



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	January 14, 2020
SUBJECT/REPORT NO:	Application for a Zoning By-law Amendment for Lands Located at 179, 183 and 187 Wilson Street West (Ancaster) (PED20022) (Ward 12)
WARD(S) AFFECTED:	Ward 12
PREPARED BY:	James Van Rooi (905) 546-2424 Ext. 4283
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATIONS

That **Zoning By-law Amendment Application ZAC-19-040 by T. Johns Consulting Group on behalf of Sunrise Senior Living, Owner,** for a change in zoning from the Residential "R2" Zone in Town of Ancaster Zoning By-law No. 87-57, to the Community Institutional (I2, 694) Zone, in the City of Hamilton Zoning By-law No. 05-200, to permit a three storey retirement home for lands located at 179, 183, and 187 Wilson Street West (Ancaster), as shown on Appendix "A" to Report PED20022 be **APPROVED**, on the following basis:

- (i) That the draft By-law, attached as Appendix "B" to Report PED20022, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (PPS) and conforms to A Place to Grow (2019);
- (iii) That the proposed change in zoning complies with the Urban Hamilton Official Plan and the Ancaster Wilson Street Secondary Plan.

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.

EXECUTIVE SUMMARY

The subject property is municipally known as 179, 183, and 187 Wilson Street West (Ancaster). The Owner has applied for an amendment to Zoning By-law No. 05-200 to permit:

- A three storey, 88 room, retirement home with shared dining, lounges and entertainment areas, 49 underground parking spaces, three surface parking spaces (for a total of 52 parking spaces), one loading space, a drop off area and outdoor amenity area. The proposed retirement home will provide assisted care and memory care support for its residents and is expected to house a total of 134 residents.

The application has merit and can be supported for the following reasons:

- it is consistent with the Provincial Policy Statement (2014) (PPS);
- it conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019);
- it complies with the Ancaster Wilson Street Secondary Plan;
- it is compatible with and complementary to the existing surrounding neighbourhood; and,
- it represents good planning by, among other things, providing a compact and efficient urban form that is compatible with the area, enhances and continues the streetscape of the neighbourhood and further provides housing opportunities to meet the social and health needs of the community.

Alternatives for Consideration – See Page 23

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 an amendment to the Zoning By-law.

HISTORICAL BACKGROUND

Report Fact Sheet

Application Details	Applicant/Owner:	T. Johns Consulting Group on behalf of Sunrise Senior Living
	File Number:	ZAC-19-040
	Type of Application:	Zoning By-law Amendment Application
	Proposal:	<p>Three storey, 88 room, retirement home with shared facilities with 49 underground parking spaces, three surface spaces, a drop off area and one loading space.</p> <p>The proposal also includes approximately 40% landscaped area which will include features such as outdoor seating amenity area, walkways, and outdoor seating.</p>
Property Details	Municipal Address:	179, 183 and 187 Wilson Street West
	Lot Area:	0.8 ha <ul style="list-style-type: none">• 179 Wilson Street 0.29 ha• 183 Wilson Street 0.24 ha• 187 Wilson Street 0.27 ha
	Lot Frontage:	62.4 metres <ul style="list-style-type: none">• 179 Wilson Street 22.7 metres• 183 Wilson Street 18.3 metres• 187 Wilson Street 21.4 metres
	Servicing:	Full Municipal Services
	Existing Use	Three single detached dwellings
Documents	Provincial Policy Statement (PPS):	The proposal is consistent with the PPS.

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	A Place to Grow:	The proposal conforms to A Place to Grow.
	Official Plan Existing:	<ul style="list-style-type: none"> • Neighbourhoods • <u>Ancaster Wilson Street Secondary Plan</u> <ul style="list-style-type: none"> • Medium Density Residential 2 • Permitted uses shall be limited to single detached dwellings, semi-detached dwellings, all form of townhouse dwellings, low-rise multiple dwellings, and live-work units. • Maximum building height shall be three storeys. • New housing with supports are permitted within the Neighbourhoods designation.
	Zoning Existing:	Residential "R2" Zone
	Zoning Proposed:	Community Institutional (I2, 694) Zone
	Modifications Proposed:	Applicant Requested: <ul style="list-style-type: none"> • Increase maximum capacity of residents from 50 to 134; • Rear yard setback of 15 metres; and, • Side yard setback of 2 metres to the ramp and/or retaining wall for the underground parking area.
Processing Details	Received:	May 17, 2019
	Deemed Complete:	June 17, 2019
	Notice of Complete Application:	Sent to 166 property owners within 120 m of the subject property on June 24, 2019.
	Public Notice Sign:	June 25, 2019 and updated on December 04, 2019.
	Notice of Public Meeting:	Sent to 166 property owners within 120 m of the subject property on December 13, 2019.

	Public Consultation:	On April 25, 2019 a community information session was hosted by the applicant and attended by approximately 35 residents.
	Public Comments:	One letter in support and two letters expressing concern.
	Processing Time:	212 days

Original Submission – June 17, 2019

The applicant's initial submission consisted of a three storey building with a total of 88 rooms and 49 parking spaces. The initial submission proposed a building having a 10.95 metre rear yard setback.

Second Submission – August 23, 2019

After the April 25th, 2019 open house, the applicants made minor adjustments to the proposal in response to some of the neighbourhood concerns with respect to parking and setbacks. The revised submission included the same number of rooms (88) but increased the total number of parking spaces to 52, (49 underground and three surface). The rear yard setback was also increased from 10.95 metres to a 15.95 metres from the rear property line.

Zoning By-law Amendment:

Application ZAC-19-040 will remove the lands from the Residential "R2" Zone in the Town of Ancaster Zoning By-law No. 87-57 and place the lands in the Community Institutional (I2, 694) Zone with site specific provisions in the City of Hamilton Zoning By-law No. 05-200. The (I2) Zone permits retirement homes and the specific exception would allow for a maximum capacity of 134 residents, whereas 50 is the maximum permitted. The specific exception also requests an increased rear yard setback to 15 metres and a decreased side yard setback of 2 metres for the ramp and/or retaining wall leading to an underground parking area.

Existing Land Use and Zoning:

<u>Subject Lands:</u>	<u>Existing Land Use</u>	<u>Existing Zoning</u>
	Single Detached Residential Dwellings	Residential "R2" Zone

Surrounding Land Uses:

North:	Single Detached Dwellings	Existing Residential “ER” Zone
East:	Townhouse Dwellings	Residential Multiple “RM3-378” Zone, Modified
South:	Single Detached Dwellings	Existing Residential “ER” Zone and “ER-358” Zone, Modified
West:	Single Detached Dwellings (condominium development)	Residential “R2-541” Zone, Modified

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Planning Policy Framework

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 and conform to A Place to Grow (2019).

The mechanism for the implementation of the Provincial plans and policies is through the Official Plan. Through the preparation, adoption and subsequent Local Planning Appeal Tribunal (LPAT) approval of the City of Hamilton Official Plans, 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 (e.g. efficiency of land use, balanced growth, cultural heritage and sensitive land uses) are reviewed and discussed in the Official Plan analysis that follows.

Cultural Heritage and Archaeology

Staff note the Cultural Heritage policies have not been updated within the UHOP in accordance with the PPS. The following policy of the PPS also applies:

“2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been

demonstrated that the heritage attributes of the protected heritage property will be conserved.”

The subject property meets three of the 10 criteria used by the City of Hamilton and the Ministry of Heritage, Sport, Tourism and Culture Industries for determining archaeological potential:

- 1) Within 300 metres of a primary watercourse or permanent waterbody, 200 metres of a secondary watercourse or seasonal waterbody, or 300 metres of a prehistoric watercourse or permanent waterbody;
- 2) In an area of sandy soil in areas of clay or stone; and,
- 3) Along historic transportation routes.

These criteria define the property as having archaeological potential. A Stage 1-2 (report #P389-0399-2018) archaeological assessment for the subject property was submitted to the City and the Ministry of Heritage, Sport, Tourism and Culture Industries. The Province signed off on the reports for compliance with licensing requirements in a letter dated May 10, 2019. Staff are of the opinion that the municipal interest in the archaeology of this portion of the site has been satisfied.

Noise

Regarding noise, the PPS provides the following:

- “1.2.6.1 Major facilities and sensitive land uses should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities.”

S. Llewellyn & Associates Ltd. prepared an Environmental Noise Assessment Report, dated May, 2019, in support of the proposed development. The study reviewed the acoustic requirements for this development with respect to noise anticipated from Wilson Street West.

Based on the results of the study, noise warning clauses will be required to be included on the future site plan undertaking and in all agreements of purchase and sale or lease and all rental agreements. The study’s findings also include recommendations that a central air conditioning system will be required. No outdoor attenuation measures are required for the proposal based on the findings of the report.

As the application for a change in zoning complies with the UHOP, it is staff's opinion that the application is:

- Consistent with Section 3 of the *Planning Act*;
- Consistent with the PPS; and,
- Conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019).

Urban Hamilton Official Plan (UHOP)

The subject property is identified as "Neighbourhoods" on Schedule "E" – Urban Structure, designated as "Neighbourhoods" on Schedule "E-1" – Urban Land Use Designations, and shown within the Built Boundary on Appendix "G" – Boundaries Map. The subject property is further designated "Medium Density Residential 2", on Map B.2.8-1 – Ancaster Wilson Street Secondary Plan Land Use Plan.

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

Neighbourhoods Designation

- "E.2.6.2 Neighbourhoods shall primarily consist of residential uses and complementary facilities and services intended to serve the residents. These facilities and services may include parks, schools, trails, recreation centres, places of worship, small retail stores, offices, restaurants, and personal and government services
- 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.

Built Form and Compatibility:

- E.3.2.1 Areas designated Neighbourhoods shall function as *complete communities*, including the full range of residential dwelling types and densities as well as supporting uses intended to serve the local residents.
- E.3.2.3 The following uses shall be permitted on lands designated Neighbourhoods on Schedule E-1 – Urban Land Use Designations:
- a) Residential dwellings, including second dwelling units and housing with supports;

- E.3.2.4 The existing character of established Neighbourhoods designated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood in accordance with Section B.2.4 – Residential Intensification and other applicable policies of this Plan.
- E.3.2.14 New *housing with supports* shall be permitted within the Neighbourhoods designation in accordance with the locational and design criteria of the residential category to which the density and built form best complies.”

In review of the above, the proposal contributes to a complete community by providing housing with supports and adding to the variety of dwelling types in the area. The UHOP permits housing with supports in the Institutional, Neighbourhoods, and Commercial and Mixed Use designations. Comments on the compatibility with the existing residential neighbourhood, density and form are addressed in the following section “residential intensification”.

Residential Intensification

- “B.2.4.1.1 Residential intensification shall be encouraged throughout the entire built-up area, in accordance with the policies of Chapter E – Urban Systems and Designations and Chapter F – Implementation.
- B.2.4.1.2 The City’s primary intensification areas shall be the Urban Nodes and Urban Corridors as illustrated on Schedule E – Urban Structure and as further defined in secondary plans and corridor studies for these areas, included in Volume 2.
- B.2.4.1.4 Residential intensification development shall be evaluated based on the following criteria:
- a) A balanced evaluation of the criteria in b) through g), as follows;
 - b) The relationship of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form;
 - c) The development’s contribution to maintaining and achieving a range of dwelling types and tenures;

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

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

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

k) Infrastructure and transportation capacity and impacts”

In response to the above mentioned policies, the proposed retirement facility has been designed with consideration for the surrounding residential uses. The development proposes adequate landscaping to be compatible with the streetscape character of the area and also to provide buffering to surrounding properties. Noise from Wilson Street has been evaluated and the development appropriately meets the sound level limits prescribed by the Province. Furthermore, in terms of traffic, the use as a retirement home is considered less intensive than a typical residential use, generating traffic primarily for employees and visitors. The proposed retirement home will contribute to and expand the range of dwelling types within the neighbourhood and provides appropriate transition between the adjacent single detached dwellings, townhouses and nearby multiple dwellings.

The scale and form of the proposed retirement home is regulated by the proposed amending site specific By-law to ensure an appropriate relationship is established between the proposed development and existing adjacent single detached dwellings and townhouses. The building proposed is three storeys totalling 14.1 metres in height from the finished floor elevation to the top of roof. The low-profile built form in combination with adequate setbacks reduce shadowing and overlook impacts to adjacent single detached and townhouse dwellings. Drawings provided in Appendix “C” to Report PED20022, show that the 45-degree angular plane from shared property lines are not encroached by any portions of the proposed building. In addition, the applicant has proposed a dense mix of native trees (deciduous and evergreen) and vegetation along property lines to mitigate overlook and massing which will be implemented at the Site Plan Control stage. As part of the Site Plan Control process a lighting plan will be required to ensure that spillover light is confined within the site while still maintaining a well-lit property for pedestrian and vehicular safety.

Although the proposed building is taller in height and greater in mass and scale than directly adjacent residential properties, the proposed form, which staff consider similar to a multiple dwelling form, exist nearby and within the neighbourhood. Properties such as 153, 125 and 150 Wilson Street West are examples of existing multiple dwelling building forms in the immediate area.

The proposal includes outdoor and indoor amenity areas and provides for connectivity of the private space and public space with pedestrian walkways connecting to the municipal sidewalk. In regards to streetscape, the proponent has considered the Ancaster Wilson Street Secondary Plan Urban Design Guidelines. These guidelines emphasize landscaping and tree cover to be closer to the street. The applicant has also proposed setting the building back further from the property line/streetline to keep the streetscape consistent with the area. The entrance to the underground parking is

located on the side of the building and would be screened from public and neighbouring views. Staff are of the opinion that the streetscape pattern is being maintained, enhanced and respected and that the development complements the area.

The proposed building's closest above ground setbacks to property lines are as follows:

- 15.95 metres from rear property line;
- 12.65 metres from the north (side) property line;
- 18.15 metres from the steetline/front property line (considered the streetline); and,
- 12.40 metres from the south (side) property line.

Staff note that the ramp leading to the underground parking is proposed 2 metres from the southern property line. The setbacks proposed for the building would integrate well with the existing adjacent uses and have minimal impacts with respect to shadowing, overlook, lighting, noise, traffic and other nuisances.

With respect to infrastructure, Engineering Approvals staff have reviewed a Functional Servicing Report (FSR) prepared by S. Llewellyn & Associates Limited. Further revisions have been requested to the FSR with respect to Stormwater Management and will be implemented as a standard condition of Site Plan approval. Engineering Approvals were generally satisfied that water and sanitary servicing capacities would be accommodated.

Tree and Woodland Protection

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

Trees have been identified on the subject property, and staff have reviewed a submitted Tree Protection Plan (TPP). Revisions to the TPP are required, and in addition a Landscape Plan will be required. Both the TPP and the Landscape Plan would be addressed in detail as part of the Site Plan Control process.

Roads Network

"C.4.5.2 The road network shall be planned and implemented according to the following functional classifications and right-of-way-widths:

- a) Major arterial roads, subject to the following policies:

iii) The basic maximum right-of-way widths for major arterial roads shall be 45.720 metres unless otherwise specifically described in Schedule C-2 – Future Road Widenings.”

The subject lands are identified as being located along Wilson Street, which is considered a Major Arterial right-of-way. The applicant has identified a future right-of-way widening of 3 metres. Staff note that the right-of-way widening does not trigger the need for a modified front yard setback. Furthermore, this will support the overall vision of providing an appropriate right-of-way width identified for Wilson Street.

Ancaster Wilson Street Secondary Plan

The subject property is designated “Medium Density Residential 2” on Map B.2.8-1 – Ancaster Wilson Street Secondary Plan and is within the Ancaster Community Node Area on Appendix A. The following policies, amongst others, apply.

“B.2.8.7.4 Medium Density Residential 2 Designation

- a) Notwithstanding Policy E.3.5.2 and E.3.5.4 of Volume 1, the permitted uses shall be limited to single detached dwellings, semi-detached dwellings, all form of townhouse dwellings, low-rise multiple dwellings, and live-work units.
- b) Notwithstanding Policy E.3.5.7 of Volume 1, the net residential density range shall be 60 - 75 units per hectare.
- c) Notwithstanding Policy E.3.5.8 of Volume 1, the maximum building height shall be three storeys.”

The proposal introduces a different housing form, being housing with supports. As previously discussed, housing with supports is a permitted use in Neighbourhoods (which this site is designated in Volume 1) as such, the proposal must meet the locational and design criteria of the residential category to which the built form best complies. The proposal for a three storey building is similar in built form and function to low-rise multiple dwellings which are currently permitted in the secondary plan. The proposal also complies with the height requirements provided for in the Ancaster Wilson Street Secondary Plan.

The site is also identified as a Community Node, the policies below provide additional direction to development within the area.

“B.2.8.6.1 Ancaster Community Node Policies

- a) The Ancaster Community Node shall be a focus area for growth, development, and intensification within the Ancaster Wilson Street Secondary Plan.
- b) The Ancaster Community Node shall include a range of housing forms and tenures, and a mix of employment, institutional, recreational, and commercial uses subject to the land use designation policies of this Secondary Plan and Volume 1 of this Plan.
- c) Intensification and infill development shall be balanced with the heritage and historic character of Ancaster. Further guidance for incorporating heritage features, design, and overall character through infill and intensification is provided in the supporting Ancaster Wilson Street Urban Design Guidelines.
- d) Within the Ancaster Community Node, larger scale development and redevelopment are encouraged to be directed towards the Uptown Core and western portion of the Gateway Residential area, as shown on Appendix A – Character Areas and Heritage Features.

B.2.8.7.2 General Residential Policies

- a) Residential development or redevelopment and infill development shall maintain and enhance the character of the residential areas through architecture style that is sympathetic and complementary with the existing adjacent residential areas, heritage buildings, and uses. Further direction regarding design shall be provided in the Urban Design policies, detailed in Policy 2.8.12 of this Plan.

B.2.8.12.1 Urban Design Policies

- b) Development and redevelopment shall be consistent with the Ancaster Wilson Street Secondary Plan Urban Design Guidelines, and shall be sympathetic to adjacent building styles, features, and materials when adjacent to a designated or listed heritage building.
- e) New development or redevelopment shall complement the distinct character, design, style, building materials, and characteristics, which define each Character Area.
- f) Design requirements shall only apply to commercial and mixed use areas, institutional, and multi-residential developments. The Guidelines shall not apply to single detached and semi-detached dwellings.”

In review of the policies above, the proposed development is within the Ancaster Community Node and facilitates intensification as prescribed within the Ancaster Wilson Street Secondary Plan. This proposal would contribute to a range of housing options

and forms for seniors and is a larger scale development that is directed to the western portion of the Gateway Residential Area.

An Urban Design Brief prepared by Turner Fleischer, dated May 2019 has been submitted and examines the proposal in accordance with the established Urban Design guidelines. The Urban Design Brief maintains that the proposal complements the existing style and character of the area by maintaining a residential feel and a green quality as prescribed by the Guidelines. The Urban Design Brief also confirms that the proposed development would be similar to its surrounding context in terms of building materials. The proponent has indicated that materials considered include a mixture of stone/block and siding and will incorporate the concept of a base, middle and cap.

A retirement home being considered housing with supports is permitted within the Neighbourhoods designation and the proposal incorporates the locational and design criteria of the Medium Density Residential 2 Designation established by the Ancaster Wilson Street Secondary Plan. Staff are of the opinion that the form, function and use of the land for a retirement home is compatible with the existing and planned development of the area. The proposal also supports growth and intensification while contributing to an additional housing form and tenure for seniors within the Ancaster Community Node Area.

Staff are of the opinion that the proposal complies with the Ancaster Wilson Street Secondary Plan and the Urban Hamilton Official Plan.

Ancaster Wilson Street Secondary Plan Urban Design Guidelines

The lands are located within the Gateway Residential Area of the Ancaster Wilson Street Secondary Plan Urban Design Guidelines. The proposed building form on the subject lands is identified as Typology B. The following excerpts of the Guidelines apply.

Design Goals

“The intent of these design guidelines is to preserve the residential scale and “green” character of Wilson Street West, while enhancing the “gateway” function the corridor currently fulfills. Primary elements of the guidelines that achieve this include:

- Building design is flexible and accommodates/ promotes individual expression;
- Building heights are limited to 3 storeys with pitched rooflines;
- Building masses are setback from the street with front yard landscaping; and,

- A strong linear parkway for pedestrian and bicycle circulation enhances connections and the green quality of the street.”

The applicant has indicated that the three storey building will have a pitched roof and will have a maximum of three materials reflective of its surrounding area in keeping with the Guidelines. Other design requirements that will be considered through Site Plan Control include windows, accesses, setbacks, and landscaping requirements.

Based on the foregoing, the proposal meets the intent of the Ancaster Wilson Street Secondary Plan Urban Design Guidelines.

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

The subject lands are currently zoned Residential “R2” Zone in the former Town of Ancaster Zoning By-law No. 87-57. The Residential “R2” Zone, permits one detached dwelling on one lot and uses, buildings and structures accessory thereto. The subject lands are all currently occupied by single detached dwellings.

In order to implement the proposed development of a three storey, 88 room retirement home, the applicant has applied to rezone the lands and incorporate them into Hamilton Zoning By-law No. 05-200. The lands are intended to become a site specific Community Institutional (I2, 694) Zone to facilitate the development of a retirement home and to permit an increase in maximum capacity from 50 residents to 134 residents. The modifications also intend to increase the required rear yard setback and to allow for a special setback from the ramp and/or retaining wall structure to the underground parking area. An analysis of the proposed modifications for the subject lands are contained in Appendix “D” to Report PED20022.

RELEVANT CONSULTATION

Departments and Agencies		
	Comment	Staff Response
<ul style="list-style-type: none">• MPAC• Union Gas• Bell Canada• Cogeco Cable• Hydro One• Ministry of the Environment, Conservation and Parks	No Comment	

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<ul style="list-style-type: none"> • Niagara Escarpment Commission • Recreation Division • Special Projects, Growth Management Division 		
Forestry, Public Works Department	Landscape Plan depicting the street tree planting scheme for the proposed development will be required.	This will be reviewed through the Site Plan Control process.
Recycling and Waste Collection, Public Works Department	Noted that the development would be ineligible for service, and that a private hauler will be required.	This will be reviewed through the Site Plan Control process.
Public Health Services, Healthy and Safe Communities	Require a Pest Control Plan.	This will be required through the Site Plan Control process.
Transportation Planning	<p>Approves the Transportation Demand Management Report and note that a Transportation Impact Study is not required.</p> <p>The proponent is required to make revisions to the site plan to include 5.0 metre by 5.0 metre visibility triangles and an increase to the driveway throat width.</p> <p>A right of way dedication is required.</p>	These requirements will be reviewed through the Site Plan Control process. The proposal includes the required right-of-way widening.
Engineering Approvals	Reviewed the Functional Servicing Report, Preliminary	As part of the Site Plan Control process the applicant will be

	<p>Grading and Erosion Control Plan, Preliminary Site Servicing Plan and Notes and Details Plan submitted with this application.</p> <p>The municipal infrastructure fronting the subject site includes:</p> <ul style="list-style-type: none"> • 300mmø watermain • 525mmø storm sewer • 1050mmø storm sewer • 750mmø sanitary sewer <p>The property is subject to a road widening requirement along Wilson Street West which is identified as a major arterial road.</p> <p>The existing 450mmø storm sewer stub at the northeast corner of the subject site is located within private property at 173 Wilson Street West (Wilson Woods Condominium). Development Engineering has reviewed the registered R-plan, 62R-13682 and legal document LT405091 that contains the easement through the subject site. However, the 450mmø storm sewer does not appear to be within this easement.</p> <p>It appears that the emergency overland flow route is directed to Wilson Street West, which is acceptable. Detailed engineering review and</p>	<p>required to dedicate sufficient lands across the frontage of the property adjacent to the road. This is to achieve a right-of-way width of 15.24 metres (50 feet) at this location from the original centreline of this roadway. The proposal includes the required right-of-way widening.</p> <p>The applicant is required to obtain permission from the neighbouring lands and demonstrate their legal rights to connect to the storm sewer to the satisfaction of Engineering Approvals.</p> <p>Through the Site Plan Control process the applicant will be required to submit:</p> <ol style="list-style-type: none"> 1. A Geotechnical Report as underground parking is proposed. 2. An updated Functional Servicing and Stormwater Management Report. 3. Detailed engineering drawings including: <ul style="list-style-type: none"> • Grading Plan; • Servicing Plan; and, • Erosion and Sedimentation Control Plan. <p>Engineering Approvals staff have identified that generally there are no concerns with the proposed Zoning By-law Amendment, and the necessary details identified</p>
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	<p>comments will be provided at the Site Plan Control process.</p> <p>There are no downstream concerns with respect to the sewer capacity. Therefore, Hamilton Water has no concerns or conditions.</p> <p>The peak domestic water usage for the site, based on the approximate fixture units approach, has been calculated as 7.71 L/s. This calculation is acceptable.</p> <p>The required fire flow (RFF) has been calculated as 8000 L/min (133 L/s). This calculation was based on fire-resistive construction materials (i.e. C=0.6), exposure charges of 35%, limited combustible contents (15% reduction) and a 50% credit for a fully-supervised sprinkler system.</p> <p>The building floor areas, exposure distances, building materials and sprinkler system design, should be checked to be compliant with the RFF calculations at the site plan application and building permit application stages.</p> <p>The City's hydrant testing at the closest municipal hydrant (AM14H122, dated September 14, 2016) resulted</p>	<p>above shall be implemented through the future Site Plan Control application.</p>
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	<p>in a theoretical available flow of 2186 IGPM (165 L/s) at 20psi.</p> <p>A Geotechnical Report will be required to discuss the soil/groundwater conditions as well as the potential need for dewatering.</p>	
Public Consultation		
	Comment	Staff Response
	Public submissions identified concerns with respect to privacy specifically for the residents of a single detached condominium development to the south, and residents along Taylor Road.	Increased setbacks from the rear yard of adjacent residential properties have been included to address privacy concerns. Staff note that the decreased side yard setback proposed is 2 metres specifically just for the ramp and/or underground parking structure. The principal building is proposed at a setback of 11.8 metres whereas the required side yard setback is 6 metres in the (I2) Zone.
	A concern has been submitted indicating that a negative impact to resale value will occur.	Staff are not aware of any supporting real estate information or documentation that would substantiate this concern, or any empirical data with respect to property devaluation.
	A concern identified was that height information was not provided in the preliminary circulation.	The proponent is not looking for any increase in the height stipulated by the Zoning By-law.
	One comment was in support for the plan to permit a retirement home.	Staff have noted this.

	Concerns regarding the temporary impacts of construction were expressed.	Staff note that details such as a Dust Mitigation Plan and an Erosion and Siltation Control Plan will be conditions of Site Plan Approval to ensure that the areas surrounding the development are maintained. A Construction Management Plan will also be submitted through the Site Plan Approval process.
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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 166 property owners within 120 m of the subject property on June 24, 2019 for the application.

A Public Notice Sign was posted on the property on June 25, 2019, and updated on December 04, 2019, with the Public Meeting date. Finally, Notice of the Public Meeting was given in accordance with the requirements of the *Planning Act* on December 13, 2019.

To date, staff received three letters pertaining to the application (attached as Appendix “E” to Report PED20022) and the concerns are summarized in the table above.

Public Consultation Strategy

Pursuant to the City’s Public Consultation Strategy Guidelines, the applicant has prepared a Public Consultation Strategy which includes a neighbourhood meeting held on April 25, 2019 and hosted by the applicant at Ancaster Town Hall. A notice advising of the neighbourhood meeting was sent to all residents within 120 metres of the subject lands. Approximately 35 people, including the applicant and their agents, attended the meeting.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposal has merit and can be supported for the following reasons:
 - (i) It is consistent with the Provincial Policy Statement (2014) and conforms to A Place to Grow Plan (2019);
 - (ii) It complies with the general intent and purpose of the Urban Hamilton Official Plan and the Ancaster Wilson Street Secondary Plan;
 - (iii) The proposed development is considered to be compatible with the existing and planned development in the immediate area; and,
 - (iv) The proposed development represents good planning by, among other things, providing a compact and efficient urban form that is compatible with the area, enhances and continues the streetscape of the neighbourhood and further provides housing opportunities to meet the social and health needs of the community.
2. Zoning By-law Amendment

The subject lands are currently zoned Residential “R2” Zone in the Ancaster Zoning By-law No. 87-57.

The applicant has requested that the subject lands be removed from the Ancaster Zoning By-law No. 87-57 and be re-zoned to a site specific Community Institutional (I2, 694) Zone, under Hamilton Zoning By-law No. 05-200 to permit a 134 person capacity retirement home. The use is permitted, as housing with supports are permitted within the Neighbourhoods designation in accordance with the locational and design criteria of the residential category to which the density and built form best complies. The proposal for a three storey, low-rise built-form meets the requirements of the Medium Density Residential 2 designation. Staff are in support of this change in zoning as the proposal complies with the Urban Hamilton Official Plan policies and the Ancaster Wilson Street Secondary Plan policies and provides an additional housing form to meet the needs of the community.

The subject application will further modify the (I2) Zone to permit a maximum capacity of 134 residents. A modification to provide a greater rear yard setback and a modification to consider a specific setback for the ramp to the underground parking area have also been included. These modifications are further discussed in Appendix “D” to Report PED20022.

The Amendment to Zoning By-law No. 05-200 can be supported by staff as the proposed built form contributes to a complete community through a compact and efficient urban design. The proposal also supports an additional housing type and form for the area, in the form of a low-rise building. Staff are satisfied that the setbacks, landscaping, scale and massing are compatible with the surrounding area. In addition, the subject property is serviced by an HSR bus route and located along a major arterial (Wilson Street West).

Given the proposed setbacks, landscaping, appropriate scale and massing, the proposed Zoning By-law Amendment can be supported.

ALTERNATIVES FOR CONSIDERATION

Should the applications be denied, the lands could continue to be used in accordance with the Residential "R2" Zone, which permits a single detached dwelling.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

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

Economic Prosperity and Growth

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

Healthy and Safe Communities

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

Clean and Green

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

Built Environment and Infrastructure

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

Culture and Diversity

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

Our People and Performance

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

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" – Location Map

Appendix "B" – Draft Zoning By-law Amendment

Appendix "C" – Concept Plan and Architectural Drawings

Appendix "D" – Zoning Modifications

Appendix "E" – Public Submissions