



**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Planning Division**

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	November 17, 2020
<b>SUBJECT/REPORT NO:</b>	Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9)
<b>WARD(S) AFFECTED:</b>	Ward 9
<b>PREPARED BY:</b>	E. Tim Vrooman (905) 546-2424 Ext. 5277
<b>SUBMITTED BY:</b>	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

- (a) That **Amended Urban Hamilton Official Plan Amendment Application UHOPA-16-021 by Metropolitan Consulting Inc. (c/o Peter De Iulio) on behalf of New Hamilton Development Corporation (Owner)**, to amend the West Mountain Area (Heritage Green) Secondary Plan to re-designate a portion of the subject lands from “Low Density Residential 2b” to “Low Density Residential 3c” to permit the development of a maximum of 46 block townhouse and maisonette dwellings with a density of 49 units per hectare, for the lands known as 56 Highland Road West, Stoney Creek, as shown on Appendix “A” to Report PED20187, be **APPROVED** on the following basis:
- (i) That the draft Official Plan Amendment attached as Appendix “B” to Report PED20187, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 2 of 33**

---

- (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan for the Greater Golden Horseshoe (2019, as amended).
- (b) That **Amended Zoning By-Law Amendment Application ZAC-16-057 by Metropolitan Consulting Inc. (c/o Peter De Iulio) on behalf of New Hamilton Development Corporation (Owner)**, to rezone the subject lands from the Neighbourhood Development “ND” Zone to the Multiple Residential “RM3-68(H)” Zone, Modified, Holding (Block 1), and from the Single Residential “R2” Zone to the Multiple Residential “RM3-68(H)” Zone, Modified, Holding (Block 2), under Zoning By-law No. 3692-92 (Stoney Creek), to permit the development of 20 maisonette dwelling units and 26 street townhouse dwelling units on a private road (condominium road) with access to Highland Road West, on the lands known as 56 Highland Road West, Stoney Creek, as shown on Appendix “A” to Report PED20187, be **APPROVED** on the following basis:
- (i) That the draft By-law attached as Appendix “C” to Report PED20187, 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 Provision of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject lands by introducing the Holding symbol ‘H’ as a suffix to the proposed zoning for the following:
- The Holding Provision for the Multiple Residential “RM3-68(H)” Zone, Modified, Holding, shall be removed conditional upon:
- i. The owner demonstrating that the existing sanitary sewer on Lormont Boulevard at Picardy Drive can be adequately upsized to provide sufficient capacity to meet City standards and to share in the upgrade costs for development greater than 30 dwelling units, to the satisfaction of the Senior Director, Growth Management;
- (iii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan for the Greater Golden Horseshoe (2019, as amended); and,
- (iv) That this By-law will comply with the Urban Hamilton Official Plan upon approval of Urban Hamilton Official Plan Amendment No. XX.
- (c) That **Draft Plan of Subdivision Application 25T-201608 by Metropolitan Consulting Inc. (c/o Peter De Iulio) on behalf of New Hamilton Development**

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 3 of 33**

---

**Corporation (Owner)**, to create two blocks within a registered M Plan in order to allow for a future Condominium development having private roads and freehold lots, on the lands known as 56 Highland Road West, Stoney Creek, as shown on Appendix “F” to Report PED20187, be **APPROVED**, subject to the following:

- (i) That this approval apply to the Draft Plan of Subdivision 25T-201608, prepared by Metropolitan Consulting Inc., and certified by B. A. Jacobs, O.L.S., dated January 24, 2020, consisting of one block for street townhouse and maisonette dwellings (Block ‘A’) and one block for road widening (Block ‘B’) for the development of a maximum of 26 street townhouse dwellings and 20 maisonette dwellings fronting common element condominium roads, subject to the Owner entering into a standard form subdivision agreement, as approved by City Council and with Special Conditions, attached as Appendix “G” to Report PED20187;
  - (ii) In accordance with the City’s Comprehensive Development Guidelines and Financial Policies Manual (2017) there will be no cost sharing for this subdivision; and,
  - (iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the *Planning Act*, with the calculation for the payment to be based on the value of the lands on the day prior to the day of issuance of each building permit, all in accordance with the Financial Policies for Development and the City’s Parkland Dedication By-laws, as approved by Council.
- (d) That upon approval of Urban Hamilton Official Plan Amendment Application UHOPA-16-021 and Zoning By-law Amendment Application ZAC-16-057, the subject lands be re-designated from “Low Density Residential” to “Medium Density Residential” in the Felker Neighbourhood Plan.

## **EXECUTIVE SUMMARY**

The applicant has applied for an Urban Hamilton Official Plan Amendment, a Zoning By-law Amendment, and a Draft Plan of Subdivision to permit the development of 20 maisonette dwelling units and 26 street townhouse dwelling units on a private road (condominium road) with access to Highland Road West.

The purpose of the Official Plan Amendment application is to amend the West Mountain Area (Heritage Green) Secondary Plan – Land Use Plan to re-designate a portion of the subject lands from “Low Density Residential 2b” to “Low Density Residential 3c”.

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 4 of 33**

---

The Zoning By-law Amendment application is to rezone the subject lands from the Neighbourhood Development “ND” Zone and Single Residential “R2” Zone to the Multiple Residential “RM3-68(H)” Zone, Modified, Holding. A number of site specific modifications to the Multiple Residential “RM3” Zone are proposed to accommodate the proposed development, which are discussed in detail in Appendix “D” to Report PED20187. Staff are supportive of the majority of the proposed modifications with the exception of the reduced rear yard setback and minimum landscaped open space for maisonettes. A Holding ‘H’ Provision is recommended in order to ensure the existing sanitary sewer on Lormont Boulevard at Picardy Drive is adequately upsized to provide sufficient capacity to meet City standards and to share in the upgrade costs for development greater than 30 dwelling units.

The proposed Draft Plan of Subdivision will create a single block in order to allow for a part lot control application to implement a future common-element Condominium development having private roads and freehold lots. Approval would be subject to the owner entering into a Standard Form Subdivision Agreement with Special Conditions, as outlined in Appendix “G” to Report PED20187.

The proposal has merit and can be supported as it is consistent with the Provincial Policy Statement (2020), conforms to the Growth Plan for the Greater Golden Horseshoe (2019, as amended), complies with the general intent and purpose of the Urban Hamilton Official Plan (UHOP), and will comply with and implement the policies of the West Mountain Area (Heritage Green) Secondary Plan upon approval of Urban Hamilton Official Plan Amendment No. XX.

The proposal represents good planning by, among other things, providing a compact and efficient urban form. The addition of 46 street townhouse and maisonette dwelling units is supportable, as they provide a built form that is compatible with existing development in the area and enhances the character of the neighbourhood through intensification. The subject site has adequate transportation systems available and existing servicing with sufficient capacity for the first phase of development, with provisions for additional planned capacity to be installed to complete the development. The development ensures efficient use of land and infrastructure and is recommended for approval.

**Alternatives for Consideration – See Page 32**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 5 of 33**

---

Legal: As required by the *Planning Act*, Council shall hold at least one Public Meeting to consider an application for an Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision.

**HISTORICAL BACKGROUND**

**Report Fact Sheet**

<b>Application Details</b>	
Owner:	The New Hamilton Development Corporation
Applicant:	Metropolitan Consulting Inc. (c/o Peter De Iulio)
Agent:	Midevco Commercial Realty Corp. (c/o John Paisley)
File Numbers:	UHOPA-16-021 ZAC-16-057 25T-201608
Type of Applications:	Urban Hamilton Official Plan Amendment Zoning By-law Amendment Draft Plan of Subdivision
Proposal:	46 block townhouse and maisonette dwellings on a private road (condominium road) with visitor parking and landscaped areas (see Appendix “E” to Report PED20187).
<b>Property Details</b>	
Municipal Address:	56 Highland Road West, Stoney Creek (see Appendix “A” to Report PED20187)
Lot Area:	± 1.09 ha (Flag-shaped)
Servicing:	Full municipal services
Existing Use:	Vacant land

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 6 of 33**

<b>Documents</b>	
Provincial Policy Statement (PPS):	The proposal is consistent with the PPS (2020).
A Place to Grow:	The proposal conforms to the Growth Plan for the Greater Golden Horseshoe (2019, as amended).
Official Plan Existing:	Designated “Neighbourhoods” on Schedule E – Urban Structure and Schedule E-1 – Urban Land Use Designations.
Official Plan Proposed:	No amendment to Volume 1 of the UHOP is proposed or required.
Secondary Plan Existing:	West Mountain Area (Heritage Green) Secondary Plan – “Low Density Residential 2b” and “Medium Density Residential 3c” on Map B.7.6-1.
Secondary Plan Proposed:	West Mountain Area (Heritage Green) Secondary Plan – redesignate the portion of the subject lands designated “Low Density Residential 2b” to “Low Density Residential 3c” (see Appendix “B” to Report PED20187).
Neighbourhood Plan:	Felker – Low Density Residential and Medium Density Residential
Zoning Existing:	Neighbourhood Development “ND” Zone and Single Residential “R2” Zone.
Zoning Proposed:	Multiple Residential “RM3-68(H)” Zone, Modified, Holding (see Appendix “C” to Report PED20187).
Modifications Proposed:	<ul style="list-style-type: none"> <li>• Definitions of “Dwelling – Maisonette”, “Dwelling – Street Townhouse”, “Lot”, “Street” and “Highway”;</li> <li>• Dwelling units on a parcel of land;</li> <li>• Unitary equipment;</li> <li>• Minimum Lot Area and Frontage;</li> <li>• Minimum Front, Side, and Rear Yards: <ul style="list-style-type: none"> <li>○ The applicant requested 6.0 m minimum rear yards for street townhouses; however, staff require 7.5 m minimum rear yards to accommodate grading;</li> </ul> </li> <li>• Minimum Distance Between Buildings on the Same Lot;</li> </ul>

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 7 of 33**

	<ul style="list-style-type: none"> <li>• Maximum Building Height;</li> <li>• Maximum Lot Coverage;</li> <li>• Minimum Privacy Area;</li> <li>• Minimum Landscaped Open Space: <ul style="list-style-type: none"> <li>○ The applicant requested the requirement not apply to maisonette units; however, staff require 10% of the lot area of each unit for landscaping and stormwater infiltration; and,</li> </ul> </li> <li>• Minimum Number of Parking Spaces and Regulations for Parking.</li> </ul> <p>(See Appendix “D” to Report PED20187)</p>
<b>Processing Details</b>	
Received:	August 31, 2016
Deemed Incomplete:	September 29, 2016
Deemed Complete:	March 27, 2017
Notice of Complete Application:	Sent to 127 property owners within 120 m of the subject lands on April 5, 2017.
Public Notice Sign:	Posted April 11, 2017 and updated with Public Meeting date October 21, 2020.
Notice of Public Meeting:	Sent to 147 property owners within 120 m of the subject lands on October 30, 2020.
Public Comments:	2 letters providing comments (see Appendix “H” to Report PED20187).
Public Consultation Strategy	Not applicable. The application was received prior to July 1, 2016, therefore the applicant was not subject to requirements to provide a Public Consultation Strategy.
Revised Concepts:	<ul style="list-style-type: none"> <li>• June 26, 2018</li> <li>• July 23, 2019</li> </ul>
Processing Time:	1,331 days from original application deemed complete. 483 days from date of receipt of current revised proposal.

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 8 of 33**

---

**Background**

In 2016, the applicant submitted applications for the following:

- **Urban Hamilton Official Plan Amendment:** The purpose of the initial application was to redesignate a portion of the subject lands from “Low Density Residential 2b” to “Low Density Residential 3c” in order to permit townhouse dwellings at a density of 30 to 49 units per net residential hectare and to create a Site Specific Policy Area to allow triplex dwellings and semi detached dwellings to be permitted along with the development of street townhouses.
- **Zoning By-law Amendment:** The purpose of the initial application was to rezone the subject lands to the Single Residential “R2-46” Zone, to permit a single detached dwelling fronting on Highland Road West, and to a modified Multiple Residential “RM3” Zone for the remainder of the site to permit the development of 49 street townhouse dwelling units on a private road (condominium road), with access through the lands to the northwest formerly known as 198 First Road West (now 42 and 44 Talence Drive).

In June, 2018, a revised concept was submitted (see Appendix “E” to Report PED20187) for 20 maisonette dwelling units and 26 street townhouse dwelling units on a private road (condominium road), with access to Highland Road West now proposed.

**EXISTING LAND USE AND ZONING**

	<b><u>Existing Land Use</u></b>	<b><u>Existing Zoning</u></b>
<b><u>Subject Lands:</u></b>	Vacant	Neighbourhood Development “ND” Zone and Single Residential “R2” Zone
<b><u>Surrounding Land Uses:</u></b>		
North	Vacant	Neighbourhood Development “ND” Zone
South	Single Detached Dwellings	Single Residential “R2” Zone and Single Residential “R2-46” Zone, Modified
East	Commercial Uses	Arterial Commercial (C7, 327) Zone



**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 9 of 33**

---

West	Street Townhouses, Vacant land, and Single Detached Dwellings	Residential Multiple “RM2-23” Zone, Modified, Multiple Residential “RM3-63-H” Zone, Modified, Holding, and Single Residential “R3-11” Zone, Modified
------	---	--

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

### **Provincial Policy Statement (2020)**

The application has been reviewed with respect to the Provincial Policy Statement (PPS 2020) policies that contribute to the development of healthy, liveable, and safe communities, as contained in Policy 1.1.1. In particular, the application is consistent with Policy 1.1.1. b), by accommodating a range and mix of residential uses to meet long term needs. In addition, the following policies, amongst others, apply to the proposal.

- “1.1.3.1 *Settlement areas* shall be the focus of growth and development.
- 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.
- 2.6.2 *Development and site alteration* shall not be permitted on lands containing *archaeological resources* or *areas of archaeological potential* unless *significant archaeological resources* have been *conserved*.
- 3.1.7 ... *development and site alteration* may be permitted in those portions of *hazardous lands* and *hazardous sites* where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:
  - a) *development and site alteration* is carried out in accordance with *floodproofing standards, protection works standards, and access standards*;
  - b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 10 of 33**

---

- c) new hazards are not created and existing hazards are not aggravated;  
and
- d) no adverse environmental impacts will result.”

Lands that could be unsafe for development and site alteration due to naturally occurring hazards, including unstable bedrock (karst topography) are deemed to be “hazard lands” in the PPS. Staff reviewed the Geotechnical Investigation dated January 15, 2017, prepared by Soil-Mat Engineers & Consultants Ltd submitted in support of the application. The study noted that the area of the site is known for the presence of karst features within the bedrock. An Addendum – Karst Considerations, dated December 5, 2018 was prepared to provide comments with respect to the potential for karst features along with recommendations if karst features are encountered during construction. The consultant noted that karst features have been encountered with residential development lands to the west. However, those features were typically minor in nature and the consultant was not aware of any major karst features that have been identified in previous studies of the area. It is anticipated that some excavations for the installation of services will extend into the bedrock. The karst assessment reports note that during the course of excavations, the bedrock condition should be monitored for evidence of the presence of karst features. It is not anticipated that the proposed townhouse foundations will encounter bedrock; however, it is recommended that the grading plan be reviewed in order to confirm the foundation elevations with respect to the bedrock elevation. These matters are being addressed through Condition No. 5 of Appendix “G” to Report PED20187.

The applicant requested Condition No. 5 of Appendix “G” to Report PED20187 be modified by changing it from ‘prior to preliminary grading’ to ‘prior to preliminary grading and/or servicing’, asserting that the above referenced Addendum notes karst features would only be discovered at the time of excavation for services. Development Engineering Approvals staff have reviewed this request and advised that the condition can only be either ‘prior to preliminary grading’ or ‘prior to servicing’, and as the matter is related to karst features, it is staff’s position that the condition remain as ‘prior to preliminary grading’ due to the presence of potential hazards. While the applicant does not agree with staff’s position, they have agreed to proceed with this Report to Planning Committee as presented.

Staff have reviewed the Environmental Noise Impact Study, dated February 2015, prepared by dBA Consulting. The aforementioned study reviewed the traffic noise impacts from Upper Centennial Parkway and Highland Road West. Staff concur with the recommendations of the study that no noise mitigation measures would be required for the proposed development.

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 11 of 33**

---

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

- 1) Within 250 metres of known archaeological sites;
- 2) 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;
- 3) Local knowledge associates areas with historic events/activities/occupations; and,
- 4) Along historic transportation routes.

These criteria define the property as having archaeological potential. A Stage 1-2 archaeological report (P018-0727-2014) has been submitted to the City of Hamilton and Ministry of Heritage, Sport, Tourism and Culture Industries and has received Ministry sign-off letters dated March 7, 2016. Staff concur with the recommendations made in the report, and the archaeology condition for the subject application has been met.

Based on the foregoing, the proposal is consistent with Section 3 of the *Planning Act* and the PPS (2020).

**The Growth Plan for the Greater Golden Horseshoe (2019, as amended)**

The policies of the Growth Plan for the Greater Golden Horseshoe (2019, as amended) apply to any Planning decision.

The proposal conforms to the Guiding Principles, Section 1.2.1 of the Growth Plan for the Greater Golden Horseshoe (2019, as amended), as it provides for a range and mix of housing options to serve varying sizes, incomes, and ages of households. The subject lands constitute a greenfield development as the lands are within the urban boundary but not within the built-up area. The following policies, amongst others, apply to this proposal:

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

- c) development will be directed to *settlement areas*, except where the policies of this Plan permit otherwise.

2.2.4.10 Lands adjacent to or near to existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities.

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 12 of 33**

---

- 2.2.7.1 New *development* taking place in *designated greenfield areas* will be planned, designated, zoned and designed in a manner that:
- a) supports the achievement of *complete communities*;
  - b) supports *active transportation*; and
  - c) encourages the integration and sustained viability of transit services.”

The subject lands are located within a settlement area where it will provide for a complete community through a compact urban form that includes an additional housing type and form for the area, will be developed with full municipal services, is in close proximity to commercial uses and to a Major Arterial (Upper Centennial Parkway), and has access to transit.

Based on the foregoing, the proposal conforms with the applicable policies of the Growth Plan for the Greater Golden Horseshoe (2019, as amended).

### **Urban Hamilton Official Plan (UHOP)**

The subject lands are designated “Neighbourhoods” on Schedule E – Urban Structure and Schedule E-1 – Urban Land Use Designations, and shown outside of the Built Boundary on Appendix “G” – Boundaries Map. The subject lands are further designated “Low Density Residential 2b” and “Low Density Residential 3c” on Map B.7.6-1 – West Mountain Area (Heritage Green) Secondary Plan. The following policies, amongst others, apply to the proposal.

#### Neighbourhoods Designation

- “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*.”

The proposed townhouses and maisonette dwelling units are permitted uses in the Neighbourhoods designation. The policies of the Neighbourhoods designation seek to establish complete communities with a full range of residential types and densities. The

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 13 of 33**

---

proposed greenfield development contributes to the establishment of a full range of housing forms, types and densities in the area.

Residential Greenfield Design

“B.3.3.2.6 Where it has been determined through the policies of this Plan that *compatibility* with the surrounding areas is desirable, new *development* and *redevelopment* should enhance the character of the existing environment by:

- a) complementing and animating existing surroundings through building design and placement as well as through placement of pedestrian amenities;
- b) respecting the existing cultural and natural heritage features of the existing environment by re-using, adapting, and incorporating existing characteristics;
- c) allowing built form to evolve over time through additions and alterations that are in harmony with existing architectural massing and style;
- d) complementing the existing massing patterns, rhythm, character, colour, and surrounding context; and,
- e) encouraging a harmonious and *compatible* approach to infilling by minimizing the impacts of shadowing and maximizing light to adjacent properties and the public realm.

E.3.2.7 The City shall require quality urban and architectural design. *Development* of lands within the Neighbourhoods designation shall be designed to be safe, efficient, pedestrian oriented, and attractive, and shall comply with the following criteria:

- b) Garages, parking areas, and driveways along the public street shall not be dominant. Surface parking between a building and a public street (excluding a public alley) shall be minimized.
- d) *Development* shall improve existing landscape features and overall landscape character of the surrounding area.

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 14 of 33**

---

- e) *Development* shall comply with Section B.3.3 – Urban Design Policies and all other applicable policies.

E.3.7.1 New greenfield communities shall be designed with a unique and cohesive character. Buildings, streetscapes, street patterns, landscaping, open spaces, and infrastructure shall be designed to contribute to this character.

E.3.7.2 New greenfield communities shall be designed to include a focal point. All elements of the design of the community including the layout of streets, trails, pedestrian connections, and transit routes as well as the location of land uses and transit stops, shall contribute to creation of the community focal point.

E.3.7.3 The configuration of streets, trails, and open spaces shall ensure clear and convenient pedestrian, cycling, and vehicular connections from within the greenfield community to the focal point and adjacent neighbourhoods.

E.3.7.5 New residential development in greenfield areas shall generally be designed and planned to:

- a) minimize changes to existing topography;
- b) preserve existing trees and natural features;”

The subject lands constitute a greenfield development as the lands are within the Urban Boundary but not part of the Provincial Designated Greenfield Area. The subject lands are located in a settlement area where full municipal services are available and will contribute to a complete community through a compact design that includes a diverse range and mix of housing types.

The subject site is located on a Collector road (Highland Road West), as well as in close proximity to a Major Arterial (Upper Centennial Parkway). The existing neighbourhood is comprised of single detached dwellings to the south, townhouses (under construction) along Picardy Drive and Saltfleet High School to the west, vacant land to the north that is proposed for townhouse dwellings and mixed use commercial and residential development, and commercial developments to the east.

The proposed 46 street townhouse and maisonette dwelling units will be of a size, density and scale that respects and is compatible with the existing and proposed scale of development in the area. At a proposed building height of three storeys (11 metres), the proposed development is appropriate with respect to the scale of the neighbouring

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 15 of 33**

---

buildings, which range in height from one storey to predominantly two and a half storeys, and massing that respects the existing street proportions and lot patterns. The subject proposal is appropriately designed and constitutes an evolving built form that is in harmony with the existing architectural massing and style of the area.

Visitor parking is proposed within the development and sufficient amenity area by way of private yards and landscaped areas are also proposed. The proposed development will provide landscaping and visual barriers that will buffer neighbouring properties, consistent with the amount of landscaping on other properties in the neighbourhood and eliminate potential privacy concerns for adjoining residents. The proposed development will have direct vehicular and pedestrian routes throughout the site connecting to the existing sidewalk along Upper Centennial Parkway and through the lands to the west connecting to Picardy Drive, establishing direct pedestrian routes to the existing transit services (see the Concept Plan attached as Appendix “E” to Report PED20187).

Based on the proposed 11 metre height of the dwellings, a sun shadow study is not required as no substantial impact is expected. The subject property is not in or adjacent to a Core Area or Environmentally Significant Area.

The preliminary grading plan in the Functional Servicing Report, prepared by Metropolitan Consulting Inc. and dated July 2019, shows a significant drop in grade along the north and east property lines. To facilitate the proposed development by ensuring each street townhouse unit is provided with a usable amenity area due to this significant change in grade and to match the existing topography of the surrounding lands, the applicant relies on permission from adjacent landowners to modify the grading of their lands. Grading along the north property line will be coordinated with the proposed development of those lands and written permission from the landowner to the east to regrade the adjacent lands has been granted. Grading and stormwater management matters are addressed through Condition No. 3 of Appendix “G” to Report PED20187.

Adequate servicing is available with sufficient capacity for 30 units currently, while the remaining 16 units will be serviced when the sanitary sewer is extended along Upper Centennial Parkway, at which time the ‘H’ Holding Provision applied to this site can be lifted. This matter is further addressed as Condition Nos. 1 and 2 of Appendix “G” to Report PED20187.

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 16 of 33**

---

Road Widening

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

- e) Collector roads, subject to the following policies:
  - ii) The basic maximum right-of-way widths for urban collector roads shall be ... 26.213 metres...;”

Highland Road is classified as a Collector with a future right-of-way width of 26.213 m specified in Schedule C-2 of the UHOP. A road widening of approximately 2.96 m to provide a right-of-way width of 13.106 m from the road centreline has been provided on the Draft Plan as Block ‘B’ and will be dedicated to the City (see Appendix “F” to Report PED20187), which has been secured through Condition No. 11 of Appendix “G” to Report PED20187.

Infrastructure and Servicing

“C.5.3.11 The City shall ensure that any change in density can be accommodated within the municipal water and wastewater system.”

The development proposes to increase the population density from the previously approved 110 people per hectare (ppha) to 160 ppha used for designing water and wastewater systems. Interim sewer capacity constraints exist downstream, and the development is required to be phased to limit a maximum of 30 dwelling units in the interim until additional capacity is available downstream. All services are to be constructed during the first phase. The constraints are expected to be relieved once the future connection to the trunk sanitary sewer along Upper Centennial Parkway is made via the Lormont Boulevard extension to the east. As a result, the Zoning By-law Amendment will be subject to a Holding Provision until the necessary upgrades are complete, which is further addressed through Condition Nos. 1 and 2 of Appendix “G” to Report PED20187.

Plan of Subdivision

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

- a) the plan of subdivision conforms to the policies and land use designations of this Plan;



**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 17 of 33**

---

- b) the plan of subdivision implements the City's staging of development program;
- c) the plan of subdivision can be supplied with adequate services and community facilities;
- d) the plan of subdivision shall not adversely impact upon the transportation system and the natural environment;
- e) the plan of subdivision can be integrated with adjacent lands and roadways;
- f) the plan of subdivision shall not adversely impact municipal finances; and,
- g) the plan of subdivision meets all requirements of the *Planning Act*."

The proposed Draft Plan of Subdivision is to create a single block within a registered M Plan, in order to allow for the future Condominium development having private roads and freehold lots. The proposal is consistent with the Criteria for Staging of Development in that utilities and services are available in phases while additional capacity comes onstream and becomes available, as discussed above. This proposal supports a healthy growing economy, provides housing opportunities, complies with the general intent of the UHOP, will not adversely impact upon the transportation system, respects the natural environment and will integrate well with the existing development in the area, being the Felker Neighbourhood area.

Based on the foregoing, the proposal complies with the applicable policies of Volume 1 of the Urban Hamilton Official Plan.

### **West Mountain Area (Heritage Green) Secondary Plan**

The subject lands are designated "Low Density Residential 2b" and "Low Density Residential 3c" on Map B.7.6-1 – West Mountain Area (Heritage Green) Secondary Plan. The proposed amendment is to re-designate the portion of the subject lands designated "Low Density Residential 2b" to "Low Density Residential 3c" in the Secondary Plan. The following policies, amongst others, apply to the proposal.

#### Residential Designations

"B.7.6.2.2 Notwithstanding Section E.3.4 – Low Density Residential of Volume 1, the following policies shall apply to the lands designated Low Density

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 18 of 33**

---

Residential 2b and Low Density Residential 3c on Map B.7.6-1 – West Mountain Area (Heritage Green) – Land Use Plan:

- a) Low Density Residential 2b designation:
  - i) the permitted uses shall include single detached dwellings, duplex and semi-detached dwellings; and,
  - ii) the density shall not exceed 29 units per net residential hectare.
- b) Low Density Residential 3c designation:
  - i) the permitted uses shall include townhouse dwellings and low rise apartments; and,
  - ii) the density shall be approximately 30 to 49 units per net residential hectare.”

A small portion of the site is designated “Low Density Residential 3c.” To provide a comprehensive development, an amendment to the West Mountain Area (Heritage Green) Secondary Plan is required to redesignate the lands from the “Low Density Residential 2b” designation to the “Low Density Residential 3c” designation in order to facilitate the proposed development. As the development proposal meets the intent of the policies of Volume 1 of the UHOP regarding greenfield development and built form, the proposed re-designation can be supported. The Urban Hamilton Official Plan (UHOP) Amendment is discussed in greater detail in the Analysis and Rationale for Recommendation section of this Report.

### **Felker Neighbourhood Plan**

The subject property is designated “Low Density Residential” and “Medium Density Residential” in the Felker Neighbourhood Plan. The “Low Density Residential” designation does not permit street townhouses and maisonettes. The Felker Neighbourhood Plan shows a roadway connection from the lands to the west and north through the subject property. A 6.0 m wide condominium roadway connects the lands to the west through 15 Picardy Drive, providing pedestrian and vehicular connectivity to Picardy Drive to maintain the circulation pattern of the Neighbourhood Plan. This connection is being secured through Condition No. 4 of Appendix “G” to Report PED20187.

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 19 of 33**

---

An amendment to the Felker Neighbourhood Plan is required to change the designation from “Low Density Residential” to “Medium Density Residential”. The proposed amendment can be supported given the following:

1. the proposed multiple residential development will expand the variety of housing types and range of residential densities while maintaining the character of the neighbourhood; and,
2. that the development will comply with the general intent of the Urban Hamilton Official Plan including greenfield development policies.

**Stoney Creek Zoning Bylaw No. 3692-92**

In order to permit the proposed development, the proposed Zoning By-law Amendment application is to rezone the subject property from the Neighbourhood Development “ND” Zone (Block 1) and the Single Residential “R2” Zone (Block 2) to the Multiple Residential “RM3-68(H)” Zone, Modified, Holding. The proposed zoning is discussed in the Analysis and Rationale for Recommendation section of this Report, and an evaluation of the proposed modifications to the “RM3” Zone is included in Appendix “D” to Report PED20187. The ‘H’ Holding Provision is for servicing related matters as discussed above.

**RELEVANT CONSULTATION**

<b>Departments and Agencies</b>		
<ul style="list-style-type: none"> <li>• Construction, Strategic Planning Division, Public Works Department; and,</li> <li>• Hydro One Networks Inc.</li> </ul>		No Comment
	<b>Comment</b>	<b>Staff Response</b>
Development Engineering Approvals Section, Growth Management Division, Planning and Economic Development Department	<u>Joint Servicing and Easement</u> <ul style="list-style-type: none"> <li>• There is an existing watermain on Highland Road West.</li> <li>• A second water connection, a sanitary sewer connection, and a storm sewer connection is proposed through 15</li> </ul>	<ul style="list-style-type: none"> <li>• A watermain analysis will be required as part of the Site Plan submission.</li> <li>• A Joint Servicing Agreement to provide easements and the installation of private sewer and water connections and</li> </ul>

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 20 of 33**

	<p>Picardy Drive. The Owner will be required to enter into a Joint Service Agreement with the Owner of 15 Picardy Drive.</p> <ul style="list-style-type: none"> <li>The applicant will be required to demonstrate that an adequate access and servicing easement has been obtained through 15 Picardy Drive in favor of 56 Highland Road West.</li> </ul>	<p>a second road access is being addressed as Condition No. 4 of Appendix “G” to Report PED20187.</p>
	<p><u>Sanitary Servicing</u></p> <ul style="list-style-type: none"> <li>The site is proposed to be serviced via 15 Picardy Drive. The required joint servicing is discussed above.</li> <li>The development proposes to increase the population density from the previously approved 110 people per hectare (ppha) to 160 ppha. Interim sewer capacity constraints exist downstream, and the development is required to be phased to limit a maximum of 30 dwelling units in the interim until additional capacity is available downstream. All services are to be constructed during the first phase. The constraints are expected to be relieved once the future connection to the trunk sanitary sewer along Upper Centennial</li> </ul>	<ul style="list-style-type: none"> <li>The phasing plan and cost sharing agreement for downstream sanitary improvements along Upper Centennial Parkway are being addressed as Condition Nos. 1 and 2 of Appendix “G” to Report PED20187.</li> <li>The lands are also subject to a Holding Provision that shall not be lifted until the existing sanitary sewer on Lormont Boulevard at Picardy Drive can be adequately upsized to provide sufficient capacity to meet City standards and to share in the upgrade costs for development greater than 30 dwelling units, which is secured in the implementing Zoning By-law attached as Appendix “C” to Report PED20187.</li> </ul>

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 21 of 33**

---

	<p>Parkway is made via the Lormont Boulevard extension to the east.</p> <p><u>Storm Servicing and Grading</u></p> <ul style="list-style-type: none"> <li>• The site is proposed to be serviced via 15 Picardy Drive. The required joint servicing is discussed above. Storm drainage for the subject site has been accounted for and on-site quantity and quality controls will be required.</li> <li>• The proposed design shall ensure that an adequate emergency overland flow route has been established to direct the flows either to Highland Road West or Picardy Drive via 15 Picardy Drive.</li> <li>• Grading of the side yard of unit 13 and rear yards of units 34 to 46 relies on permission from adjacent landowners to modify the grading of their lands, which has been granted.</li> <li>• A proposed rear yard catch basin would not work based on existing grades and proposed downstream manhole inverts and storm sewer slope. The applicant shall demonstrate how drainage from existing properties will be accommodated and not be blocked.</li> </ul>	<ul style="list-style-type: none"> <li>• These, amongst other detailed design matters, are being addressed as Condition No. 3 of Appendix “G” to Report PED20187. It is recommended that the rear yard catch basin issue be coordinated with 15 Picardy Drive to investigate whether a lower storm invert at the proposed connection point could be lowered.</li> </ul>
--	---	---

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 22 of 33**

---

	<p><u>Source Water Protection</u></p> <ul style="list-style-type: none"> <li>• Commenting on karst aspects of the geotechnical investigation addendum, prepared by Soil-Mat Engineers &amp; Consultants Ltd. dated December 5, 2018, are deferred to the Hamilton Conservation Authority.</li> <li>• As the development is on the edge of the urban boundary and a number of nearby properties rely on private water and sewage servicing, a water well survey will be required if dewatering is necessary.</li> </ul>	<ul style="list-style-type: none"> <li>• Karst considerations are being addressed as Condition No. 5 of Appendix “G” to Report PED20187.</li> <li>• Dewatering matters will be addressed at the review of the engineering submissions and future Site Plan Control stage.</li> </ul>
	<p><u>General</u></p> <ul style="list-style-type: none"> <li>• The Owner is responsible for reconstruction of the sidewalk to current standard for the entire Highland Road West frontage, for all restoration of existing curb, sidewalk, utility relocations, and boulevard areas on Highland Road West.</li> <li>• In accordance with the City’s Comprehensive Development Guidelines and Financial Policies Manual (2017) there will be no cost sharing for this subdivision.</li> <li>• A dust management plan and a pest control plan will be required to address and</li> </ul>	<ul style="list-style-type: none"> <li>• Sidewalk reconstruction and restoration will be addressed at the future Site Plan Control stage.</li> <li>• A dust management plan and a pest control plan are being addressed as Condition Nos. 6 and 7 of Appendix “G” to Report PED20187.</li> </ul>

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 23 of 33**

	mitigate the impacts of development.	
Forestry and Horticulture Section, Environmental Services Division, Public Works Department	<ul style="list-style-type: none"> <li>• There are no municipal tree assets on site, therefore a Tree Management Plan will not be required.</li> <li>• A Landscape Plan, prepared and signed by a certified Landscape Architect, is required.</li> </ul>	<ul style="list-style-type: none"> <li>• A Landscape Plan must be submitted for review by the Forestry &amp; Horticulture Section, which is addressed as Condition 2.8 of the City’s Standard Conditions of Subdivision Approval. The condition of Street Tree Planting will be cleared upon receipt of a plan depicting new trees and a cash payment.</li> </ul>
Growth Planning Section, Growth Management Division, Planning and Economic Development Department	<ul style="list-style-type: none"> <li>• Requested that a note be included in the draft plan conditions indicating that draft plan approval shall lapse if the plan is not given final approval within three years or an extension has been granted.</li> </ul>	<ul style="list-style-type: none"> <li>• Approval limitation has been added as Note No. 1 in the condition of Draft Plan of Subdivision approval (see Appendix “G” to Report PED20187).</li> </ul>
Hamilton Conservation Authority	<ul style="list-style-type: none"> <li>• Notes the revised Development Concept Plan, prepared by Metropolitan Consulting Inc. dated June 27, 2018, illustrates changes to the interior road pattern, parking layout and the access points to the site, with Lane A now providing direct access from Highland Road through an area previously identified as future residential unit 47.</li> <li>• Reviewed the revised Functional Servicing Report, prepared by Metropolitan</li> </ul>	<ul style="list-style-type: none"> <li>• Stormwater management and related engineering drawing requirements are being addressed as Condition Nos. 8 - 10 of Appendix “G” to Report PED20187.</li> <li>• If karst features are found on the site, a qualified karst specialist will need to investigate for potential karst hazards and HCA staff will need to be notified and the procedures will need to be discussed, including the requirement for a HCA</li> </ul>

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 24 of 33**

---

	<p>Consulting Inc. dated July 2019, and note that it does not acknowledge their previous recommendation that on-site stormwater infiltration measures be implemented on site to reduce the loading on the downstream quality control system based on the 60% imperviousness.</p> <ul style="list-style-type: none"> <li>• Regarding the potential for karst features within the subject property, the report by Soil-Mat has acknowledged that karst features have been found on lands located to the west and has identified that close-out procedures would need to be followed in the event that karst features were encountered during the excavation activities associated with the installation of the sanitary and storm sewers and manhole structures that will extent into the bedrock. HCA advises that hazardous lands associated with karst features are regulated by HCA pursuant to O. Reg. 161/06 (HCA's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses) made under the <i>Conservation Authorities Act, R.S.O. 1990.</i></li> </ul>	<p>Permit. This is being addressed as Condition No. 5 of Appendix "G" to Report PED20187.</p>
--	---	---



**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 25 of 33**

<p>Landscape Architectural Services, Strategic Planning Division, Public Works Department</p>	<ul style="list-style-type: none"> <li>Requested cash-in-lieu of parkland dedication.</li> </ul>	<ul style="list-style-type: none"> <li>Cash-in-lieu of parkland will be addressed through the standard form Subdivision Agreement and will be required to be paid prior to the issuance of any building permits.</li> </ul>
<p>Public Health Services, Healthy Environments Division, Healthy and Safe Communities Department</p>	<ul style="list-style-type: none"> <li>Advises that any stormwater management facility should be designed, constructed, or modified and maintained to control mosquitos in accordance with the City's Standing Water By-law No. 03-173.</li> <li>Requested a Pest Control Plan and Dust Management Plan during the construction / development phase of the project.</li> </ul>	<ul style="list-style-type: none"> <li>These requirements are being addressed as Condition Nos. 6 and 7 of Appendix "G" to Report PED20187.</li> </ul>
<p>Recycling and Waste Disposal Section, Environmental Services Division, Public Works Department</p>	<ul style="list-style-type: none"> <li>This development is eligible for municipal waste collection service subject to meeting the City's requirements. The property owner must contact the City to request waste collection service to complete a site visit to determine if the property complies with the City's waste collection requirements.</li> </ul>	<ul style="list-style-type: none"> <li>This requirement is being addressed as Note No. 2 on the conditions of Draft Plan of Condominium approval (See Appendix "G" to Report PED20187) and will be addressed at the future Site Plan Control stage.</li> </ul>
<p>Transit Planning and Infrastructure, Transit Operations Division, Public Works Department</p>	<ul style="list-style-type: none"> <li>Advised that bus Routes #43 Stone Church (west and south of intersection of Highland Road West, Picardy Drive and Highbury Drive to the west of the</li> </ul>	<ul style="list-style-type: none"> <li>The proposed development will have pedestrian routes throughout the site connecting to the existing sidewalk along Upper Centennial Parkway and</li> </ul>

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 26 of 33**

	<p>subject lands) &amp; #44 Rymal (north-south along Upper Centennial Parkway to the east) operate in the area with no planned changes in service.</p> <ul style="list-style-type: none"> <li>• To provide transit supportive communities, pedestrian entrances and direct, short walking distances between buildings and transit service are preferred.</li> <li>• Pedestrian amenities such as lighted walkways encourages reuse and intensification of sites immediately adjacent to transit routes.</li> </ul>	<p>through the lands to the west connecting to Picardy Drive, establishing direct pedestrian routes to the existing transit services. These pedestrian connections will be implemented through the Site Plan Control stage.</p>
<p>Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department</p>	<ul style="list-style-type: none"> <li>• The Applicant has successfully demonstrated that the transportation impacts associated with this development can be accommodated by the existing transportation network and the Traffic Impact Study is approved.</li> <li>• Interconnections and joint access, individual lot driveway locations, and site circulation are successfully demonstrated.</li> <li>• Approximately 3.0 metres are to be dedicated to the right-of-way on Highland Road West.</li> <li>• Will accept 3.0 metre by 3.0 metre visibility triangles for each driveway access.</li> </ul>	<ul style="list-style-type: none"> <li>• Right-of-way dedication is being addressed as Condition No. 11 of Appendix “G” to Report PED20187.</li> <li>• Sidewalks have been proposed on site (see the Concept Plan attached as Appendix “E” to Report PED20187). The provision of sidewalks and visibility triangles will be addressed at the future Site Plan Control stage.</li> </ul>

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 27 of 33**

---

	<ul style="list-style-type: none"> <li>In order to protect the existing and future pedestrian realm, cycling infrastructure and road network, a 1.5 metre wide sidewalk connection with a minimum 1.5 metre clear width to Highland Road West and the driveway access to Highland Road West is to be redesigned with tighter curb radii and concrete curbing ending behind the municipal sidewalk are required.</li> </ul>	
Alectra Utilities Corporation	<ul style="list-style-type: none"> <li>Advised that the Developer needs to contact their Engineering Design Department to facilitate development. The developer shall be responsible for the cost of installation, relocation, modification, or removal of hydro facilities. In order to prepare a design and procure the materials required to service this site in a timely manner, a minimum of 6 months notification is required.</li> </ul>	<ul style="list-style-type: none"> <li>This requirement is being addressed as Condition No. 12 of Appendix “G” to Report PED20187.</li> </ul>
Canada Post	<ul style="list-style-type: none"> <li>Owners are required to notify purchasers of Centralized Mailbox locations.</li> <li>Provided requirements for the Centralized Mailbox locations.</li> </ul>	<ul style="list-style-type: none"> <li>These requirements are being addressed as Condition Nos. 13 - 15 of Appendix “G” to Report PED20187.</li> </ul>

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 28 of 33**

Canadian Radio & Telecommunication Commission (CRTC) and Bell Canada	<ul style="list-style-type: none"> <li>• Have not provided comments at the time of writing this report.</li> </ul>	<ul style="list-style-type: none"> <li>• Condition Nos. 16 and 17 of Appendix “G” to Report PED20187 represent standard conditions from CRTC and Bell Canada.</li> </ul>
<b>Public Consultation</b>		
	<b>Comment</b>	<b>Staff Response</b>
Stormwater Management, Grading, Elevation, and Drainage	<ul style="list-style-type: none"> <li>• Concern that development will impact drainage onto, and that the grade elevation of the subject lands will impact microclimate, business exposure, and servicing of, 151 Upper Centennial Parkway.</li> <li>• Where will stormwater be directed to, and if it is draining to stormwater management facilities at 1-43 Bayonne Drive and 1-44 Talence Drive, a proportionate share of construction and maintenance costs is requested.</li> </ul>	<ul style="list-style-type: none"> <li>• Storm sewers are proposed via 15 Picardy Drive, and overland flow is to be directed either to Highland Road West or Picardy Drive via 15 Picardy Drive. The detailed grading and design of the site shall ensure there are no negative impacts on adjacent properties. Stormwater matters are addressed as Condition No. 3 of Appendix “G” to Report PED20187, and detailed grading will be addressed at the future Site Plan Control stage.</li> </ul>
Open Space “OS” Zone	<ul style="list-style-type: none"> <li>• An “OS” Zone is shown at the rear section of 151 Upper Centennial Parkway. What is the intended use of this land, and why is it encroaching onto this property?</li> </ul>	<ul style="list-style-type: none"> <li>• At the time of the application, the rear yards of 135-157 Upper Centennial Parkway were zoned Open Space “OS” Zone in Stoney Creek Zoning By-law No. 3692-92. The entirety of 135 and 151 Upper Centennial Parkway are now zoned Arterial Commercial (C7, 327) Zone, approved by By-law 17-240, a City Initiative to</li> </ul>

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 29 of 33**

		add commercial and mixed use zones into the Hamilton Zoning By-law No. 05-200.
Northwest Road Connection	<ul style="list-style-type: none"> <li>In the original submission, a road connection was proposed through “Block 25” (now 42 and 44 Talence Drive). This connection no longer exists and has been replaced by serviced townhouse units. The proposal needs to be revised accordingly.</li> </ul>	<ul style="list-style-type: none"> <li>As shown on the Concept Plan attached as Appendix “E” to Report PED20187, the development concept has been revised to coordinate a proposed road connection through 15 Picardy Drive which is secured through Condition No. 4 of Appendix “G” to Report PED20187.</li> </ul>

**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 127 property owners within 120 m of the subject lands on April 5, 2017.

A Public Notice Sign was posted on the property on April 11, 2017, and updated on October 21, 2020, with the Public Meeting date. Finally, Notice of the Public Meeting was given in accordance with the requirements of the *Planning Act* on October 30, 2020.

As this application was prepared prior to July 1, 2016, the applicant was not subject to requirements under the *Planning Act* to prepare and implement a Public Consultation Strategy as part of their application.

**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 (2020) and conforms to the Growth Plan for the Greater Golden Horseshoe (2019, as amended);
  - ii) It complies with the general intent and purpose of the UHOP, in particular the function, scale and design of the Low Density Residential policies as

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 30 of 33**

---

they relate to residential greenfield development and complete communities in the Neighbourhoods designation;

- iii) It will comply with and implement the policies of the West Mountain Area (Heritage Green) Secondary Plan upon approval of the proposed Urban Hamilton Official Plan Amendment; and,
- iv) The proposed 46 street townhouse and maisonette dwelling units are supportable, as they provide a built form that is compatible with the character of the area and the proposed development represents good planning by, among other things, providing a compact and efficient urban form.

2. West Mountain Area (Heritage Green) Secondary Plan Amendment

The proposed Urban Hamilton Official Plan (UHOP) Amendment is required to amend the West Mountain Area (Heritage Green) Secondary Plan – Land Use Plan to permit the development of 46 block townhouse and maisonette Dwellings.

As per the UHOP policies identified above, the proposed re-designation can be supported as the development proposal meets the intent of the policies of Volume 1 of the UHOP regarding greenfield development, respects the scale of the neighbourhood, is consistent with the higher densities contemplated in current Provincial policies, is in an area where full municipal services are available, which ensure the efficient use of land and infrastructure, and is a compatible residential development that contributes to a complete community. The proposed re-designation will result in a consistent designation and permitted dwelling forms across the lands. Therefore, staff support the proposed Official Plan Amendment.

3. Zoning By-law Amendment

The proposed Zoning By-law Amendment is to change the zoning from the Neighbourhood Development “ND” Zone and Single Residential “R2” Zone to the Multiple Residential “RM3-68(H)” Zone, Modified, Holding, to permit the development of 20 maisonette dwelling units and 26 street townhouse dwelling units on a private road (condominium road) with access to Highland Road West. Given that:

- The proposed development complies with the general intent of the Urban Hamilton Official Plan and will comply with the West Mountain Area

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 31 of 33**

---

(Heritage Green) Secondary Plan upon approval of the proposed Urban Hamilton Official Plan Amendment;

- Will provide a built form that is compatible with existing development in the area and respects and enhances the character of the neighbourhood;
- Has adequate transportation systems available and existing servicing with capacity sufficient for the first phase of development; and,
- Will have adequate servicing for the complete development once the additional planned capacity is installed, ensuring efficient use of land and infrastructure;

staff are supportive of the proposed Zoning By-law Amendment.

The implementing by-law proposes modifications to the Multiple Residential “RM3” Zone which are discussed in Appendix “D” to Report PED20187. Staff are supportive of the majority of the proposed modifications with the exception of the reduced rear yard setback and minimum landscaped open space for maisonettes, which is discussed further in Appendix “D” to Report PED20187.

4. An Holding ‘H’ Provision is recommended in order to limit a maximum of 30 dwelling units in the interim until additional sanitary sewer capacity is available downstream. The constraints are expected to be relieved once the future connection to the trunk sanitary sewer along Upper Centennial Parkway is made via the Lormont Boulevard extension to the east.
5. Draft Plan of Subdivision

The proposed Draft Plan of Subdivision will consist of one block for street townhouse and maisonette dwellings (Block ‘A’) and one block for road widening (Block ‘B’) for the development of a maximum of 26 street townhouse dwellings and 20 maisonette dwellings fronting common element condominium roads.

In review of Sub-section 51(24) of the *Planning Act*, to assess the appropriateness of the proposed subdivision, staff advise that:

- (a) It is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan for the Greater Golden Horseshoe (2019, as amended);

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 32 of 33**

---

- (b) Through the phasing of development within the West Mountain Area (Heritage Green) Secondary Plan, the proposal represents a logical and timely extension of existing development and services and is in the public interest;
- (c) It will comply with the applicable policies of the Urban Hamilton Official Plan and the West Mountain Area (Heritage Green) Secondary Plan upon approval of Urban Hamilton Official Plan Amendment No. XX;
- (d) The subject lands can be appropriately used for the purposes for which it is to be subdivided and will not negatively impact natural heritage features, and flood control will be addressed through stormwater management plans that will be required as standard conditions of draft plan approval;
- (e) The proposed subdivision consists of a single development block for the purposes of a future common element condominium for street townhouse and maisonette dwellings, which will be appropriately zoned, and will be compatible with the existing road network and block pattern of the surrounding neighbourhood;
- (f) Restrictions and regulations for the development of the subdivision are included in the implementing Zoning By-law Amendment, conditions of draft plan approval and Subdivision Agreement;
- (g) Adequate municipal services will be available, the particulars of which will be determined as part of the conditions of draft plan approval and Subdivision Agreement; and,
- (h) The application will not have any negative impact on the City's finances.

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

## **ALTERNATIVES FOR CONSIDERATION**

Should the application be denied, the lands could be developed in accordance with the Neighbourhood Development "ND" Zone, which permits limited agricultural type uses; and, the Single Residential "R2" Zone, which permits single detached dwellings and uses accessory thereto.



**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) – Page 33 of 33**

---

**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.*

**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 Amendment
- Appendix “D” – Zoning Modification Chart
- Appendix “E” – Concept Plan
- Appendix “F” – Draft Plan of Subdivision
- Appendix “G” – Draft Plan of Subdivision Special Conditions
- Appendix “H” – Public Submissions

TV:mo