



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
 Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	October 20, 2020
SUBJECT/REPORT NO:	Applications to Amend the Urban Hamilton Official Plan and Glanbrook Zoning By-law No. 464 for Lands Located at 1912 Rymal Road East, Glanbrook (PED20164) (Ward 9)
WARD(S) AFFECTED:	Ward 9
PREPARED BY:	Melanie Schneider (905) 546-2424 Ext. 1224
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-18-011 by Wellings Planning Consultants, Agent, on behalf of Royal Living Developments, Owner**, for an amendment to the Rymal Road Secondary Plan to redesignate the lands known as 1912 Rymal Road East from “Low Density Residential 2h” to “Medium Density Residential 2c”, as shown on Appendix “A” to Report PED20164, be **APPROVED** on the following basis:
- i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED20164, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
 - ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).
- (b) That **Zoning By-law Amendment Application ZAC-18-029, by Wellings Planning Consultants, Agent, or behalf of Royal Living Developments, Owner**, for a change in zoning for the lands known as 1912 Rymal Road East from

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.

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the Agricultural “A1” Zone to the Residential Multiple “H-RM4-319” Zone, Modified to permit a five storey, 92 unit multiple dwelling as shown on Appendix “A” to Report PED20164, be **APPROVED** on the following basis:

- i) That the draft By-law, attached as Appendix “C” to Report PED20164, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- ii) That the amending By-law apply the Holding Provisions of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject lands by introducing the Holding “A” as a prefix to the proposed zoning as shown on Schedule “A” of Appendix “C” to Report PED20164.

The Holding Provision Residential Multiple “H-RM4-319” Zone, Modified applicable to lands shown on Schedule “A” to Appendix “C” to Report PED20164 be removed conditional upon the submission and implementation of a revised Traffic Impact Study to the satisfaction of the Manager of Transportation Planning;

- iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and will comply with the Urban Hamilton Official Plan, upon finalization of Urban Hamilton Official Plan Amendment No. XX.

EXECUTIVE SUMMARY

The applicant is proposing to develop the subject lands for a five-storey, 92 unit multiple dwelling.

The purpose of these applications is to amend the Urban Hamilton Official Plan (UHOP) and the Town of Glanbrook Zoning By-law No. 464, on lands municipally known as 1912 Rymal Road East. The requested change in zoning is to permit the development of a five storey, 92 unit multiple dwelling. The proposed development includes a total of 115 parking spaces, 21 of which will be at grade and the remainder will be 92 underground parking spaces. To facilitate the proposal, a future Standard Condominium application will be required.

The requested Urban Hamilton Official Plan Amendment is to redesignate the lands from “Low Density Residential 2h” to “Medium Density Residential 2c” in the Rymal Road Secondary Plan. The Zoning By-law Amendment requested is for a change in zoning from the Agricultural “A1” Zone to a modified Residential Multiple “RM4” Zone.

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Proposed modifications to the Zoning By-law include a site specific parking ratio, lot coverage, side and front yard setbacks, height, and to permit a maximum density of 242 units per hectare. An “H” Holding symbol has been added to ensure the traffic Impact Study is revised and implemented to Transportation Plannings’ satisfaction prior to the lifting of the “H” by By-law.

The applications have merit and can be supported as they are consistent with the Provincial Policy Statement (2020) (PPS), conform to A Place to Grow Plan (2019, as amended), and will comply with the Urban Hamilton Official Plan, subject to the proposed amendment.

The proposal is considered to be compatible with and complementary to the existing and planned development in the immediate area, represents good planning by providing a compact and efficient urban form, provides an alternative housing form and supports development of a complete community.

Alternatives for Consideration – See Page 27

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: As required by the *Planning Act*, Council shall hold at least one public meeting to consider applications for amendments to the Official Plan and Zoning By-law.

HISTORICAL BACKGROUND

Report Fact Sheet

Application Details	
Applicant/Owner:	Royal Living Developments
Agent:	Wellings Planning Consultants Inc. c/o Glenn Wellings
File Numbers:	UHOPA-18-011 ZAC-18-029
Type of Application:	Urban Hamilton Official Plan Amendment

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	Zoning By-law Amendment
Proposal:	Five storey, 92 unit multiple dwelling with 21 surface parking spaces, 94 underground parking spaces, and one loading space.
Property Details	
Municipal Address:	1912 Rymal Road East
Lot Area:	0.38 ha
Servicing:	Full municipal services
Existing Use	One Single Detached Dwelling (vacant)
Documents	
Provincial Policy Statement (PPS)	Proposal is consistent with the PPS (2020).
A Place to Grow:	Proposal conforms to A Place to Grow (2019, as amended).
Official Plan Existing:	“Secondary Corridor” on Schedule E – Urban Structure and “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations.
Official Plan Proposed:	No changes proposed.
Secondary Plan Existing:	“Low Density Residential 2h” on Map B.5.2-1 – Rymal Road Secondary Plan Land Use Plan.
Secondary Plan Proposed:	“Medium Density Residential 2c” on Map B.5.2-1 – Rymal Road Secondary Plan Land Use Plan.
Zoning Existing:	Agricultural “A1” Zone, Glanbrook Zoning By-law No. 464
Zoning Proposed:	Residential Multiple “H-RM4-319” Zone, Modified

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Modifications Proposed:	<ul style="list-style-type: none"> ● Maximum Lot coverage from 25% to 48%; ● Maximum density from 60 units per hectare to 242 units per hectare; ● Minimum front yard setback from 9.0 metres to 3.0 metres; ● Minimum side yards from 9.0 metres or 15.0 metres to a residential zone to 3.0 metres and 13.0 metres, respectively; ● Minimum rear yard setback from 9.0 metres to 3.0 metres; ● Maximum height from 10.7 metres to 18.0 metres; ● Minimum landscaped area from 40% to 27%; ● Minimum residential parking from 2 spaces per unit to 1 space per unit; and, ● Minimum visitor parking from 0.5 spaces per unit to 0.25 spaces per unit.
Processing Details	
Received:	May 4, 2018
Deemed Complete:	May 22, 2018
Notice of Complete Application:	Sent to 57 property owners within 120 m of the subject property on June 21, 2018.
Public Notice Sign:	Posted June 27, 2018 and updated on September 23, 2020.
Notice of Public Meeting:	Sent to 53 property owners within 120 m of the subject lands on October 2, 2020.
Public Consultation:	March 28, 2019
Public Comments:	Three Letters expressing concern
Processing Time:	900 days, including 97 days that the <i>Planning Act</i> timelines were suspended in accordance with Ontario Regulation 149/20: Special Rules Relating to Declared Emergency.

Proposal

The subject property is municipally known as 1912 Rymal Road East, is 0.38ha in size and located on the south side of Rymal Road East, west of Fletcher Road. The proposal is for a five storey, 92 unit multiple dwelling with a total of 115 parking spaces, 21 of which would be located at grade and 92 underground parking spaces.

Official Plan Amendment

Application UHOPA-18-25 is for an Amendment the Urban Hamilton Official Plan to redesignate the lands from “Low Density Residential 2h” to “Medium Density Residential 2c” in the Rymal Road Secondary Plan.

Zoning By-law Amendment

Application ZAC-18-029 is for a change in zoning from the Agricultural “A1” Zone to a modified “RM4” Zone in the Glanbrook Zoning By-law No. 464.

Requested modifications to the “RM4” Zone are for changes to the density, lot coverage, parking ratio, front and side yard setbacks, and height provisions.

Staff are recommending a Holding Provision be applied to the lands to ensure that a revised Traffic Impact Study has been submitted and implemented to the satisfaction of the Manager of Transportation Planning. Further detail on the modifications is provided in Appendix “D” to Report PED20164.

Existing Land Use and Zoning:

<u>Subject Lands:</u>	<u>Existing Land Use</u>	<u>Existing Zoning</u>
	Single Detached Residential Dwelling, unoccupied	Agricultural “A1” Zone
<u>Surrounding Land Uses:</u>		
North:	Vacant land, single detached dwellings, Eramosa Karst Conservation Area	Mixed Use Medium Density (C5, 589) Zone

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East:	Stormwater Management Facility	Public Open Space “OS2-173” Zone, Modified
South:	Stormwater Management Facility	Public Open Space “OS2-173” Zone, Modified
West:	Daycare, Single Detached Dwellings	Neighbourhood Institutional (I1, 458) Zone, Residential “R4-173a” Zone, Modified

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Statement (2020)

The application has been reviewed with respect to the Provincial Policy Statement (PPS), which came into force and effect on May 1, 2020. The PPS policies contribute to the development of healthy, liveable, and safe community, as contained in Policy 1.1.1. In particular, the application is consistent with Policies 1.1.1.a) and b), by providing an efficient development pattern and accommodating a range of residential uses.

The proposal is consistent with Policy 1.1.1. d) which promotes intensification within existing built up areas. Policy 1.1.1. e) promotes cost effective development patterns and standards to minimize land consumption and servicing costs. The application is also consistent with Policy 1.1.3.1. of the PPS, which focuses on growth in settlement areas.

The following policy relating to potential noise impacts is applicable:

“1.2.6.1 Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.”

An Environmental Noise Impact Study, prepared by dBA Consultant Inc., dated January 2018 was prepared in support of the proposed development which evaluated noise impacts from Rymal Road East on the proposed residential land use. Staff support the

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findings of the Study, which recommend that noise mitigation is feasible. A detailed Noise Study at the Site Plan Control stage to implement all required mitigation measures will be required.

In addition, the following policy is also applicable as it relates to archeological resources:

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

The subject lands meet two of ten criteria for defining archeological potential as follows:

- 1) Along historic transportation routes (Rymal Road); and,
- 2) Local knowledge associates areas with historic events / activities / occupations:
 - The City of Hamilton’s historical mapping software indicates that there was a farm house located on the subject property at one time. The earliest ownership of the subject property seems to list D. Wilson as a property owner.
 - The 1875 Illustrated Historical Atlas of Wentworth County lists John Biere as the property owner on Lot 16, Concession 1 former Township of Glanbrook and shows the parcel as having one dwelling at that time.

The property as has archeological potential. A stage 1-2 archeological report (P389-0316-2018) has been submitted to the City of Hamilton and the Ministry of Heritage, Sport, Tourism and Culture. While the Provincial interest has yet to be signed off by the Ministry, staff concur with the recommendations made in the report, and the archeological interest has been addressed to the satisfaction of City staff. Staff will request a copy of the letter from the Ministry when available and Ministry Clearance will be required as a precondition of any final site plan approval.

Based on the foregoing, the proposal is consistent with the Provincial Policy Statement (2020).

A Place to Grow, Growth Plan for the Greater Golden Horseshoe (2019, as amended)

The subject lands are located outside of the built-up area, as defined by the Growth Plan. Section 1.2.1 outlines a number of Guiding Principles regarding how land is developed, resources are managed and protected, and public dollars are invested. The 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 meet people's needs for daily living throughout an entire lifetime.
- Prioritize *intensification* and higher densities in *strategic growth areas* to make efficient use of land and *infrastructure* and support transit viability.
- It supports a range and mix of housing options.

The Growth Plan is focused on accommodating forecasted growth in complete communities and provides policies on managing growth. The following policies, amongst others, apply to these applications.

"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:
 - i. have a *delineated built boundary*;
 - ii. have existing or planned *municipal water and wastewater systems*;
and
 - iii. can support the achievement of *complete communities*;
- c) within settlement areas, growth will be focused in:
 - i. delineated built-up areas;
 - ii. strategic growth areas;
 - iii. locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and

iv. areas with existing or planned public service facilities;

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

- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
- c) provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;
- d) expand convenient access to:
 - i. a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;
 - ii. public service facilities, co-located and integrated in community hubs;
- e) provide for a more compact built form and a vibrant public realm, including public open spaces;
- f) mitigate and adapt to climate change impacts, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability;”

The proposed development is located in the “Designated Greenfields Area” and outside of the built-up area, as shown on Appendix “G” - Boundaries Map of the UHOP. The lands have access to existing municipal water and wastewater systems and are located within walking distance of institutional, commercial, and open space uses to promote a complete community. The lands are located along the City’s S Line which is a future rapid transit line to support future public service facilities and a range of transportation options.

The proposed development of a five storey, 92 unit apartment building will provide for a new, compact built form and housing option in an area primarily comprised of single detached dwellings and townhouse dwellings. Based on an average of 1.7 persons per unit for a multiple dwelling, the development will result in approximately 155 people or 411 persons per hectare which contributes to achieving the City’s overall density goals, as per a Place to Grow, of at least 50 persons and jobs per hectare in the DGA area. The proposed increase in dwellings will also support expansion of convenient access to commercial facilities and use of active transportation methods. The efficient use of lands

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will ensure greenfield development is compact to mitigate climate change impacts and contribute to environmental sustainability.

Based on the foregoing, the proposal conforms to A Place to Grow (2019).

Urban Hamilton Official Plan (UHOP)

The subject lands are identified as a Secondary Corridor on Schedule “E” - Urban Structure and designated “Neighbourhoods” on Schedule “E-1” - Urban Land Use Designations. Further, the lands are designated “Low Density Residential 2h” In the Rymal Road Secondary Plan.

The following policies, amongst others, apply to the proposal.

Neighbourhoods - High Density Residential Designation

“E.3.5.1 Medium density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods in proximity to major or minor arterial roads, or within the interior of neighbourhoods fronting on collector roads.

E.3.5.2 Uses permitted in medium density residential areas include multiple dwellings, except street townhouses.

E.3.7.6 New development or redevelopment adjacent to open spaces shall:

- a) minimize the impacts on natural heritage features;
- b) maintain or enhance public access to trails, bikeways, and parks within these features;”

The development is located south of Eramosa Karst, which is identified as a Core Area on Schedule “B” - Natural Heritage System of the UHOP. In addition, the lands are adjacent to a stormwater management facility which includes a series of pathways and trails open to the public. The proposed development will maintain access to both these areas. By proposing a compact built form and not encroaching into the natural heritage system, impacts are minimized on the natural heritage system. In addition, a Karst Assessment prepared by Terra-Dynamics Consulting Inc., dated February 14, 2018 was submitted in support of the proposal which confirms that there is no evidence indicating that there are karst features on the subject lands. Therefore, the proposal ensures no negative impacts on the natural heritage system.

Residential Intensification

“B.2.4.1.4 Residential intensification developments shall be evaluated based on the following criteria:

- a) a balanced evaluation of the criteria in b) through g), as follows;
- b) the relationship of the proposal to the 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 maintain 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;
- f) the provision of amenity space and the relationship to existing patterns of private and public amenity space;

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- g) the ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations;
- h) the ability to complement the existing functions of the neighbourhood;
- j) infrastructure and transportation capacity and impacts.”

The proposed development is considered a new housing form within an area primarily comprised of single detached and block townhouse dwellings. The development provides for a desirable use of the lands by locating the massing away from the existing residential uses and daycare to the west and south, providing a transition to the existing character of the Rymal Road Secondary Plan. In addition, a Sun Shadow Study was prepared as part of the Urban Design Brief, prepared by DPAI, dated March 16, 2018, submitted in support of the development applications. The Study indicates no negative shadow impacts on adjacent residential uses. A Traffic Impact Study has also been conducted which indicates minimal increases in traffic levels as a result of this proposal. Staff are generally supportive of the recommendations but require minor adjustments to ensure the recommendations are correct. A Holding Provision has been included in the Draft By-law to ensure that this has been addressed before development can proceed. At the Site Plan stage, a Lighting Plan and detailed Noise Study will be required to ensure further compatibility with adjacent land uses. The existing municipal infrastructure has the capacity available to support the development.

The separation of the stormwater management facility provides for appropriate transition of height and density to adjacent residential buildings. Setbacks will be provided to ensure adequate landscaping and separation from the street and adjacent land uses. With the commercial area on the east side of Fletcher Road, the development will complement the existing functions of the surrounding area by providing additional residential units in close proximity. Based on the foregoing and the implementation of the recommended Official Plan Amendment, the proposal will comply with all applicable policies of the UHOP, including the Residential Intensification policies.

Secondary Corridor

- “E.2.4.3 Urban Corridors shall be the location for a range of higher density land uses along the corridor, including mixed uses where feasible, supported by higher order transit on the Primary Corridors.
- E.2.4.5 Secondary Corridors shall serve to link nodes and employment areas, or Primary Corridors.

- E.2.4.10 The built form along the Urban Corridors shall generally consist of low to mid rise forms, but will vary along the length of the corridors with some areas permitted to accommodate high density and high rise built form. The Primary Corridors shall have a greater proportion of the corridor length in retail and mixed use forms, while the Secondary Corridors shall generally accommodate retail and mixed use forms in small clusters along the corridors with medium density housing located between the clusters.
- E.2.4.12 Secondary Corridors are currently characterized, in large measure, by single use buildings. The intent of this Plan is to evolve the Secondary Corridors to an increasing proportion of multiple storey, mixed use buildings in small cluster locations with at grade retail and service commercial uses.
- E.2.4.17 Reductions in parking requirements shall be considered in order to encourage a broader range of uses and densities to support existing and planned transit routes.”

The proposed development represents a higher density of development compared to the established surrounding character. The Rymal Road East Secondary Corridor connects to the Elfrida Community Node and the Upper James Street Node, with the Red Hill Valley Employment Area in between. The development consists of a multiple storey building which supports the evolution of the Secondary Corridor. Parking reductions are proposed as part of this development which are evaluated in Appendix “D” to Report PED20164.

Rymal Road Secondary Plan

The subject lands are designated “Low Density Residential 2h” in the Rymal Road Secondary Plan. The following policies, amongst others, apply to the proposal.

General Residential Policies

- “B.5.2.2.2 In addition to Section E.3.0 – Neighbourhoods Designation of Volume 1, the following policies shall apply:
- d) Direct access to individual dwelling units along major and minor arterial roads shall not be permitted except for infill development or other similar situations where the City has determined that no other alternative access options are available.

- g) Ninety per cent of all residential units shall be within approximately a 400 metre walking distance from a public transit stop.”

The development proposes a multiple dwelling having direct access onto a major arterial road to ensure individual dwelling units do not have direct access. The lands are also approximately 115 metres from the closest public transit stop.

“B.5.2.2.3 Low Density Residential Designations

- b) In the Low Density Residential 2h designation:
- i) the permitted uses shall be low rise apartments (up to three storeys) single detached dwellings, multiple attached dwelling unit types including street and block townhouse dwellings, and/or other forms of multiple dwellings such as semi-detached, duplexes, triplexes, stacked townhouses and low rise apartment buildings.
 - ii) Mixing of unit types shall be encouraged, and the implementing Zoning By-law may contain provisions to allow for a mixing of units.
 - iv) The density range shall be from 24 to 50 units per net residential hectare. The net residential density may be averaged over each plan of subdivision within the designation.
 - v) Multiple dwellings shall be encouraged to locate adjacent to or in the nearby vicinity of the arterial and collector roads within and adjacent to the Secondary Plan area.”

The proposed development consists of a five storey multiple dwelling having a density of 242 units per hectare and provides for an expansion of a mix of unit types within the surrounding area. The applicant proposes a redesignation to “Medium Density Residential 2c” to permit the increased height. Policies applicable to the proposed designation, amongst others, are as follows:

“B.5.2.2.4 Medium Density Residential Designations

Notwithstanding Policies E.3.5.2 and E.3.5.7 of Volume 1, the following policies shall apply to the Medium Density Residential designations identified on Map B.5.2-1 – Rymal Road – Land Use Plan.

- b) In the Medium Density Residential 2c designation:

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- i) Permitted uses shall be apartments, townhouses, stacked townhouse dwellings and other forms of multiple attached dwellings as a single form or mixed form development in a mid-rise housing form (up to nine storeys).
- iii) The minimum density shall be 60 units per net residential hectare. The maximum density shall be set out in the implementing Zoning By-law.
- iv) Medium Density Residential 2c areas shall be generally located on the periphery of the residential area or in areas abutting commercial development, major and minor arterial or collector roads.
- v) Where Medium Density Residential 2c areas are proposed to be located adjacent to lower density residential uses, consideration shall be given to the appropriate integration of built form to enhance compatibility. Integration may be accomplished through architectural massing, lot setbacks, height, setbacks of upper floors, scale, density, buffering and landscaping.”

The applicant proposes a mid-rise building within the maximum permitted height at a density of 242 units per hectare, which is above the minimum 60 units per hectare requirement. The proposal is located on a major arterial road, directly south of lands zoned Mixed Use, Medium Density (C5, 589) Zone which permits a range of commercial uses. Further, the lands are within walking distance of an existing commercial development located on the southeast corner of Fletcher Road and Rymal Road East.

The majority of the building’s massing is proposed to be located away from the existing low density residential area to the southwest. A maximum height of five storeys ensures an appropriate transition to these uses with enhanced landscaping to be provided in the southwest corner of the site to ensure appropriate screening and buffering is provided.

Urban Design Policies

“B.5.2.10 Notwithstanding Section B.3.3 – Urban Design Policies of Volume 1, the following polices apply:

- b) The following urban design criteria apply to the development of both the public realm and private lands to create an attractive, safe and pedestrian friendly environment:

- iv) Promote attractive streetscapes, social interaction, transit usage and safety through the relationship of buildings to the streets.
- v) Develop a pedestrian-friendly and pedestrian-oriented community through the layout of streets, configuration of lots and the siting and configuration of buildings that will address the following streetscape design principles and objectives:
 - 1. Provide ease of pedestrian access and enjoyment of public streets and other outdoor spaces through a consistent level of streetscape design, incorporating such elements as appropriate planting, lighting and signage.
 - 5. Promote the safety and security for all persons in public places including streets, parks and amenity areas through the design and siting of building, entrances, walkways, amenity and parking areas to provide visibility and opportunities for informal surveillance.
 - 6. Design service and parking facilities to minimize disruption to the safety of pedestrian movement and the attractiveness of development adjacent to the public realm.
 - 8. Promote the relationship of buildings to streets through the arrangement of buildings on lots, setbacks to the street, the placement of parking and garages, and the use of specific architectural treatment where the side façade of a building abuts a street, with a view to creating a street presence.”

The proposed development will be located close to the street to promote an active, pedestrian friendly streetscape. A compact built form is proposed that will provide direct, consolidated access to the street from the development and within close proximity to existing and planned transit infrastructure. The siting of the building also ensures a sense of safety and security by providing informal eyes on the street through additional residents in the area. Based on the foregoing, the building has been designed to promote a close relationship with the street and enhances the overall street presence.

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Based on the foregoing, the proposal complies with the policies of the UHOP, subject to the Official Plan Amendment for redesignation from “Low Density Residential 2h” to “Medium Density Residential 2c” in the Rymal Road Secondary Plan.

Corridor Planning Principles and Design Guidelines

The lands are located along Rymal Road East which is identified as a Secondary Corridor on Schedule “E” – Urban Structure of the UHOP. Accordingly, the lands are subject to the Corridor Planning Principles and Design Guidelines. The following guidelines, amongst others, apply to the proposal:

Development Potential and Property Size

Table 1 of this Section seeks to confirm appropriate building massing as follows:

Typical Minimum Property area, width and depth	Typical Height	Examples of appropriate built form
Lot Area: 486 sq m Width: 18 m Depth: 27 m	2 to 4 storeys	Townhouses, stacked townhouses or small apartment/mixed use buildings
Lot Area: 1020 sq m Width: 30 m Depth: 35 m Max Depth: 50 m	2 to 12 storeys	Multi storey apartment/mixed use buildings
Lot Area: 2.5 ha	2 to 12 storeys	A mix of building types and uses that correspond to the existing context and a comprehensive plan for the site.

The subject lands are 3,800 sq m in size, having a width of 67 m and depth of 57.9 m to meet the objectives of a 2 to 12 storey, multi storey apartment building.

In addition, Section 4.3 of the Guidelines provides additional direction for appropriate transition of massing:

“4.3.1 Maximum Building Height Related to Property Depth

Guideline: New buildings should be limited in height by a 45 degree build to plane measured from the rear property line when adjacent to existing single detached,

semi detached or duplex residential. All parts of the new building above 2 storeys in height should be required to be below the build to plane.

4.3.2 Maximum Building Height Related to Street Width

Guideline: New buildings should be limited in height by a 45 degree build to plane beginning from a line at grade parallel to the front property line at a distance of 80% of the width of the arterial street right-of-way. All parts of the new building above 3 storeys in height should be below the build to plane.”

The proposal has demonstrated through the Urban Design Report that the 45 degree angular plane applicable to the rear and front yards has been achieved as described above.

“4.5 Landscaping

Guidelines: 1. A landscape strip should be provided along property lines with single detached, semi detached or duplex residential in the adjacent neighbourhood. This landscape strip should generally be 3 m in width and include trees planted in such a way as to screen views of adjacent properties from the upper floors of new development. This can be achieved by planting trees 3 m to 10 m apart, depending on the species. These areas should also include a solid wall or fence along the property line.”

The Draft By-law, attached as Appendix “C” to Report PED20164 will ensure that appropriate landscape buffers are provided. In addition, fencing and trees within the landscaped areas will be implemented at the Site Plan Control stage.

4.6 Parking and Loading

1. Parking, and loading spaces should not be located between a building and the public street.
2. No vehicular driveways should be located between a building and a public street except where the driveway provides direct access to parking within the building and is perpendicular to the building façade.
3. Parking should be located behind, beside or within a building. When within a building it should generally be located below grade or above grade. If located at grade within a building it should be located away from the public street façade. When located beside a building a 3m wide landscape strip with trees and low walls should be provided between it and any public sidewalk.

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4. Loading should be located behind, beside or within a building and should be screened from the view of the public street and adjacent properties with walls or other features in keeping with the overall design of the building.”

Parking and loading for this site will be located within the interior corner of the building, away from views from the street and will be screened from the residential uses to the west by landscaping and fencing.

“4.12 Shadow Impacts

1. Upper floor setbacks, building orientation and shape should be considered in the design of multi storey buildings and incorporated wherever possible to minimize the shading of adjacent properties, public spaces and the public sidewalk.
2. Shadows of the proposed building design should be measured on March 21st when the sun’s angle is half way between winter and summer as light levels will improve over the summer months when people tend to be outdoors.
3. To minimize shadow impacts adjacent properties, adjacent public spaces and the public sidewalk on one side of the street should receive a minimum of 5 hours of sunlight throughout the day measured on March 21st.”

The Sun Shadow study prepared by the applicants demonstrates that the above noted guidelines have been achieved.

Based on the foregoing, the proposal is consistent with the Corridor Planning Principles and Design Guidelines.

Town of Glanbrook Zoning By-law No. 464

The subject lands are currently zoned Agricultural “A1” Zone in the former Town of Glanbrook Zoning By-law No. 464. The applicant has requested a change in zoning to the Multiple Residential “RM4” Zone with modifications relating to density, lot coverage, height, setbacks and parking ratios, which are further discussed in Appendix “D” to Report PED20164.

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RELEVANT CONSULTATION

Departments and Agencies		
	Comment	Staff Response
<ul style="list-style-type: none"> • MPAC • Union Gas • Strategic Planning • Recreation • LRT • Canada Post Corporation • Cogeco Cable Canada Inc. • Hamilton-Wentworth District School Board • Hamilton-Wentworth Separate School Board • French Public School Board • French Catholic School Board • Horizon Utilities • Hydro One Networks • Ministry of Natural Resources 	No Comment	
Capital Budgets & Development Section, Corporate Services Department	<ul style="list-style-type: none"> • Lands are subject to the Sanitary Sewer Summit Park mainline fee and the sanitary sewer connection fee under by-law Nos. 14-035 and 16-245, 	<ul style="list-style-type: none"> • Fees shall be paid prior to development activity and will be included as a Condition of future Site Plan Control.

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	respectively. A total of \$13,542.65 is owing, based on the 2018 rates.	
Public Health Services, Healthy Environments Division	<ul style="list-style-type: none"> • Ensure secure, indoor bike parking is provided on site for residents and short term bike parking is provided for visitors. • Provide well-defined pedestrian connections throughout the site. • Pest Control Plan is required. 	<ul style="list-style-type: none"> • Bike parking and pedestrian connections will be evaluated and implemented at the Site Plan Control Stage. • Pest Control Plan will be required as a Condition of the future Site Plan Control stage.
Recycling and Waste Disposal	<ul style="list-style-type: none"> • Proposal includes use of Molok waste system which cannot be serviced by municipal waste vehicles. Public waste hauler would be needed if this proposal remains the same. 	<ul style="list-style-type: none"> • Applicant will be required to confirm waste collection services on site. Should a private waste hauler be required, warning clauses shall be included in future purchase, sale, and lease agreements which will be highlighted at the Site Plan stage and if applicable at the Draft Plan of Condominium.
Development Engineering	<ul style="list-style-type: none"> • Full municipal services are available to service the lands. • While it appears that there is sufficient capacity, the fire flow assessment shall confirm that this is the case. • The Sanitary Sewer Servicing review indicates that minor adjustments are required, including correction of typos. • Construction Management Plan and potentially Shoring and Tie Back drawings will be required. 	<ul style="list-style-type: none"> • These comments will be addressed at the Site Plan Control Stage.

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<p>Hamilton Conservation Authority</p>	<ul style="list-style-type: none"> ● A Karst Assessment and Geotechnical Report have been provided which indicates that the lands can be developed without having an impact on the associated natural heritage system. ● Standard Engineering materials including stormwater management design, site servicing plan and grading plans will be required at the detailed design stage. ● The subject lands are regulated by the HCA. A permit will be required prior to construction activity. 	<ul style="list-style-type: none"> ● These comments will be addressed at the Site Plan Control Stage.
<p>Transportation Planning</p>	<ul style="list-style-type: none"> ● Additional information is required in the Transportation Demand Management Memo (TDM) and further shown on the Site Plan drawing. ● Standard requirements including 5m by 5m visibility triangle at the driveway entrance shall be shown on the Site Plan drawing at the Site Plan Control stage. ● Traffic Impact Study (TIS) requires revisions before staff can support the recommendations. 	<ul style="list-style-type: none"> ● TDM and standard design requirements can be addressed at the Site Plan Control stage. ● Staff have included a Holding Provision in the Draft Zoning By-law (see Appendix “C” to Report PED20164) to ensure that the TIS is revised and implemented before application for any building permits.

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Public Consultation		
	Comment	Staff Response
Traffic	Rymal Road cannot support levels of traffic observed through growth of the surrounding area.	The Traffic Impact Study prepared by Paradigm Transportation Solutions Ltd., dated April 2018 has noted that this development proposal does not contribute a significant amount of traffic to the transportation network. Transportation Planning staff are aware of the increased levels of traffic in this area and will ensure associated infrastructure, including traffic signalization and active transportation are implemented through the Site Plan Control process to reduce strain on the road network.
Character	Character of the area used to primarily consist of single detached, duplex and street townhouse dwellings. The proposed apartment building is out of character.	The proposed development will provide for a new housing form in an area primarily comprised of low density housing forms and aligns with the UHOP's vision for the Neighbourhoods Designation that seeks to provide a full range of housing forms.
Land Value	Concerned that development will have a negative impact on land values and property taxes of personal property.	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.
Height	Concerns that the proposed development, including height of five storeys, will result in	The applicant has designed the building to be massed away from adjacent residential lands to the southwest, and

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	overlook onto neighbouring lands.	proposes to provide enhanced plantings, including trees, to further mitigate these concerns.
Shadow Impacts	Sun shadow impacts will limit ability to install solar panels on adjacent properties once the five storey building is constructed.	A Sun Shadow Study prepared by DPAI, dated January 12, 2018 was submitted as part of the required Urban Design Brief which shows that there will be no shadow impacts on the residential area to the southwest.

Public Consultation

In accordance with the provisions of the *Planning Act* and the Council Approved Public Participation Policy, Notices of Complete Application and Preliminary Circulation were sent to 57 property owners within 120 m of the subject property on June 21, 2018 for these applications.

A Public Notice Sign was posted on the property on June 27, 2018 and updated on September 23, 2020 with the Public Meeting date. Further, Notice of Public Meeting was given in accordance with the requirements of the *Planning Act* on October 2, 2020.

To date, staff received three submissions pertaining to the proposal (attached as Appendix “F” to Report PED20164) which are summarized in the table above.

Public Consultation Strategy

Pursuant to the City’s Public Consultation Strategy Guidelines, the applicant prepared a Public Consultation Strategy which included a neighbourhood meeting in an open house format. Notice was given to all properties within 120 m of the subject lands via hand delivery, approximately 30 days in advance of the meeting. A total of seven members of the public attended the meeting.

In addition, a follow up email was sent by the applicant to the attendees of the neighbourhood meeting on February 7, 2020 which included documentation showing how building massing and shadow impacts have been mitigated through the design of the building and provision of landscaping within the development. Two responses were received which outlined concerns unrelated to the proposed development and identified no further changes to the application.

ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)

1. The proposal has merit and can be supported for the following reasons:
 - (i) It is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow Plan (2019, as amended);
 - (ii) It complies with the general intent and purpose of the Urban Hamilton Official Plan, subject to the recommended Official Plan Amendment;
 - (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 form that is compatible with the area, and enhances and provides a transition to the commercial area to the east.

2. The purpose of the proposed Official Plan Amendment is to permit the redesignation of the subject lands from “Low Density Residential 2c” to “Medium Density Residential 2h” in the Rymal Road Secondary Plan.

The proposal seeks to permit a five storey multiple dwelling within an area generally comprised of low density development to the south. The proposed development will allow a transition of land uses from both the commercial land uses to the east and the future mixed use land uses to the north as well as to the stable residential area south of Rymal Road East. Additionally, the lands are essentially a remnant development parcel. The change in designation will allow for a compact built form in an area that is mostly built up, ensuring that a new housing form is introduced in an area mainly comprised of ground related housing forms.

The subject lands have access to transit and commercial uses within walking distance, in accordance with the Corridor Planning Principles and Design Guidelines, and the Transit Oriented Development Guidelines.

3. The proposed Zoning By-law Amendment seeks for a change in zoning from the Agricultural “A1” Zone to a modified Multiple Residential “RM4” Zone. Modifications are proposed to implement the design of a five storey 92 unit building. The proposed change will assist in implementing the intent of the Official Plan Amendment and applicable documents, such as the Corridor Planning Principles and Design Guidelines which seeks to place higher densities along

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areas such as Rymal Road East. The change in zoning will also provide for zoning that is more reflective of being located within the Urban boundary, whereas the current zoning is remnant agricultural zoning. The modifications and rational are further outlined in Appendix “D” to Report PED20164, which represent good planning and are supported by staff.

ALTERNATIVES FOR CONSIDERATION

Should the application be denied, the lands would remain in the Agricultural “A1” Zone which permits one single detached dwelling on site.

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.

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.

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 Official Plan Amendment
- Appendix “C” – Draft Zoning By-law
- Appendix “D” – Zoning Modification Chart
- Appendix “E” – Concept Plan
- Appendix “F” – Public Input
- Appendix “G” – Public Consultation materials