition, the proposed public trail will contribute to a complete community by providing access from the north to Garner Road West.

Residential Intensification

- “B.2.4.1.4 *Residential intensification* developments shall be evaluated based on the following criteria:
- a) a balanced evaluation of the criteria in b) through g) as follows:
 - b) the relation of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form;

- c) the development's contribution to maintaining and achieving a range of dwelling types and tenures;
- d) the *compatible* integration of the development with the surrounding area in terms of use, scale, form and character. In this regard, the City encourages the use of innovative and creative urban design;
- e) the development's contribution to achieving the planned urban structure as described in Section E.2.0 – Urban Structure;
- f) infrastructure and transportation capacity; and,
- g) the ability of the development to comply with all applicable policies.

B.2.4.2.2 When considering an application for a residential intensification *development* within the Neighbourhoods designation, the following matters shall be evaluated:

- a) the matters listed in Policy B.2.4.1.4;
- b) *compatibility* with adjacent land uses including matters such as shadowing, overlook, noise, lighting, traffic, and other nuisance effects;
- c) the relationship of the proposed building(s) with the height, massing, and scale of nearby residential buildings;
- d) the consideration of transitions in height and density to adjacent residential buildings;
- e) the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;
- f) the provision of amenity space and the relationship to existing patterns of private and public amenity space;
- g) the ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations;
- h) the ability to complement the existing functions of the neighbourhood;
- i) the conservation of *cultural heritage resources*; and,
- j) infrastructure and transportation capacity and impacts.”

The existing neighbourhood is comprised of large lot single detached dwellings to the south, east and west, as well as open space to the north. The proposed forty-seven (47) townhouse dwellings will be of a size and scale that is compatible with the existing scale of development in the area. Adequate servicing will be made available, as well as transportation capacity is also available to meet the needs of the proposed development. In addition, there are no anticipated shadowing, overlook, noise, lighting, and traffic issues. The height of the development will be similar to that of surrounding development and will maintain setbacks and building separations that will respect the streetscape pattern of the area.

The proposed residential intensification of the property is an appropriate height, massing, and density with the existing neighbourhood and therefore, is considered compatible.

Urban Design

The UHOP has a detailed set of policies related to urban design for new development.

“B.3.3.3.2 New *development* shall be designed to minimize impact on neighbouring buildings and public spaces by:

- a) creating transitions in scale to neighbouring buildings;
- b) ensuring adequate privacy and sunlight to neighbouring properties; and,
- c) minimizing the impacts of shadows and wind conditions.

B.3.3.3.3 New *development* shall be massed to respect existing and planned street proportions.

B.3.3.3.5 Built form shall create comfortable pedestrian environments by:

- a) locating principal façades and primary building entrances parallel to and as close to the street as possible;
- b) including ample glazing on ground floors to create visibility to and from the public sidewalk;
- c) including a quality landscape edge along frontages where buildings are set back from the street;
- d) locating surface parking to the sides or rear of the sites or buildings, where appropriate; and,

- e) using design techniques, such as building step-backs, to maximize sunlight to pedestrian areas.”

The proposed development is appropriate in respect to the transition in scale to the neighbouring buildings, which maintain a height of one to two storeys, and the development is massed to respect the existing street proportions. Given that the townhouses will be a maximum of two storeys in height, adequate privacy will be maintained and the proposed townhouses will not create adverse shadow and wind impacts. Parking is within the interior of the property, off of the private condominium road and the townhouses will be set back from the street. The proposed development will include landscaping within the site and along the street edge, as well as the integration of a landscaped entrance feature at the access point to the development. Further, a detailed landscape plan will be required with the Site Plan Control application. Based on the foregoing, staff are satisfied that the applicable urban design policies of the UHOP will be met.

Archaeology

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

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

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

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

As noted on page 7 of this Report, an Archaeological Assessment was submitted to the Ministry of Tourism, Culture and Sport and entered into the Ontario Public Register of Archaeological Reports without technical review on January 20, 2016. Staff are

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satisfied that the Archaeological Assessment Requirement policies of the UHOP have been met.

Noise Attenuation

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.”

In regard to the above applicable policies, a noise feasibility study was submitted with the subject applications entitled, “Environmental Noise Impact Study – 503-515 Garner Road West”, prepared by Valcoustics Canada Ltd., and dated June 24, 2016. The aforementioned Study was reviewed by City staff and based on the results of the Study, ventilation requirements, an acoustical barrier and noise warning clauses are required.

City staff further notes that future development applications will be required to facilitate the proposed development. Subsequent Site Plan Control and Draft Plan of Condominium applications are required and therefore, a detailed noise study will also be required to be submitted with the Site Plan Control and Draft Plan of Condominium applications to refine the proposed noise wall heights with grading information and to have specific noise warning clauses registered on title. Based on the foregoing, staff are satisfied that the applicable policies regarding noise attenuation have been met.

Open Space

The UHOP contains policies with respect to the natural heritage system which would apply to the “Open Space” designation to the easterly and northerly portions of the subject lands.

- “C.3.3.1 Lands designated as Open Space are public or private areas where the predominant use of or function of the land is for recreational activities, conservation management and other open space uses.
- C.3.3.4 The following uses shall be permitted on lands designated Open Space on Schedule E-1 – Urban Land Use Designations:
- a) parks for both active and passive recreational activities;
 - b) pedestrian pathways, trails, bikeways and walkways;
- C.3.3.6 Where land is designated Open Space and is under private ownership, it is not intended this land shall necessarily remain so indefinitely, nor shall the Plan be construed as implying these areas are free and open to the general public or shall be purchased by the City.”

Further, within Schedule B – Natural Heritage System and as noted on pages 6 and 7 of this Report, Core Areas have been identified within and adjacent to the subject lands. The relevant policies with respect to Core Areas within the UHOP are as follows:

- “C.2.3 It is the intent of this policy to preserve and enhance *Core Areas* and to ensure that any development or site alteration within or adjacent to them shall not negatively impact their natural features or their ecological functions.
- C.2.3.3 The natural features and ecological functions of *Core Areas* shall be protected and where possible and deemed feasible to the satisfaction of the City enhanced. To accomplish this protection and enhancement, vegetation removal and encroachment into *Core Areas* shall generally not be permitted, and appropriate *vegetation protection zones* shall be applied to all *Core Areas*.
- 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*.

- C.2.5.8 New *development* or *site alteration* subject to Policies C.2.5.3 to C.2.5.7 requires, prior to approval, the submission and approval of an Environmental Impact Statement which demonstrates to the satisfaction of the City and the relevant Conservation Authority that:
- a) There shall be no negative impacts on the *Core Area's* natural features or their *ecological functions*.
 - b) Connectivity between *Core Areas* shall be maintained, or where possible, enhanced for the movement of surface and ground water, plants and wildlife across the landscape.
 - c) The removal of other natural features shall be avoided or minimized by the planning and design of the proposed use or *site alteration* wherever possible.
- C.2.5.9 An Environmental Impact Statement shall propose a vegetation protection zone which:
- a) has sufficient width to protect the *Core Area* and its *ecological functions* from impacts of the proposed land use or *site alteration* occurring during and after construction, and where possible and deemed feasible to the satisfaction of the City, restores or enhances the *Core Area* and/or its *ecological functions*; and,
 - b) is established to achieve, and be maintained as *natural self-sustaining vegetation*.
- C.2.5.10 Where vegetation protection zones widths have not been specified by watershed and sub-watershed plans, secondary Environmental assessments and other studies, the following vegetation protection zone widths shall be evaluated and addressed by Environmental Impact Statements. Other agencies, such as Conservation Authorities, may have different vegetation protection zone requirements.
- f) Significant woodlands – 15-metre vegetation protection zone, measured from the edge (drip line) of the significant woodland.
- C.2.5.11 *Vegetation protection zone* widths greater or less than those specified in a) to i) above may be required if ecological features and functions warrant it, as determined through an approved Environmental Impact Statement. Widths shall be determined on a site-specific bases, by considering factors such as the sensitivity of the habitat, the potential impacts of the

proposed land use, the intended function of the *vegetation protection zone*, and the physiography of the site.

- C.2.5.12 Permitted uses within a *vegetation protection zone* shall be dependent on the sensitivity of the feature, and determined through approved studies. Generally, permitted uses within a *vegetation protection zone* shall be limited to low impact uses, such as vegetation restoration, resource management, and open space. Permitted uses within the *vegetation protection zone* shall be the same uses as those within the *Core Area* in Policy C.2.5.1 and the *vegetation protection zone* should remain in or be returned to a natural state.”

As previously mentioned in this Report, the Core Areas have been identified as a Significant Woodland, unevaluated wetland and a tributary of Big Creek. The unevaluated wetland and watercourse are regulated by the Grand River Conservation Authority (GRCA).

Any development or site alteration within or adjacent to Core Areas shall not negatively impact their natural features or their ecological functions (UHOP Volume 1 policy C.2.3). When a development proposal has the potential to negatively impact a Core Area’s natural features or their ecological functions, an Environmental Impact Statement (EIS) is required. As a result, an EIS was prepared by LGL Limited (January 2016). Concerns were identified that the proposed development did not meet the intent of the UHOP policies (specifically encroachment into the Significant Woodland and the provision of an inadequate vegetation protection zone). As a result, the EIS was not approved and revisions were required.

A revised EIS was prepared by LGL Limited (January 2017) and recommendations were made regarding the vegetation protection zone, tree protection plan, further details on the public trail, as well as mitigation measures with a future Site Plan Control application:

1. The Core Areas and the VPZ should be zoned as Conservation / Hazard Land (P5) Zone.
2. A Tree Protection Plan (TPP) was submitted as part of the EIS. Since the Concept Plan has changed, a revised TPP will be required as part of the Site Plan Control application. The trees on site are subject to the Urban Woodland Conservation By-law (By-law 14-212) and the Town of Ancaster By-law (By-law 2000-118). Trees are not to be removed prior to the approval of the TPP.
3. The design of the proposed public trail needs to be provided prior to any on-site activities.

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4. A variety of mitigation measures have been identified that will be required at the Site Plan Control process, including:
- Restoration Plan;
 - Vegetation Protection Zone Planting Plan;
 - Locally Uncommon Species Transplant Plan;
 - Invasive Species Management Plan;
 - Stewardship;
 - Fencing;
 - Lighting; and,
 - Grading.

Subject to the aforementioned recommendations and required permit from the GRCA for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation prior to development, which will be addressed with a future Site Plan Control application, staff are satisfied that the policies with respect to natural heritage have been adequately addressed. It is noted that the GRCA staff are satisfied that their initial concerns have been addressed.

Based on the foregoing, the proposed development meets the overall intent of the UHOP policies and therefore, complies with the UHOP.

Shaver Neighbourhood Secondary Plan

The subject lands are designated “Low Density Residential 1” and “Natural Open Space” on Map B.2.2-1 – Shaver Neighbourhood Secondary Plan – Land Use Plan. The following policies within Volume 2 of the UHOP, Chapter B – Ancaster Secondary Plans, amongst others, apply.

“B.2.2.1 Residential Designations

The residential policies shall define the location and scale of each type of residential use, and shall help ensure that a variety of residential types are provided to meet the needs of all area residents.

B.2.2.1.2 General Residential Policies

- a) Residential buildings shall have no more than three occupied storeys entirely above grade.

B.2.2.1.3 Low Density Residential Designations

Notwithstanding Polices E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the Low Density Residential designations identified on Map B.2.2-1 – Shaver Neighbourhood – Land Use Plan:

- a) In the Low Density Residential 1 designation:

- i) the permitted use shall be single detached dwellings;
- ii) the lot frontages shall be a minimum 10.7 to 18.3 metres or larger; and,
- iii) the density shall not exceed 20 dwelling units per gross / net residential hectare.

- d) In the Low Density Residential 3a designation:

- i) the permitted uses shall be street townhouses, block townhouses, and other ground-oriented attached housing forms; and,
- ii) the density shall not exceed 50 dwelling units per gross/net residential hectare.

B.2.2.3 Parks and Open Space Designations

B.2.2.3.1 In addition to Sections B.3.5.3 – Parkland Polices and C.3.3 – Open Space Designation of Volume 1, the following polices shall apply:

- a) The open space system for the Shaver Neighbourhood Secondary Plan area includes the following:
 - i) Neighbourhood Parks;
 - ii) Natural Open Space;
 - iii) Notwithstanding Section C.3.3 – Open Space Designations of Volume 1, school playfields;
 - iv) pedestrian walkways; and,

- v) Big Creek valleylands and wooded areas.
- b) Notwithstanding Section 3.3 – Open Space Designations of Volume 1, the City shall encourage the development of a linked open space system in the Shaver Neighbourhood incorporating the Community Park, Neighbourhood Park, schools, Big Creek valleylands, wooded areas and pedestrian walkways through the approval of plans of subdivision.
- c) Within the Shaver Neighbourhood the planned residential areas, the westerly Neighbourhood Park, the Community Park/schools complex and the publicly owned Natural Open Space lands shall be linked by a pedestrian/bikeway system utilizing a combination of open space walkways and sidewalks within the roadways. The internal pedestrian/bikeway system shall be connected to the planned Duff's Corners mixed use commercial/industrial area to the west and the Maple Lane Annex subdivision in the Garner Neighbourhood Secondary Plan area."

An Amendment to the Shaver Neighbourhood Secondary Plan is required to re-designate a portion of the subject lands from the "Low Density Residential 1" designation to the "Low Density Residential 3a" designation to permit the proposed block townhouse development, as well as re-designate a portion from "Low Density Residential 1" to the "Natural Open Space" designation.

In addition, the proposed trail link within the Natural Open Space system will provide connectivity to the broader community to the north, including Shaver Estates Park, contributing to a complete community and liveability of the existing neighbourhood. Internal connectivity, including pedestrian walkways will be addressed in detail as part of the Site Plan Approval process.

As the development proposal meets the intent of the policies of Volume 1 of the UHOP regarding intensification and built form, as well as the secondary plan policies and is consistent with the higher densities contemplated in current Provincial policies, the proposed re-designation can be supported. The analysis of the Amendment is discussed in greater detail in the Analysis and Rationale for Recommendations section of this Report.

Town of Ancaster Zoning By-law No. 87-57

The subject lands are zoned Agricultural "A-216" Zone within the former Town of Ancaster Zoning By-law No. 87-57. The Agricultural "A" Zone permits agricultural uses, buildings and structures and uses accessory thereto, including one detached dwelling and uses, buildings and structures accessory to the dwelling. Exception A-216 prohibits

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certain agriculture related uses. An Amendment to the Zoning By-law is required to change the zoning to the Residential Multiple “RM2” Zone in order to permit a total of forty-seven (47) townhouse dwellings having access from a private condominium road onto Garner Road West. In addition, a number of site specific modifications are required, including:

- modification to recognize the proposed townhouses on a condominium road;
- modification to the required lot area;
- modification to the required lot frontage per unit;
- modification to the required lot depth per unit;
- modification to the required lot coverage per unit;
- modification to the required side yards;
- modification to the required yard abutting Garner Road West;
- modification to the required minimum number of visitor parking spaces;
- modification to the required rear yards per unit; and,
- modification to the required building height.

A number of these modifications are technical to recognize the lot configuration, housing form and condominium tenure. An analysis of the site specific modifications is included in the Analysis and Rationale for Recommendation section of this Report.

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

The Zoning By-law Amendment also proposes to incorporate lands into Zoning By-law No. 05-200 to allow for the stormwater management pond, the vegetation protection zone and the remaining conservation lands. These lands will be zoned Conservation / Hazard Land (P5) Zone, which permits Conservation, Flood and Erosion Control Facilities, Recreation and Passive uses. In addition, Zoning By-law No. 05-200 contains a general provision which requires any building or structure on a property to be setback a minimum of 7.5 metres from a Conservation / Hazard Land (P5) Zone. The applicants have requested a minimum setback of 6.0 metres from the Conservation / Hazard Land (P5) Zone, instead of the required 7.5 metres.

RELEVANT CONSULTATION

The following Departments and Agencies had no comments or objections to the applications:

- Corridor Management, Public Works Department;
- Infrastructure Planning & Source Water Protection, Public Works Department; and,
- Infrastructure Planning, Growth Management Division.

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

Forestry & Horticulture Section, Public Works Department requires that a Tree Management Plan be prepared by a Registered Landscape Architect and submitted at the Site Plan Control stage. All trees within this proposed development area must be surveyed, identified and accurately plotted on the plan to determine ownership, including intentions regarding retention or removal.

Grand River Conservation Authority provided comments on the Environmental Impact Statement (EIS), as well as stormwater, requiring the stormwater management plan include infiltration to predevelopment levels. A Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 150 / 06) permit from the GRCA prior to development is also required. GRCA staff are satisfied that their concerns have been addressed.

Recreation Planning, Public Works Department provided that the Planning Justification Report notes that there will be no children's play area provided on site due to "the proximity of significant open space features and the close proximity of other parkland areas in the neighbourhood. An internal open space area is available in the north central portion of the site for amenity and recreation purposes for those who live within the development proposal". The Recreation Division encourages the provision of private recreation amenities (passive or active) within the proposed development limit of the subject lands given the distance to neighbourhood parkland (walking distance approximately 1km for both Shaver Estates Park and James Smith Park). Additionally, Garner Road West is currently a rural cross section which would pose safety and accessibility issues to accessing parkland.

Landscape Architectural Services, Public Works Department commented that cash-in-lieu of parkland dedication will be required.

Transportation Planning Services, Public Works Department commented that future road widenings will be required and that a TDM will be required, as well as consider

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AODA regulations and sidewalks are required. These items will be addressed at the Site Plan Control stage.

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 twenty-nine (29) property owners within 120 m of the subject property on March 11, 2016, for the proposed Official Plan Amendment and Zoning By-law Amendment applications.

To date, two (2) public submissions objecting to the proposed development (see Appendix “G” to Report PED18032) have been received from nearby residents that express concerns regarding loss of enjoyment of the ravine / forest, sunset view obstruction, out of character for the neighbourhood, additional noise and light pollution, compatibility, as well as an increase in traffic. These concerns are discussed further in the Analysis and Rationale for Recommendation section.

A Public Notice Sign was posted on the property on March 15, 2016, and updated on January 10, 2018, with the Public Meeting date. Finally, Notice of the Public Meeting was mailed out in accordance with the requirements of the *Planning Act* on January 19, 2018.

Public Consultation Strategy

The requirement for the inclusion of a Public Consultation Strategy with a complete planning application was introduced by Bill 73, *Smart Growth for Our Communities Act*, 2015, which regulations came into force on July 1, 2016. The subject applications were received in February, 2016 and therefore, the applicant was not required to submit a Public Consultation Strategy. Nevertheless, the applicant held a Public Information Meeting on May 19, 2015, at which there were twenty (20) attendees. Concerns conveyed at the meeting were that the proposal was not in keeping with the existing residential character of the neighbourhood, as well as traffic, servicing and pedestrian access concerns.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposed Official Plan and Zoning By-law Amendments 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 (2017);

- (ii) The addition of forty-seven (47) townhouse dwelling units is supportable, as they will permit residential uses that are appropriate for the character and function for the area; and,
- (iii) The proposed development represents good planning by, among other things, providing a compact and efficient urban form. In addition, the subject proposal is an efficient use of infrastructure.

2. Urban Hamilton Official Plan Amendment

The subject properties are located on Garner Road West. The existing properties contain two single detached dwellings that the applicant is proposing to replace with forty-seven (47) townhouse dwellings (see Appendix “E” to Report PED18032).

The subject lands are designated “Low Density Residential 1” and “Natural Open Space” on Map B.2.2-1 – Shaver Neighbourhood Secondary Plan – Land Use Plan. An amendment to the to refine the Natural Heritage mapping within Volume 1 of the Urban Hamilton Official Plan, and Shaver Neighbourhood Secondary Plan is required to re-designate a portion of the subject lands from the “Low Density Residential 1” designation to the “Low Density Residential 3a” designation to permit the proposed block townhouse development at a density of approximately 35 units per net hectare, as well as re-designate a portion of the subject lands from “Low Density Residential 1” to the “Natural Open Space” designation.

The existing neighbourhood is comprised of large lot single detached dwellings to the south, east and west, as well as open space to the north. The proposed forty-seven (47) townhouse dwellings will be of a size and scale that is compatible with the existing scale of development in the area. In addition, there are no anticipated shadowing, overlook, noise, lighting, and traffic issues. The height of the development will be similar to that of surrounding development and will maintain setbacks and building separations that will respect the streetscape pattern of the area. In addition, the proposed Conservation / Hazard Land (P5) Zone will buffer the proposed development from the lands to the north and east and only a portion of the subject lands will be used for the proposed townhouse development, while the rest of the lands will remain open space.

The proposed use of townhouses on a condominium road contributes to a compact urban form, contributes to a variety of housing types, as well as a complete community. The development is located on a large parcel of land that is set back from Garner Road West and therefore, respects the existing character of the neighbourhood, as well as provides an appropriate scale and location for the proposed development.

The proposed residential density of 35 units per net hectare allows for the establishment of townhouse dwellings that are of a size and scale that will allow the lots to adequately function with an appropriate sized dwelling, along with adequate space to provide parking and amenity area for each dwelling unit. The “Low Density Residential 3a” designation permits a maximum density of fifty (50) dwelling units per gross / net residential hectare, however, the proposal has a density of 35 units per hectare. In addition, a Transportation Impact & TDM Options Study, prepared by Paradigm Transportation Solutions Limited, dated January, 2016, concludes that the study area intersections are anticipated to continue to operate with generally satisfactory levels of services during the AM and PM peak hours with the addition of the proposed development.

The proposed development complies with the UHOP under the policies established in the Shaver Neighbourhood Secondary Plan, however, due to the built form and density, an Amendment will be required to allow for the proposed development. Based on the foregoing, staff support the proposed Amendment to the Shaver Neighbourhood Secondary Plan.

3. **Zoning By-law Amendments**

Former Ancaster Zoning By-law No. 87-57

The applicant has requested a change in zoning to the former Ancaster Zoning By-law No. 87-57 from the Agricultural “A-216” Zone to a site specific Residential Multiple “RM2” Zone, in order to permit a total of forty-seven (47) townhouse dwellings with access from a private condominium road as shown on Appendices “A” and “E” to Report PED18032. Site specific modifications are required in order to permit the following:

- modification to recognize the proposed form of townhouses and the condominium road;
- modification to the required lot area;
- modification to the required lot frontage per unit;
- modification to the required lot depth per unit;
- modification to the required lot coverage per unit;
- modification to the required side yards;
- modification to the required yard abutting Garner Road West;

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- modification to the minimum number of visitor parking spaces;
- modification to the required rear yards per unit; and,
- modification to the required building height.

A number of these modifications are technical to recognize the lot configuration and housing form.

Change in Zoning

The proposed change in zoning from the Agricultural “A-216” Zone to the Residential Multiple “RM2-690” Zone, Modified, will change the type of residential dwelling(s) that are permitted on-site from a single detached dwelling on a large lot to forty-seven (47) townhouse dwellings on smaller lots. In addition, the Residential Multiple “RM2” Zone permits street townhouse dwellings, however, will allow for a standard condominium block townhouse dwelling on a condominium road. The proposed development complies with the policies of the UHOP with respect to its goals and policies, as well as policies respecting Residential Intensification. The scale of development represents an appropriate level of density along a major arterial road (Garner Road West) and will be of a size and scale that is compatible with the surrounding area. The proposed development will provide adequate on-site parking and adequate amenity space to meet the needs of each unit. Therefore, the proposed change in zoning to permit forty-seven (47) townhouse dwellings has merit and can be supported.

Definition of Frontage, Street, Height and Grade

The applicant is proposing to establish forty-seven (47) freehold townhouse dwellings, however, the townhouse dwellings will be accessed from a private common element condominium road. A modification is required in order to clarify that for the purposes of the site specific Zoning By-law, the definition of frontage shall be permitted on a common element condominium road, the definition of street shall include private condominium roads and height shall be measured on the basis of each individual unit for the proposed development. With respect to the height modification, there is a grade difference and therefore, where walk-out units are proposed, additional height is required to reflect the change in grade.

These modifications are administrative in nature and in the opinion of staff, do not generate any impacts to the proposed development or to the surrounding neighbourhood. Therefore, the proposed modifications have merit and can be supported.

Lot Area (Unit)

The proposed modifications to reduce the minimum lot area (parcel) requirement of 1,850 square metres (0.18 hectares) and 280 square metres to a minimum unit area of 150 square metres can be supported. The current requirement for unit area would only generate seven (7) units within the net developable area of the subject lands and does not meet the intent of provincial or UHOP policies. The proposed unit area will also maintain adequate space on site to permit the establishment of appropriately sized dwelling units and amenity space. The proposed modification has merit and can be supported.

Minimum Lot Frontage (per unit)

The applicant is requesting a minimum lot frontage on a condominium road of 6.0 metres, whereas the By-law requires a minimum of 9.0 metres per dwelling unit. Staff considers this a minor modification, as it permits a more compact urban form, maintains the intent of the UHOP, maintains the intent of the By-law and provides appropriate sized units and amenity area. This modification is required to recognize the tenure form (condominium) and is supported by staff.

Minimum Lot Depth (per unit)

The applicant is requesting a minimum lot depth per unit of 25 metres, whereas the By-law requires a minimum lot depth per unit of 30 metres. The lot depth is a reasonable depth for the proposed townhouse units and can be supported. Staff consider this a minor modification, as it permits a more compact urban form, maintains the intent of the UHOP, maintains the intent of the By-law provides appropriate sized units, amenity area and parking.

Maximum Lot Coverage (per unit)

The applicant is requesting a maximum lot coverage of 55% (unit), whereas the By-law requires a maximum lot coverage of 35%. The proposed lot coverage represents a reasonable area for the proposed townhouse unit, as well as front and rear yards. Therefore, staff consider this a minor modification. Also, this development backs onto a large open space area that is anticipated to become part of the public realm. This open space / core area off-sets the density of this development and allows for more protection of the core area by allowing for a more compact development. Therefore, staff are in support of the modification.

Minimum Side Yard (Per Unit, Internal and External)

Modifications to the minimum required side yard are also being requested for 1.2 metres (external) and 0.0 metres (internal), whereas the By-law requires a

minimum of 1.75 metres. The applicant has requested specific regulations for the proposed built form and staff are satisfied that the 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.

Minimum Side Yard Setback from Garner Road West

The By-law requires that a minimum setback of 7.5 metres be provided from Garner Road West, whereas the applicant has proposed a setback of 2.5 metres for the proposed porch areas, whereas the dwellings will be setback a minimum of 3.1 metres. The required minimum is typically for units fronting or backing onto Garner Road West. The applicant has proposed side yards for these units, which will provide an urban edge with the construction of a future sidewalk. In addition, the applicant has proposed special architectural treatment for these side facades and therefore, from the streetline, it will appear they have a front entrance approach allowing for a more pedestrian streetscape. Based on the foregoing, staff are satisfied that this modification is minor and can be supported.

Minimum Rear Yard (per unit)

The applicant has requested a minimum rear yard setback of 6.0 metres, whereas the By-law requires a minimum of 7.5 metres. Staff are satisfied that this is a minor modification in that it accommodates a more compact built form, while still creating a satisfactory amenity space in the rear yard of each unit. It maintains the intent of the UHOP and maintains the intent of the By-law. Staff support this modification.

Minimum Number of Visitor Parking Spaces

The applicant has requested a minimum visitor parking ratio of 0.5 parking spaces, whereas the By-law requires a minimum of 0.66 visitor parking spaces. A total of forty-seven (47) dwelling units are proposed and therefore, 31 visitor parking spaces are required. The applicant is proposed to provide 23 visitor parking spaces. This proposed reduction allows for the compact form of development and can be considered minor, as it maintains the intent of the UHOP and maintains the intent of the By-law. Staff support this modification.

Maximum Building Height

The maximum height has been increased from the permitted 10.5 metres to 13.0 metres to reflect grading differences, as some of the units will be walk outs and will ensure the height for the project is measured for each individual unit, and not on a block basis, while still maintaining two storeys. As there are sufficient

setbacks from other developments, including open space to the east and north, this modification can be supported by staff.

Encroachment of Air Conditioning Units and Heat Pumps, Privacy Screens and Dwelling Unit Placement

Due to the built form of block townhouses and the proposed 0.0 metres internal side yard, the applicant has requested flexibility with respect to the placement of air conditioning units and heat pumps, as well as privacy screens, whereas the By-law requires minimum front, rear and side yard setbacks. In addition, dwelling unit placement requirements with respect to staggering and minimum number of units are typically for street townhouses on a public street, however, the proposed development is to be block townhouses on a private condominium road. Staff are in support of these modifications, as they maintain the intent of the UHOP and By-law.

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

With respect to Zoning By-law No. 05-200, it is proposed that the stormwater management pond, the natural open space and the vegetation protection zone be rezoned to Conservation / Hazard Land (P5, 670) Zone in the City of Hamilton Zoning By-law No. 05-200. Conservation, Flood and Erosion Control Facilities, Recreation, Passive uses are permitted within the Conservation / Hazard Land (P5) Zone. Zoning By-law No. 05-200 contains a general provision which requires any building or structure on a property to be setback a minimum of 7.5 metres from a Conservation / Hazard Land (P5) Zone. The applicants have requested a minimum setback of 6.0 metres from the Conservation / Hazard Land (P5) Zone, instead of the required 7.5 metres. Appropriate tree protection measures during the construction of the proposed development will be secured as part of the Site Plan Control application process and no active recreation uses are proposed within the open space lands. Therefore, staff are supportive of this modification.

4. Development Engineering reviewed the subject applications and indicated that an external works agreement is required for the sanitary sewer construction on Garner Road West at the Site Plan Stage. The future right of way width of this section of Garner Road West is 36.576 m. As a condition of approval, the Owner is required to dedicate to the City sufficient lands to establish a property line 18.288 m from the original centreline of Garner Road West. Water service for the proposed development can be provided by the existing 400 mm dia. municipal watermain on Garner Road West. For information the static pressure at the street line is approximately 90 psi. At the Site Plan Control application stage, the owner has to submit a detailed fire flow and water demand calculations to the satisfaction of the City. There is neither municipal sanitary

sewer nor municipal storm sewer available within the Garner Road West right of way to service the subject lands. As such, the owner has to extend the sanitary sewer at their cost to service the proposed development. Further, the owner is also proposing to construct a stormwater management pond within the subject lands to control the minor and major storm events in accordance with MOECC and City guidelines.

5. Concerns were raised by nearby residents regarding traffic congestion created by the proposed development, loss of ravine / forest, street lighting and sidewalks for pedestrians. With respect to traffic congestion, it is staffs opinion that the proposed forty-seven (47) units is of a size and scale that will be in keeping with the existing satisfactory levels of traffic for Garner Road West. In addition, the open space is proposed to become part of the public realm, as well as introduce a trail, thereby, now providing public access to the north from Garner Road West. Finally, street lighting and sidewalks are proposed for the subject development, which will be addressed through the Site Plan Control process.

6. **Implementation**

If approved, the applicants will be required to obtain Site Plan Approval, as well as Standard Draft Plan of Condominium Approval for the subject proposal.

ALTERNATIVES FOR CONSIDERATION

Should the proposed Official Plan and Zoning By-law Amendment applications be denied, the property could be utilized in accordance with the Agricultural “A-216” Zone.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & 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.

Economic Prosperity and Growth

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

Healthy and Safe Communities

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

Clean and Green

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

Built Environment and Infrastructure

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

Culture and Diversity

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

- Appendix “A”: Location Map
- Appendix “B”: Urban Hamilton Official Plan Amendment
- Appendix “C”: Zoning By-law No. 87-57 Amendment
- Appendix “D”: Zoning By-law No. 05-200 Amendment
- Appendix “E”: Concept Plan
- Appendix “F”: Plan 62R-19552
- Appendix “G”: Public Submissions

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