



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	January 11, 2022
SUBJECT/REPORT NO:	Applications for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 281 Hamilton Drive and 356 Wilson Street West, Ancaster (PED22004) (Ward 12)
WARD(S) AFFECTED:	Ward 12
PREPARED BY:	Daniel Barnett (905) 546-2424 Ext. 4445
SUBMITTED BY:	Stephen Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That **Official Plan Amendment Application UHOPA-20-009 by A.J. Clarke and Associates c/o Stephen Fraser, on behalf of RUDY & Associates c/o Michelle Cutts, Owner**, to re-designate the lands from the “Low Density Residential 1” to “Low Density Residential 3” designation on Map B.2.8-1 Land Use Plan in the Ancaster Wilson Street Secondary Plan in the Urban Hamilton Official Plan, to permit ten townhouse dwelling units on a private driveway, for lands located at 281 Hamilton Drive and 356 Wilson Street West, as shown on Appendix “A” attached to Report PED22004, be **APPROVED** on the following basis:
 - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED22004, be adopted by City Council;
 - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan for the Greater Golden Horseshoe 2019, as amended;
- (b) That amended **Zoning By-law Amendment Application ZAC-20-014 by A.J. Clarke and Associates c/o Stephen Fraser, on behalf of RUDY & Associates**

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c/o Michelle Cutts, Owner, for a change in zoning from the Deferred Development “D” Zone and the Urban Commercial “C4-288” Zone to a site specific Residential Multiple “RM2” (RM2-713) Zone, Modified, in the Town of Ancaster Zoning By-law No. 87-57, to permit ten townhouse dwelling units accessed from a private driveway, for lands located at 281 Hamilton Drive and 356 Wilson Street West, as shown on Appendix “A” attached to Report PED22004, be **APPROVED** on the following basis:

- (i) That the draft By-law, attached as Appendix “C” attached to Report PED22004, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the amending By-law attached as Appendix “C” attached to Report PED22004, be added to District Map No. 1-B of Zoning By-law No. 87-57 as “RM2-713”;
- (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and complies with the Urban Hamilton Official Plan upon the approval of Official Plan Amendment No. ____.

EXECUTIVE SUMMARY

The subject property is municipally known as 281 Hamilton Drive and 356 Wilson Street West. The Owner, 1172875 BC Ltd. c/o A.K. Sangha has applied for amendments to the Urban Hamilton Official Plan and Town of Ancaster Zoning By-law No. 87-57 to permit a total of 10 townhouse units arranged in two blocks, two parking spaces in a tandem parking arrangement per dwelling units and seven visitor parking spaces, all of which will be accessed from a private driveway. Subsequent to the submission of the Applications, the lands were sold and the ownership changed from 1172875 BC Ltd. c/o A.K. Sangha to RUDY & Associates c/o Michelle Cutts effective August 10, 2021.

The purpose of the Official Plan Amendment Application is to re-designate the lands from the “Low Density Residential 1” to “Low Density Residential 3” the Ancaster Wilson Street Secondary Plan to permit the proposed townhouse dwelling units.

The purpose of the Zoning By-law Amendment is for a change in zoning from the Deferred Development “D” Zone and Urban Commercial “C4-288” Zone to a site specific Residential Multiple “RM2-713” Zone, Modified. Modifications to the “RM2” Zone have been requested to reduce the minimum lot area, minimum lot frontage, front

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yard setback, flanking side yard setback, width of a planting strip, depth of offset for a row of townhouse dwellings, and to increase the required number of visitor parking spaces.

The Applications have merit and can be supported for the following reasons:

- They are consistent with the Provincial Policy Statement (2020) (PPS);
- They conform to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended (Growth Plan);
- They comply with the general intent of the Urban Hamilton Official Plan and Ancaster Wilson Street Secondary Plan; and,
- The proposed development is compatible with existing land uses in the immediate area and represents good planning by, among other things, increasing the supply of housing units, making efficient use of existing infrastructure within the urban boundary, and supporting public transit.

Alternatives for Consideration – See Page 36

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

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

HISTORICAL BACKGROUND

Report Fact Sheet

Application Details	
Applicant/Owner:	RUDY & Associates c/o Michelle Cutts (Owners)
File Number:	UHOPA-20-009 and ZAC-20-014
Type of Application:	Urban Hamilton Official Plan Amendment and Zoning By-law Amendment

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Application Details	
Proposal:	<p>The proposed development has undergone multiple revision from what was original applied for on December 20, 2019. The original Applications were for a development that consisted of 11 townhouse units in two townhouse blocks, a proposed height three storey (12.8 metre), a minimum unit width of 5.5 metres, and with four visitor parking spaces.</p> <p>The current proposal is for a total of 10 townhouse units. The change from the original Application are:</p> <ul style="list-style-type: none"> • The number of dwelling units in each building was revised, with four units within the townhouse block fronting on Wilson Street West and six units within the townhouse block fronting onto Hamilton Drive; • The height of the buildings was reduced to two and a half storey, (with the look of a two storey building from the street) and a building height of 9.5 metres; • The minimum unit width was increased to 6.0 metres for an interior unit and 6.2 metres for an end unit; • The setback from Hamilton Drive was increased, and the townhouse block along Wilson Street West was setback so as to not project in front of the existing building to the east; • The number of visitor parking spaces was increased to seven spaces and five short term bicycle parking spaces are included; and, • The amount of overall landscaping has been increased.
Property Details	
Municipal Address:	281 Hamilton Drive and 356 Wilson Street West, Ancaster
Lot Area:	2,680 square metres (0.268 hectares)
Servicing:	Existing full municipal services.
Existing Use:	<p>Lands vacant since 2007.</p> <p>Previously:</p> <ul style="list-style-type: none"> • 281 Hamilton Drive was a single detached dwelling; and, • 356 Wilson Street West was used for a gas station.

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Documents	
Provincial Policy Statement (PPS):	The proposal is consistent with the PPS.
A Place to Grow:	The proposal conforms to the Growth Plan, as amended.
Official Plan Existing:	“Neighbourhoods” in the Urban Hamilton Official Plan. “Low Density Residential 1” in the Ancaster Wilson Street Secondary Plan.
Official Plan Proposed:	“Low Density Residential 3” designation.
Zoning Existing:	Urban Commercial “C4-228” Zone for Northerly half of the subject lands Deferred Development “D” Zone for Southerly half of the subject lands.
Zoning Proposed:	Residential Multiple “RM2” (RM2-713) Zone, Modified
Modifications Proposed:	The following modification are required for the development: <ul style="list-style-type: none"> • To increase the maximum encroachment of a porch / stairway from 1.5 metres front a street line to 0 metres from Wilson Street West and 0 metres for a stairway and 1.0 metres for a porch from Hamilton Drive; • To increase the minimum lot area from 1,850 square metres to 2,600 square metres and to not require a minimum lot area per dwelling unit; • To reduce the minimum lot width per unit from 9.0 metres to 6.0 metres; • To reduce the minimum front yard setback from 7.5 metres to 0.8 metres from Wilson Street West; and, • To reduce the minimum flankage side yard setback from 7.5 metres to 2.5 metres from Hamilton Drive, except for an end unit in which case a minimum flankage side yard setback of 3.0 metres shall be required and 2.3 metres for the westerly end unit of the building along Wilson Street West from the flanking street line; and, • To reduce the minimum width of a planting strip from 3.0 metres, to 2.5 metres along the easterly side lot line and 1.4 metres along the southerly rear lot line and to permit a bicycle parking area within the southerly rear lot line.

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<p>Modifications Proposed Continued:</p>	<ul style="list-style-type: none"> • To reduce the minimum depth required for off-setting or staggering the front face or wall for a townhouse with more than four units from 1.0 metres to 0.5 metres. <p>The following modifications have been included by staff:</p> <ul style="list-style-type: none"> • To require a minimum visitor parking requirement of 0.66 spaces per unit whereas no visitor parking is required for Street Townhouses; • To restrict the maximum number of dwelling units to 10 units; and, • To increase the minimum number of required parking from two parking spaces per unit to 2.66 parking spaces per unit (two tandem and 0.66 visitor parking spaces per unit).
<p>Processing Details</p>	
<p>Received:</p>	<p>December 20, 2019</p>
<p>Deemed Complete:</p>	<p>January 17, 2020</p>
<p>Notice of Complete Application:</p>	<p>Sent to 104 property owners within 120 metres of the subject property on January 29, 2020.</p>
<p>Public Notice Sign:</p>	<p>Posted February 11, 2020 and updated with public meeting date on December 8, 2021.</p>
<p>Notice of Public Meeting:</p>	<p>Sent to 154 property owners within 120 metres of the subject property on December 17, 2021.</p>
<p>Public Consultation:</p>	<p>The Applicant original intended to hold a Public Open House meeting which would have occurred in the spring of 2020 however due to Covid-19 the Public Open House meeting never occurred.</p> <p>In order to engage with the Public, the Applicant sent out a letters on August 10, 2021 seeking public engagement and an additional mailout was sent August 26, 2021 to additional members of the public who did not receive the original mailout. A total of 123 letters were sent out by the Applicant seeking public engagement. One letter was received by the Applicant re-iterating the concern that was previously provided to the City in early 2020.</p>
<p>Public Comments:</p>	<p>18 letters were received expressing concern for the proposed Official Plan Amendment and Zoning By-law Amendment.</p>
<p>Processing Time:</p>	<p>753 days from date of receipt of initial Application. 238 day from receipt of revised development proposal and 103 days from receipt of updated Tree Management Plan.</p>

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Existing Land Use and Zoning:

	Existing Land Use	Existing Zoning
Subject Property:	Vacant Lot	“C4-228” (Urban Commercial) Zone and “D” (Deferred Development) Zone, Modified

Surrounding Land Uses:

North	Municipal park and Fire Station	Neighbourhood Park (P1) Zone
East	Single detached dwellings	“R3” (Residential 3) Zone
South	Single detached dwellings	“R3-302” (Residential 3) Zone, Modified
West	Block townhouse dwellings	“RM3-327” (Residential Multiple 3) 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 (2020) (PPS). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the PPS. As of May 1, 2020, the policies of the PPS (2020) apply to planning decision, including:

- “1.1.3.1 *Settlement areas* shall be the focus of growth and development.
- 1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses:
 - a) Efficiently use land and resources;
 - b) 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 uneconomic expansion;

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- e) Support active transportation; and,
- f) Are transit-supportive, where transit is planned, exists or may be development;

1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.”

The proposed development is located within a settlement area and represents a compatible form of intensification which promotes efficient use of land, existing infrastructure, and existing public transit. The proposed development is a compact form of development that is appropriate in scale for the area.

Cultural Heritage and Archaeology

The City of Hamilton Official Plan has not been updated with respect to the cultural heritage policies of the PPS. The following policies amongst others of the PPS 2020 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; and,
- 2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.”

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

- 1) In an area of sandy soil in areas of clay or stone;
- 2) In areas of pioneer EuroCanadian Settlement; and,
- 3) Along historic transportation routes.

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Notwithstanding current surface conditions the criteria define the property as having archaeological potential. Staff will require that a written caution note be added to the site plan drawings as part of a future Site Plan Control Application.

The subject property is adjacent to 285 Hamilton Drive, a property included in the City's Inventory of Buildings of Architectural and/or Historical Interest, and staff are of the opinion that the heritage value of the property could be impacted. To address the potential impact on the heritage value of the adjacent inventoried property staff required the inclusion of a planting strip / vegetative tree barrier to be established between the subject lands and the inventoried property. The proposed development incorporates a planting strip along the rear lot line between the proposed development and the adjacent inventoried property and a visual barrier fence will be required to be provided as part of the future Site Plan Control Application. Staff are satisfied that the heritage value of the adjacent inventoried property will be protected.

Noise

The PPS provides the following policy direction:

"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."

The subject lands are close to existing noise sources, primarily from the surrounding roads. An Acoustical Study was prepared by HBC Engineering dated December 18, 2019 and submitted with the Application.

The noise sources identified in the study that impact the subject lands included Wilson Street West, Hamilton Drive, and Alexander Graham Bell Parkway (403) (AGBP), which is located approximately 310m to the south. The study also noted the existing fire station, located to the north of the subject lands, as a potential source of noise.

The study identified the sound levels impacting the proposed development measured from multiple points on both buildings and the study noted that the traffic sound levels at the proposed buildings will exceed the MECP guidelines. The Noise Study by HBC Engineering has identified the required mitigation measures and noise warning clauses that will need to be implemented in order for the development to comply with MECP guidelines. Required mitigation measures include:

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- Requirement for the dwelling units to be equipped with central air conditioning systems so that windows can be kept closed;
- Establishment of a sound transmission class (STC) rating of 32 for the windows and doors on the north façade of the townhouse dwelling along Wilson Street West;
- Standard Ontario Building Code (OBC) requirements for the townhouse dwelling along Hamilton Drive;
- Warning Clauses that will need to be included in all offers of purchase and sale, and property and tenancy agreements; and,
- Prior to Application of a building permit a qualified professional will review the plans to ensure that windows and building constructions are adequately designed and subsequently that a qualified professional certify that the noise control measures for the building have been properly installed.

All noise mitigation measures will need to be implemented at the Site Plan Control stage.

The Acoustical Study prepared by HBC Engineering dated December 18, 2019 was based on the original design and layout of the proposed development and does not account for the changes in the proposed revised design. While the current Acoustical study adequately demonstrates that the proposed use can be accommodated on site with adequate mitigation measures, an updated Acoustical Study or Addendum Acoustical Study will need to be undertaken and implemented as part of the future Site Plan Control Application.

Site Contamination

The PPS provides the following policy direction:

“3.2.2 Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.”

Part of the subject lands was previously used for a motor vehicle service station (gas station). On the basis of this current development proposal a Record of Site Condition (RSC) is required to determine that the subject lands are not contaminated and precluded from being developed for residential use.

The Applicant filed a Record of Site Condition with the Ministry of the Environment, Conservation and Parks on December 16, 2020, which concluded based on Phase 1 and Phase 2 Environmental Assessment and sampling that was undertaken, that there

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is no evidence of any contaminants in the soil, ground water or sediment on, in or under the RSC property that would interfere with the proposed residential use.

Given the foregoing, and subject to the recommended zoning By-law provisions, staff are of the opinion that the Applications are consistent with the PPS.

Growth Plan for the Greater Golden Horseshoe 2019, as amended

The Growth Plan directs the majority of growth to settlement areas that have access to municipal water and wastewater systems and can support the achievement of complete communities. The following policies, amongst others, apply to the proposal:

- “2.2.1.2 a) 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*;
- 2.2.1.2 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;”

The subject lands are located within the Hamilton urban area and are fully serviced by municipal water and wastewater infrastructure. The proposal contributes toward providing a diverse range and mix of housing options and makes use of existing

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municipal services. The proposal represents a form of residential intensification within the built-up area, in proximity to an existing transit route along Wilson Street West.

Based on the foregoing, the proposal conforms with the policies of the Growth Plan.

Urban Hamilton Official Plan

The subject is identified as “Neighbourhoods” on Schedule “E” – Urban Structures and designated “Neighbourhood” on Schedule “E-1” – Urban Land Use Designation in the UHOP. The following policies, amongst others, apply to the proposal.

Urban Structures

- “E.2.6.2 Neighbourhoods shall primarily consist of residential uses and complementary facilities and services intended to serve the residents. These facilities and services may include parks, schools, trails, recreation centres, places of worship, small retail stores, offices, restaurants, and personal and government services;
- E.2.6.4 The Neighbourhoods element of the urban structure shall permit and provide the opportunity for a full range of housing forms, types and tenure, including affordable housing and housing with supports; and,
- E.2.6.7 Neighbourhoods shall generally be regarded as physically stable areas with each neighbourhood having a unique scale and character. Changes compatible with the existing character or function of the neighbourhood shall be permitted. Applications for development and residential intensification within Neighbourhoods shall be reviewed in consideration of the local context and shall be permitted in accordance with Section B.2.4 – Residential Intensification, E.3.0 – Neighbourhoods Designation, E.4.0 – Commercial and Mixed Use Designation, and E.6.0 – Institutional Designation.”

The proposal is to establish a block townhouse development comprised of freehold units fronting on a condo road is a use permitted for lands identified as “Neighbourhoods”. The proposed development contributes toward providing a full range of housing forms, types and tenures. The size and scale of the proposed development is compatible with the area which consists of low density forms of development.

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Neighbourhoods

- “E.3.2.1 Areas designated Neighbourhoods shall function as complete communities, including the full range of residential dwelling types and densities as well as supporting uses intended to serve the local residents;
- E.3.2.3 The following uses shall be permitted on lands designated Neighbourhoods on Schedule E-1 – Urban land Use Designations:
- a) Residential dwellings, including second dwelling units and housing with supports;
- E.3.2.4 The existing character of established Neighbourhoods designated areas shall be maintained. Residential Intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood in accordance with Section B.2.4 – Residential Intensification and other applicable policies of this Plan;
- E.3.5.2 Uses permitted in medium density residential area include multiple dwellings except street townhouses;
- 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; and,
- E.3.5.9 Development within the medium density residential category shall be evaluated on the basis of the following criteria:
- a) Development 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 road 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

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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; and,
- 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;

F.1.2.2 The individual secondary plan policies and designations are contained in Volume 2. Secondary plan designations shall be identified on the maps appended to the specific secondary plan areas. It is intended that secondary plan policies are to be read in conjunction with the policies and designations contained in Volume 1. However, should there be a discrepancy between the policies and/or designations, the policies and designations of the secondary plan shall prevail.”

The proposed development is considered to be a block townhouse house development as a result of the dwelling unit sharing a common vehicular access by way of a private driveway, and therefore in respect to the UHOP the proposed use is considered to be a multiple dwelling. Based on this, the form of development is considered to be a medium density residential development. A multiple dwelling is permitted for lands designated “Neighbourhoods.”

The proposed 10 dwelling units will result in a residential density of 37.3 units per hectare and therefore would not comply with the minimum density of 60 units per hectare for medium density. However, in accordance with F.1.2.2, where there is a discrepancy between the policies of the UHOP and the secondary plan, then the secondary plan polices shall prevail. Upon the approval of requested Official Plan Amendment to change the secondary plan designation from Low Density Residential 1 to Low Density Residential 3 the proposed density of 3.7.3 unit per hectare will comply with the density range of 20 to 60 units per hectare in the Ancaster Wilson Street Secondary Plan.

Additionally, the proposed development for block townhouse dwellings will:

- Be two and a half storey buildings, thereby complying with the maximum height provision;

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- Have frontage on Wilson Street West a major arterial road and have direct vehicle access to Hamilton Drive a collector road;
- Provide a built form that is compatible with other block townhouse development in the area and a built form that is compatible with the low rise scale of development in the area in terms of height, massing and the arrangement of buildings;
- Provide adequate on-site landscaping, private amenity space, on-site parking and buffering between the proposed development and adjacent lands;
- Have separate vehicle and pedestrian accesses to the street and public sidewalk, provides a consolidate private driveway that is located at the furthest point from the existing roundabout located at the intersection of Wilson Street West and Hamilton Drive, thereby minimizing traffic conflicts and pedestrian conflicts; and,
- Sun shadow studies and study of overlook impacts were not required due to the low rise nature of the proposed block townhouse development and due to the fact that no modification for increased building height, or modification to reduce the setbacks from the adjacent lands was requested.

Residential Intensification

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

- a) A balanced evaluation of the criteria in b) through g), as follows;
- b) The relationship of the proposal to 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;

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- f) Infrastructure and transportation capacity; and,
- g) the ability of the development to comply with all applicable policies;

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

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

The subject property is in an area dominated by low rise built form of development ranging in height from one to two storey. The proposed development seeks to establish a development that is two and a half storeys in height but will appear to be a two storey building from the front façade. The proposed block length of 36.5 metres along Hamilton Drive and 24.7 metres along Wilson Street West is compatible with the block lengths of existing townhouse building in the area which range in length from 32 metres to 55 metres. While the proposed six metre wide townhouse units are narrower than the existing eight to nine metre wide townhouse units that exist in immediate area based on the proposed building height, and building massing of the proposed buildings

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the development will maintain the establish pattern and built form of the area which will integrate with the surrounding area in accordance with the objective of the policies of the UHOP, particularly, policies B.2.4.1.4 b) and d) and B.2.4.2.2 c), and e).

The proposed block townhouse dwellings will contribute to achieving a range of dwelling types and tenures policy B.2.4.1.4 c).

As previously outlined the proposed development will comply with the planned urban structure in Section E.2.0 – Urban Structures and will complement the existing function of the neighbourhood as stated in policies B.2.4.1.4 (e) and B.2.4.2.2 (h).

There are existing municipal services available to service the subject property and adequate transportation capacity available on the abutting municipal roads, policies B.2.4.1.4 f) and B.2.4.2.2 j).

Based on the size, scale and orientation of the proposed development the proposed development will not create shadow, overlook, noise, lighting, traffic or other nuisance effects on adjacent land uses, policy B.2.4.2.2 b).

The proposed two and a half storey building height along with the proposed 2.5 metre side yard setback will establish an appropriate transition from the existing one storey building to the east on Wilson Street West and the proposed 8.4 metre rear yard setback will establish an appropriate transition form the existing one and a half storey building to the south on Wilson Street West, policy B.2.4.2.2 d).

The amenity needs of the residents will be addressed by way of a 14.2 square metre rear roof top terrace for each unit to provide adequate private amenity space policy B.2.4.2.2 f).

While a modification for a 0.8 metre front yard setback is proposed from Wilson Street West due to the irregular shape of the property and the existing turning circle, the front façade of the building fronting onto Wilson Street West will be located further south than the existing building at 352 Wilson Street West located to the east of the subject property. The front façade of the building fronting onto Hamilton Drive will project closer to the street than the façade of the existing building at 285 Hamilton Drive located to the south of the subject property, however the project will be approximately 2 metres and based on the proposed 8.4m rear yard setback will create an appropriate transition in respect to setbacks. The proposed 2.5 metre easterly side yard setback and 8.4 metre rear yard setback represent appropriate setbacks for the area. As previously noted, the block length of the proposed townhouse is compatible with the block length of other townhouse in the area. Finally, the 5.5 metre separation between the townhouse blocks is similar in scale to the separation between existing townhouse

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blocks in the area. The proposed development respects and maintains the streetscape pattern in terms of the block length, setbacks, and building separation, policy B.2.4.2.2 g).

The proposal will not remove any existing cultural heritage resource and as previously noted the heritage value of the adjacent property at 285 Hamilton Drive will be protected, policy B.2.4.2.2 i).

The proposed development will conform to the Residential Intensification policies of the UHOP.

Urban Design

“B.3.3.3.2 New development shall be designed to minimize impact on neighbouring buildings and public spaces by:

- a) Creating transitions in scale to neighbouring buildings;
- b) Ensuring adequate privacy and sunlight to neighbouring properties; and,
- c) Minimizing the impacts of shadows and wind conditions;

B.3.3.3.3 New development shall be massed to respect existing and planned street proportions.

B.3.3.3.5 Built form shall create comfortable pedestrian environments by:

- a) Locating principal facades and primary building entrances parallel to and as close to the street as possible;
- b) Including ample glazing on ground floors to create visibility to and from the public sidewalk;
- c) Including a quality landscape edge along frontages where buildings are set back from the street;
- d) Locating surface parking to the sides or rear of sites of buildings, where appropriate; and,
- e) Using design techniques, such as building step-backs, to maximize sunlight to pedestrian areas.”

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Based on the height of the proposed building and the setbacks from the adjacent property an appropriate transition from the neighbouring building will be maintained. Based on the size, scale, setback, and orientation of the proposed buildings, adequate privacy and sunlight will be provided to neighbouring properties and will not create shadow and overlook impacts that will negatively affect abutting dwellings. As a result of the height of the proposed buildings, no wind impacts will be created.

As previously outlined the proposed massing of the proposed building in respect to height and length is consistent with the existing area. The massing of the proposed development respects the existing street proportions.

The principal façade and primary entrances will be oriented to the street and be located as close to the street as possible. Ample glazing will be provided along the ground floor of the proposed development to create visibility to and from the public sidewalk. Landscaping will be provided between the front façade and the street. Surface parking areas for both residents and visitors will be located to the rear of the proposed building.

The proposed development will comply with the Urban Design policies of the UHOP.

Ancaster Wilson Street Secondary Plan

The subject property is designated “Low Density Residential 1” on Map B.2.8-1 Land Use Plan, in the Ancaster Wilson Street Secondary Plan. The subject property is located in the Gateway Residential Area in the Ancaster Wilson Street Secondary Plan.

2.8.7.2 General Residential Policies

In addition to Section 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;

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- b) Common element and condominium roads should be connected to the public active transportation network via sidewalks;
- c) Reverse frontage lotting patterns shall not be permitted, except where existing on the date of approval of this Secondary Plan; and,
- d) Direct access to individual dwelling units from Wilson Street and Fiddlers Green Road shall be discouraged. Alternative forms of access, such as use of shared or common access points and rear lane arrangements, shall be encouraged.

2.8.7.3 Low Density Residential Designations

- a) In addition to Section E.3.4 – Low Density Residential of Volume 1, for lands designated Low Density Residential 1 on Map B.2.8-1 – Ancaster Wilson Street Secondary Plan: Land Use Plan, the following policies shall apply:
 - i. Notwithstanding Policy E.3.4.3 of Volume 1, the permitted uses shall be limited to single detached dwellings and semi-detached dwellings;
 - ii. The conversion of residential buildings, or construction of new buildings for medial, business, personal services, or professional office uses shall not be permitted in areas designated Low Density Residential 1;
 - iii. Notwithstanding Policy E.3.4.4. of Volume 1, the net residential density range shall be 1 – 20 units per hectare; and,
 - iv. Notwithstanding Policy E.3.4.5 of Volume 1, the maximum building height shall be 2.5 storeys;
- 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:
 - i. In addition to Policy E.3.4.3 of Volume 1, all forms of townhouses and low rise multiple dwellings shall be permitted;

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- ii. Notwithstanding Policy E.3.4.4 of Volume 1, the net residential density range shall be 20 – 60 units per hectare; and,
- 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 proposed development, with a height of 2.5 storeys, will comply with the “Low Density Residential 1” policies in the Ancaster Wilson Street Secondary Plan. A block townhouse is not a use permitted for lands designated “Low Density Residential 1” which permits only single detached and semi detached dwellings. In addition, the proposed residential density of 37.3 units per hectare exceeds the density range of 1 – 20 units per hectare permitted for lands designated “Low Density Residential 1”. Therefore, an amendment to the Ancaster Wilson Street Secondary Plan is required to change the designation of the lands to a “Low Density Residential 3” designation which would permit the proposed block townhouse form of development and the proposed residential density.

Urban Design

2.8.12.1 In addition to Section B.3.3 – Urban Design policies of Volume 1, the following policies shall apply to lands within the Ancaster Wilson Street Secondary Plan and Community Node areas, as identified on Map B.2.8-1 Ancaster Wilson Street Secondary Plan: Land Use and Appendix A – Character Areas and Heritage Features:

- 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;
- b) In accordance with Policy F.1.19.6 of Volume 1, an Urban Design Report may be required for development or redevelopment, demonstrating how the proposal meets the policies of this Secondary Plan and the Ancaster Wilson Street Secondary Plan Urban Design Guidelines;
- c) For the purpose 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:

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- v) Gateway Residential, located from Todd Street to Meadowbrook Drive, which is a predominately residential area with low and medium density housing;
- d) The Ancaster Wilson Street Secondary Plan Urban Design Guidelines further describe the design objectives, function, and design character of each Character Area;
- 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;
- g) Development or redevelopment shall not negatively affect active transportation within the Ancaster Wilson Street Secondary Plan; and,
- h) Development and redevelopment shall foster streets as interactive outdoor spaces for pedestrians.

The proposed development for a medium density housing form is consistent with Gateway Residential Character Area. The proposed development is compatible with the character of the area.

As outlined in the Ancaster Wilson Street Secondary Plan – Urban Design Guidelines the proposed development is consistent with the Design Intent for the Gateway Residential design district. All vehicle access will be from Hamilton Drive and based on the scale of the development the transportation policy objectives of the Ancaster Wilson Street Secondary Plan will be maintained. The proposed development is oriented towards the street with front doors and front porches and therefore, the proposed development will foster streets as interactive outdoor spaces for pedestrians.

The proposed development is subject to the Ancaster Wilson Street Secondary Plan – Urban Design Guidelines.

3.1.1 Design Intent

The Intent of these design guidelines is to preserve the residential scale and “green” character of Wilson Street West, while enhancing the “gateway”

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function of the corridor currently fulfils. Primary elements of the guidelines that achieve this include:

- Building design is flexible and accommodates / promotes individual expression;
- Building heights are limited to 3 storeys with pitched rooflines;
- Building masses are setback from the street with front yard landscaping; and,
- A strong linear parkway for pedestrian and bicycle circulation and enhances connections and the green quality of the street.

The proposed development does not exceed a height of three storeys and maintains a pitched roofline. The front façade of the proposed buildings and the landscaping provided between the front façade of the buildings and the street are generally consistent with the existing building lines along both Wilson Street West and Hamilton Drive. The proposal will include extension of the municipal sidewalks along Hamilton Drive, and the inclusion of internal walkways to facilitate pedestrian circulation. The proposal includes bicycle parking on-site to promote active transportation.

Based on the forgoing the proposed development complies with the policies of the Ancaster Wilson Street Secondary Plan, subject to approval of the Official Plan Amendment.

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

The southerly portion of the property formerly 281 Hamilton Drive is zoned Deferred Development “D” Zone and the northerly portion of the property formerly 356 Wilson Street West is zoned Urban Commercial “C4-288” Zone, neither zone permits street townhouses. To permit the proposed 10 street townhouse units a Zoning By-law amendment is required. To implement the proposed development, the Applicant is seeking to change the zoning of the subject lands from the Deferred Development “D” Zone and Urban Commercial “C4-288” Zone to a site specific Residential Multiple “RM2” (RM2-713) Zone, Modified. The site-specific modifications to accommodate the proposal are outlined in the Report Fact Sheet and discussed in detail in Appendix “E” attached to Report PED22004.

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RELEVANT CONSULTATION

Departments and Agencies		
	Comment	Staff Response
Strategic Planning Section, Public Works Department.	No Comment or concern with the proposal.	None
Ministry of the Environment, Conservation and Parks (MECP).	Based on the history of the site having been a gas station and with the proposal being to change the use to residential a Record of Site Condition needs to be completed and uploaded to the Registry in order to demonstrate that the site has been assessed, remediated in necessary, and is therefore suitable for the intended more sensitive land use.	A Record of Site Condition (RSC) was filed with the Ministry of the Environment, Conservation and Parks on December 16, 2020.
Transit Planning and Infrastructure, Public Works Department.	Installation of a sidewalk on the east side of Hamilton Drive will improve access to public transit for residents.	Installation of sidewalks along the east side of Hamilton Drive will be required as part of the Site Plan Control Application.
Healthy Environments Division, Public Health Services.	Promote making it easier to walk, cycle, or use public transit which has a positive influence on physical activity, safety, air quality, and ultimately health and quality of life. Support development to increase density and provides pedestrian oriented streetscape.	The proposed development establishes intensification of the subject lands and provides for a pedestrian oriented streetscape. Walkways to connect to the municipal sidewalk and on-site bicycle parking will be provided.

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Departments and Agencies		
	Comment	Staff Response
Development Engineering Approvals Section, Planning and Economic Development Department.	<p>A road widening dedication of approximately 3.0 metres is required along Hamilton Drive.</p> <p>Payment for the future sidewalk along the entire frontage of Hamilton Drive will be required. No major concern with respect to the preliminary grading plan, storm water management, and servicing plans were identified, but noted that detailed review will be provided at the Site Plan Control Application stage.</p>	<p>Road widening dedication will be required to be completed as part of the Site Plan Control Application.</p> <p>Payment for the future sidewalks along Hamilton Drive will be required as part of the Site Plan Control Application.</p> <p>Detailed grading, storm water management and servicing plans will be reviewed and approved as part of the Site Plan Control Application.</p>
Growth Planning Section, Planning and Economic Development, Department.	<p>The municipal addressing for the proposed development will be finalized as part of the Site Plan Control Application.</p> <p>The submitted plan appears to be deficient a waste storage area.</p>	<p>The municipal address will be finalized through the Site Plan Control Application.</p> <p>On site waste management will be determined as part of the Site Plan Control Application.</p> <p>The proposed street townhouse units will have Condominium tenure which will need to be established through approval of a Condominium Application.</p>
Forestry and Horticulture Section, Public Works Department.	<p>Forestry and Horticulture reviewed the Tree Management Plan and associated survey identify that all trees are located on private property. With the dedication of a 3.0 metre road widening along Hamilton Drive an existing row of trees on private property has the potential to become municipally owned trees.</p> <p>An updated Tree Management Plan will therefore be required to</p>	<p>The Tree Management Plan, along with any permit to injure or remove municipal trees and payment for the planting of municipal trees will be completed as part of the Site Plan Control Application.</p>

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<p>Forestry and Horticulture Section, Public Works Department Continued.</p>	<p>be completed as part of the Site Plan Control Application.</p> <p>A permit to injure or remove any municipal trees is required.</p> <p>Payment for street tree planting will be required.</p>	
<p>Transportation Planning Section, Planning and Economic Development, Department.</p>	<p>The proposed development for ten townhouse dwellings will not generate a substantial amount of traffic and due to the limited number of trips will have no measurable effect on the surrounding road network. Based on the small size of the proposed development a Transportation Impact Study is not required.</p> <p>A road widening of approximately 3.0 metres along Hamilton Drive will be required.</p> <p>Wilson Street West is a major arterial road and Hamilton Drive is a collector road. An irregular size daylight triangle already exists and exceeds the required 12.19 metre by 12.19 metre Daylight Triangle requirement. No further daylight triangle dedication is required.</p> <p>Any redundant driveway approach will be required to be abandoned. A 3.0 metre by 3.0 metre visibility triangle will be required for the proposed driveway.</p>	<p>The road widening of approximately 3.0 metres along Hamilton Drive has been incorporated into the concept plan all setbacks in the Amending By-law are based on the lands being dedicated. The dedication of the road allowance widening will be undertaken as part of the Site Plan Control Application.</p> <p>All redundant driveways, visibility triangle and revisions to the driveway approach will be required to be undertaken as part of the Site Plan Control Application.</p>

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Departments and Agencies		
	Comment	Staff Response
Transportation Planning Section, Planning and Economic Development, Department Continued.	Revisions to the driveway width at the property line can be considered to maintain adequate separation from any utility poles, fencing, signs, or other features and to minimize the encroachment of the driveway radii past the extension of the adjacent property line of 285 Hamilton Drive.	
Recycling and Waste Disposal, Operations Division, Public Works Department.	The proposed development is eligible for municipal waste collection service subject to meeting the City's requirements for serviceability. A private waste hauler will be required if the property will be generating more than the allowable waste collection limited.	The Applicant will be required to demonstrate that they meet the City's requirements for serviceability for municipal waste collection services or will have to provide waste collection services by way of a private waste hauler.

Public Consultation		
Issue	Comment	Staff Response
Building Height.	Concern that the height of the proposed development is not in keeping with the character of the area.	The initial design proposed a three storey 12.8 metre tall building. The revisions to the design of the building has reduced the height to two and a half storeys 9.5 metres in height, with the front façade of the building having the look and feel of a two storey building.

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Public Consultation		
Issue	Comment	Staff Response
Building Length.	Concern that the length of the buildings is not in keeping with the character of the area.	<p>The proposed development consists of two building one consisting of six units building along Hamilton Drive that is approximately 36.5 metres in length, and the second consists of a four unit building along Wilson Street West that is approximately 24.75 metres in length. The length of the proposed townhouses do not exceed the maximum of eight per townhouse block outlined in the Zoning By-law.</p> <p>In addition, the proposed length of 36.5 metres is consistent with the length of existing townhouse building in the immediate area which have building length ranging form 32 metres to 55 metres in length.</p>
Density.	Concern that the proposed density of the development is not in keeping with the character of the area.	<p>The initial design proposed 11 dwelling units and has subsequently been reduced to 10 dwelling units.</p> <p>The subject lands will be able to accommodate the proposed 10 dwelling units while providing appropriately sized dwelling units, along with adequate parking, amenity space and landscaping, and providing for a built form in terms of massing, height and setbacks that is compatible with the area.</p> <p>Therefore, the density of the proposed development will be compatible with the area.</p>

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Amendment to the Town of Ancaster Zoning By-law No. 87-57 for
Lands Located at 281 Hamilton Drive and 356 Wilson Street West,
Ancaster (PED22004) (Ward 12) - Page 29 of 37**

Public Consultation		
Issue	Comment	Staff Response
Privacy.	Concern that the proposed development will create overlook privacy impacts on adjacent lands.	<p>The side façade of the townhouse building along Wilson Street West will have the look and appearance of a two storey building. The building will comply with the minimum 2.5 metre side yard setback required in the zoning by-law and the building massing will align with the adjacent building to the east and therefore the windows in the easterly façade will not result in over looking into the adjacent rear yard.</p> <p>The southerly façade of the building along Hamilton Drive will also have the look and appearance of a two storey building.</p> <p>The building will also be setback approximately 8.4 metres from the rear lot line and will be aligned with adjacent building as opposed to any rear yard amenity space.</p> <p>The rear facades of the two townhouse buildings will include window and a roof terrace on the third floor however the rear façade of the townhouse building along Wilson Street West will be setback back approximately 60.0 metres from the rear lot line and the rear façade of the townhouse building along Hamilton Drive will be setback approximately 22.2 metres from the easterly side lot line.</p>

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Public Consultation		
Issue	Comment	Staff Response
Privacy Continued.		The limited height of the building along with the orientation and setback of the buildings as outlined above, along with the provision of visual barriers and landscaping will minimize privacy overlook impacts on the adjacent lands.
Sun Shadow.	Concern that the proposed development would create shadow impacts on adjacent properties.	The proposed building will not exceed the maximum building that is currently permitted on adjacent lands, nor is any reduction in the required setbacks required from either the easterly side lot line or rear lot line. Furthermore, the proposed buildings will be setback from the adjacent properties. Therefore, the proposed development will not create negative shadow effects on the adjacent properties.
Traffic Impacts.	Concern that the proposed development would create negative traffic impacts for the area.	The proposed ten townhouse dwellings will not generate a substantial amount of traffic. Due to the limited number of trips that will be generated, there will be no measurable effect on the traffic on the surrounding road network. Therefore, the proposed development will not result in any adverse traffic impacts for the area.
Lighting Impacts.	Concern that the proposed development would create lighting impacts for the adjacent properties.	Lighting from any pole or wall mounted light fixture will be required to be contained on the subject lands as part of the Site Plan Control Application.

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Public Consultation		
Issue	Comment	Staff Response
Lighting Impacts Continued.		In respect to lighting impacts from vehicles it is noted that a visual barrier will be required to be established between the subject property and the abutting lands. Landscaping will also be required to be provided between the parking area and the adjoining lands. Therefore, the proposed development will not result in any adverse lighting impacts on the adjacent lands.
Noise Impacts.	Concern that the proposed development would create negative noise impacts for the adjacent properties.	Based on the scale of the proposed street townhouse development (10 units) and the orientation and setback of the building the proposed development will not generate noise at a level that will result in any adverse impacts on the adjacent lands.
Setbacks from the Street Line.	Concern that the setbacks of the proposed development are not compatible with character of the area.	The design of the units have been revised from the original proposal. The revised design will setback the front façade of the building along Wilson Street West to no longer project in front of the existing dwelling to the east. The revision also results in the corner of only one unit having a setback less than 1m with the remaining portions of the building façade having setbacks as large as 11.0 metres for the portion of the building closes to the easterly side lot line.

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Public Consultation		
Issue	Comment	Staff Response
Setbacks from the Street Line Continued.		<p>The revision has also increased the setback from the Hamilton Drive lot line, providing a setback of 5.6 metres from the existing street line or 2.5 metres from the widened street line for the interior units and 6.0 metres from the existing street line or 3.0 metres from the widened street line for the end units.</p> <p>The revision in the design will setback the front façade of the building along Wilson Street West to no longer project in front of the existing dwelling to the east. The revision also results in the corner of only one unit having a setback less than 1m with the remaining portions of the building façade having setbacks as large as 11.0 metres for the portion of the building closes to the easterly side lot line.</p> <p>The revision has also increased the setback from the Hamilton Drive lot line, providing a setback of 5.6 metres from the existing street line or 2.5 metres from the widened street line for the interior units and 6.0 metres from the existing street line or 3.0 metres from the widened street line for the end units.</p> <p>The front setback from the Hamilton Drive lot line will establish a building façade that project 1.5 – 2.0 metres in front of the existing building to the south and along with the proposed 8.4 metre rear yard setback to create a compatible street line between the existing and proposed buildings.</p>

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Public Consultation		
Issue	Comment	Staff Response
Setbacks from the Street Line Continued.		As a result of the proposed setback from Wilson Street East and Hamilton Drive the proposed development will be compatible with the character of the area.
Landscaping.	Concern that the proposed development would not provide adequate landscaping.	The By-law requires that a minimum of 30% of the lot be landscaped, whereas for the proposed development more than 50% of the property will be landscaped. The revised design has reduced the extent of the front yard terraces of the building along Hamilton Drive in order to increase the amount of landscaping located between the building and street. Therefore, adequate landscaping will be provided on the subject property.
Site Contamination.	Concern that the previous gas station use of the lands would create the potential for site contamination.	A RSC was filed on December 16, 2020 with the Ministry of the Environment, Conservation and Parks.
Visitor Parking.	Concern that insufficient visitor parking is being provided.	A street townhouse dwelling is not required in the Zoning By-law to provide on-site visitor parking. Given the proximity to the turning circle and the existing limitation for on-street parking in the area a site specific By-law modification to require visitor parking at a rate of 0.66 per dwelling unit is to be established in the Site Specific By-law to require visitor parking to be provided on-site, which is consistent with the visitor parking requirements

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<p>Visitor Parking Continued.</p>		<p>of a Block Townhouse development. A minimum of seven visitor parking spaces are required to be provided.</p> <p>Therefore, adequate visitor parking will be provided for the proposed development.</p>
<p>Pedestrian Sidewalk</p>	<p>Concern with respect to a lack of pedestrian sidewalks along Hamilton Drive.</p>	<p>As part of the proposed development the extension of the municipal sidewalk along the length of the Hamilton Drive frontage is required to be completed.</p> <p>Therefore, the proposed development will facilitate the extension of the pedestrian sidewalk along the east side of Hamilton Drive.</p>

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 104 property owners within 120 m of the subject property on January 29, 2020. A Public Notice sign was posted on the property on February 11, 2020 and updated on December 8, 2021. Finally, the Notice of the Public Meeting was given on December 17, 2021 in accordance with the requirements of the *Planning Act*. To date, 18 letters have been submitted expressing concern with the proposed development. These are attached as Appendix “F” to Report PED22004 and summarized in the table above.

Public Consultation Strategy

The Public Consultation Strategy included a mailout that was sent out on August 10, 2021 seeking public engagement and an additional mailout was sent on August 26, 2021 to members of the public who did not receive the original mailout, as discussed on page 6 of Report PED22004. The comments and concerns raised in response to the Applicant’s mailout as summarized on page 27 of Report PED22004 relate to issues of compatibility, traffic, and built form.

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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 policies of the Urban Hamilton Official Plan, and complies with the general intent of the Ancaster Wilson Street Secondary Plan upon approval of the Official Plan Amendment; and,
 - (iii) The proposed development is compatible with existing land uses in the immediate area and represents good planning by, among other things, increasing the supply of housing units, making efficient use of land, existing infrastructure, and supporting public transit.

2. Official Plan Amendment

The proposed Official Plan Amendment seeks to change the designation of the subject lands from “Low Density Residential 1” to “Low Density Residential 3”. In the opinion of staff, the “Low Density Residential 3” designation constitutes a scale of development that is in keeping with the character of the existing neighbourhood.

As outlined in detail in the Policy Implication and Legislated Requirements section of Report PED22004 the proposed change in designation facilitates a form of development that is compatible with the scale and character of the area. The subject lands are appropriately suited for a change in designation due to the proximity of the lands to an arterial road and transit.

The proposed change in designation from “Low Density Residential 1” to “Low Density Residential 3” is appropriate as the subject lands are located at the intersection of (Wilson Street West, a major arterial road, and Hamilton Drive, a collector road). The existing transit route along Wilson Street West includes a bus stop immediately in front of the subject lands. The change in designation is being undertaken on a parcel of lands which is capable of accommodating an increase in density at a scale that is compatible with the area. The proposed development can be designed to mitigate any potential negative impacts on adjacent properties.

The proposed Official Plan Amendment has merit can be supported.

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3. Zoning By-law Amendment

The Application for Zoning By-law Amendment is for a change in zoning from the Deferred Development “D” Zone and the Urban Commercial “C4-288” Zone to a site specific Residential “RM2” (RM2-713) Zone, Modified.

The maximum building height of the proposed Residential “RM2” Zone is consistent with the maximum building height permitted on adjacent lands. The proposed site specific Residential “RM2” (RM2-713) Zone, Modified will restrict the maximum number of dwelling units to ten units and will require a minimum of seven visitor parking spaces. The modifications are identified on page 8 of Report PED22004 and discussed in detail in Appendix “E” to Report PED22004.

Therefore, staff support the proposed amendment to the Zoning By-law.

4. A Tree Management Plan prepared by MacKinnon & Associates dated December 19, 2019 was submitted with the initial Applications and subsequently a revised Tree Management Plan prepared by Hill Design Studio Inc. dated Sept 20, 2021 was provided and reviewed. A total of 30 trees have been inventoried as part of the Tree Management Plan and of these trees 21 have been identified to be removed. The decision to retain trees is to be based upon vigour, condition, aesthetics, age and species and that there are limited opportunities to retain trees on site. To ensure that existing tree cover is maintained the City Requires 1 for 1 compensation for any trees (10 cm DBH or greater) that is proposed to be removed from private property and based on the Tree Management Plan compensation is required for 12 trees. Compensation should be provided on-site, if it cannot be accommodated on-site than cash-in-lieu is required.

Based on the forgoing the Tree Management Plan is acceptable. Details for the tree compensation will need to be provided on the Landscape Plan as part of the future Site Plan Control Application or cash-in-lieu required as a condition of Site Plan Control.

ALTERNATIVES FOR CONSIDERATION

Should the Application be denied, the subject property can be used in accordance with the Deferred Development “D” Zone and the Urban Commercial “C4-288” Zone, in the Town of Ancaster Zoning By-law No. 87-57.

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ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

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

Economic Prosperity and Growth

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

Healthy and Safe Communities

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

Clean and Green

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

Built Environment and Infrastructure

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

Culture and Diversity

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

Our People and Performance

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

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PED22004 – Location Map

Appendix “B” to Report PED22004 – Draft Official Plan Amendment

Appendix “C” to Report PED22004 – Draft Amendment to Zoning By-law No. 87-57

Appendix “D” to Report PED22004 – Revised Concept Plan

Appendix “E” to Report PED22004 – Zoning By-law Site Specific Modification - Chart

Appendix “F” to Report PED22004 – Public Submissions

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