



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
 Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	December 8, 2020
SUBJECT/REPORT NO:	Application for Amendments to the Urban Hamilton Official Plan and Ancaster Zoning By-law No. 87-57 for Lands Located at 15 Church Street (Ancaster) (PED20205) (Ward 12)
WARD(S) AFFECTED:	Ward 12
PREPARED BY:	James Van Rooi (905) 546-2424 Ext. 4283
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATIONS

- (a) That **Urban Hamilton Official Plan Amendment Application UHOPA-20-006 by Webb Planning Consultants on behalf of Veloce Luxury Homes, Owner,** to redesignate the subject lands from “Low Density Residential 1” to “Low Density Residential 3” within the Ancaster Wilson Street Secondary Plan in order to permit the development of six street townhouses, and to establish a site specific policy to recognize the existing road right-of-way width, for lands located at 15 Church Street, as shown on Appendix “A” to Report PED20205, be **APPROVED** on the following basis:
 - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED20205, which has been prepared in a form satisfactory to the City Solicitor, be adopted by City Council; and,
 - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, as amended.

- (b) That **Zoning By-law Amendment Application ZAC-20-011 by Webb Planning Consultants on behalf of Veloce Luxury Homes, Owner**, for a change in zoning from the Existing Residential “ER” Zone, to Holding Residential Multiple “H-RM2-712” Zone, Modified, in Zoning By-law No. 87-57 (Ancaster), to permit six street townhouses for lands located at 15 Church Street (Ancaster), as shown on Appendix “A” to Report PED20205 be **APPROVED**, on the following basis:
- (i) That the draft By-law, attached as Appendix “C” to Report PED20205, 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 “H” as a prefix to the proposed zoning as shown on Schedule “A” of Appendix C to Report PED20205;

The Holding Provision “H-RM2-712” be removed conditional upon:

- i. Submission and approval of a Stage 4 Archaeological Assessment for site AhGx-786 to the satisfaction of the Director of Planning and Chief Planner and the Ministry of Heritage, Sport, Tourism and Culture Industries; and,
- ii. Submission approval and implementation of a Documentation and Salvage report to the satisfaction of the Director of Planning and Chief Planner.
- (iii) That the proposed change in zoning 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);
- (iv) That this By-law will comply with the Urban Hamilton Official Plan and the Ancaster Wilson Street Secondary Plan upon approval of Urban Hamilton Official Plan Amendment No. XX.

EXECUTIVE SUMMARY

The Owner has applied for an amendment to the Ancaster Wilson Street Secondary Plan and the Ancaster Zoning By-law No. 87-57 to permit the redevelopment of the subject lands for six street townhouse dwelling units fronting onto Church Street. The townhouse units will be conveyed into two blocks with each block comprised of three units. The townhouse dwellings will be two and a half storeys in height and have two parking spaces for each street townhouse dwelling unit. The proposed street townhouse dwelling units range in total ground floor area from 213 square metres to 221 square

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metres. The townhouse units will be freehold and consent applications will be required to create the separate parcels of land. To implement the development proposal, the following amendments are required:

- An Official Plan Amendment to amend the designation from the “Low Density Residential 1” to the “Low Density Residential 3” designation and to establish a Site Specific Policy to recognize the existing road right-of-way width within the Ancaster Wilson Street Secondary Plan; and,
- A Zoning By-law Amendment to rezone the subject lands from the Existing Residential “ER” Zone to Holding Residential Multiple “H-RM2-712” Zone, with site specific modifications to implement the proposed development.

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

- it is consistent with the Provincial Policy Statement (2020) (PPS);
- it conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- it complies with the intent of Urban Hamilton Official Plan (UHOP) and will comply with the Ancaster Wilson Street Secondary Plan, subject to the proposed Official Plan amendment;
- it is compatible with and complementary to the existing surrounding neighbourhood; and,
- it represents good planning by, among other things, providing a compact and efficient urban form that is compatible with the area, enhances the streetscape and provides for additional housing opportunities in the community.

Alternatives for Consideration – See Page 32

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

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

HISTORICAL BACKGROUND

Report Fact Sheet

Application Details	
Owner:	Veloce Luxury Homes
Applicant/Agent:	Webb Planning Consultants
File Number:	UHOPA-20-006 ZAC-20-011
Type of Application:	Urban Hamilton Official Plan Amendment Zoning By-law Amendment
Proposal:	Six street townhouse dwelling units at two and a half storeys in height, each with two parking spaces. (See Appendix “E” to Report PED20205).
Property Details	
Municipal Address:	15 Church Street (see Location Map attached as Appendix “A” to Report PED20205)
Lot Area:	0.1266 ha (rectangular)
Lot Frontage:	50.31 metres
Servicing:	Full Municipal Services
Existing Use:	A single detached dwelling (vacant) proposed to be demolished.
Documents	
Provincial Policy Statement (PPS):	The proposal is consistent with the PPS (2020).
A Place to Grow:	The proposal conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).

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Official Plan Existing:	<ul style="list-style-type: none"> • “Community” on Schedule E – Urban Structure and “Mixed Use Medium Density” on Schedule E-1 – Urban Land Use Designations.
Official Plan Proposed:	<ul style="list-style-type: none"> • No amendment proposed to Volume 1 Land Use Designations.
Secondary Plan Existing:	<ul style="list-style-type: none"> • Ancaster Wilson Street Secondary Plan – “Low Density Residential 1”
Secondary Plan Proposed:	<ul style="list-style-type: none"> • Ancaster Wilson Street Secondary Plan – “Low Density Residential 3”
Zoning Existing:	Existing Residential “ER” Zone
Zoning Proposed:	Holding Residential Multiple “H-RM2-712” Zone
Modifications Proposed:	<p>Applicant Requested:</p> <ul style="list-style-type: none"> • Minimum Lot Area of 1260 square metres of total parcel area and 164 square metres per dwelling unit; • Minimum Lot Frontage of 6.5 metres per dwelling unit and 9.8 metres for a dwelling end unit which does not abut a flanking street; • Minimum Lot Depth of 25 metres; • Maximum Lot Coverage of 49 percent; • Minimum Front Yard of 5.5 metres to façade and 6 metres to a garage; • Minimum Side Yard of 3 metres for a unit abutting current lot boundary, 1.9 metres to a proposed interior lot line; • Minimum Rear Yard setback of 7.2 metres, and 5.1 metres for posts, beams and/or covered deck, and 5.1 metres for the second and upper most storey; • Planting strip of a minimum of 3 metres shall be provided adjoining lands zoned “ER” and “R3”, and a chimney may project into the planting strip a distance of not more than 0.6 metres; and, • Modifications for Encroachment, Privacy Screens, and Planting Strips. <p>(See Appendix “D” to Report PED20205)</p>

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Processing Details	
Received:	December 17, 2019
Deemed Complete:	Notice of Complete Application given on January 21, 2020
Notice of Complete Application:	Sent to 39 property owners within 120 metres of the subject property on January 29, 2020.
Public Notice Sign:	February 3, 2020 and updated on November 11, 2020.
Notice of Public Meeting:	Sent to 39 property owners within 120 m of the subject property on October 30, 2020.
Public Consultation:	On February 3, 2020 a meeting was hosted by the Ancaster Community Council. The applicant presented the proposal to members of the public and addressed questions and concerns associated with the application. City staff, the Ward Councillor, members of the Ancaster Advisory Committee, the applicant and the agent as well as a member from the public attended the meeting.
Public Comments:	34 letters / emails, all expressing opposition or concerns (see Appendix "F" to Report PED20205).
Processing Time:	323 days

EXISTING LAND USE AND ZONING:

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands:</u>	Single Detached Dwelling	Existing Residential "ER" Zone
<u>Surrounding Land Uses:</u>		
North:	Commercial Entertainment	Mixed Use Medium Density - Pedestrian Focus (C5a, 570) Zone

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East:	Single Detached Dwellings	Existing Residential “ER” Zone and Residential “R3” Zone
South:	Offices and Single Detached Residential	Mixed Use Medium Density - Pedestrian Focus (C5a, 570) Zone and Existing Residential “ER” Zone
West:	Office	Mixed Use Medium Density - Pedestrian Focus (C5a, 570) Zone

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Statement (2020)

The Provincial Planning Policy framework is established through the *Planning Act* (Section 3) and the Provincial Policy Statement (2020) (PPS). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the PPS 2020. The application has been reviewed with respect to the PPS policies that contribute to the development of healthy, liveable and safe communities.

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

- “1.1.3.1 *Settlement areas* shall be the focus of growth and development, and their vitality and regeneration shall be promoted.
- 1.1.3.2 Land use patterns within *settlement areas* shall be based on densities and a mix of land uses which:
- b) efficiently use land and resources;
 - c) are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
 - d) minimize negative impacts to air quality and climate change, and promote energy efficiency;
 - e) prepare for the impacts of a *changing climate*;
 - f) support active transportation;

- g) are *transit-supportive*, where transit is planned, exists or may be developed; and
- h) are *freight-supportive*.

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

- 1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.”

The PPS encourages intensification of land within urban areas, promotes efficient use of existing infrastructure and the support of public transit. The provision of an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents is also an important target. The proposed development seeks to add to the range of housing types in the neighbourhood and the proposed increase in density represents an efficient use of land and existing infrastructure. This will ensure an efficient use of land and services by using existing and planned infrastructure to avoid unjustified and uneconomical expansion.

Archaeology

Staff note the Archaeology policies have not been updated within the UHOP in accordance with the PPS. The following policies of the PPS also apply:

- “2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.
- 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.”
- 2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been

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

The subject property meets four of the ten criteria used by the City of Hamilton and the 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) In areas of pioneer EuroCanadian settlement; and,
- 4) Along historic transportation routes;

These criteria define the property as having archaeological potential. A Stage 1, 2 and 3 archaeological assessment (reports #P379-0265-2019, P379-0266-2019, P379-0271-2019) for the subject property were submitted to the City and the Ministry of Heritage, Sport, Tourism and Culture Industries.

The results of the Stage 3 archaeological site indicated the presence of a Wagon Shop (circa 1820-1871) and noted the site may also represent other adjacent commercial activities such as that of a blacksmith as well as contemporary and later domestic habitation of the site. As a result, the report recommends that further archaeological work be conducted to address the archaeological potential of the subject property. Heritage Staff concur with this recommendation and require that the applicant conduct a Stage 4 archaeological assessment. This report must be submitted to the Ministry of Heritage, Sport, Tourism and Culture Industries and the City of Hamilton prior to any further approvals. As such, a Holding Provision is recommended and will not be lifted until the applicant receives Ministry clearance.

A Cultural Heritage Impact Assessment (CHIA) dated December 2019 was completed for the subject property by Megan Hobson and Associates. The subject lands are adjacent to several cultural heritage resources including three designated heritage properties (Hammill House, Tisdale House, and Ancaster Town Hall) and three Inventoried heritage properties (25 Church Street, and 342 and 346 Wilson Street East). In addition, the subject lands are adjacent to the Ancaster Village Core Cultural Heritage Landscape (CHL). The CHIA recommends a number of design measures to ensure the design is compatible with adjacent cultural heritage resources. Planning staff have reviewed the Cultural Heritage Impact Assessment (CHIA) and have found it to be comprehensive and complete. Staff are recommending that any historic fabric to be removed from the existing dwelling, including windows and doors, be salvaged for re-use where feasible. Documentation regarding the salvage of these features (a Salvage

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Report) is required to be submitted. The Holding Provision included in the amending Zoning By-law (attached as Appendix "C" to Report PED20205), in addition to the abovementioned requirement, completion of the Archaeological Assessment, also requires the applicant to prepare and implement a Documentation and Salvage Report to the satisfaction of the Director of Planning.

Noise

Regarding noise, the PPS provides the following:

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

As the application is for a sensitive land use that is within 400 metres of a major arterial road, a detailed noise study is required in order to identify any noise mitigation measures / construction techniques that may be required. Necessary warning clauses identified through the study can be included on the Site Plan drawing along with any further recommendations identified in the Noise Study and implemented through the Site Plan approval process.

The applicant submitted a Noise Feasibility Study prepared by HGC Engineering Limited, dated December 17, 2019, in support of the proposed development. The study reviewed the acoustic requirements for this development with respect to noise anticipated from Wilson Street East and Church Street.

Based on the results of the study, noise warning clauses will be required to be included on the future Site Plan undertaking and in all agreements of purchase and sale or lease and all rental agreements.

In the opinion of staff, the proposed Official Plan Amendment and implementing Zoning By-law Amendment are consistent with the policies of the PPS (2020) and consistent with Section 3 of the *Planning Act*;

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

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

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- “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:
- 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;
 - e) provide for a more *compact built form* and a vibrant *public realm*, including public open spaces;”

The subject lands are located within the Urban Boundary and Built-up Area in a settlement area, as shown on Appendix “G” – Boundaries Map of the UHOP. The proposal to redevelop the subject lands for a total of six street townhouse dwellings provide for a more efficient use of land. The proposal contributes to a more compact built form on full municipal services, is efficient and cost effective and is at an appropriate density.

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

Urban Hamilton Official Plan (UHOP)

The subject property is identified as “Community Node” on Schedule “E” – Urban Structure and designated as “Mixed Use – Medium Density” on Schedule “E-1” – Urban Land Use Designations. The lands are also designated “Low Density Residential 1” on Map B.2.8.1 – Ancaster Wilson Street Secondary Plan – Land Use Plan.

The following policies, amongst others, are applicable to the proposal.

Community Nodes

- “E.2.3.3.2 Within each Community Node a range of uses shall be provided that allow for access to housing, employment, services, and recreation in close proximity to each other and transit. The Community Nodes shall provide services to residents within the former area municipalities and surrounding neighbourhoods in a mixed use environment.
- E.2.3.3.5 Community Nodes shall function as vibrant, mixed use areas containing a range of housing opportunities, including *affordable* housing and *housing with supports*. The unique characteristics of the individual Community Nodes lend themselves to a range of built forms.

Mixed Use - Medium Density Designation

- “E.4.6.2 The Mixed Use - Medium Density designation shall be applied to traditional ‘main street’ commercial areas outside of the area designated Downtown Mixed Use, and to promote the continuation of these areas as pedestrian oriented mixed use areas. Retail and service commercial uses are key elements in maintaining that function and ensuring the continued vibrancy of the pedestrian realm.
- E.2.6.4 It is also the function of areas designated Mixed Use - Medium Density to serve as vibrant people places with increased day and night activity through the introduction of residential development. Residential development enhances the function of these areas as transit supportive nodes and corridors.”

The subject lands are within a Community Node as identified on Schedule E – Urban Structure. Community Nodes are intended to be a focus of activity for the surrounding

community and also intended to provide for a wide range of housing opportunities. The proposal adds to the range of housing opportunities. Comments on the permitted uses, compatibility with the existing residential neighbourhood, density and form are discussed in further detail under the section dealing with the “Ancaster Wilson Street Secondary Plan”.

The proposed built form regulations for the street townhouses in the implementing Zoning By-law will ensure compatibility between the existing and proposed residential uses in the area.

Climate Change

“B.3.6.2 Several goals and policies of this Plan, both directly and indirectly contribute to the improvement of air quality and reduce greenhouse gases:

- a) promoting compact, mixed use urban communities;
- c) promoting walking, cycling, and use of public transit;
- g) reducing the heat island effect through the use of reflective roofs, green roofs, natural landscaping, and increasing the tree canopy.”

The proposal promotes a compact form that is in proximity to the Ancaster Village Core, which will promote other transportation options such as walking and public transit for its residents. While the proposal does include green roofs which would add to reducing the urban heat island effect, the use of a infiltration trench to better serve the storm water run-off impacts will also be required. This will be further reviewed at the Site Plan Control stage and will be incorporated into a future consent agreement to provide for the maintenance of any and all required on-site SWM controls.

Natural Heritage

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

Trees have been identified on the subject property, and staff have reviewed the submitted Tree Protection Plan prepared by Adesso Design Inc, dated December 18, 2019. The City requires 1 for 1 compensation for any tree (10 cm diameter at breast height (DBH) or greater) that is proposed to be removed from private property, with said compensation to be identified on the Landscape Plan which will be required at the future Site Plan Control stage. The site has 16 trees with 10 cm DBH and nine trees are

proposed to be incorporated on the site, leaving a total of seven trees for which cash-in-lieu will be required at the Site Plan Control stage.

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:
- f) Local roads, subject to the following policies:
 - iii) The City recognizes that in older urban built up areas there are existing road right-of-way widths significantly less than 20.117 metres. Notwithstanding the other road right-of-way widening policies of this Plan, it is the intent of the City to increase these existing road rights-of-ways to a minimum of 15.24 metres with daylight triangles at intersections instead of the minimum required 20.117 metre road right-of-way width, provided all the required road facilities, municipal sidewalks and utilities can be accommodated in this reduced road right-of-way width.”

Church Street is classified as a Local road and has an existing width of approximately 12.2 metres. The applicant has illustrated on the Concept Plan (Appendix “E” to Report PED20205) that municipal sidewalks and utilities can be accommodated within the existing right-of-way width. Transportation Planning and Engineering in discussions with the applicant are in agreement that the existing right-of-way width is of sufficient space for sidewalks and driveways proposed. As such, a right-of-way widening will not be required. As the existing right-of-way width is less than 15.24 metres as per the above policy, an amendment to the UHOP is required. This has been addressed through the Official Plan Amendment attached as Appendix “B” to Report PED20205 and is further discussed in the Analysis and Rationale for Recommendation section of this Report.

Ancaster Wilson Street Secondary Plan

The Ancaster Wilson Street Secondary Plan objectives are described in Volume 2, Section B.2.8.5. The Secondary Plan recognizes the historic value of the Ancaster Village Core and encourages development that provides for a range of housing, employment, services, and recreation options in a form that is appropriately integrated with the existing historic buildings and landscapes, and promotes a liveable, walkable community.

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The lands are designated “Low Density Residential 1” on Map B.2.8-1 – Ancaster Wilson Street Secondary Plan - Land Use Plan. The current designation permits single and semi-detached housing forms at a height of two and a half storeys and a net residential density range between 1 to 20 units per hectare. The applicant has requested an amendment to the Ancaster Wilson Street Secondary Plan is required to redesignate the lands from “Low Density Residential 1” to “Low Density Residential 3” to permit the proposed development. The requested Official Plan Amendment and Zoning By-law Amendment have been evaluated against the policies of the “Low Density Residential 3” designation, and the following policies, amongst others, apply.

“B.2.8.7.2 In addition to Sections B.3.2 - Housing Policies, C.3.2 - Urban Area General Provisions, and E.3.0 - Neighbourhood Designations of Volume 1, the following policies apply to all residential land use designations identified on Map B.2.8-1 - Ancaster Wilson Street Secondary Plan: Land Use Plan:

- a) Residential development or redevelopment and infill development shall maintain and enhance the character of the residential areas through architectural style that is sympathetic and complementary with the existing adjacent residential areas, heritage buildings, and uses. Further direction regarding design shall be provided in the Urban Design policies, detailed in Policy 2.8.12 of this Plan.
- c) Reverse frontage lotting patterns shall not be permitted, except where existing on the date of approval of this Secondary Plan.”

The proposal results in a design that will incorporate the same or similar materials found throughout the area such as wood panelling and red brick. The wood panelling is found on many of the existing built heritage resources and the red brick will be salvaged for chimney features for the proposed street townhouses. The design being two and a half storeys, is intended to facilitate transition from the stable residential neighbourhood to the Community Node area along Wilson Street East and the use of materials that are similar to that of the surrounding heritage buildings will further complement the area. The proposed design is compatible with adjacent cultural heritage resources and is sympathetic to the existing style of low-rise residential and commercial uses. The proposed buildings are facing and will have direct access to Church Street, and therefore implements the direction of the Secondary Plan.

“B.2.8.7.3 b) In addition to Section E.3.4 – Low Density Residential of Volume 1, for lands designated “Low Density Residential 3” on Map B.2.8-1 - Ancaster Wilson Street Secondary Plan: Land Use Plan, the following policies shall apply:

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- i) In addition to Policy E.3.4.3 of Volume 1, all forms of townhouses and low-rise multiple dwellings shall be permitted.
- ii) Notwithstanding Policy E.3.4.4 of Volume 1, the net residential density range shall be 20 - 60 units per hectare.
- vi) New development or redevelopment shall ensure the height, massing, scale, and arrangement of the buildings and structures are compatible with the abutting uses.”

The proposal is for street townhouses which are a permitted use within the “Low Density Residential 3” designation. The proposal also provides a net residential density of approximately 48 units per hectare, with proposed zoning regulations to ensure the height, massing and scale as well as setbacks and orientation of buildings are complementary and sympathetic to the surrounding area. The property is a transitional area between Wilson Street East and the adjoining residential neighbourhood. The existing built form includes a mix of land uses including commercial and institutional buildings, surface parking and low density residential uses. Staff note that the surrounding residential uses are predominantly one and a half to two and a half storeys in height. The design is appropriately setback from Church Street, has appropriate side yards for access and maintenance and has appropriate private outdoor amenity area. As such, the proposal will not detract from the use and function of surrounding uses. The proposal will add to the range of dwelling types at a location that supports public transportation and fosters active transportation, and staff find the proposal compatible with surrounding land uses.

Staff note that the Secondary Plan does not indicate a height requirement, as such, policy E.3.4.5 of Volume 1 of the Official Plan applies which permits a maximum height of three storeys.

“B.2.8.6.1 Ancaster Community Node Policies

In addition to Section E.2.3.3 - Community Nodes of Volume 1, and the policies of this Secondary Plan, the following policies shall apply to the Ancaster Community Node shown on Appendix A - Character Areas and Heritage Features:

- a) The Ancaster Community Node shall be a focus area for growth, development, and intensification within the Ancaster Wilson Street Secondary Plan.

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- b) The Ancaster Community Node shall include a range of housing forms and tenures, and a mix of employment, institutional, recreational, and commercial uses subject to the land use designation policies of this Secondary Plan and Volume 1 of this Plan.
- c) Intensification and infill development shall be balanced with the heritage and historic character of Ancaster. Further guidance for incorporating heritage features, design, and overall character through infill and intensification is provided in the supporting Ancaster Wilson Street Urban Design Guidelines.”

The proposed development is in keeping with Policies 2.8.6.1 a), b), and c) as it will contribute to growth and development within the Ancaster Community Node. It also introduces an additional housing form to the area and will be incorporating heritage features, design and a form that are guided by the Ancaster Wilson Street Urban Design Guidelines, which are discussed later in this Report PED20205.

B.2.8.12.1 Urban Design Policies

- “a) Development and redevelopment shall be consistent with the Ancaster Wilson Street Secondary Plan Urban Design Guidelines, and shall be sympathetic to adjacent building styles, features, and materials when adjacent to a designated or listed heritage building.
- c) For the purposes of maintaining community character and cohesive design, five Character Areas have been identified, as shown on Appendix A - Character Areas and Heritage Features. The five Character Areas shall include:
 - ii. Village Core, located from Rousseaux Street to Dalley Drive, which is the traditional downtown of Ancaster consisting of retail, commercial, and mixed residential uses
- e) New development or redevelopment shall complement the distinct character, design, style, building materials, and characteristics, which define each Character Area.
- f) Design requirements shall only apply to commercial and mixed use areas, institutional, and multi-residential developments. The Guidelines shall not apply to single detached and semi-detached dwellings.

- j) Two primary commercial mixed use areas have been identified within the Ancaster Wilson Street Secondary Plan and are part of the Community Node: the Uptown Core and Village Core, as shown on Appendix A - Character Areas and Heritage Features. The following policies shall apply to the Uptown Core and Village Core:
- ii. The Village Core area, shown on Appendix A - Character Areas and Heritage Features, shall be consistent with the following design considerations:
 - 2. Buildings within the Village Core should incorporate historical building features and styles in order to encourage a village atmosphere and pleasant pedestrian experience, where feasible;
 - 3. Additional considerations to encourage the historic characteristics of the Village Core, including heritage styled signage and building façades, as described in the Urban Design Guidelines, should be given for any development or redevelopment;
 - 4. The Village Core area should express a strong heritage design character that invites pedestrians and encourages interaction; and,
 - 5. The heritage characteristic of the Village Core area can be strengthened through the use of a public walkway linking buildings and other land uses.”

The Village Core area contains historic buildings that are typically block forms of one and two storeys in height which feature balanced/symmetrical facades and roof lines with gables and dormers. Staff note that the new development proposes block form development with roof lines that include gable and dormer combinations and includes balanced/symmetrical facades. The Village Core policies provide direction regarding wall materials, door materials and roof design in specific areas. In this area, materials and design techniques such as grey-buff coloured stone, red brick or wood cladding, glazed doors, pitched roofs, overhangs, and horizontal lines are encouraged. The proposed development intends to use reclaimed brick and wood cladding in its design, and also uses a varied roof profile with gables and dormers that are present in nearby existing buildings.

The proposed setbacks match that of the neighbouring property to the east, which provides a consistent streetscape while reinforcing the built character and providing a vibrant and comfortable pedestrian environment. The proponent will also be widening

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the narrow 1.29 metre wide sidewalk to a 1.79 metre width to enhance the pedestrian experience.

Ancaster Wilson Street Urban Design Guidelines

The lands are located within the Village Core Area of the Ancaster Wilson Street Urban Design Guidelines. The proposed building form on the subject lands is identified as Typology A. The following excerpts of the Guidelines apply.

Design Goals

“The intent of these design guidelines for the Village Core Design District is to enhance and promote its existing character to preserve the identity of the community and maintain the pedestrian scale of the corridor. Primary elements of the guidelines that achieve this include:

- Building masses are compact and sited on individual lots with defined front and side yards;
- Building heights are limited to 2-½ storeys with pitched rooflines;
- Building materials and details are simplified;
- Walkability, pedestrian access and comfort is prioritized; and,
- Vehicle parking is located in connected rear lots.”

The proposed storey street townhouses will have pitched roofs and will have exterior cladding materials such as brick and wood cladding. These materials are reflective of the surrounding area. Staff note that the street townhouses are separated into two blocks of street townhouse dwelling with each block containing three units. Appropriate side yards and the front yard setback are proposed that are consistent of the adjacent property to the east. The guideline requiring vehicular parking in the rear yard is intended to target office, commercial and larger scale residential uses. Other design requirements that will be considered through Site Plan Control include windows, accesses, and landscaping requirements.

Based on the above analysis, staff are of the opinion that the proposed development complies with the policies of the UHOP, the general intent of the Ancaster Wilson Street Secondary Plan, and is consistent with the Ancaster Wilson Street Urban Design Guidelines.

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

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

In order to implement the proposed development of six, two and a half storey street townhouses, the applicant has applied to rezone the lands to a modified “RM2” Zone.

An analysis of the proposed modifications for the subject lands are contained in Appendix “D” to Report PED20205.

RELEVANT CONSULTATION

Departments and Agencies		
	Comment	Staff Response
Alectra Utilities	Require that any relocation, modification, or removal of any existing hydro facilities are the developer’s responsibility and shall be at their expense. Will obtain an easement for utilities if required.	Staff note that these are standard conditions from Alectra Utilities and that the applicant has been made aware of Alectra Utilities comments. These requirements will also be reviewed through the Site Plan Control process.
Growth Planning	Have requested individual addressed be assigned. It should be established if an easement is required to be established for access, and maintenance within the rear yards and interior side yards of the subject development.	Individual addresses will be established through the Site Plan Control process.
Recycling and Waste Collection, Public Works Department	Noted that the development would receive curbside collection.	The requirements for serviceability will also be reviewed through the Site Plan Control process.

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	This development is eligible for municipal waste collection service subject to meeting the City's requirements for serviceability.	
Public Health Services, Healthy and Safe Communities	Support the development that increases density and provides for a pedestrian oriented streetscape.	Staff note Public Health Services support of the applications.
Transportation Planning	<p>Support the Official Plan Amendment and Zoning By-law Amendment. A Right of Way dedication is not required.</p> <p>Note that a Transportation Impact Study is not required. Minimal vehicle traffic will be generated by this development and is unlikely to have a perceptible negative impact on the area road network.</p> <p>The proponent is required to make revisions to the site plan to include 3 metre by 3 metre visibility triangles for individual driveways.</p> <p>The municipal sidewalk must be illustrated, and the width dimensioned on the site plan. It must be reconstructed to current City standards at the Applicant's expense.</p>	Details regarding municipal sidewalk and visibility triangles to be addressed through the Site Plan Control process.
Engineering Approvals	Reviewed the Functional Servicing Report, Preliminary Grading and Erosion Control	The applicant is required to obtain acknowledgement in writing from the neighbouring north property

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	<p>Plan, Preliminary Site Servicing Plan and Survey Plan submitted with this application.</p> <p>Final road dedication comments to be at the discretion of Transportation Planning.</p> <p><u>Grading and Erosion Plan</u></p> <p>Green roof details if proposed, should be provided at the detailed design phase.</p> <p>Overall, no major concerns with the preliminary Grading and Erosion Plan, and a detailed review of Grading will occur at the Site Plan Control stage.</p> <p><u>Site Servicing Plan</u></p> <p>The extension of the storm sewer will require an External Works Agreement.</p> <p>There are conflicting records on the storm sewer configuration and sizing along Church Street; there are no existing as-built drawings. The proponent shall coordinate with the City to inspect the actual installed conditions and base their design/calculations accordingly.</p>	<p>owner that flows will be accepted from the subject lands.</p> <p>Through the Site Plan Control process the applicant will be required to enter into an External Works Agreement for the extension of the storm sewer.</p> <p>Through the Site Plan Control process the applicant will be required to submit:</p> <ol style="list-style-type: none"> 1. A Geotechnical Report as underground parking is proposed. 2. An updated Functional Servicing and Stormwater Management Report. 3. Detailed engineering drawings including: <ul style="list-style-type: none"> • Grading Plan; • Servicing Plan; and, • Erosion and Sedimentation Control Plan. <p>Engineering Approvals staff have identified that generally there are no concerns with the proposal, and the necessary details identified and reviewed above shall be implemented through the future Site Plan Control application.</p> <p>Engineering Approvals recommends replacing the green roofs with a larger infiltration trench. Staff note that the</p>
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	<p><u>Water Servicing</u></p> <p>The peak domestic water usage for the site, based on population-based approach for the development, has been calculated as 0.264 L/s. This calculation is acceptable.</p> <p><u>Required Fire Flow</u></p> <p>The required fire flow (RFF) has been calculated as 3600 L/min (60 L/s) using the Ontario Building Code (OBC) Water Supply Flow Rate Method.</p> <p>The City's target available fire flow (AFF) for medium density residential land uses (three units or less per building) is 125 L/s.</p> <p>The City's hydrant testing at the closest municipal hydrant (AM13H029, dated June 25, 2019 and AM13H051, dated July 2, 2019) resulted in theoretical available flows of 2528 IGPM (192 L/s) and 2143 IGPM (162 L/s), respectively, at 20psi.</p> <p>As such, the municipal water system has the capacity to provide the required domestic and fire demands for the development, as described above.</p>	<p>applicant is still reviewing an approach that may allow for a green roof as part of the detailed design process. This will be further reviewed at the Site Plan Control stage.</p>
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	<p><u>Sanitary / Storm Sewer Servicing</u></p> <p>The capacity provision for the sanitary sewer along Church Street was designed for 60ppHa. It appears that the proposed density on the site has increased to 167ppHa (based on 3.5 ppu at 6 proposed townhouse units). Development Engineering has reviewed the sanitary capacity analysis provided for the downstream sanitary sewer (downstream of Hill Crest and Clarendon Drive) and does not expect any issues regarding the sanitary sewer capacity at the 200mmØ sanitary sewer on Hill Crest.</p> <p><u>Stormwater Management</u></p> <p>It is proposed to retain the 25mm runoff volume by the green roof on the townhouse units. Please note that green roof is not a standard practice for townhouses and as per the CVC/TRCA guidelines, green roofs are mostly recommended for high rise buildings or commercial development, due to the extensive maintenance requirements. We recommend removing the green roof and evaluating the option of upsizing the proposed rear infiltration basin to contain the entire</p>	
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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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	<p>100-year post-development runoff. If green roof is proposed, an opinion from a structural engineer will be required and some form of agreement will be required to ensure maintenance of the green roofs.</p> <p>The proposed rear infiltration basin should be designed based on in-situ infiltration testing and as noted in the report, the geotechnical analysis should be provided during the detailed design stage. The site plan will contain an undertaking note to ensure the proposed infiltration basin will be maintained as per the approved grading plan at all times.</p>	
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Departments and Agencies with no concerns

- MPAC;
- Union Gas;
- Bell Canada;
- Canada Post;
- Hamilton Wentworth District School Board;
- Hamilton Wentworth Separate School Board;
- French Public School Board;
- French Catholic School Board;
- Cogeco Cable;
- Hydro One;
- Hamilton Conservation Authority;
- Recreation Division; and,
- Forestry, Public Works Department

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Public Consultation		
Comment		Staff Response
Traffic/Parking	<p>Public submissions identified concerns with respect to traffic including increased congestion, speeding, and parking.</p> <p>There are existing undesirable traffic conditions along Church/Lodor/Academy.</p> <p>Concerns that there are no additional traffic calming measures such as speed humps or speed cushions.</p> <p>Safety is a concern as there is only one sidewalk on either side of Church Street and Lodor Street.</p> <p>Drivers are not making complete stops at intersections that accommodate cut through traffic.</p> <p>Church Street along with Lodor Street and Academy Street and the Library/Town Hall are currently used as a cut through between Wilson Street and Rousseau, especially during rush hours.</p> <p>The proposal lacks parking as there is no parking for visitors except on Lodor Street. The limited Lodor Street parking, from the top of Lodor to</p>	<p>Minimal vehicle traffic will be generated by this development and is unlikely to have a perceptible negative impact on the area road network.</p> <p>The neighbourhood could petition the City for traffic calming solutions and other road improvements, however, these matters are beyond the scope of this development application.</p> <p>The proposal provides for two parking spaces per dwelling unit. This is consistent with the current Ancaster Zoning By-law No. 87-57 standard for singles, semis and street townhouses, which requires two spaces for each dwelling unit.</p>

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	Academy, is actively used to accommodate the daily overflow parking of the Ancaster Square which includes the Library, splash pad and park, lawn bowling and tennis courts.	
Existing Neighbourhood Character / Building Materials	<p>There is a concern that the development is not architecturally consistent with the surrounding area.</p> <p>Concern that the built form being townhouses and the height being two and a half storeys does not fit into the context of the surrounding area.</p> <p>Concern that the selected building material is not consistent with the area such as red brick vs white siding.</p>	<p>The proposal includes materials that are complementary and consistent with the area such as red brick and wood panelling.</p> <p>Setbacks are also introduced to reinforce the existing built form within the area.</p> <p>To the west of the subject lands a maximum height of three storeys is permitted, and to the east of the subject lands a maximum height of two storeys is permitted. The proposed two and a half storeys would be an appropriate transition between the residential neighbourhood and the commercial/office uses on Wilson Street East.</p> <p>Staff note that the materials currently proposed are consistent with the design guidelines. Staff will have further opportunity to review materials to be used in the design and construction of the proposed buildings in detail at the Site Plan Control stage.</p>
Sewer capacity	A concern identified was that the existing sewer system has been known not to be able to handle additional capacity.	Engineering Approvals has reviewed the proposal and has no concerns with the sanitary sewer capacity.

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Water run-off	A concern identified was that the groundwater absorption rate will change as the proposal would create additional run-off.	A detailed stormwater management design will be required through the future Site Plan Control process. Staff note that additional measures such as the infiltration trench and green roofs are intended to address water run-off impact.
Safety and Crime	A concern that higher density means higher crime.	It is important that development be properly designed to create safe conditions, and to note that increases in population density does not directly correlate to an increase in crime. Effectively reducing opportunities for crime is achieved through implementing Crime Prevention Through Environmental Design (CPTED) principles. Staff believes the proposed development achieves these principles by providing opportunities for natural surveillance and visible means of access as well as defined distinctive public and private property.
Construction	Concerns regarding the temporary impacts of construction were expressed. Roads cannot tolerate further deterioration caused by trucks and equipment to and from the site.	Staff note that details such as a Dust Mitigation Plan and an Erosion and Siltation Control Plan will be conditions of Site Plan Approval to ensure that the areas surrounding the development are maintained.
Tree Removal	The development will result in the removal of trees.	Staff have reviewed and are satisfied with the Tree Protection Plan prepared by Adesso Design Inc, dated December 18, 2019. All existing trees to remain on site, or

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		on adjacent properties, shall be tagged and fully protected with fencing beyond their dripline complete with notice signs advising of the tree protection zones. Compensation in the form of replanting on site or cash in lieu will be required for 16 trees, nine trees are proposed to be incorporated on the site, and cash-in-lieu is expected for seven trees. The replanting and fees for compensation will be further addressed through the Site Plan Control process.
Establishing Precedent	Concerns that the development would establish precedent for other rezoning's.	Any future application(s) would be reviewed on their merits of the proposal.
Tenure	Concern with respect to ownership. Will the townhouses be free hold or some form of condominium?	The agent has advised that the units will be freehold.
Existing Residential "ER" Zone Site Plan Control By-law	Concerns that the proposal does not comply with the Site Plan Control By-law for homes in Ancaster.	Staff note that this development is required to go through the Site Plan Control as the proposal is for street townhouses that are not within a registered plan of subdivision.
Intensification targets	A concern identified was that the area already meets the provincial goals for intensification.	Staff note that the province establishes minimum targets and that development beyond the minimum targets can be considered.
Sidewalk	A concern regarding the existing width of the sidewalk being 1.2 metres in width was identified.	The proponent is looking at increasing the width of the sidewalk to 1.79 metres.

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 39 property owners within 120 metres of the subject property on January 29, 2020 for the application.

A Public Notice Sign was posted on the property on February 03, 2020, and updated on November, 11th 2020, with the Public Meeting date. Finally, Notice of the Public Meeting was given in accordance with the requirements of the *Planning Act* on November 20th, 2020.

To date, staff received 34 response emails and letters pertaining to the application (attached as Appendix “E” to Report PED20022) and the concerns are summarized in the table above.

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 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
 - (ii) It complies with the general intent and purpose of the Urban Hamilton Official Plan and will comply with the Ancaster Wilson Street Secondary Plan, subject to the proposed 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 urban form that is compatible with the area, enhances and continues the streetscape of the neighbourhood and provides additional housing opportunities in the community.

2. The Official Plan Amendment is for an amendment to the Ancaster Wilson Street Secondary Plan to change the designation from “Low Density Residential 1” to “Low Density Residential 3” to permit six, two and a half storey street townhouses, and to establish a Site Specific Policy to recognize the existing road right-of-way width.

As per the UHOP policies, the Ancaster Wilson Street Secondary Plan and the Ancaster Wilson Street Urban Design Guidelines, the Official Plan Amendment can be supported as the proposal maintains and builds upon the existing patterns and built form of the area. The proposal represents residential intensification in an appropriate location that is compatible with the surrounding area in terms of use, scale, form and character and is compatible with adjacent cultural heritage resources.

UHOP policy C.4.5.2 f) iii) states that the City recognizes that in older urban built up areas there are existing road right-of-way widths significantly less than 20.117 metres, and that they may be reduced to a minimum of 15.24 metres with daylight triangles at intersections, provided all the required road facilities, municipal sidewalks and utilities can be accommodated in this reduced road right-of-way width. As noted above, Church Street is classified as a Local road and has an existing width of approximately 12.2 metres. In consultation with Transportation Planning and Development Engineering, it has been determined that municipal sidewalks, driveways, and utilities can be accommodated within the existing right-of-way width. As such, a right-of-way widening will not be required.

Therefore, staff supports the proposed Official Plan Amendment.

3. The proposed Zoning By-law Amendment is to change the zoning from the Existing Residential “ER” Zone to the Holding Residential Multiple “H-RM2-712” Zone, Modified. The purpose of the proposed amendment is to permit six, two and a half storey street townhouses with two parking spaces per dwelling.

The implementing by-law proposes modifications to the parent Residential Multiple “RM2” Zone which are discussed in Appendix “D” to Report PED20205. The proposed development complies with the Urban Hamilton Official Plan and Ancaster Wilson Street Secondary Plan subject to the OPA being approved. It contributes to a complete community by providing additional housing opportunities for the surrounding established neighbourhood, provides a built form that is compatible with the scale and character of the area, and builds upon the established lot and block pattern and built form of the existing residential neighbourhood. On the basis of the above, staff are supportive of the proposed Zoning By-law Amendment.

4. A Holding provision will be placed on the subject lands to ensure that any historic fabric to be removed will be appropriately documented and, if necessary, salvaged. As such a Documentation and Salvage report, to the satisfaction of the Director of Planning and Chief Planner, will be required prior to development of

the lands. The existing dwelling is proposed to be demolished but the applicant has committed to salvaging and incorporating some of the existing materials into the proposal where appropriate.

There is archaeological potential on the subject property. The Holding provision will also ensure that further archaeological review is conducted prior to development of the lands, to the satisfaction of the Director of Planning and Chief Planner and the Ministry of Heritage, Sport, Tourism and Culture Industries.

5. The proposal is for street townhouses that are not within a Registered Plan of Subdivision; as such Site Plan Control is required. This process is intended to further facilitate the overall design including landscaping, placement of buildings, grading and storm water management and parking. Future consent applications will be required to create the individual lots.

ALTERNATIVES FOR CONSIDERATION

Should the applications be denied, the lands could continue to be used in accordance with the Existing Residential “ER” Zone, which permits a single detached dwelling.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

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

Economic Prosperity and Growth

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

Healthy and Safe Communities

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

Clean and Green

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

Built Environment and Infrastructure

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

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” – Public Comments
- Appendix “F” – Site Plan and Elevations