



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	July 6, 2021
SUBJECT/REPORT NO:	Application for a Zoning By-law Amendment for Lands Located at 1269 Mohawk Road, Ancaster (PED21113) (Ward 14)
WARD(S) AFFECTED:	Ward 14
PREPARED BY:	Mark Andrews (905) 546-2424 Ext. 1384
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION(S)

- (a) That amended **Zoning By-law Amendment Application ZAC-19-006, by Shine Mohawk Independent Living Enterprises Ltd. (Owner)**, for a change in zoning from the Agricultural “A” Zone (Block 1) and the Residential “R4-666” Zone, Modified (Block 2) to a Holding Residential Multiple “H-RM6-708” Zone, Modified, to facilitate the development of a four-storey, 19-unit multiple dwelling with 35 parking spaces on lands located at 1269 Mohawk Road (Ancaster), as shown on Appendix “A” to Report PED21113, be **APPROVED** on the following basis:
- (i) That the draft By-law attached as Appendix “B” to Report PED21113, 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 property by introducing the Holding symbol ‘H’ to the proposed Residential Multiple “RM6-708” Zone, Modified, with the ‘H’ symbol being eligible to be removed conditional upon:

- (1) That the owner shall submit and receive approval of a Documentation and Salvage Report which further details the approach for removing, labelling, storing, and if required, reassembly of material salvaged from the removal of any portions of existing building, to the satisfaction of the Director of Planning and Chief Planner.
- (2) That the owner shall submit and receive approval of a Stage 3 (and if required, Stage 4) archaeological assessment for the site to the satisfaction of the Director of Planning and Chief Planner and the Ministry of Heritage, Sport, Tourism and Culture Industries.
- (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms with A Place to Grow Plan (2019, as amended) and complies with the Urban Hamilton Official Plan.

EXECUTIVE SUMMARY

This report recommends approval of a proposed amendment to the Town of Ancaster Zoning By-law No. 87-57 by Shine Mohawk Independent Living Enterprises Ltd. for a 0.19 hectare property known as 1269 Mohawk Road.

The proposed Zoning By-law Amendment will change the zoning of the subject site from the Agricultural “A” Zone and the Residential “R4-666” Zone, Modified to a Holding Residential Multiple “H-RM6-708” Zone, Modified. The proposed “RM6-708” Zone, Modified, will allow for the development of a four-storey (13.0 metre), 19-unit multiple dwelling with a maximum density of 100 units per hectare and the retention and protection of a portion of the c. 1883 heritage building. The proposed “RM6-708” Zone, Modified, will require 1.25 resident parking spaces per unit and 0.25 visitor parking spaces per unit. The required 35 parking spaces will be provided primarily below grade.

A range of modifications to the standard “RM6” Zone regulations have been incorporated to implement the proposal. These modifications are discussed in detail in Appendix “C” to Report PED21113. One of the key modifications requires the retention and incorporation of significant heritage attributes of the existing c. 1883 “Gothic Revival” farmhouse into the design of the new development.

Additionally, a Holding Provision has been included in the amending by-law to address cultural heritage resources and archaeology.

The proposed zoning regulations and the Holding Provision will ensure that significant cultural heritage resources are conserved through the proposed redevelopment of the site.

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Based on the above, the proposal has merit and can be supported as it is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow (2019, as amended), and complies with the Urban Hamilton Official Plan (UHOP).

Alternatives for Consideration – See Page 22

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 prior to considering an application for an amendment to the Zoning By-law.

HISTORICAL BACKGROUND

Report Fact Sheet

Application Details	
Applicant/Owner:	Shine Mohawk Independent Living Enterprises Ltd. (c/o Rajeev Sharma)
Agent:	MB1 Development Consulting Inc. (c/o Michael Barton)
File Number:	ZAC-19-006
Type of Application(s):	Zoning By-law Amendment
Proposal:	The concept plan attached as Appendix “D” to Report PED21113 proposes a four-storey, 19-unit multiple dwelling with 35 resident parking spaces (30 resident and two visitor spaces below grade and three at grade). The concept plan includes the retention and incorporation of significant heritage attributes of the existing c. 1883 “Gothic Revival” farmhouse into the design of the new development.
Property Details	
Municipal Address:	1269 Mohawk Road, Ancaster

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Lot Area:	0.19 hectares
Servicing:	Full Municipal Services.
Existing Uses:	One single detached dwelling and accessory structure (existing building is included in the City's Inventory of Buildings of Architectural and/or Historical Interest). The accessory structure (garage) will be demolished.
Proposed Uses:	Four storey multiple dwelling containing 19 residential units with a total of 35 parking spaces (32 below grade and three at grade). A portion of the original farmhouse (c. 1883) will be retained and incorporated into the design of the proposed four-storey building. Visitor parking will be provided at grade and screened from the street with a visual barrier.
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 Plan (2019, as amended).
Official Plan Existing:	<ul style="list-style-type: none"> Identified as a "Secondary Corridor" on Schedule "E" – Urban Structure. Designated "Neighbourhoods" on Schedule "E-1" – Urban Land Use Designations.
Official Plan Proposed:	No change.
Zoning Existing:	Agricultural "A" Zone and Residential "R4-666" Zone, Modified
Zoning Proposed:	Holding Residential Multiple "H-RM6-708" Zone, Modified
Modifications Proposed: (see Appendix "C" to Report PED21003)	Applicant Requested Modifications <ul style="list-style-type: none"> Minimum Lot Area of 0.19 hectares, whereas 0.4 hectares is required; Maximum Density of 100 units per hectare, whereas a maximum of 70 units per hectare is permitted;

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	<ul style="list-style-type: none"> • Maximum Lot Coverage of 40%, whereas 25% is required; • Minimum Front Yard of 7.5 metres except for the existing heritage structure, whereas 7.5 metres is required; • Minimum Side Yard (Westerly) of 7.5 metres except for the existing heritage structure, whereas 9.0 metres is required; • Minimum Side Yard (Easterly) of 2.0 metres, whereas 9.0 metres is required; • Minimum 1.5 parking spaces per dwelling unit, whereas 2.33 spaces per dwelling unit is required; • No “children’s play area” shall be provided, whereas a curbed or fenced children's outside play area that has a minimum area of 2.5 square metres per bedroom excluding master bedrooms is required; • The Maximum Building Height may be equivalently increased as the westerly yard increases beyond the minimum yard requirement (7.5 metres) to a maximum of 13.0 metres, whereas 10.5 metres is permitted; • Minimum 1.5 metre wide planting strip, whereas 3.0 metres is required; and, • Minimum Landscaping requirement of 25%, whereas 40% is required. <p>Staff Requested Modifications</p> <ul style="list-style-type: none"> • Holding Provision for a Documentation and Salvage Report and a Stage 3 Archaeological Assessment; and, • Amending the definition of Existing (Section 3.53) for the purposes of this by-law which shall mean existing at the date of passing of this by-law, save and except the rear addition and interior features of the 19th century building on the site, which are to be demolished.
Processing Details	
Received:	January 7, 2019
Deemed Complete:	January 11, 2019
Notice of Complete Application:	Notice sent to 39 property owners within 120 metres of the subject property on January 18, 2019.
Public Notice Sign:	Sign Posted: January 23, 2019.

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	Sign Updated: June 9, 2021.
Notice of Public Meeting:	Notice sent to 39 property owners within 120 metres of the subject property on June 18, 2021.
Public Consultation:	<p>The public consultation strategy relies on <i>Planning Act</i> requirements including the installation of a Public Notice Sign, circulation of the Notice of Application to all the landowners within 120 metres of the site and the holding of a Statutory Public Meeting.</p> <p>To supplement these requirements, the Applicants hosted a neighbourhood information meeting on October 7, 2019. Invitations to the meeting were circulated to all households within 120 metres of the site. Approximately 20 residents attended the meeting. The issues raised at this meeting included density, neighbourhood traffic, fit of proposed development with the neighbourhood and visual/massing impact to nearby residential properties.</p>
Public Comments:	No written correspondence was received.
Processing Time:	911 days

Existing Land Use and Zoning:

	Existing Land Use	Existing Zoning
Subject Property:	Single detached dwelling (c. 1883 Gothic Revival farmhouse) and detached garage.	Agricultural “A” Zone and Residential “R4-666” Zone, Modified.
Surrounding Lands:		
North	Single detached dwellings.	Agricultural “A” Zone.
East	Two-storey commercial building.	Community Commercial (C3) Zone.

South	Single detached dwellings (proposed two-storey commercial building currently under development review via DA-19-028).	Neighbourhood Commercial (C2, 713) Zone and Agricultural “A” Zone.
West	Single detached dwellings.	Residential “R4-666” Zone, Modified.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Planning Policy Framework

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the Provincial Policy Statement (PPS, 2020). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the PPS and conform to the Growth Plan for the Greater Golden Horseshoe (A Place to Grow, 2019, as amended).

The mechanism for the implementation of the Provincial plans and policies is through the Official Plan. Through the preparation, adoption and subsequent approval by the Ontario Land Tribunal, the City of Hamilton has established the Urban Hamilton Official Plan (UHOP) which contains local policies for the implementation of the Provincial planning policy framework. As such, matters of provincial interest (i.e. efficiency of land use) are discussed in the Official Plan analysis that follows.

One exception to the local implementation of the Provincial planning policy framework is that the UHOP has not been updated with respect to the cultural heritage policies of the PPS. The following policies, amongst others, 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.”

Built Heritage

The subject property contains an existing two-storey “Gothic Revival” style farmhouse c. 1883 with a nineteenth-century rear addition. This existing building is included in the

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City's Inventory of Buildings of Architectural and/or Historical Interest. Although not formally recognized under the *Ontario Heritage Act* through designation, the subject property is of cultural heritage value and staff have recommended that specific heritage attributes of the historic building are to be conserved through the proposed redevelopment.

As part of the Zoning By-law Amendment application, a Cultural Heritage Impact Assessment (CHIA) was completed by ASI Heritage Services. The CHIA concludes that 1269 Mohawk Road is a valued representation of a nineteenth-century Gothic Revival farmhouse. The property's historical and contextual value derives from its association with Mohawk Road. The property is associated with the theme of early settlement, as the building is one of the last remaining farmhouses on Mohawk Road, which was settled early in the history of Ancaster. The building meets a variety of criteria for determining cultural heritage value.

In view of the significance of the existing structure, the CHIA includes recommendations for an appropriate conservation strategy in the context of the redevelopment of the site. The strategy involves the retention and incorporation of significant heritage attributes of the existing c. 1883 "Gothic Revival" farmhouse into the design of the new development and the removal of other heritage attributes of the site, most notably the nineteenth century addition.

Heritage Conservation Summary

Heritage Attributes – Retained	Heritage Attributes – Removed
<ul style="list-style-type: none">• The original stone foundation of the c. 1883 farmhouse structure;• The exterior brick facades of the original T-shaped c. 1883 farmhouse structure;• The fenestration details of the c. 1883 farmhouse structure including its buff brick voussoirs with keystones, buff brick rounded arches and buff brick segmental arches and stone sills; and,• The location of the building on the top of a slope overlooking Mohawk Road.	<ul style="list-style-type: none">• The complete volume of the nineteenth century "rear addition"; and,• Interior features of the c.1883 farmhouse.

The concept plan (see Appendix “D” to Report PED21113) provides a visual representation of the heritage conservation strategy for the redevelopment. The conservation strategy also recommends that a documentation and salvage report be completed for elements of the existing building (i.e. the existing nineteenth century addition) that will be removed. In general, this represents an appropriate approach to the conservation of a significant built heritage resource while allowing for residential intensification in accordance with provincial and municipal policies.

Site-specific modifications have been applied to the amending Zoning By-law requiring that key heritage attributes of the existing c.1883 farmhouse be retained and incorporated into the building and site design for the new development in accordance with the recommendations of the ASI Cultural Heritage Impact Assessment. The future Site Plan Control process will provide further opportunity for detailed design review and ensure the new development is sympathetic to the historic character of the retained building elements.

Archaeological Resources

The subject property meets three 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; and,
- 3) Along historic transportation routes.

These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the *Planning Act* and Section 2.6.2 of the *Provincial Policy Statement* apply to the subject application.

A Stage 1 and 2 archaeological assessment (P398-0015-2018) for the subject property was submitted to the Ministry of Heritage, Sport, Tourism and Culture Industries and the City of Hamilton. The report recommends that further archaeological work should be conducted to assess the archaeological potential of the subject property. Staff concur with this recommendation and require that the applicant conducts a Stage 3 archaeological assessment and that this report be submitted to the Ministry of Heritage, Sport, Tourism and Culture Industries and the City of Hamilton for approval. A Holding Provision has been applied to the amending by-law which requires that a Stage 3 (and if required, a Stage 4) archaeological assessment be submitted as one of the conditions for removing the Holding Provision prior to development.

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The recommended Zoning By-law amendment complies with the Urban Hamilton Official Plan and the relevant policies in the PPS, 2020. The application is:

- consistent with Section 3 of the *Planning Act*;
- consistent with the Provincial Policy Statement (2020); and,
- conforms to A Place to Grow (2019, as amended).

Urban Hamilton Official Plan

The subject lands are designated “Neighbourhoods” on Schedule “E-1” – Urban Land Use Designations in the Urban Hamilton Official Plan (UHOP). In addition, Mohawk Road is considered a Major Arterial road as per Schedule “C” – Functional Road Classifications of the UHOP.

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

Neighbourhoods

- “E.3.1.1 Develop compact, mixed use, transit-supportive, and active transportation friendly neighbourhoods.
- E.3.1.2 Develop neighbourhoods as part of a complete community, where people can live, work, shop, learn, and play.
- E.3.1.4 Promote and support design which enhances and respects the character of existing neighbourhoods while at the same time allowing their on-going evolution.
- E.3.1.5 Promote and support residential intensification of appropriate scale and in appropriate locations throughout the neighbourhoods.”

The proposal is supported by the policy goals for Neighbourhoods in urban Hamilton. The application will provide an opportunity for residential intensification in the form of a four-storey, 19-unit multiple dwelling development along an identified Secondary Corridor in the Scenic Woods neighbourhood. A range of site-specific Zoning regulations have been incorporated into the by-law including setbacks and step-backs from adjacent single detached dwellings as well as a gradient building height regulation which considers surrounding uses and provides appropriate measures against overlook to enhance privacy. Overall, the proposed development will provide additional housing options in the Scenic Woods neighbourhood, at a transit supportive density to contribute to the development of a complete community.

Residential Uses – General Policies

- “3.3.1 Lower density residential uses and building forms shall generally be located in the interiors of neighbourhood areas with higher density dwelling forms and supporting uses located on the periphery of neighbourhoods on or in close proximity to major or minor arterial roads.
- 3.3.2 Development or redevelopment adjacent to areas of lower density shall ensure the height, massing, and arrangement of buildings and structures are compatible with existing and future uses in the surrounding area.

Medium Density Residential

Function

- E.3.5.1 Medium density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods in proximity to major or minor arterial roads, or within the interior of neighbourhoods fronting on collector roads.
- E.3.5.2 Uses permitted in medium density residential areas include multiple dwellings except street townhouses.
- E.3.5.5 Medium density residential uses shall be located within safe and convenient walking distance of existing or planned community facilities, public transit, schools, active or passive recreational facilities, and local or District Commercial uses.
- E.3.5.6 Medium density residential built forms may function as transitions between high and low profile residential uses.”

The subject site is located on the periphery of the Scenic Woods neighbourhood, along an identified Major Arterial Road (Secondary Corridor). The site is located within 800 metres (i.e. 10 minute walk) of a range of commercial services and community amenities including Sir Allan MacNab Secondary School and Recreation Centre, Olympic Park and the Meadowlands Power Centre. HSR bus service (Route 41) is available along Mohawk Road with an existing stop located directly in front of the property. These locational characteristics align with the policy intent for Medium Density Residential areas. The proposed Zoning By-law Amendment will allow for multiple dwellings in accordance with Policy E.3.5.2 of the UHOP noted above. Further, the site acts as a logical point of transition between higher intensity uses located along

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Mohawk Road and existing lower density residential areas located north of the site, interior to the Scenic Woods neighbourhood.

“Scale

- E.3.5.7 For medium density residential uses, the net residential density shall be greater than 60 units per hectare and not greater than 100 units per hectare.
- E.3.5.8 For medium density residential uses, the maximum height shall be six storeys.”

The proposed development complies with scale of development contemplated in the policies for Medium Density Residential areas. The proposed density has been capped at 100 units per hectare, resulting in a total of 19 units on the subject site. The maximum height of 13.0 metres (four storeys) is within the allowable height and below the maximum height referenced by Policy E.3.5.8.

“Design

- 3.5.9 Development within the medium density residential category shall be evaluated on the basis of the following criteria:
- a) Developments should have direct access to a collector or major or minor arterial road. If direct access to such a road is not possible, the development may gain access to the collector or major or minor arterial roads from a local road only if a small number of low density residential dwellings are located on that portion of the local road.
 - b) Development shall be integrated with other lands in the Neighbourhoods designation with respect to density, design, and physical and functional considerations.
 - c) Development shall be comprised of sites of suitable size and provide adequate landscaping, amenity features, on-site parking, and buffering if required. The height, massing, and arrangement of buildings and structures shall be compatible with existing and future uses in the surrounding area.
 - d) Access to the property shall be designed to minimize conflicts between traffic and pedestrians both on-site and on surrounding streets.

- e) The City may require studies, in accordance with Chapter F – Implementation Policies, completed to the satisfaction of the City, to demonstrate that the height, orientation, design, and massing of a building or structure shall not unduly overshadow, block light, or result in the loss of privacy of adjacent residential uses.”

Development of the subject site will include a single direct access to Mohawk Road, which is classified as a Major Arterial Road as per Schedule “C” – Functional Road Classification of the UHOP. The Concept Plan provided in support of the application demonstrates that the site can accommodate the proposed density while providing adequate landscaping, parking and buffering from adjacent single detached dwellings.

Appropriate building setbacks have been incorporated from the rear and westerly side lot lines to minimize visual impact and overlook and maintain appropriate access to sunlight and views for residents of the adjacent single detached dwellings. Specifically, the proposed Zoning By-law Amendment requires a minimum 7.5 metre setback from the westerly side yard where the site abuts an existing single detached dwelling. Additional building setbacks/step-backs proposed are proportional to the increase in building height. The modifications to the zoning provision will ensure that all the elements of the proposed building are contained within a 45-degree angular plane to allow for an appropriate transition in building form. The proposed building will be set back approximately 15 metres from the rear lot line and will be located over 25 metres from the nearest existing single detached dwellings to the north. Landscape buffers are proposed along the rear and side lot lines to provide screening and softening of the new built form. The proposed development will be compatible with the existing and future dwellings in the area.

Residential Intensification

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

- a) a balanced evaluation of the criteria in b) through g), as follows;
- b) the relationship of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form;
- c) the development’s contribution to maintaining and achieving a range of dwelling types and tenures;

d) the compatible integration of the development with the surrounding area in terms of use, scale, form and character. In this regard, the City encourages the use of innovative and creative urban design techniques;

e) the development's contribution to achieving the planned urban structure as described in Section E.2.0 – Urban Structure;

f) infrastructure and transportation capacity; and,

g) the ability of the development to comply with all applicable policies.

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

a) the matters listed in Policy B.2.4.1.4;

b) compatibility with adjacent land uses including matters such as shadowing, overlook, noise, lighting, traffic, and other nuisance effects;

c) the relationship of the proposed building(s) with the height, massing, and scale of nearby residential buildings;

d) the consideration of transitions in height and density to adjacent residential buildings;

e) the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;

f) the provision of amenity space and the relationship to existing patterns of private and public amenity space;

g) the ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations;

h) the ability to complement the existing functions of the neighbourhood;

i) the conservation of cultural heritage resources; and,

j) infrastructure and transportation capacity and impacts.”

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While the proposed development represents an infill development and the intensification of a property within the existing urban boundary, the adaptive reuse of the existing two-storey heritage building into the design of the proposed four-storey multiple dwelling will maintain compatibility with the character of the surrounding community. As noted above, appropriate building setbacks have been incorporated from the rear and westerly side lot lines to minimize visual impact and overlook and maintain appropriate access to sunlight and views for residents of the adjacent single detached dwellings.

Right-of-Way Dedications

“C.4.5.6.1 The City shall require, as a condition of site plan approval, subdivision approval, condominium approval and land severance consent, that sufficient lands are conveyed to provide for a road right-of-way dedication in accordance with the designated widths as set out in Section C.4.5.2 or Schedule C-2 – Future Right-of-Way Dedications.”

In accordance with the Urban Hamilton Official Plan, this section of Mohawk Road is considered a “major” arterial road, with an ultimate width of 30.48 m. As a condition of the future Site Plan Control application, a road widening dedication will be required across the entire frontage of the property, measured 15.24 m from the original center-line of construction of Mohawk Road.

Noise

“B.3.6.3.1 Development of noise sensitive land uses, in the vicinity of provincial highways, parkways, minor or major arterial roads, collector roads, truck routes, railway lines, railway yards, airports, or other uses considered to be noise generators shall comply with all applicable provincial and municipal guidelines and standards.

B.3.6.3.3 Where feasible and in compliance with other policies, the City shall ensure that land use arrangements which minimize the impact of noise and vibration be considered in the formulation of plans of subdivision and condominium, official plan amendments, severances, and zoning by-law amendments.”

The applicant submitted an Environmental Noise Feasibility Study, dated December 5th, 2018, prepared by Valcoustics Canada Ltd, to address the above noted policies. The recommendations of the Environmental Noise Feasibility Study indicate that warning clauses will be included in all offers and agreements of purchase and sale or lease. The Noise Assessment also provided noise control measures through architectural elements

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and design features to protect outdoor living amenities which will implemented through the Site Plan Control process to address noise requirements.

Therefore, the proposal complies with the UHOP.

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

The lands are currently zoned Agricultural “A” Zone and Residential “R4-666” Zone, Modified in the Town of Ancaster Zoning By-law No. 87-57. Permitted uses in the “A” Zone are limited to single detached dwellings and agricultural uses and permitted uses in the “R4-666” Zone, Modified, are limited to single detached dwellings. An amendment to the Zoning By-law is required to implement the proposed development of a four-storey, 19-unit multiple dwelling with 35 parking spaces.

The proposed Residential Multiple “RM6-708” Zone, Modified, includes a range of modifications to the standard regulations. Building setback and height restrictions have been modified to reflect gradient height and setback/step-back requirements and ensure building components fit within a 45 degree angular plane from adjacent single detached dwelling lots. Additionally, the modifications include regulations that will enable require the retention and incorporation of the existing c. 1883 “Gothic Revival” farmhouse into the design of the new development in accordance with the proposed concept plan attached as Appendix “D” to Report PED21113. The site-specific modifications are evaluated in detail in Appendix “C” to Report PED21113.

Further, the amending by-law includes a Holding Provision. The removal of the “H” is conditional upon the:

- Submission and approval of a Documentation and Salvage Report for portions of the existing heritage building being removed; and,
- Approval of a Stage 3 (and if required, Stage 4) archaeological assessment by Director of Planning and Chief Planner and the Ministry of Heritage, Sport, Tourism and Culture Industries.

RELEVANT CONSULTATION

Departments and Agencies	
<ul style="list-style-type: none">• Hamilton Conservation Authority;• Hydro One Networks Inc.;• Parks and Cemeteries, Public Works Department;	No Comments.

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<ul style="list-style-type: none"> • Recreation, Healthy and Safe Communities Department; and, • Landscape Architectural Services, Public Works Department. 		
	Comment	Staff Response
Transit Planning and Infrastructure, Transit (HSR)	Transit Planning advises that the site is adjacent to the T-Line, a future Rapid Transit Corridor, on Mohawk Road. Right-of-way (ROW) as outlined in Schedule C-2 of the UHOP should be taken. There is existing local transit on Mohawk Road (Route 41). There is no impact to the HSR bus stop. It is our preference to see transit-oriented design, including direct pedestrian connections between front entrances and Mohawk Road.	<p>The proposed development is transit-supportive from a density perspective.</p> <p>Design details, including direct pedestrian connections to Mohawk Road, will be reviewed in detail and implemented through the Site Plan Control process.</p>
Transportation Planning and Parking Division, Planning and Economic Development Department	<p>A Transportation Impact Brief was completed and submitted by Paradigm Transportation Solutions on behalf of the Applicant. Transportation Planning has reviewed the brief and supports the proposed Zoning By-law amendment.</p> <p>The Transportation Impact Brief submitted by the applicant provides an overview of anticipated trip generation rates for the proposed redevelopment of</p>	Noted.

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	<p>1269 Mohawk Road. The submitted brief notes the following:</p> <p>“Using the Institute of Transportation Engineers equation rates, the proposed development is expected to generate four trips (one entering and three exiting) during the weekday AM peak hour and seven trips (four entering and three exiting) during the weekday PM peak hour.</p> <p>This represents a less than 1% increase in projected AM and PM peak hour trips, both eastbound and westbound on Mohawk Road.</p> <p>A left-turn warrant analysis was completed for an eastbound left turn lane into the proposed site. The left turn lane is not warranted based on that analysis. Existing roadways and nearby intersections are suitable to accommodate the proposed development.”</p>	
Development Engineering Approvals Section, Growth Management Division, Planning and Economic Development Department	<p>Storm Drainage</p> <p>In order to provide an adequate storm outlet for the subject lands, the proponent will be required</p>	A Functional Servicing Report was prepared by MTE Consultants Inc. and submitted with the application.

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<p>-and- Water & Wastewater Planning, Hamilton Water Division, Public Works Department</p>	<p>to obtain an ECA approval for the existing 300 mm diameter storm sewer, including the new proposed sewer, and enter into an External Works Agreement with the City to extend the storm sewer to provide for a storm outlet for the proposed development.</p> <p>Sanitary and Water Servicing</p> <p>According to our records there is a public watermain and sanitary sewer fronting the subject lands. A municipal storm sewer does not front the property.</p> <p>The applicant has submitted a preliminary Servicing Plan which proposes typical standard water and sanitary services laterals to the existing municipal infrastructure fronting the property. Details respecting the proposed layout of these future private services will be reviewed at the Site Plan servicing stage, and comments will be provided at that time.</p> <p>Road Widening</p> <p>In accordance with the Urban Hamilton Official Plan the subject section of</p>	<p>Sanitary and water mains are located on Mohawk Road West directly in front of the subject property.</p> <p>Upgrades and a necessary extension to the storm sewer system have been identified and agreed upon through the Zoning By-law amendment process. Such upgrades will be implemented by way of an External Works Agreement at the Site Plan Control stage.</p> <p>The required road widening dedication will be taken, at the Site Plan Control stage.</p>
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	<p>Mohawk Road is considered a “major” arterial road, with an ultimate width of 30.48 m. As a condition of future development, the Owner is advised that a road widening dedication to the City of Hamilton will be required, across the entire frontage of the property, to establish the as widened property line 15.24 m from the original centerline of construction of Mohawk Road.</p> <p>Recommendation</p> <p>We have no concerns from an engineering perspective with the Zoning application.</p>	
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PUBLIC CONSULTATION

In accordance with the provisions of the *Planning Act* and the Council Approved Public Participation Policy, Notice of Complete Application and Preliminary Circulation was sent to 39 landowners within 120 m of the subject property on January 18, 2019 and a Public Notice Sign was posted on the property on January 23, 2019. The Public Notice Sign was updated with the Public Meeting Date on June 9, 2021. Finally, notice of the Public Meeting was given on June 18, 2021 in accordance with the requirements of the *Planning Act*.

At the time of writing this report, no formal submissions have been received from members of the public.

Public Consultation Strategy

Pursuant to the City’s Public Consultation Strategy Guidelines, the applicant prepared a Public Consultation Strategy which included a neighbourhood information meeting, the

installation of a Public Notice Sign, circulation of the Notice of Application to all the landowners within 120 metres of the site and the holding of a Statutory Public Meeting. The applicant will be present to answer questions at the Statutory Public Meeting.

The applicants hosted a neighbourhood information meeting on October 7, 2019. Invitations were mailed to all landowners within 120 metres of the subject lands. The meeting was hosted by the applicant and attended by approximately 20 members of the public and City staff. Citizen feedback was not specifically documented and provided to the City for review. At the meeting, area residents expressed concerns about the proposed density, neighbourhood traffic, contextual fit, and visual impacts.

ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)

1. The Zoning By-law Amendment has merit and can be supported for the following reasons:
 - (i) The application is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow Plan (2019, as amended);
 - (ii) It complies with the policies of the Urban Hamilton Official Plan; and,
 - (iii) The application provides for an opportunity for infill development and the intensification of a site along a Secondary Corridor with a mid-rise, medium density housing form that is appropriate in scale and context with existing and planned development in the area. This application also presents an opportunity to maintain and repurpose a significant built heritage resource.
2. Zoning By-law Amendment

Changes to the Zoning By-law from the Agricultural “A” Zone and the Residential “R4-666” Zone, Modified, to the Residential Multiple “RM6-708” Zone, Modified, are required to permit the proposed development. The subject site is located along a Secondary Corridor, where the UHOP promotes the development of multiple storey buildings, primarily in the form of mid-rise, medium density residential development. The proposed Zoning By-law amendment to allow a development with a maximum density of 100 units per hectare and maximum height of 13.0 metres (four-storeys) aligns with UHOP policy for Medium Density Residential uses.

The proposed Residential Multiple “RM6-708” Zone, Modified, includes a range of modifications to the standard regulations. These modifications are needed to

enable a more compact form of multiple residential development as envisioned by the UHOP policies. As an infill development, building setbacks and height restrictions have been modified to ensure the building fits within a 45-degree angular plane from adjacent single detached dwelling lots. The proposed development is contextually appropriate for the neighbourhood. Therefore, staff support the proposed zoning by-law amendment.

The site-specific modifications are evaluated in detail in Appendix “C” to Report PED21113.

3. A Holding Provision has been applied to the amending by-law. The conditions for removing the Holding Provision include the submission and approval of a Documentation and Salvage Report for any portions of the existing dwelling to be removed and the submission of a Stage 3 (and if required, Stage 4) archaeological assessment for site, to the satisfaction of the Director of Planning and Chief Planner and the Ministry of Heritage, Sport, Tourism and Culture Industries. The Site Plan Control process will provide further opportunity for detailed design review to ensure new development is sympathetic to the historic character of the retained elements of the existing farmhouse.

ALTERNATIVES FOR CONSIDERATION

Should the proposed Zoning By-law Amendment application be denied, the property could be utilized in accordance with the existing Agricultural “A” Zone and Residential “R4-666” Zone, Modified provisions of the Town of Ancaster Zoning By-law No. 87-57. The existing zoning permits single detached dwellings and agricultural uses.

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.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PED21113 – Location Map

Appendix “B” to Report PED21113 – Amendment to Zoning By-law No. 87-57

Appendix “C” to Report PED21113 – Zoning By-law Modification Assessment

Appendix “D” to Report PED21113 – Concept Plan