



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	December 11, 2018
SUBJECT/REPORT NO:	Application for an Amendment to the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 211 York Road, Dundas (PED18226) (Ward 13)
WARD(S) AFFECTED:	Ward 13
PREPARED BY:	Brynn Nheiley (905) 546-2424 Ext. 4283
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

That **Amended Zoning By-law Amendment Application ZAC-17-060 by 1830258 Ontario Ltd (c/o Alex Arbab), Owner**, for a change in zoning from Neighbourhood Commercial (CN/S-60) Zone and Public Utilities (U) Zone in the former Town of Dundas Zoning By-law No. 3581-86, to the Community Institutional (I2, 446, H108) Zone to permit an 83 resident Retirement Home and a 17 unit multiple dwelling for lands located at 211 York Road, as shown on Appendix “A” to Report PED18226 be **APPROVED**, on the following basis:

- (a) That the draft By-law, attached as Appendix “B” to Report PED18226, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the amending By-law apply the Holding Provisions of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject property by introducing the Holding symbol ‘H108’ to the proposed Community Institutional (I2, 446) Zone.

The Holding Provision “H108” is to be removed to allow the 83 resident Retirement Home and 17 unit multiple dwelling, conditional upon:

- (i) The Owner submitting and receiving approval of a revised fire flow calculation based on the detailed building design to demonstrate that the existing watermains can provide for sufficient flows for firefighting for the

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future development on the site all to the satisfaction of the Manager of the Engineering Approvals.

- (c) 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) and complies with the Urban Hamilton Official Plan.

EXECUTIVE SUMMARY

The subject property is municipally known as 211 York Road, Dundas. The Owner, 1830258 Ontario Limited, has applied for amendments to the City of Hamilton Zoning By-law No. 05-200 to permit an 83 resident Retirement Home and a 17 unit multiple dwelling on the subject property within the Community Institutional (I2) Zone.

The proposal has merit and can be supported as the application complies with the Urban Hamilton Official Plan in that the proposal does not reduce the availability of rental dwelling units by six or more, it provides for a range of housing types and it contributes to supply of Housing with Supports in the City so that residents of all ages can have their needs met as housing requirements change for aging residents. Further, this application will provide clarity as to the permitted uses and regulations for the entire property, which are consistent with surrounding uses.

Alternatives for Consideration – See Page 17

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 an application for a Zoning By-law Amendment.

HISTORICAL BACKGROUND

Background:

The subject property is located on the north west corner of the intersection of Watsons Lane and York Road, and is municipally known as 211 York Road. The subject lands are 0.68 ha in size and contain an existing two storey building with ground floor commercial uses and a 16 unit retirement home on the first floor. The second floor has 22 rental dwelling units. Sixty surface parking spaces are provided primarily facing York Road. The east side of the property contains easements AB158141 and AB1473070

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(see Appendix “F” to Report PED18226), in favour of Hydro-Electric Power Commission of Ontario (now Alectra Utilities), United Gas Limited (now Union Gas Limited), and Bell Canada.

The original application was to rezone the subject property from the Neighbourhood Commercial (CN/S-60) Zone in the former Town of Dundas Zoning By-law No. 3581-86, to a site specific Community Institutional (I2) Zone in the City of Hamilton Zoning By-law No. 05-200 to permit a Retirement Home having a total of 100 residents, including the 16 existing retirement home units within the existing building and a two storey addition along the southern boundary of the property, adjoined to the existing building. Twenty-two multiple dwelling rental units were proposed to be removed. The proposal included 16 perpendicular parking spaces located within existing easements on the east side of the subject property, nine perpendicular parking spaces on the west side of the building, and 13 parallel spaces on the north side of the building.

The applicant has revised the application to retain 17 of the existing 22 multiple dwelling rental units, remove five of the residential rental units and three commercial uses, and to reduce the number of Retirement Home residents to 83. The remainder of the application has stayed the same.

Staff revised the application to a change in zoning of the entire property to the Community Institutional (I2, 446, H108) Zone, upon determining that the Public Utilities (U) Zone is unnecessary due to existing easements. The existing easements will preserve the entitlements of Hydro-Electric Power Commission of Ontario (now Alectra Utilities), United Gas Limited (now Union Gas Limited), and Bell Canada to enter the area of easement to conduct work and to occupy this portion of the subject property with their infrastructure. The applicant is in support of this revision.

Chronology:

- July 14, 2017: Application for Zoning By-law Amendment ZAC-17-060 received.
- August 2, 2017: Application ZAC-17-060 deemed complete.
- August 11, 2017: Notice of Complete Application and Pre-Circulation was mailed to 152 property owners within 120 m of the subject property.
- August 17, 2017: A Public Notice sign was established on the property.
- September 5, 2017: Notice of Complete Application and Pre-Circulation was sent to 22 residential units and three commercial units within 211 York Road.

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October 17, 2017: Public Information Meeting hosted by applicant at 60 Main Street, Dundas.

November 14, 2018: Public Notice sign updated to reflect the date of Public Meeting.

November 23, 2018: Circulation of Notice of Public Meeting to 152 property owners, and 22 rental residential units and three commercial units within 211 York Road.

Details Of The Submitted Application:

Owner: 1830258 Ontario Limited (c/o Alex Arbab)

Agent / Applicant: Wellings Planning Consultants Inc. (c/o Glenn Wellings)

Location: 211 York Road, Dundas (see Appendix "A" to Report PED18226)

Property:

Frontage:	101.5 m
Area:	0.6 ha
Depth:	66.5 m

Servicing: Existing Full Municipal Services

EXISTING LAND USE AND ZONING:

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands:</u>	Commercial, Retirement Home and dwelling units; Easement in favour of Alectra and Union Gas	Neighbourhood Commercial (C.N./S-60) Zone, Modified; Public Utilities (U) Zone

Surrounding Lands:

North	Townhouse Dwellings	Low to Medium Density Multiple Dwelling (RM1) Zone
East	Single Detached Dwellings	Low Density Residential (R4) Zone, Modified; Single-Detached Residential (R2) Zone

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South	Lake Jojo and City of Hamilton Public Works Community Recycling Centre	Public Utilities (U-FP) Zone
West	Townhouse Dwellings	Low to Medium Density Multiple Dwelling (RM1) Zone

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 (2014) (PPS). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the PPS.

The mechanism for the implementation of the Provincial plans and policies is through the Official Plan. Through the preparation of, adoption and subsequent Ontario Municipal Board approval of the Urban Hamilton Official Plan, the City of Hamilton has established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of provincial interest (i.e. efficiency of land use and balanced growth) are reviewed and discussed in the Official Plan analysis below.

As the application for a change in zoning complies with the Official Plan and the relevant policies in the PPS, 2014, it is staff's opinion that the application is:

- Consistent with Section 3 of the *Planning Act*; and,
- Consistent with the Provincial Policy Statement.

Growth Plan for the Greater Golden Horseshoe (2017):

The Growth Plan supports intensification within built-up urban areas, particularly in proximity to transit. It is focused on accommodating forecasted growth in complete communities and provides policies on managing growth. The following policies, amongst others, apply:

"1.2.1 Guiding Principles

The successful realization of this vision for the GGH centres on effective collaboration amongst the Province, other levels of government, First Nations and Métis communities, residents, private and non-profit sectors across all

industries, and other stakeholders. The policies of this Plan regarding how land is developed, resources are managed and protected, and public dollars are invested are based on the following principles:

- Support the achievement of *complete communities* that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime.
- Prioritize *intensification* and higher densities to make efficient use of land and *infrastructure* and support transit viability.
- Support a range and mix of housing options, including second units and *affordable* housing, to serve all sizes, incomes, and ages of households.

2.1 This Plan is about accommodating forecasted growth in *complete communities*. These are communities that are well designed to meet people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, *public service facilities*, and a full range of housing to accommodate a range of incomes and household sizes. *Complete communities* support quality of life and human health by encouraging the use of *active transportation* and providing high quality public open space, adequate parkland, opportunities for recreation, and access to local and healthy food. They also support climate change mitigation by increasing the *modal share* for transit and *active transportation* and by minimizing land consumption through *compact built form*.”

The subject proposal conforms to these Guiding Principles in that:

- It supports the achievement of *complete communities* that are designed to support healthy and active living and meeting people's needs for daily living throughout an entire lifetime;
- It provides for intensification to make efficient use of land and infrastructure; and,
- It supports a range and mix of housing options.

“2.2.1.2 Forecasted growth to the horizon of this Plan will be allocated based on the following:

- a) the vast majority of growth will be directed to *settlement areas* that:
- have a *delineated built boundary*;

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- have existing or planned *municipal water and wastewater* systems; and,
- can support the achievement of *complete communities*;

2.2.1.4 Applying the policies of this Plan will support the achievement of *complete communities* that:

- b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes; and,
- e) ensure the development of high quality *compact built form*, an attractive and vibrant *public realm*, including public open spaces, through site design and urban design standards;

2.2.2.1 By the year 2031, and for each year thereafter, a minimum of 60 percent of all residential development occurring annually within upper-tier or single-tier municipalities will be within the delineated built-up area.”

The application conforms to the policies of the Growth Plan by focusing growth within the built-up area, contributing to achieving a complete community including housing for seniors, utilizing existing and planned municipal infrastructure, and providing for development with access to a range of transportation options.

Based on the foregoing, the proposal conforms to the Growth Plan.

Niagara Escarpment Plan (2017)

The subject property is within the Urban Area of the Niagara Escarpment Plan. As such, the following policy applies.

“1.7.5 Development Objectives

All development shall be of an urban design *compatible* with the *scenic* resources of the *Escarpment*. Where appropriate, provision for maximum *heights*, adequate setbacks and screening are required to minimize the visual impact of urban development.”

This application included an Urban Design Brief. The proposed addition does not exceed the height of the existing building, and significant landscaping is proposed along the frontage of the subject property. Therefore, there will be no visual impact to the Niagara Escarpment in terms of height, and the proposed building will be adequately screened by landscaping. NEC staff have no concerns with the approval of this

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application and staff are satisfied that the proposal is compatible with the scenic resources of the Escarpment. Therefore, the proposal conforms to the Niagara Escarpment Plan.

Urban Hamilton Official Plan

The subject property is identified as “Neighbourhoods” on Schedule “E” - Urban Structure and is designated “Neighbourhoods” on Schedule “E-1” – Urban Land Use Designations. The following policies, amongst others, apply to the proposed development.

Urban Housing

“B.3.2.4.2 The *development* of housing with a full range of tenure, affordability, and support services shall be provided for and promoted throughout the City. Where there are documented unmet needs for housing tenure, affordability levels or support services, priority shall be given to *development* applications that help meet those needs. Housing with a full range of tenure, affordability and support services in a full range of built housing forms means both ownership and *primary rental housing* with a full range of affordability, *social housing*, rent-geared-to-income housing, lodging houses, shared and/or congregate-living housing arrangements, *housing with supports*, emergency and transitional housing, and housing that meets all needs.

B.3.2.4.3 *Housing with supports*, including residential care facilities, shall be permitted in the Institutional, Neighbourhoods, Commercial and Mixed Use designations, as shown on Schedule E-1 – Urban Land Use Designations, and shall be subject to zoning regulations where applicable.

B.3.2.5.6 To protect the adequate provision of a full range of housing, *development* or *redevelopment* that would have the effect of removing all or part of rental apartment or townhouse buildings or groups of buildings comprised of six or more units, and would result in the loss of six or more rental housing units shall be permitted if any one of two general criteria are met, outlined as a) and b) below:

a) all of the following criteria are met:

- i) the rental vacancy rate by dwelling unit and structure type for the City and the respective local housing market zone, as identified on Schedule G – Local Housing Market Zones and based on CMHC data, has been at or above 2.0% for the preceding twenty-four months; and,

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- ii) the proposed removal shall not reduce the rental vacancy rate by dwelling unit and structure type to below 2.0% for the City and the respective local housing market zone; and,
 - iii) the existing market rent levels for the units proposed to be removed are not significantly (approximately 10%) below the average market rent levels for the City and the respective local housing market zone for rental units of a similar dwelling unit and structure type and size; and,
 - iv) for vacant rental units, the last market rent levels charged prior to vacancy for the units proposed to be removed were not significantly (approximately 10%) below the average market rent levels at the time for the City and the respective local housing market zone for rental units of a similar dwelling unit and structure type and size; or,
- b) the building (or buildings) is determined to be structurally unsound, confirmed by the submission of a structural audit, prepared by a qualified professional with the conclusions of such audit deemed acceptable by the City.

Neighbourhoods

- E.2.6.4 The Neighbourhoods element of the urban structure shall permit and provide the opportunity for a full range of housing forms, types and tenure, including *affordable* housing and *housing with supports*.
- E.2.6.7 Neighbourhoods shall generally be regarded as physically stable areas with each neighbourhood having a unique scale and character. Changes *compatible* with the existing character or function of the neighbourhood shall be permitted. Applications for *development* and *residential intensification* within Neighbourhoods shall be reviewed in consideration of the local context and shall be permitted in accordance with Sections B.2.4 – Residential Intensification, E.3.0 – Neighbourhoods Designation, E.4.0 – Commercial and Mixed Use Designations, and, E.6.0 – Institutional Designation.”

This application will contribute to a form of housing that is considered to be “housing with supports”, as well as provide rental multiple dwelling units. These uses are permitted on the subject lands. The proposed development will retain 17 multiple dwelling units, while five of the dwelling units will be removed. Therefore, the proposed development complies with Policy B.3.2.5.6 as less than six units will be removed and the loss of five dwelling units is mitigated by the contribution of additional housing with supports units. The applicant has indicated that housing with supports services will be

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provided on site to support independent living within the community. This proposed development will contribute to housing for all ages within the community, and create the opportunity to remain in the Dundas area as housing requirements change for aging residents.

The physical change to the character is minimal because most adjacent residential units face the existing building which is proposed to remain with minimal improvements to the façade. This application proposes an addition to an existing 9.24 m brick structure that faces York Road, vacant lands, Lake Jojo and the rear of eight townhouse units that currently overlook a surface parking lot of 52 parking spaces. With the proposed development the existing townhouses will back onto a residential addition to the existing building, nine parking spaces, internal vehicular circulation, a loading bay and enhanced landscaping. The overall massing of the building will change minimally. Therefore, this change is anticipated to have limited impacts in terms of the physical character of the area.

Based on the foregoing, this application complies with the UHOP.

Town of Dundas Zoning By-law 3581-86 and City of Hamilton Zoning By-law 05-200

The subject property is currently split zoned with a site specific Neighbourhood Commercial (CN/S-60) Zone (westerly portion) and Public Utilities (U) Zone (easterly portion).

The CN/S-60 Zone permits residential uses provided they are completely separated from any commercial use. The site specific exception permits a 16 unit Retirement Home on the first floor in the east portion of the building, along with off-street parking and loading within the front yard.

The U Zone permits government and public utility installations, maintenance and equipment storage facilities.

The application is for a change in zoning of the entire property to the Community Institutional (I2, 446, H108) Zone in Zoning By-law No. 05-200. The Commercial Institutional (I2) Zone permits a Retirement Home with a maximum capacity of 50 residents, and does not permit a multiple dwelling unit. The maximum building height permitted in the I2 Zone is 10.5 m. This proposal is for an addition to the existing building with a maximum building height of 9.24 m. Special Exception 446 will permit a Retirement Home having a total of 83 residents and a 17 unit multiple dwelling.

Staff are satisfied with the removal of the U Zone as the zone boundaries are matched by easements AB158141 and AB1473070 (see Appendix “F” to Report PED18226), in

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favour of Hydro-Electric Power Commission of Ontario (now Alectra Utilities), United Gas Limited (now Union Gas Limited), and Bell Canada, which preserve the entitlements of these companies to enter the area of easement to conduct work and to occupy this portion of the subject property with their infrastructure. Alectra Utilities, Union Gas Limited, and Bell Canada were notified of the proposed development and did not indicate concern with the removal of the U Zone or with the proposal to locate parking within the easement.

Additionally, Special Exception 446 will include the following modifications:

- The definition of Front Lot Line;
- Separation distance of parking spaces and aisles from a street line and planting strip;
- Location of loading facilities;
- Maximum capacity for a Retirement Home;
- A 17 unit multiple dwelling; and,
- A reduction in the number of parking spaces from 45 to 38.

These modifications are identified and discussed in detail in Appendix “E” to Report PED18226.

RELEVANT CONSULTATION

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

Transportation Planning, Planning and Economic Development staff advise that York Road is intended to have a width of 20.117 m, and that this portion of York Road was widened to 24.0 m through previous applications. Staff have no objection to the proposed Zoning By-law Amendment to facilitate an 83 resident Retirement Home and a 17 unit multiple dwelling, and will permit one driveway access onto Watsons Lane, and two accesses onto York Road to permit a one-way drop-off area. Details that are to be addressed at the Site Plan Control stage include, but are not limited to:

- Transportation Demand Management Options Report;
- Pedestrian Mobility Plan;
- Access Permits for any new or changes to existing access;

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- The York Road driveway accesses must be reconfigured to deter two-way use;
- Visibility triangles of 5.0 m by 5.0 m at driveway accesses; and,
- Daylight triangle of 9.14 m by 9.14 m at the intersection.

Housing Services, Healthy and Safe Communities staff indicates that there is a need for housing with supports for seniors and also indicates satisfaction with the proposal for an 83 resident Retirement Home and a 17 unit multiple dwelling.

Hamilton Street Railway, Public Works Department identified that route #52A Dundas Local passes the subject property, with a bus stop on York Road at Watsons Lane on the north east corner. There are no planned changes in service, but they would be willing to work with the applicant to relocate the stop to be in front of the proposed development and for any upgrades or amenities that serve the stop.

Hamilton Conservation Authority (HCA) have no concerns, and notes that only a Letter of Permission would be required from HCA at the time of building permit application.

Forestry and Horticulture, Public Works Department acknowledge that all municipal tree assets are to be retained and protected. The Tree Management Plan is approved upon receipt of the per tree fee. The Landscape Plan indicates trees within the municipal right of way, which are to be planted by the City of Hamilton. Amendments are required on the Landscape Plan, including details on the specific plant species, quantities and sizes. Forestry and Horticulture indicates that no species should make up more than 20% of the total tree population, and that no coniferous trees are permitted in the right of way. These issues will be addressed at the Site Plan Control stage.

Healthy Environments Division, Healthy and Safe Communities Department suggests that the overall design of the building should promote physical mobility, including prominently locating stairs and eliminating locking devices to access the stairs. These matters will be addressed at the Site Plan Control stage.

Environmental Services Division, Public Works Department notes that the proposed development is ineligible for municipal waste collection.

Niagara Escarpment Commission advises that the applicants referred to the 2005 Niagara Escarpment Plan, rather than the 2017 Niagara Escarpment Plan. However, the Niagara Escarpment Commission indicates that they have reviewed the Urban Design Brief submitted by the applicant and have no concerns with the approval of this application.

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Alectra Utilities advises that they do not have any concerns regarding the removal of the U Zone on the subject lands, and stipulate requirements regarding excavation and clearances of infrastructure owned by Alectra Utilities. These requirements 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 152 property owners and tenants within 120 m of the subject property on August 11, 2017, and to 22 residents and three commercial units of the subject property on September 5, 2017. A Public Notice sign was posted on the property on August 14, 2017 and updated on November 14, 2018 to reflect the Public Meeting date. Finally, notice of the Public Meeting was circulated on November 23, 2018 in accordance with the requirements of the *Planning Act*.

To date, letters have been received from three members of the public respecting the proposed development (see Appendix “G” to Report PED18226). The concerns raised in the letters are further summarized in the Analysis and Rationale for Recommendations section of this Report.

Public Consultation Strategy

In accordance with their submitted Public Consultation Strategy, the applicant hosted a Public Information Meeting on October 17, 2017. The applicant circulated notice of this meeting to 152 residents within 120 m of the subject property and to 22 residents and three commercial units of the subject property. The meeting was attended by 18 members of the public.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposal has merit and can be supported for the following reasons:
 - i) It is consistent with the PPS and conforms to the Growth Plan for the Greater Golden Horseshoe (2017);
 - ii) It complies with the policies of the UHOP; and,
 - iii) The development is compatible with the type and form of development in the surrounding neighbourhood and contributes to the supply of Housing with Supports.

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2. The subject lands are subject to the Town of Dundas Zoning By-law No. 3581-86. The purpose and effect of this application is to rezone the subject property from the Neighbourhood Commercial (CN/S-60) Zone and Public Utilities (U) Zone in the former Town of Dundas Zoning By-law No. 3581-86, to the City of Hamilton Zoning By-law No. 05-200 Community Institutional (I2, 446, H108) Zone to permit the expansion and renovation of the existing building for an 83 resident Retirement Home and a 17 unit multiple dwelling.

Town of Dundas Zoning By-law 3581-86

The CN/S-60 Zone permits the residential uses located on the second floor, and requires that they be completely separated from any commercial use. The site specific exception also permits a 16 unit Retirement Home on the first floor in the east portion of the commercial building, along with parking and loading within the front yard.

The U Zone currently allows for government and public utility installations, maintenance and equipment storage facilities. Two existing easements, AB158141 and AB1473070 (see Appendix "F" to Report PED18226), in favour of Hydro-Electric Power Commission of Ontario (now Alectra Utilities), United Gas Limited (now Union Gas Limited), and Bell Canada are registered on title, preserving the entitlements of these companies to enter the area of easement to conduct work and to occupy this portion of the subject property with their infrastructure. These easements make the U Zone redundant and unnecessary, and allows for the I2 Zone to be applied to the entire property.

City of Hamilton Zoning By-law 05-200

The proposal is to rezone the entire subject property to the Community Institutional (I2, 446, H108) Zone in the City of Hamilton Zoning By-law No. 05-200 to allow a Retirement Home having a total of 83 residents and a 17 unit multiple dwelling. It will be compatible with nearby residential uses, Lake Jojo and the City of Hamilton Public Works Community Recycling Centre. The proposal to rezone the entire property to the Community Institutional (I2, 446, H108) Zone in the City of Hamilton Zoning By-law No. 05-200 will eliminate the existing dual zoning on the property and will provide clarity as to the permitted uses and regulations for the entire property. The 17 unit multiple dwelling contributes to the protection of an adequate provision of a full range of housing, while reducing the intensity of the multiple dwelling use which is permitted in the current zoning. A Retirement Home currently operates as part of the community on the subject lands. The expansion of the facility and comprehensive redevelopment of the property will result in an improved built form and provide additional residential opportunities for aging residents within the community.

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Staff are of the opinion that the proposed development will contribute to the community as an added residential service that is compatible with the surrounding neighbourhood, will reduce parking and traffic conflicts and centralize loading facilities, and that the modifications will allow for comprehensive development.

The following modifications to the I2 Zone are proposed as will be reflected in Special Exception 446 to facilitate the proposed development:

- The definition of Front Lot Line;
- Separation distance of parking spaces and aisles from a street line and planting strip;
- Location of loading facilities;
- Maximum capacity for a Retirement Home;
- A 17 unit multiple dwelling; and,
- A reduction in the number of parking spaces from 45 to 38.

These modifications are identified and discussed in detail in Appendix “E” to Report PED18196.

3. Growth Management Division note that the existing watermain system adjacent to the subject lands cannot provide for the estimated fire flows identified in the Functional Servicing Report (FSR) by AMEC Wheeler Foster dated March 2018 submitted in support of the re-zoning application for the subject lands. Growth Management has advised that a revised FSR pertaining to water servicing, sanitary servicing, minor storm sewer servicing, stormwater management, and required fire flow is required. Therefore, Holding Provision 108 will be placed on the subject lands. The Holding Provision can be removed once the owner submits a revised fire flow calculation based on the detailed building design to demonstrate that the existing watermains can provide for sufficient flows for firefighting for the future development on the site. The revised calculations will be to the satisfaction of the Manager of Engineering Approvals.

Staff also require clarification as to how external drainage will be handled. Currently a drainage swale along the south-west side of the property collects external drainage from the adjacent townhouse block. Measures and details regarding these will be addressed at the Site Plan Control stage.

4. Following the Notice of Complete Application, staff received three pieces of correspondence (see Appendix “E” of Report PED18226). Concerns identified in the correspondence are summarized below.

Parking on Watsons Lane

The concern is that Watsons Lane regularly has overflow parking from the existing townhouses in the vicinity of the subject lands, and that removing these on-street parking spaces in favour of an access will result in overflow parking locating on Forestview Drive. There is also concern with the provision of 38 parking spaces. The applicant has revised the proposed development by removing the second access onto Watsons Lane, maintaining the existing access on Watsons Lane. Parking is required for the Retirement Home at a rate of one parking space for each three residents and for multiple dwellings at a rate of one parking space per unit, resulting in a requirement for 45 parking spaces. This application proposes that 17 parking spaces be provided to accommodate 17 dwelling units, and 21 parking spaces be provided for 83 residents of the Retirement Home, totalling 38 parking spaces. The reduction of seven parking spaces is justified because the Housing with Supports use will replace the existing commercial uses, resulting in a decrease in frequency and improvement in consistency of parking demand on the subject property. Therefore, staff are satisfied that sufficient parking is provided on site to accommodate the proposed development, and are satisfied with the proposed single access onto Watsons Lane, in addition to access on York Road. On-street parking is permitted on the west side of Watsons Lane, adjacent to the subject property, and on both sides of Forestview Drive. On-street parking is not permitted on the east side of Watsons Lane. Illegal parking on Watsons Lane that result from other properties should be addressed through Municipal Law Enforcement.

Snow Storage and Vehicular Circulation Within in the Site

The concern is with respect to vehicular circulation in the site, particularly with respect to large vehicles and snow storage. These details will be reviewed at the Site Plan Control stage. However, a preliminary review of these issues indicates limited snow storage potential along the northern and eastern boundaries of the subject property, and that alternative measures for snow management may be necessary. Staff are satisfied with the information that has been provided for the purposes of considering a Zoning By-law Amendment, but will require additional details regarding this matter at the Site Plan Control stage.

Erosion at the Perimeter of the Site

This concern relates to surface water management and impacts along abutting residential property boundaries. Additional details pertaining to stormwater management will be provided and reviewed at the Site Plan Control stage.

Phasing of Construction

The concern relates to potential impacts to the operators of the Retirement Home in the event that improvements to the existing building façade creates disruption for new and existing occupants. Staff defer to the business operator in making ultimate decisions regarding phasing of construction.

ALTERNATIVES FOR CONSIDERATION

Should the proposed Zoning By-law Amendment application be denied, the subject property could be utilized in accordance with the range of uses and provisions of the Neighbourhood Commercial “NC/S-60” Zone, Modified, and Public Utilities “U” 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.

Healthy and Safe Communities

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

Built Environment and Infrastructure

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

APPENDICES AND SCHEDULES ATTACHED

- Appendix “A” – Location Map
- Appendix “B” – Draft Zoning By-law Amendment
- Appendix “C” – Zoning Table
- Appendix “D” – Proposed Site Plan
- Appendix “E” – Proposed Building Elevations
- Appendix “F” – Survey
- Appendix “G” – Public comment