CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO: Chair and Members
Planning Committee

COMMITTEE DATE: June 19, 2018

SUBJECT/REPORT NO: Applications to Amend the City of Hamilton Urban Hamilton Official Plan, Zoning By-law No. 05-200 and for Approval of a Draft Plan of Subdivision “Flamborough Power Centre North” for Lands Located at 56, 74, 78, 90, 96, 100 and 566 Parkside Drive, Flamborough (PED18133) (Ward 15)

WARD(S) AFFECTED: Ward 15

PREPARED BY: Alaina Baldassarra (905) 546-2424 Ext. 7421

SUBMITTED BY: Steve Robichaud
Director, Planning and Chief Planner
Planning and Economic Development Department

SIGNATURE: 

RECOMMENDATION

(a) That Urban Hamilton Official Plan Amendment Application UHOPA-18-012 by Flamborough Power Centre Inc., Flamborough Capital Corp. Inc., and Ankara Realty Ltd. (Owners), to remove existing Core Areas (Significant Woodlands and Streams) and Linkages and add new Core Areas (Significant Woodlands) and Linkages on Schedules B, B-2 and B-8; designate Clappison Avenue as a Minor Arterial on Schedule C and establish a Site Specific Policy Area to protect the existing Natural Heritage features, as shown on Appendix “B” to Report PED18133, be APPROVED on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED18133 be enacted by City Council;

(ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe (2017).

(b) That Amended Zoning By-law Amendment Application ZAC-15-039 by Flamborough Power Centre Inc., Flamborough Capital Corp. Inc., and Ankara Realty Ltd. (Owners), for changes in zoning from the Prestige Business Park (M3, 437) Zone, General Business Park (M2) Zone, and Prestige Business
SUBJECT: Applications to Amend the City of Hamilton Urban Hamilton Official Plan, Zoning Bylaw No. 05-200 and for Approval of a Draft Plan of Subdivision “Flamborough Power Centre North” for Lands Located at 56, 74, 78, 90, 96, 100 and 566 Parkside Drive, Flamborough (PED18133) (Ward 15) - Page 2 of 30

Park (M3, 388) Zone to Conservation / Hazard Land (P5) Zone (Blocks 1, 2, and 3) to protect natural features and from Prestige Business Park (M3) Zone to Prestige Business Park (M3, 437) Zone (Block 5) to permit a Fitness Club and Medical Clinic for lands located at 56, 74, 78, 90, 96, 100 and 566 Parkside Drive Flamborough, as shown on Appendix “A” to Report PED18133, be APPROVED on the following basis:

(i) That the draft By-law, attached as Appendix “C” to Report PED18133, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(ii) That the amending By-law be added to Schedule C – Special Exceptions of Zoning By-law No. 05-200;

(iii) That this By-law will comply with the Urban Hamilton Official Plan upon approval of Urban Hamilton Official Plan Amendment No. XX.

(c) That Draft Plan of Subdivision Application 25T-201507 by Flamborough Power Centre Inc., Flamborough Capital Corporation Inc. and Ankard Realty Ltd., (Owners), to establish a Draft Plan of Subdivision known as “Flamborough Power Centre North”, Flamborough, on lands located at 56, 74, 78, 90, 96, 100 and 566 Parkside Drive, as shown on Appendix “D” to Report PED18133 be APPROVED, subject to the following:

(i) That this approval apply to the Draft Plan of Subdivision “Flamborough Power Centre North”, 25T-201507, prepared by J.D. Barnes and certified by R.S. Querubin, dated January 30, 2018, consisting of six blocks for employment uses (Blocks 1, 3, 4, 7, 8, and 9), three blocks for Conservation / Hazard Lands (Blocks 5, 6 and 10), one block for a future road widening (Block 12), one block for a Stormwater Management Facility (Block 2), one Block for a 0.3 m reserve (Block 11), and three proposed streets subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the special conditions attached as Appendix “E” to Report PED18133.

(d) That Payment of Cash-in-Lieu or dedication of Parkland will be required, pursuant to Section 51 of the Planning Act, prior to the issuance of each building permit. The calculation for the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the day of issuance of each building permit.
SUBJECT: Applications to Amend the City of Hamilton Urban Hamilton Official Plan, Zoning Bylaw No. 05-200 and for Approval of a Draft Plan of Subdivision “Flamborough Power Centre North” for Lands Located at 56, 74, 78, 90, 96, 100 and 566 Parkside Drive, Flamborough (PED18133) (Ward 15) - Page 3 of 30

EXECUTIVE SUMMARY

The purpose of the subject applications are to amend the Urban Hamilton Official Plan, and Zoning By-law No. 05-200, and for approval of a Draft Plan of Subdivision known as “Flamborough Power Centre North”. The purpose of the subdivision is to create six industrial blocks, three conservation blocks, one stormwater management block and three municipal roads.

The purpose of the Urban Hamilton Official Plan Amendment will remove existing Core Areas, Hydrogeologic Feature and Linkages (identified as Significant Woodlands and Streams), new Core Areas and Linkages (identified as Significant Woodlands) and Site Specific Policy to protect the natural features. In addition Clappison Avenue will be designated as a Minor Arterial.

The purpose of the Zoning By-law Amendment is to change from the current industrial zone to a conservation zone to protect the existing natural heritage features. As well, the amendment proposes to add a site specific to a portion of the subject lands to permit an ancillary Medical Clinic and Fitness Club.

The effect of the applications are to permit the development of:

- six blocks for employment and limited ancillary uses;
- three blocks for Conservation / Hazard Lands;
- one block for a Stormwater Management Facility;
- three proposed streets (extension of Clappison Avenue, proposed Street “A” and Street “B”);
- one block for a Road Widening; and,
- two blocks for 0.3 m reserves.

The applications have merit and can be supported as they are consistent with the Provincial Policy Statement (PPS) (2014), conform to the Growth Plan for the Greater Golden Horseshoe (2017) and comply with the policies of the Urban Hamilton Official Plan (UHOP).

Alternatives for Consideration – See Page 30

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A
HISTORICAL BACKGROUND

Proposal

The subject lands are located east of Parkside Drive, west of Borers Creek, north of Highway 6 and south of Chatsworth Court (see location map attached as Appendix “A” to Report PED18133). The subject lands are a consolidation of seven properties municipally known as 56, 74, 78, 90, 96, 100 and 566 Parkside Drive. The subject site is currently vacant and includes a woodlot with a stream abutting the subject site to the east.

The proposal is for:

- six blocks for employment and limited ancillary uses;
- three blocks for Conservation / Hazard Lands;
- one block for a Stormwater Management Facility;
- three proposed streets (extension of Clappison Avenue, proposed Street “A” and Street “B”);
- one block for a road widening; and,
- two blocks for a 0.3 m reserve.

Urban Hamilton Official Plan Amendment

Through the review of the Environmental Impact Study, staff identified the requirement for an Official Plan Amendment to support the submitted rezoning. Staff amended the submitted application to include an Urban Hamilton Official Plan Amendment to remove existing Core Areas, Hydrogeologic Feature and Linkages (identified as Significant Woodlands and Streams), add new Core Areas and Linkages (identified as Significant Woodlands), and designate Clappison Avenue as a Minor Arterial. The proposed changes will effect Schedule B – Natural Heritage System, Schedule B-2 – Detailed Natural Heritage Features – Key Natural Heritage Feature – Significant Woodlands, Schedule B-8 – Detailed Natural Heritage Features – Key Hydrologic Feature – Streams, Schedule C – Functional Road Classification) and establish a Site Specific Policy Area to protect the existing Natural Heritage features.
Zoning By-law No. 05-200 Amendment

The applicant submitted a zoning by-law amendment as follows:

- to rezone a portion of the lands from a Prestige Business Park Zone to a Conservation Zone for the preservation of the natural heritage features;
- to rezone a portion of the General Industrial Zone to a site specific General Industrial Zone permit mini storage; and,
- to rezone from a Prestige Business Park Zone to a site specific Prestige Business Park Zone to permit fitness club, mini storage and medical clinic.

Staff amended the application to permit a change in zoning from the Prestige Business Park (M3, 437) Zone, General Business Park (M2) Zone, and Prestige Business Park (M3, 388) Zone to the Conservation / Hazard Land (P5) Zone and a change in zoning from the Prestige Business Park (M3) Zone to Prestige Business Park (M3, 437) Zone to apply an existing site specific to permit a Fitness Club and Medical Clinic on a portion of the subject lands. The applicants request to rezone a portion of the lands is not required because mini storage is considered a warehouse use which is permitted as part of the existing zoning.

Plan of Subdivision

The proposed Draft Plan of Subdivision is intended to create the following:

- six blocks for employment uses;
- three blocks for Conservation / Hazard Lands;
- one block for a Stormwater Management Facility;
- three proposed streets (extension of Clappison Avenue, proposed Street “A” and Street “B”);
- one block for a road widening; and,
- two blocks for a 0.3 m reserve.

A future Site Plan Control Application will be required to facilitate the development of the employment lots. Staff note that the requisite studies have been submitted with the subject applications and will be addressed through the respective Standard Form Subdivision Agreement and through special conditions attached as Appendix “E” to Report PED18133.

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OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
Site Plan

During the Draft Plan of Subdivision application process, a lot was created for the development of an 11,148 sq m building for warehousing purposes within the subject lands. The proposed lot will front onto the Clappison Avenue extension and the proposed Street A. The business known as Stryker received final approval of their Site Plan Control Application (DA-16-165) on March 8, 2018. The applicants are in the process of obtaining a building permit to construct the proposed building.

Chronology:

**July 13, 2015:** Zoning By-law Amendment Application ZAC-15-039 and Draft Plan of Subdivision Application 25T-201507 received.

**July 24, 2015:** Zoning By-law Amendment Application ZAC-15-039 and Draft Plan of Subdivision Application 25T-201507 deemed complete.

**August 7, 2015:** Notice of Complete Application and Preliminary Circulation was sent to 180 property owners within 120 m of the subject lands.

**August 17 and 25, 2015:** Public Notice sign was posted on the subject lands.

**May 09, 2018:** Urban Hamilton Official Plan Amendment Application UHOPA-18-012 was received.

**May 10, 2018:** Urban Hamilton Official Plan Amendment Application UHOPA-18-012 deemed complete.

**May 23, 2018:** Notice of Complete Application and Preliminary Circulation for Official Plan Amendment Application UHOPA-18-012 sent to 180 property owners within 120 m of the subject lands.

**May 23, 2018:** Public Notice Sign updated with Public Meeting Date.

**June 01, 2018:** Circulation of the Notice of Public Meeting was mailed to 180 property owners within 120 m of the subject property.
DETAILS OF SUBMITTED APPLICATIONS

Location: 56, 74, 78, 90, 96, 100, 566 Parkside Drive
Owner: Flamborough Power Centre Inc., Flamborough Capital Corp Inc., and Ankara Realty Ltd. c/o Steve Malovic
Agent: Fothergill Development Inc. c/o Ed Fothergill
Property Size (Consolidated): Lot Area: 383, 858.6 sq m
Frontage: 551.9 m (along Parkside Drive)
Depth: 564.6 m (from Parkside Drive)
Servicing: Full Municipal Services Available

EXISTING LAND USE AND ZONING

<table>
<thead>
<tr>
<th>Subject Lands:</th>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
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<tr>
<td>Vacant Land, (Stryker building under construction)</td>
<td>Prestige Business Park (M3, 437) Zone, General Business Park (M2) Zone, Prestige Business Park (M3) Zone, Modified and Prestige Business Park (M3, 388) Zone</td>
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<th>Surrounding Lands:</th>
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<td>North: Residential Uses</td>
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<td>Neighbourhood Park (P1) Zone, Urban Residential (Semi-Detached and Link) “R4” Zone, Urban Residential (Single Detached) “R1-8” Zone, Modified, Urban Residential (Single Detached) “R1-1” Zone, Modified</td>
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**Subject:** Applications to Amend the City of Hamilton Urban Hamilton Official Plan, Zoning Bylaw No. 05-200 and for Approval of a Draft Plan of Subdivision “Flamborough Power Centre North” for Lands Located at 56, 74, 78, 90, 96, 100 and 566 Parkside Drive, Flamborough (PED18133) (Ward 15) - Page 8 of 30

<table>
<thead>
<tr>
<th>East</th>
<th>Conservative/Hazard Land (P5) Zone, Prestige Industrial “M1-14(H)” Zone, Modified, Prestige Industrial “M1-12” Zone, Modified, Prestige Industrial “M1-1” Zone, Modified, District Commercial (C6, 326, H91) Zone</th>
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<tbody>
<tr>
<td>South</td>
<td>Vacant Employment land, Residential Uses, Prestige Business Park (M3) Zone and General Business Park (M2) Zone</td>
</tr>
<tr>
<td>West</td>
<td>Agricultural Uses, Residential Uses, Landscaping Establishment</td>
</tr>
</tbody>
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**Policy Implications and Legislated Requirements**

**Provincial Policy Statement (2014)**

The Provincial Planning Policy framework is established through the *Planning Act* (Section 3) and the Provincial Policy Statement (PPS 2014). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the PPS.

> “2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.”

The applicant submitted an Environmental Impact Study (EIS) which identified a Core Environmental Protection Feature on the subject lands and recommended removal of existing linkages on the subject lands. The proposed Official Plan and Zoning By-law Amendment will be amended to recognize the changes as per the Environmental

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Impact Statement. The amendments to the natural heritage feature map will be discussed in greater detail on Page 14 of this Report.

With respect to Cultural Heritage, the PPS states:

“2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.”

The subject lands meet four of the ten criteria used by the City of Hamilton and Ministry of Tourism, Culture and Sport for determining archaeological potential:

1) Within 250 m of known archaeological sites;
2) Within 300 m of a primary watercourse or permanent waterbody, 200 m of a secondary watercourse or seasonal waterbody, or 300 m of a prehistoric watercourse or permanent waterbody;
3) In areas of pioneer EuroCanadian settlement; and,
4) Along historic transportation routes.

The above criteria identify that the subject lands have archaeological potential. Accordingly, staff received a Stage 1 (P018-0711-2014) archaeological report which recommended that further archaeological work be conducted to address the archaeological potential of the subject lands. A Stage 2 (P018-0723-2015) assessment was completed by New Directions Archaeology Ltd as part of Site Plan Application DA-16-165. Staff concurred with the recommendations made within the Report which included that the Rill (AhGx-740), Hythe (AhGx-750), and Long sites (AhGx-753) will require a Stage 3 archaeological assessment and may require a Stage 4 assessment.

A Stage 3 (P018-0875-2017) Archaeological Assessment was completed for the Rill and Long sites, dated January 19th and February 1, 2018 which determined that no further archaeological assessment is required for the Rill Site. A Letter of Concurrence, dated February 27, 2018 was received from the Ministry of Tourism, Culture and Sport for the Rill Site. However, a Stage 4 excavation is required for the Long site, and a Stage 3 Assessment is still required for the Hythe Site. Accordingly, a condition has been added (Condition No. 31 of Appendix “E” to Report PED18133) requiring completion of all archaeological requirements. Based on the foregoing, the proposal is consistent with the Provincial Policy Statement.
SUBJECT: Applications to Amend the City of Hamilton Urban Hamilton Official Plan, Zoning Bylaw No. 05-200 and for Approval of a Draft Plan of Subdivision “Flamborough Power Centre North” for Lands Located at 56, 74, 78, 90, 96, 100 and 566 Parkside Drive, Flamborough (PED18133) (Ward 15) - Page 10 of 30

Growth Plan for the Greater Golden Horseshoe (2017)

The policies of the Growth Plan for the Greater Golden Horseshoe apply to any planning decision. The following policies, amongst others, apply to the proposal:

“2.2.5 1. Economic development and competitiveness in the GGH will be promoted by:

   a) making more efficient use of existing employment areas and vacant and underutilized employment lands and increasing employment densities;

   b) ensuring the availability of sufficient land, in appropriate locations, for a variety of employment to accommodate forecasted employment growth to the horizon of this Plan;

7. Municipalities may identify employment areas located adjacent to or near major goods movement facilities and corridors, including major highway interchanges, as prime employment areas and plan for their protection for appropriate employment uses over the long-term by:

   a) prohibiting residential, institutional, and other sensitive land uses;

   b) prohibiting retail and office uses that are not associated with or ancillary to the primary employment use.”

The subject lands are currently designated Business Park within the Urban Hamilton Official Plan (UHOP). The proposed zoning amendment is required to permit limited ancillary uses (medical clinic and fitness club) to support the employment uses along a Minor Arterial road on the subject site. In addition, the proposed Zoning By-law Amendment will not permit any sensitive land uses (e.g., residential), retail and office uses not associated with or ancillary to employment uses. In addition, the applicant proposes to develop the required infrastructure to appropriately develop the site for employment uses. The proposed applications encourage efficient use of the existing goods movement corridors abutting the subject lands and protect the permitted employment uses on the site.

“4.2.2 3. Within the Natural Heritage System:

   (a) new development or site alteration will demonstrate that:
The applicant has submitted an Environmental Impact Statement stating the proposed changes to the Official Plan Amendment will not have negative impact on the Natural Heritage Feature. This matter will be discussed in greater detail on page 14 of this Report.

Based on the foregoing, it is staff’s opinion that the proposal conforms with the applicable policies of the Growth Plan for the Greater Golden Horseshoe (2017).

**Urban Hamilton Official Plan (UHOP)**

The subject lands are identified as “Employment Areas” on Schedule “E” - Urban Structure and as “Business Parks” on Schedule “E-1” – Land Use Designations.

The following policies, amongst others, apply to the subject lands:

“C.3.2.1 The following uses shall be permitted in all land use designations:

b) utilities, municipal infrastructure and transportation facilities, corridors and easements, electrical facilities used directly for the generation and distribution of electric power, natural gas and oil pipeline lines, telecommunication and new facilities approved under all relevant statutes, where the land(s) are less than 4 hectares in size, provided that the facility is not used for the purposes of maintenance or storage or railway yard;”

The proposal is to include a stormwater management facility as identified through the development engineering comments. As identified on the Draft Plan of Subdivision, the proposed Stormwater Management Pond is approximately 2.42 ha and meets the identified policy and will be located in Block 2 of the Draft Plan of Subdivision. Therefore, the proposed Stormwater Management Facility meets the Official Plan policy. The required conditions have been included in Appendix “E” of Report PED18133 to deal with the design and engineering requirements for the stormwater management facility.
“C.4.5.4  d) Minor arterial roads, subject to the following policies:

i) The primary function of a minor arterial road shall be to carry moderate volumes of intra-municipal and inter-regional traffic through the City in association with other types of roads.

ii) Land accesses shall be permitted with some controls.

iii) The basic maximum right-of-way widths for minor arterial roads shall be 36.576 metres unless otherwise specifically described in Schedule C-2 – Future Road Widenings.

iv) Minor arterial roads shall generally be organized in a grid pattern with collectors, major and minor arterials, parkways and provincial highways."

Clappison Avenue is currently identified as a local road in the UHOP. The applicant submitted a Transportation Study in support of the Draft Plan of Subdivision application. The proposed Study included the estimated traffic count on the proposed Clappison Avenue extension. Based on the submitted study, staff are of the opinion that the proposed change in traffic along Clappison Avenue will meet the criteria of a minor arterial because it will carry a moderate amount of intra-municipal and inter-regional traffic on associated roads. In addition, the location of the proposed road network supports a grid pattern on the subject lands and surrounding properties. Therefore, staff are supportive of the proposed amendment to designate Clappison Avenue as a minor arterial road and the applicant has provided a 36.5 m wide road as part of the Draft Plan of Subdivision.

Employment Areas – Business Parks

"E.2.7.2  Employment Areas shall provide employment through a broad range of uses, including traditional industrial uses, research and development uses, and other uses. Uses which support the businesses and employees of the employment area shall be permitted. Major retail uses or residential uses shall not be permitted. The permitted uses shall be described in more detail in Section E.5.0 - Employment Area Designations.

E.2.7.3  Employment Areas shall provide for a diverse range of employment opportunities in proximity to the City’s major infrastructure including the Port, the Airport, and the highway and transit network. It is important to provide a range of opportunities in order to meet the varying locational and

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market requirements for businesses including regionally significant industries.

E.5.4.1 The range of employment uses allows for a wide variety of industrial activity and accommodates employment support uses, such as offices, that will foster the development of a prestige employment area. The Employment Area - Business Park designation applies to the City's business parks, excluding the Airport Business Park, identified on Schedule E-1 - Urban Land Use Designations.

E.5.4.3 The following uses shall be permitted on lands designated Employment Area - Business Park on Schedule E-1 - Urban Land Use Designations:

a) manufacturing, warehousing, repair service, building or contracting supply establishments, building and lumber supply establishments, transportation terminals, research and development, office, communication establishment, and private power generation. Salvage yards and other uses which are unsightly or otherwise incompatible with the design policies and image for business parks shall be prohibited;

b) uses which primarily support industry, including labour association halls, conference and convention centres, trade schools, commercial motor vehicle and equipment sales, and commercial rental establishments;

c) ancillary uses which primarily support businesses and employees within business parks, including hotels, health and recreational facilities, financial establishments, restaurants, personal services, motor vehicle service stations and washing, retail establishments, and commercial parking facilities;

f) accessory uses, such as limited retail and office.

E.5.4.4 Ancillary uses which serve the businesses and employees of the business park as described in Policy E.5.4.3 c), shall only be permitted at locations fronting arterial roads or collector roads into the business parks."

The applicant has applied to add a medical clinic and fitness club as a permitted use on a portion of the subject land. The proposed medical Clinic and Fitness Club can be
considered health and recreational facilities supporting the permitted employment lands
As identified above, as part of the Official Plan Amendment, Clappison Avenue will be
designated from a Local Road to a Minor Arterial. As a result, both Parkside Drive and
Clappison Avenue are identified as Minor Arterial Roads in the Official Plan. Therefore,
staff are of opinion the rezoning complies with the intent of the Official Plan since it will
only permit ancillary uses where the subject lands front onto an arterial road subject to
the approval of the Official Plan Amendment.

Natural Heritage

Based on mapping within Volume 1 of the UHOP (Schedule B Natural Heritage
System), natural heritage features (Core Area and Linkages) were identified on the
subject lands. There is a woodland at the northwest portion of the subject lands, near
Parkside Drive, which was identified on Schedule B as a Linkage. There were two
Significant Woodlands identified on Schedules B and B-2 near Borer’s Creek. Schedule
B also shows two Linkages on the subject lands. The first linkage is located along the
eastern boundary, which includes a cultural meadow habitat along a pipeline easement.
The second Linkage runs from the woodland at Parkside Drive to Borer’s Creek.

“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 heritage features or their
ecological functions.

C.2.5.3 New development and site alteration shall not be permitted within fish
habitat, except in accordance with provincial and federal requirements.

C.2.5.5 New development and site alteration shall not be permitted on adjacent
lands to the natural heritage features and areas identified in Section
C.2.5.2 to C.2.5.4 unless the ecological function of the adjacent lands
has been evaluated and it has been demonstrated that there shall be no
negative 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 .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 heritage features shall be avoided or minimized by the planning and design of the proposed use or site alteration wherever possible."

As a result of the above policies, an Environmental Impact Statement (EIS) was required to be prepared to the satisfaction of the City. The EIS, prepared by Stantec Consulting, dated May 14, 2015 was submitted and revised on April 18, 2016 and was reviewed by City staff and the City’s Environmentally Significant Areas Impact Evaluation Group (ESAIEG) on June 9, 2016. Based on their comments, the EIS was revised again on November 11, 2016.

The EIS identified the following:

- Woodland on the northwest portion of the subject lands:

  The EIS found that the woodland met the criteria for a Significant Woodland in the UHOP. Therefore, this woodland is proposed to be changed from a Linkage to a Core Area on Schedule B and to a Significant Woodland on Schedule B-2.

- Two significant woodlands at the southerly portion of the subject lands:

  The EIS found that the trees within both woodlands were dead as a result of Emerald Ash Borer, and since a dense understorey of European Buckthorn, an invasive non-native shrub, was growing underneath the dead ash trees, no new young trees were growing. The EIS Report determined that the woodlands no longer met the criteria for Significant Woodlands and City staff and ESAIEG agreed with this assessment. Therefore, the two Significant Woodlands shown on Schedules B and B-2 will be removed from the mapping.

- Two Linkages (one on the eastern boundary and running south from the Woodland at Parkside Drive):

  Based on the EIS, the boundaries of both of these Linages have been refined. These changes to the Linkages will be shown on Schedule B.

The changes to the Core Areas and Linkages require an amendment to the UHOP (UHOP Volume 1, Schedule B, Schedule B-2, and Schedule B-8). The submitted EIS
states that there will be no negative impacts on the identified Natural Heritage Features and supports the removal of a portion of the natural heritage features. Therefore, staff are supportive of the Official Plan Amendment and included a Site Specific Amendment to permit the conservation use. In addition to the Official Plan Amendment, the Natural Heritage Features will be rezoned from Prestige Business Park (M3, 437) Zone, General Business Park (M2) Zone and Prestige Business Park (M3, 388) Zone to Conservation/Hazard Land (P5) Zone to protect the natural features.

Archaeology

“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, R.S.O., 1990 c. P.13:

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.

The subject lands are identified as areas of archaeological potential in the UHOP. As discussed previously under the Provincial Policy Statement of this Report, the applicant is currently completing a Stage 3 assessment for the Hythe site and a Stage 4 assessment for the Long site. Accordingly, a condition has been added to require these assessments be completed prior to any grading being undertaken on-site. The condition has been addressed as No. 31 in Appendix “E” of Report PED18133.

Plan of Subdivision

“F.1.14.1.2 Council shall approve only those plans of subdivision that meet the following criteria:

a) the plan of subdivision conforms to the policies and land use designations of this plan;
b) the plan of subdivision implements the City’s staging of development program;

c) the plan of subdivision can be supplied with adequate services and community facilities;

d) the plan of subdivision shall not adversely impact upon the transportation system and the natural environment;

e) the plan of subdivision can be integrated with adjacent lands and roadways;

f) the plan of subdivision shall not adversely impact municipal finances; and,

g) the plan of subdivision meets all requirements of the Planning Act.”

The proposed Plan of Subdivision has been identified in the City of Hamilton’s Staging of Development Plan. The proposal is consistent with the Criteria for Staging of Development in that utilities and services are available. With regards to (b), staff note that in the 2017 Staging of Development Report, the subject lands were identified as an area of priority for receiving Draft Plan Approval in 2017.

In regards to F.1.14.1.2 (c), (d), (e) and (f) above, as has been previously discussed and subject to appropriate conditions, staff note that the proposed Draft Plan can be adequately serviced using existing infrastructure, subject to the proposed Draft Plan conditions and will not adversely impact the natural environment or transportation system, will be integrated with existing lands and roads, and will not adversely impact municipal finances.

Zoning By-law No. 05-200

The subject lands are currently zoned General Business Park (M2) Zone, Prestige Business Park (M3) Zone, Prestige Business Park (M3, 437) Zone, and Prestige Business Park (M3, 388) Zone. These zones permit employment uses including, but not limited to, Building and Lumber Supply Establishment, Commercial Motor Vehicle Sales, Rental and Service Establishment, Contracting Establishment, Manufacturing, Repair Service and Research and Development Establishment.
The applicants are requesting modifications to the Zoning By-law for a portion of the subject lands:

- The first modification is to change the zoning from Prestige Business Park (M3, 437) Zone, General Business Park (M2) Zone, and from Prestige Industrial Park (M3, 388) Zone, to Conservation / Hazard Land (P5) Zone. The purpose of the proposed Zoning By-law Amendment is to permit the conservation of the existing woodlot on the northwest portion of the subject lands. In addition, the Conservation / Hazard Land (P5) Zone will also permit a stormwater management facility within the proposed Draft Plan of subdivision.

- The second modification is to amend the zoning from Prestige Business Park (M3) Zone to the existing Prestige Business Park (M3, 437) Zone. The effect of the rezoning will be to permit a Medical Clinic and Fitness Club on a portion of the subject lands.

The proposed zoning will be discussed in greater detail in the Analysis and Rationale for Recommendation Section of this Report.

RELEVANT CONSULTATION

The following Departments/Agencies had no comments or objections with respect to the proposed development:

- Hydro One; and,
- Recreation Planning, Community & Emergency Services Department.

The following Departments/Agencies provided the following comments:

**Union Gas** requested that as a condition of final approval, the owner / developer provide to Union Gas the necessary easements and / or agreements in favour of Union Gas for the provision of gas services for this development, in a form satisfactory to Union Gas. This requirement has been addressed as a condition of Draft Plan of Subdivision Approval (Condition No. 40 of Appendix “E” to Report PED18133).

**Hamilton Conservation Authority** identified in initial correspondence of June 30, 2016 the stormwater management requirements and the need to identify the extent of the flood and erosion hazard lands associated with Borer’s Creek on the subject lands.
Based on the above, the following conditions are required to be satisfied prior to the registration of the Draft Plan of Subdivision:

1. That the applicant prepares and implements an erosion and sediment control plan, Stormwater Management Plan and Lot Grading Plan for the subject property to the satisfaction of the Hamilton Conservation Authority. The approved erosion and sediment control plan should include the following notes:
   
   a) All erosion and sediment control measures shall be installed prior to development and maintained throughout the construction process, until all disturbed areas have been revegetated;
   
   b) All erosion and sediment control measures shall be inspected after each rainfall to the satisfaction of Authority staff;
   
   c) Any disturbed area not scheduled for further construction within 45 days will be provided with a suitable temporary mulch and seed cover within seven days of the completion of that particular phase of construction; and,
   
   d) All disturbed areas shall be revegetated with permanent cover immediately following completion of construction.

   (Condition No. 36, 37 and 38 of Appendix “E” to Report PED18133).

2. That the applicant obtains a permit from the Hamilton Conservation Authority prior to any construction and/or grading activities associated with the installation of the Con Span culvert and any watercourse alteration (Condition No. 39 of Appendix “E” to Report PED18133).

**Ministry of Transportation (MTO)** advised that all blocks in the proposed subdivision are within the Ministry’s Permit Control Area and will require permits prior to the commencement of any construction. The Ministry is planning a future widening of the Hwy 6 Right-of-Way Limits from the north of Borer’s Creek to north of Parkside Drive. The MTO will require the following to be included as a condition of draft approval for the Draft Plan of Subdivision:

- A detailed Storm Water Management report (Condition No. 32 of Appendix “E” to Report PED18133);
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- A traffic impact study to assess site impacts on Hwy 6 and Hwy 5, and ensure that appropriate mitigation, if required, is provided for by the owner (Condition No. 33 of Appendix “E” to Report PED18133);

- Block 12 will be dedicated as a public highway on the owner’s certificated final plan (Condition No. 34 of Appendix “E” to Report PED18133); and,

- The owner shall enter into a legal agreement with the Ministry of Transportation whereby the owner agrees to assume financial responsibility for the construction of all necessary associated highway improvements (Condition No. 35 of Appendix “E” to Report PED18133).

MTO also requested the following Notes to Draft Approval:

- Direct access to the development from Hwy 6 will not be granted at any time. Any currently existing access to Hwy 6 shall be closed permanently and the Right-of-Way restored (Note 2 of Appendix “E” to Report PED18133).

- The City of Hamilton should make considerations for access connections to the proposed “Street A” and Clappison Avenue in the future planning of lands, not included in this application, which are bordered by Hwy 6, Parkside Dr, Clappison Avenue and “Street A” (Note 3 of Appendix “E” to Report PED18133).

- All future access connections to Parkside Drive shall follow the recommended spacing and standards set out by the Access Management Guidelines (Note 4 of Appendix “E” to Report PED18133).

- The proposed subdivision is considered a major traffic generator. As such, all buildings/sites on all development blocks of the subdivision require MTO Building and Land Use permits prior to the start of any construction on the blocks. Additionally, permits are required prior to Site Grading/Servicing/internal road construction, and for site signs; and an MTO Encroachment permit is required for any works proposed within the Hwy 6 limits (Note 5 of Appendix “E” to Report PED18133).

- All structures (above and below ground), including land uses considered essential to the site’s viability, must be setback a minimum of 14 m from the future designated Hwy 6 limits (Note 6 of Appendix “E” to Report PED18133).
Source Protection Planning (Hamilton Water) advised that although the development will be municipally serviced, there are a significant number of drinking water wells in the area. A scoped hydrogeological report with a groundwater monitoring component pre and during construction is necessary. In addition, the applicant will be required to decommission any septic beds and wells currently existing onsite (Condition Nos. 13 and 16 on Appendix “E” to Report PED18133).

Transportation Planning (Planning and Economic Development Department) advised the following:

- As per the Urban Hamilton Official Plan, Transportation Planning requires the applicant convey the lands to meet the requirements of the Urban Official Plan, Chapter C - City Wide Systems and Designations 4.5 Roads Network. Parkside Drive, from 100m east of Hwy 6 to Hamilton Street is to have an ultimate ROW width of 30.480 m (revision to previous Transportation Management comments). Clappison Avenue is to be classified as a minor arterial in a Designated Employment Area and have a 36.576 m ROW. Street “A” and Street “B” are both to be classified as local roads within Designated Employment Area and have 26.213 m ROW. Parkside Drive at Clappison Avenue is to have 12.19 m by 12.19 m daylight triangles. Clappison Avenue at Street “A” is to have 12.19 m by 12.19 m daylight triangles. Clappison Avenue at both the north and south intersections with Street “B” are to have 12.19 m by 12.19 m daylight triangles.

- The City is currently constructing road improvements on Parkside Drive, east of the subject lands. Improvements include a signalized intersection at Parkside Drive and Sadielou Blvd/Hollybush Drive and Parkside Drive, easterly from Sadielou Blvd/ Hollybush Drive will be one travel lane each direction; bicycle lanes each direction, centre two-way turn lane and 2.0 m wide sidewalks on both sides of the road (construction scheduled to be completed by the City in 2018). Any new road works to be completed because of the subject development will be required to match this cross-section design.

Conditions of Subdivision Approval

- That the applicant submits a revised Transportation Impact Study to the satisfaction of Transportation Planning. The proponent shall work with Transportation Planning regarding the scope and methodology of a revised TIS to facilitate and expedite the update. The MTO has jurisdiction over Hwy 5 and Hwy 6 which is included in the 2015 TIS analysis. The MTO is to be consulted regarding their requirements for an
updated Traffic Impact Study (Condition No. 41 of Appendix “E” to Report PED18133).

- That the owner shall include in the engineering design and cost estimate schedules, provisions to construct the signalized intersection of Parkside Drive and Clappison Avenue and further that:
  
  o it will be designed as a temporary installation with the existing Parkside Drive cross-section;
  
  o it will also be designed with the future/ultimate cross-sections of Parkside Drive and Clappison Avenue; and,
  
  o all costs associated with these works, including but not limited to design and construction, will be at the expense of the applicant (Condition No. 42 of Appendix “E” to Report PED18133).

- That the Applicant shall provide a design that adequately incorporates the Hamilton Pedestrian Mobility Plan with regards to the needs of pedestrians with disabilities (i.e. AODA regulations and barrier free designs) (Condition No. 43 of Appendix “E” to Report PED18133).

Public Consultation

In accordance with the provisions of the Planning Act and the Council’s Public Participation Policy, Notice of Complete Application and Preliminary Circulation for the Urban Hamilton Official Plan Amendment and Zoning By-law Amendment Applications and the approval of the Draft Plan of Subdivision was sent to 180 property owners within 120 m of the subject lands on August 17 and 25, 2015, for the proposed Zoning By-law Amendment Application and for approval of a Draft Plan of Subdivision.

A Notice of Complete Application and Preliminary Circulation and Notice of Public Meeting was circulated on May 23, 2018. A Public Notice sign was also posted on the property on August 17, 2015 and August 25, 2015, and updated on May 23, 2018, with the Public Meeting date. Finally, Notice of the Public Meeting was given to 180 owners in accordance with the requirements of the Planning Act on June 01, 2018.

To date, no letters of concern have been received.
Public Consultation Strategy

As the Zoning By-law Amendment and Draft Plan of Subdivision Applications were submitted before July 1, 2016, a public consultation strategy is not required. The Official Plan Amendment was submitted after the Zoning By-law Amendment and Draft Plan of Subdivision. Therefore, although it was submitted after July 1, 2016 a public consultation strategy was not required since the Official Plan is required as part of the proposed rezoning.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposed Urban Hamilton Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications have merit and can be supported for the following reasons:

   i) They are consistent with the Provincial Policy Statement and conform to the Growth Plan for the Greater Golden Horseshoe;

   ii) They comply with the general intent of the Urban Hamilton Official Plan Amendment, subject to the approval of the Amendment, as the proposal will protect the Natural Heritage Features on-site and permit additional ancillary uses; and,

   iii) The proposed development is compatible with the existing and planned development in the area.

2. The proposed Urban Hamilton Official Plan (UHOP) Amendment is required to refine the Natural Heritage boundaries to implement the recommendations of the Environmental Impact Statement. In addition, a site specific policy area will be established to protect the existing natural heritage features. The natural heritage features include a Core Area (woodlot) on the north-western portion of the subject lands and a linkage connecting the woodlot to Borers Creek (as shown on Appendix "B" of Report PED18133). As per the Official Plan policies identified above the Official Plan Amendment to Schedule B, Schedule B-2, Schedule B-8 and Volume 3: Site Specific Policy Area can be supported because the submitted EIS has demonstrated that current features are protected and other features warrant removal.

   In addition, the UHOP Amendment is required to update the road classification map to change Clappison Road from a Local Road to a Minor Arterial Road. As stated in the policy review, the amount of traffic generated on the proposed
Clappison Road Extension supported the change in designation. The change in road classification is required to support the requested Zoning By-Law Amendment.

3. The applicant has applied for a Zoning By-law Amendment for the subject lands for the following:

- Change a portion of the lands from Prestige Business Park (M3, 437) Zone, General Business Park (M2) Zone; and Prestige Industrial Park (M3, 388) Zone, to the Conservation/Hazard Land (P5) Zone. The purpose of the proposed amendment is to permit the conservation of the existing woodlot on the northwest portion of the subject lands. In addition, Block 2 will need to be rezoned to the Conservation/Hazard Land (P5) Zone to permit a Stormwater Management Pond.

- Change a portion of the lands from Prestige Business Park (M3) Zone to Prestige Business Park (M3, 437) Zone. The purpose of the rezoning will be to apply an existing site specific to a portion of the lands to permit a Fitness Club and Medical Clinic.

The effect of the rezoning is to protect the existing woodlot and associated linkages as per the submitted Environmental Impact Statement, permit a Stormwater Management Pond within the subdivision and permit a medical clinic and fitness club as ancillary uses on the periphery of the proposed subdivision. The proposed Zoning By-law implements the recommendations of the Environmental Impact Statement, permits any required infrastructure within the subdivision and allows for ancillary uses on an arterial road in support of the permitted employment uses. Therefore, staff are satisfied that the Zoning By-law Amendment complies with the intent of the policies as set out in the Urban Hamilton Official Plan, subject to the approval of the Official Plan Amendment.

4. The application for Draft Plan of Subdivision seeks approval to create six blocks for employment uses, three blocks for Conservation/Hazard lands, one block for a road widening, one block for a Stormwater Management Facility, one block for a 0.3 m reserve and three proposed streets (extension of Clappison Avenue, Street “A” and Street “B”).

In review of Sub-section 51(24) of the Planning Act, to assess the appropriateness of the proposed subdivision, staff advise that:
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(a) It is consistent with the Provincial Policy Statement, the Growth Plan and the Urban Hamilton Official Plan;

(b) Through the subdivision staging plan the draft plan was identified as an area of priority and represents a logical and timely expansion of existing development;

(c) The proposed roads will adequately service the proposed subdivision and can connect to the current road system;

(d) The proposed Draft Plan of Subdivision can be appropriately subdivided and is determined to not negatively impact the existing road network and will not have a negative impact on the natural heritage features subject to the approval of the Official Plan Amendment and Zoning By-law Amendment;

(e) The proposed subdivision will be compatible with the existing road network and block pattern of the surrounding neighbourhood; and,

(f) The applications do not have any negative impact on the city’s finances.

Therefore, staff are supportive of the Draft Plan of Subdivision and recommend its approval.

5. Engineering has provided the following comments and conditions. These comments are based on the most recent submission for the Flamborough Power Centre North (25T-201507). It is understood that some of these concerns may have been addressed though the related Site Plan Application for Stryker (DA-16-165). In such cases, resubmission of materials from that application may be suitable to address these comments and conditions.

General

- The Owner shall show on the final plan a 0.3 m reserve:

  a) Along the north side of Street A from the west limit of Block 6 to the west limit of Street A; and,

  b) Along the west limit of the lands owned by others south of Block 9 from the south limit of Block 9 to the north limit of the Borer’s Creek lands.
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(Condition No. 1 on Appendix “E” to Report PED18133)

• A right-of-way widening dedication is required on Parkside Drive of 5.182 m. It is understood that this widening has been provided through the Stryker Site Plan Application (DA-16-165). Additionally, based on the City’s Comprehensive Development Guidelines, collector-to-arterial road intersections require a 12 m by 12 m triangle or radius at all new intersections. In addition, 9 m by 9 m daylight triangles are also required (Condition Nos. 11 and 12 on Appendix “E” to Report PED18133).

• That the owner shall provide a detailed design and cost estimates to construct a bridge where Clappison Avenue will cross Borer’s Creek entirely at the owner’s expense in accordance with the approved Class Environmental Assessment Study for Flamborough Power Centre Inc. prepared by Fothergill Planning & Development Inc., June 1, 2005. In addition, the applicant will agree to pay the entire costs of the peer review for the bridge design, in accordance with the City’s policies, and determine the type of structure to be employed at the Clappison Avenue crossing of Borer’s Creek; all requirements are to the satisfaction of the Senior Director of Growth Management. The owner shall construct the bridge to cross Borer’s Creek on Clappison Avenue entirely at the owner’s expense to the satisfaction of the Senior Director of Growth Management. Once the extension of Clappison Avenue is constructed, the owner shall demonstrate that the temporary turning circle has been properly removed on the south side of the site (Condition Nos. 2, 3 and 30 on Appendix “E” to Report PED18133).

• The owner shall include in the engineering design and cost estimate schedules provisions to construct sidewalks on both sides of all proposed streets including those noted as future works and a temporary sidewalk on the south side of Parkside Drive where the subject lands front onto Parkside Drive from the east limit of the subject lands to Clappison Avenue entirely at the owner’s expense. In addition, the applicant agrees to pay for their proportionate share of the total cost of the urbanization and provide design and cost estimate schedules provision for the temporary traffic controls (Condition Nos. 6, 7, 8 and 9 on Appendix “E” to Report PED18133).

• The Owner will be required to relocate, if necessary, all affected utility poles, hydrants, pedestals, hydro vaults, etc. on Parkside Drive entirely at the owner’s expense (Condition No. 14 on Appendix “E” to Report PED18133).

OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.
• The Owner shall include in the engineering design and cost estimates provision for construction of a 1.5 m high black vinyl coated heavy duty chain link fence entirely at the owner’s expense in the following locations:

  a) Along the east boundary of Block 10 and Block 11 from Parkside Drive to the limit of Borer’s Creek;

  b) Adjacent to the limits of Borer’s Creek, along the south limit of Block 9 and Block 11 from the east limit of the subject lands to the east limit of the external lands south of Block 9 (approximately 85m west of the east limit of Block 11);

  c) Along the entire south limit of Block 1;

  d) Along the entire south limit of Block 2;

  e) Along the entire south limit of Block 3;

  f) Along the east and west limits of Block 5 from Street A to the south limit at Borer’s Creek;

  g) Along the east and west boundaries of Block 6 from Street A to Parkside Drive including the north-south portion of the boundary between Block 4 and Block 6; and,

  h) Along the west limit of Block 2, adjacent to Block 1.

(Condition No. 10 on Appendix “E” to Report PED18133).

• The Owner agrees to provide in writing a plan or procedure for dealing with issues concerning dust control and street cleaning (external roads included) throughout construction within the subdivision (Condition No. 15 on Appendix “E” to Report PED18133).

• The owner shall prepare and provide a Construction Management Plan that provides details on any construction activity that will encroach into the municipal road allowance such as construction staging, scaffolding, cranes etc. The plan must identify any required sidewalk and / or lane closures and the estimated length of time for such closures) (Condition No. 18 on Appendix “E” to Report PED18133).
Written permission is required for any works that will require access to or changes on any neighbouring properties (Condition No. 5 of Appendix “E” to Report PED18133).

Water and Sewer Servicing

The water and sewer services shall be extended from the intersection of Parkside Drive and Clappison Avenue along Parkside Drive to the western limit of the frontage of the subject lands on Parkside Drive. Adequate servicing connections to adjacent lands shall be provided based on the ultimate (fully-developed) conditions on those adjacent lands. The owner shall agree to provide sanitary servicing along Parkside Drive from Clappison Avenue west along the frontage of the development lands to the west limit at the property line adjacent to 40 Parkside Drive (Condition No. 28 of Appendix “E” to Report PED18133).

Given the property is close to the edge of the urban/rural boundary, if dewatering of the site is required for construction activities a local water well survey within 500 m of the property including location, construction details, and copies of the well records should be included. Although the development will be municipally serviced, there are a significant number of drinking water wells in the area. A scoped hydrogeological report with a groundwater monitoring component pre and during construction is necessary. In addition to monitoring the surrounding area, the owner agrees to remove all septic bed, wells and buildings onsite (Condition Nos. 16 and 17 on Appendix “E” to Report PED18133).

Functional Servicing Report

The Functional Servicing Report shall reference the latest versions of any appropriate documentation. Particularly of note, the latest Comprehensive Development Guidelines and Financial Policies Manual (2017). An overall servicing plan that covers the entire site, including the 1350 mm-diameter storm sewer along the east boundary is required.

Cost Sharing: Section 5.0 of the report noted that cost sharing opportunities may be available with the City for construction costs. Please note that City will not share the land and construction costs for the development of the SWM pond, in accordance with the DC By-law. In addition, the applicant will be required to submit a revised Functional Servicing Report (Condition No. 19 on Appendix “E” to Report PED18133).
Grading

- The applicant is advised that a future sidewalk on Street A cannot be constructed as proposed without grading onto the adjacent lands to the north. A security shall be taken for these future works. In addition, the Owner shall provide a drainage area plan including associated drainage calculations for both sanitary and storm systems, overall subdivision grading plan and lot and drainage plans (Condition Nos. 4, 20 and 21 of Appendix “E” to Report PED18133).

Stormwater Management

- Block 1: Please note that as per Ontario Water Resources Act 525 / 98, onsite Stormwater management design for the industrial Block 1, will require MOE-ECA approval.

- The Owner agrees to submit a detailed Stormwater management (SWM) report prepared by a qualified professional engineer that demonstrates how quality, quantity, and erosion control will be handled in accordance with City of Hamilton Development Guidelines (2017) and MOECC Stormwater Management Design Guideline (2003). The Owner shall include in the engineering design and cost estimate schedule provision for the construction of storm sewers within the Parkside Drive right-of-way. In addition, the owner shall design and construct an appropriate storm conveyance to convey the greater of 100-year pre-development or regional storm flows from the external drainage area north of Parkside Drive entirely at the owner’s expense (Condition Nos. 22, 23 and 24 on Appendix “E” to Report PED18133).

- As part of the Stormwater Management onsite, the owner agrees that they will be responsible for the design and construction of the stormwater management (SWM) facility and will maintain the facility entirely at the owner’s expense until it is assumed by the City. In addition, the Owner shall submit the necessary transfer deeds to the City’s Legal Services to convey an adequate Stormwater Management Facility block (Block 2 and potential additional lands being Block 1, subject to an approved Stormwater management design) and an easement of Block 1 of the Draft Plan for the facility, storm and sewer outlet (Condition Nos. 25, 26 and 27 on Appendix “E” to Report PED18133).

- In addition to the required conditions, the applicant will be required to revise the engineering drawings for stormwater management, in regards to the comments provided to the applicant.
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ALTERNATIVES FOR CONSIDERATION

Should the applications be denied, the lands could not be developed for the proposed industrial Draft Plan of Subdivision. The lands could be developed in accordance with the General Business Park (M2) Zone, Prestige Business Park (M3) Zone, Prestige Business Park (M3, 388) Zone and Prestige Business Park (M3, 437) Zone which permits uses, including but not limited to, Building or Contracting Establishment, Commercial Motor Vehicle Sales, Rental and Service Establishment, Manufacturing, Repair Service, Trade School, Warehouse and laboratory.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

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

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

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

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – Location Map
Appendix “B” – Urban Hamilton Official Plan Amendment
Appendix “C” – Zoning By-law No. 05-200 Amendment
Appendix “D” – Draft Plan of Subdivision
Appendix “E” – Special Conditions for Draft Plan of Subdivision