



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	August 3, 2022
SUBJECT/REPORT NO:	Application for Amendment to Glanbrook Zoning By-law No. 464 for Lands Located at 0 Gowland Drive and 3435 Binbrook Road, Glanbrook (PED22161) (Ward 11)
WARD(S) AFFECTED:	Ward 11
PREPARED BY:	Devon Morton (905) 546-2424 Ext. 1384
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

That **Zoning By-law Amendment Application ZAC-21-024**, by **Armstrong Planning & Project Management, on behalf of Empire Communities (Binbrook) Ltd.**, for a change in zoning from the Residential Multiple “RM4-217” Zone, Modified, to the Residential Multiple “RM4-817” Zone, Modified, to permit four residential stacked townhouse blocks consisting of 72 units in total for lands located at 0 Gowland Drive and 3435 Binbrook Road, Glanbrook, as shown on Appendix “A” attached to Report PED22161, be **APPROVED**, on the following basis:

- (a) That the draft By-law, attached as Appendix “B” to Report PED22161, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended) and complies with the Urban Hamilton Official Plan and the Binbrook Village Secondary Plan.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

EXECUTIVE SUMMARY

The subject lands are municipally known as 0 Gowland Drive and 3435 Binbrook Road and are located at the south-west corner of Binbrook Road and Binhaven Boulevard. The owner of 3435 Brinbrook Road, Empire Communities (Binbrook) Ltd., has applied for an amendment to Glanbrook Zoning By-law No. 464 to permit four residential stacked townhouse blocks consisting of 72 purpose-built rental units in total, a 554.45 square metre amenity area with 108 parking spaces including three barrier-free parking spaces and 36 visitor parking spaces. Staff are recommending that the Zoning By-law Amendment include the city owned lands at 0 Gowland Drive which are currently used as a temporary turning circle until the lands to the east are developed at which time Gowland Drive will be extended and the lands containing the temporary turning bulb are returned to the developer.

The Applicant has received conditional Site Plan Approval (DA-18-202) to construct a six-storey mixed use building with 99 residential units and 700 square metres of commercial space. The Applicant is seeking to revise the proposal to permit stacked townhouses, a ground-oriented built form not permitted under the current zoning and has advised that the tenure of the development will be purpose-built rental units. The Applicant is not requesting permission to allow commercial space within the proposed stacked townhouse development.

The purpose of the Zoning By-law Amendment is to modify the Residential Multiple “RM4-217” Zone, Modified, to add stacked townhouses as a permitted use with eleven additional site specific modifications to:

- Define stacked townhouses;
- deem Binhaven Boulevard as the front lot line, Binbrook Road, Gowland Drive and Block 79 as the exterior side lot line(s) and the lot to be not a through lot;
- Permit stair encroachments;
- Permit visitor parking;
- Eliminate the loading space requirement;
- Permit parking to occupy an increased percentage of the lot area;
- Permit parking areas and parking spaces no closer than 3 metres from any lot line; and,
- To permit a transformer to be located within the landscaped area, planting strip and/or buffer strip; and, to carry forward select zoning standards established in the “RM4-217” Zone, Modified.

In addition to the inclusion of 0 Gowland Drive, staff are recommending one modification that a “Stacked Townhouse” use and “Apartment Building” use shall not be permitted on the lot at the same time and have revised the applicant’s modifications to ensure select

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zoning standards approved through this Zoning By-law Amendment apply only to the “Stacked Townhouse” use.

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

- It is consistent with the Provincial Policy Statement (2020);
- It conforms to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- It complies with the general intent of the Urban Hamilton Official Plan and the Binbrook Village Secondary Plan; and,
- The proposal is compatible with and complementary to the existing and planned land uses in the immediate and surrounding area, represents good planning by, among others things, creating a compact and efficient urban form, providing an alternative housing typology and tenure option, developing a complete community, providing direct access to public open space and makes efficient use of existing infrastructure within the urban boundary.

Alternatives for Consideration – See Page 23

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 Zoning By-law.

HISTORICAL BACKGROUND

Report Fact Sheet

Application Details	
Owner:	Empire Communities (Binbrook) Ltd.
Applicant/Agent:	Armstrong Planning and Project Management/Vimal Lad.
File Number:	ZAC-21-024.
Type of Application:	Zoning By-law Amendment.

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Application Details	
Proposal:	<p>The Application is to change the zoning from the Residential Multiple “RM4-217” Zone, Modified, to the Residential Multiple “RM4-817” Zone, Modified, to permit four residential stacked townhouse blocks consisting of 72 purpose-built rental units in total, a 554.45 square metre amenity area with 108 parking spaces including three barrier-free parking spaces and 36 visitor parking spaces.</p> <p>Final Resubmission – February 3, 2022 In response to comments from City staff, the final development proposal and Concept Plan including Elevations submitted by the applicant (see Appendix “D” and Appendix “E” attached to PED22161) proposed:</p> <ul style="list-style-type: none"> • Addition of bicycle parking and pad; and, • Addition of a 3 metre wide landscape strip to the perimeter of the subject lands.
Property Details	
Municipal Address:	0 Gowland Drive and 3435 Binbrook Road, Glanbrook (see Location Map attached as Appendix “A” to Report PED22161).
Lot Area:	0.89 ha.
Servicing:	Existing full municipal services.
Existing Use:	Vacant.
Documents	
Provincial Policy Statement (PPS):	The proposal is consistent with the PPS (2020).
A Place to Grow:	The proposal conforms to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).
Official Plan Existing:	“Neighbourhoods” on Schedule E – Urban Structure and “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations.
Official Plan Proposed	No amendment proposed.
Secondary Plan Existing:	“Low Density Residential 3e”, Site Specific Policy ‘C’ and Site Specific Policy ‘D’ on Map B.5.1-1 – Land Use Plan.

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Documents	
Secondary Plan Proposed:	No amendment proposed.
Zoning Existing:	Residential Multiple "RM4-217" Zone, Modified
Zoning Proposed:	Residential Multiple "RM4-217-817" Zone, Modified
Modifications Proposed:	<p>The Applicant is requesting modifications to:</p> <ul style="list-style-type: none"> • Allow stacked townhouses as a permitted use whereas the use is not permitted; • Define stacked townhouses whereas the use is not defined in the Glanbrook Zoning By-law; • Deem Binhaven Road as the front lot line; • Deem Binbrook Road, Gowland Road and Block 79 as the exterior side lot line(s); • Deem the lot not a through lot; • Allow stair encroachments in any required yard whereas stair encroachments are not permitted; • Establish a visitor parking ratio whereas a visitor parking ratio is not provided; • Eliminate the loading space requirement whereas a loading space is required; • Allow at grade parking to occupy 45% of the total lot area whereas at grade parking is permitted to occupy 35% of the total lot area; • Allow parking areas and parking spaces to be located 3 metres from any lot line whereas parking areas and parking spaces are required to be located 6.0 metres from any lot line; • Allow a transformer to be located within the landscaped area whereas the location is not permitted; and, • Carry forward select zoning standards established in the "RM4-217" Zone, Modified for an apartment building with 700 square metres of commercial space. <p>Staff have further revised modifications requested by the applicant to ensure select zoning standards approved through this Zoning By-law Amendment apply only to the "Stacked Townhouse" use.</p>

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Documents	
Modifications Proposed Continued:	The following modification has been included by staff: <ul style="list-style-type: none"> • To restrict “Stacked Townhouses” and an “Apartment Building” from locating on the same lot at the same time; and, • Including city owned lands at 0 Gowland Drive as part of the lands to be rezoned “RM4-817”.
Processing Details	
Received:	June 7, 2021
Deemed complete:	July 6, 2021
Notice of Complete Application:	Sent to 101 property owners within 120 metres of the subject lands on July 15, 2021.
Public Notice Sign:	Posted July 21, 2021 and updated with public meeting date on July 6, 2022.
Notice of Public Meeting:	Sent to 101 property owners within 120 metres of the subject lands on July 15, 2022.
Public Comments:	One email and one letter signed by 20 neighbouring land owners was received expressing concern for the proposed Zoning By-law Amendment (attached as Appendix “E” to Report PED22161).
Processing Time:	423 days from date of receipt of initial Application and 182 days from receipt of revised proposal.

EXISTING LAND USE AND ZONING

	Existing Land Use	Existing Zoning
Subject Lands:	Vacant / temporary turning circle	Residential Multiple “RM4-217” Zone, Modified
Surrounding Land Uses:		
North	Public Open Space (small forest)	Public Open Space “OS2-161” Zone, Modified
East	Residential (single detached dwellings)	Residential “R4-218” Zone, Modified

Surrounding Land Uses Continued:

West	Agricultural	Restricted Agricultural “A2” Zone
South	Residential (townhouse dwellings)	Residential Multiple “RM2-194” Zone, Modified

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Statement (2020)

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the Provincial Policy Statement (PPS). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the PPS. The mechanism for the implementation of the Provincial plans and policies is through the Official Plan. Through the preparation, adoption and subsequent Ontario Land Tribunal (formerly Ontario Municipal Board) approval of the City of Hamilton Official Plans, the City of Hamilton has established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of provincial interest (e.g. efficiency of land use, balanced growth and environmental protection) are reviewed and discussed in the Official Plan analysis below. As the Application for a change in zoning complies with the Urban Hamilton Official Plan, it is staff’s opinion that the Application is:

- Consistent with Section 3 of the *Planning Act*,
- Consistent with the PPS; and,
- Conforms to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended.

Urban Hamilton Official Plan

The subject lands are identified as “Neighbourhoods” on Schedule “E” – Urban Structure and designated “Neighbourhoods” on Schedule “E-1” – Urban Land Use Designations.

Neighbourhoods Designation

“E.3.1.1 Develop compact, mixed use, transit-supportive, and active transportation friendly neighbourhoods.

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- E.3.1.3 Plan and designate lands for a range of housing types and densities, taking into account affordable housing needs.
- E.3.1.4 Promote and support design which enhances and respects the character of existing neighbourhoods while at the same time allowing their ongoing evolution.
- 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.3.2.7 The City shall require quality urban and architectural design. Development of lands within the Neighbourhoods designation shall be designed to be safe, efficient, pedestrian oriented, and attractive, and shall comply with the following criteria:
- b) Garages, parking areas, and driveways along the public street shall not be dominant. Surface parking between a building and a public street (excluding a public alley) shall be minimized;
 - c) Adequate and direct pedestrian access and linkages to community facilities/services and local commercial uses shall be provided; and,
 - d) Development shall improve existing landscape features and overall landscape character of the surrounding area.”

The “Neighbourhoods” designation supports a full range of residential dwelling types and densities including the proposed stacked townhouses and proposed density of approximately 85 units per hectare (Policies E.3.1.3, E.3.2.1, E.3.2.3). The subject lands are within the urban boundary and are adjacent to existing bike lanes on Binbrook

Road that help to promote active transportation (Policies E.3.1.1, E.3.1.5 and E.3.2.7). The proposal minimizes the presence of parking areas along Binbrook Road and Binhaven Boulevard by locating these areas interior to the site and providing buffering through landscaping. The proposal respects the character of the existing neighbourhood by proposing a low density built form that, although different than what is currently in the surrounding area, is compatible with the existing land uses in the area and implements the policies of the Binbrook Village Secondary Plan (E.3.1.4, E.3.2.4, E.3.2.7).

Natural Heritage

“C.2.3 It is the intent of this policy to preserve and enhance Core Areas and to ensure that any development or site alteration within or adjacent to them shall not negatively impact their natural features or their ecological functions.”

The subject lands are adjacent to a Significant Woodland. As the subject lands are approximately 30 metres away from the Significant Woodland, drain away from the Significant Woodland and are separated from the Significant Woodland by Binbrook Road, no further negative impact to the Significant Woodland is anticipated.

Binbrook Village Secondary Plan

The subject lands are designated “Low Density Residential 3e” and are subject to Area Specific Policy ‘C’ and Site Specific Policy ‘D’ of the Binbrook Village Secondary Plan. The following policies, amongst others, apply to the proposal.

Residential Designations

“B.5.1.4.1 The following goals shall apply to the Residential designations:

- a) Establish residential neighbourhoods which are diverse in population, scaled for the pedestrian, can accommodate cars and transit, and have a well-defined public realm;
- b) Create visually unifying neighbourhoods with a clear identity;
- c) Create safe, efficient and attractive residential neighbourhoods consisting of a range and mix of housing types and densities;

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- d) Integrate residential neighbourhoods with parks and schools in order to provide a functional, efficient, practical, safe and visually pleasing living environment; and,
- e) Create an identifiable, functional and usable community focal point for all residential neighbourhoods.”

The “Low Density Residential 3e” designation further supports the proposed stacked townhouse dwellings and proposed density in accordance with the Binbrook Village Secondary Plan (B.5.1.4.1 c)). The form and tenure of the residential development provides an alternative housing type that is compatible with the surrounding low-density residential area (B.5.1.4.1 a) and b)). The proposal offers an amenity area located at the corner of Binbrook Road and Binhaven Boulevard that will help create visual appeal and acts as an identifiable focal point within the neighbourhood (B.5.1.4.1 e). The subject lands are also in close proximity to a school and public open space is located directly across Binbrook Road (B.5.1.4.1 d)).

“B.5.1.4.5 Low Density Residential

- e) Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the lands designated Low Density Residential 3e on Map B.5.1-1 – Binbrook Village – Land Use Plan:
 - i) The permitted uses shall be low-rise apartments, stacked townhouse dwellings and quaterplexes;
 - ii) In locating new Low Density Residential 3e development, consideration shall be given to the following criteria:
 - 1) Low Density Residential 3e uses shall generally be located on the periphery of the neighbourhood, in areas abutting commercial development, or fronting major or minor arterial or major collector Roads; and,
 - 3) Low Density Residential 3e dwelling forms shall be sensitively integrated with and adequately buffered from adjacent land uses.”

Stacked townhouses are a permitted use within the Secondary Plan and will be located on the periphery of the neighbourhood anchored by Binbrook Road (B.5.1.4.5 e) i) and B.5.1.4.5 e) i) 1)). Appropriate landscape buffering is proposed to integrate the proposal within the existing neighbourhood.

Area Specific Policy C

“B.5.1.13.3 Notwithstanding the density ranges of Policy B.5.1.4.5 - Low Density Residential, for the lands known municipally known as 3385 Binbrook Road, part of Lot 3, Concession 4, with an area of 33.26 hectares and identified as Area Specific Policy – Area C on Map B.5.1-1 – Binbrook Village – Land Use Plan, the following policies shall apply:

- c) The density range of development in the Low Density Residential 3e designation shall be 71 to 150 units per net residential hectare.”

Map B.5.1-1 – Binbrook Village – Land Use Plan indicates the subject lands are subject to Area Specific Policy “C”. Area Specific Policy “C” establishes a density range of 71 to 150 units per net residential hectare. The proposed purpose-built stacked townhouses satisfy this requirement at a proposed density of 85 units per net residential hectare.

Site Specific Policy D

“B.5.1.13.4 Notwithstanding Section B.5.1.4.5 d), for the portion of the lands located on the south west corner of Binbrook Road and the second north south collector road east of Fletcher Road with an area of 0.93 hectares, and identified as Site Specific Policy – Area D on Map B.5.1-1 – Binbrook Village – Land Use Plan, the following policies shall apply:

- a) Ground floor related commercial uses shall be also permitted, in accordance with Policy B.5.1.5.3 – Local Commercial designation, and any other provisions of this Plan.”

Site Specific Policy “D” supports and permits ground floor related commercial uses. It is important to note that although this policy supports and encourages ground floor related commercial uses, there is no requirement that ground floor related commercial uses must be provided. Future redevelopment of the subject lands would not be precluded from providing ground floor related commercial uses at that time.

Residential Design Guidelines

“B.5.1.10.1 In addition to Section B.3.3 – Urban Design Policies of Volume 1, the following policies shall apply to all Residential designations identified on Map B.5.1-1 – Binbrook Village – Land Use Plan:

- a) The overall composition of the neighbourhood and the attractiveness of its streets shall be considered in the design of residential buildings;

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- b) Direct access to individual dwelling units from major or minor arterial or collector roads should be limited by utilizing alternative development designs such as common driveways and rear laneways;
- c) Buildings should have a strong, pedestrian-friendly street presence;
- d) Mitigation of the intrusion of garages and car parking shall be encouraged to foster streets as interactive outdoor space for pedestrians;
- e) To ensure ease of access for pedestrians and the enjoyment of public streets and other outdoor spaces, quality streetscape design, including paving, planting, fencing, lighting and signage, shall be encouraged;
- f) Long and short townhouse blocks shall be mixed to provide rhythm in the streetscape;
- g) The massing of long townhouse blocks should be broken down so not to create a single monotonous elevation. Rooflines, colours, chimneys, window bays, changes in material and other elements should be used to achieve this objective;
- h) The side façade of a residential building which abuts a street should be given an architectural design treatment to create a street presence;
- i) Flat rooflines shall not be permitted, except to enable energy efficient and environmental design in accordance with Section B.3.7 – Energy and Environmental Design; and,
- j) Pairing of driveways shall be encouraged where appropriate.”

Staff have reviewed the applicant’s Concept Plan and proposed elevations and are satisfied the proposal implements the urban design policies of the Secondary Plan. The proposed units are attractive, accessed internal to the site and offer a strong street presence. Furthermore, garages are not proposed thus eliminating possible intrusion and appropriate landscaping shall be provided to buffer the subject lands. The proposed townhouse blocks are short in length to avoid a monotonous elevation and a range of building materials are proposed to add architectural detail. Further detailed design of the proposal will be reviewed and refined through the Site Plan Control stage.

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Based on the above, staff are of the opinion that the proposal complies with the Binbrook Village Secondary Plan.

Township of Glanbrook Zoning By-law No. 464

The subject lands are currently zoned Residential Multiple “RM4-217” Zone, Modified, in the Township of Glanbrook Zoning By-law No. 464. The Residential Multiple “RM4-217” Zone, Modified, permits an Apartment Building up to six storeys in height and uses, buildings and structures accessory to an Apartment Building. Furthermore, the Residential Multiple “RM4-217” Zone, Modified, permits ground floor uses in mixed use buildings as follows; banks and financial institutions, day nurseries, professional and business offices, personal service shops, retail stores, restaurants and residential units on the ground floor (50% of the floor area combined with a permitted commercial use having 50% of the floor area). The proposal is to rezone the Residential Multiple “RM4-217” Zone, Modified, to the Residential Multiple “RM4-817” Zone, Modified, to permit the development of four residential stacked townhouse blocks consisting of seventy-two 72 units in total.

Modifications to the Residential Multiple “RM4-817” Zone are required to implement the proposal and are discussed further in Appendix “C” attached to Report PED22161.

RELEVANT CONSULTATION

Departments and Agencies		
<ul style="list-style-type: none"> • Corporate Real Estate (City of Hamilton); • Strategic Planning (City of Hamilton); • Bell Canada; and, • Enbridge. 		No comment
	Comment	Staff Response
Development Engineering Approvals Section, Growth Management Division, Planning and Economic Development Department	Full municipal services are available along Gowland Drive to service these lands which were constructed under Summerlea Phase 2A and 4 respectively. Private sewer and water drain stub connections to the property line were constructed at the southeast limit of the block to service these lands.	Should the Application be approved, these matters, including hydrant flow tests and updated domestic water usage and RFF calculations will be required and reviewed at the Site Plan Control stage.

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	Comment	Staff Response
<p>Development Engineering Approvals Section, Growth Management Division, Planning and Economic Development Department Continued</p>	<p>There is an existing temporary turning circle at the westerly terminus of Gowland Road [Block 83, 62M-1194]. This turning circle cannot be removed until the abutting lands to the west develop through a future plan of subdivision. The City collected securities for the future 1.5m sidewalk along the limits of the bulb during the Summerlea Phase 4 subdivision engineering approvals.</p> <p>No comments from a stormwater management perspective.</p> <p>Water Demands:</p> <p>The maximum day domestic water demand for the development, based on a population-based approach, has been calculated as 300 L/min (5 L/s). This calculation is acceptable.</p> <p>Required Fire Flow:</p> <p>The worst-case scenario required fire flow (RFF) has been calculated as 4500 L/min (75 L/s) for Blocks 1 and 2, using the Ontario Building Code (OBC) Water Supply Flow Rate Calculation Method. These calculations are based on building areas of 343 m², building heights of 15.2 m, water supply coefficients of 18, and spatial coefficients of 1.55 and 1.60 respectively.</p> <p>The City's target available fire flow (AFF) for multi-residential land uses is 150 L/s.</p> <p>The City's hydrant testing at the closest municipal hydrant on Gowland Drive (GF12H084, dated October 6, 2017) resulted in a theoretical available flow of 4739 IGPM (359 L/s) at 20psi.</p>	<p>Staff are recommending that the temporary turning circle lands be included as part of the Zoning By-law Amendment Application. Following the development of the lands to the west, these lands will become surplus and may be incorporated into the proposed development.</p>

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	Comment	Staff Response
Development Engineering Approvals Section, Growth Management Division, Planning and Economic Development Department Continued	<p>Updated domestic water usage and RFF calculations, based on the final design of the proposed buildings, will be required at the time of detailed design and site plan approval Application.</p> <p>At the time of site plan approval, the proponent should also complete two-hydrant flow tests at the closest municipal hydrants through a licensed private contractor. Dependent on the results of the independent hydrant testing, a Watermain Hydraulic Analysis may be required at the time of site plan approval to demonstrate that the required domestic and fire flows are available within the appropriate pressure ranges and that the impact of this development on the surrounding areas (PD23) is not adverse.</p> <p>The submitted Functional Servicing and Stormwater Management Report, dated May 31, 2021, is satisfactory.</p>	
Source Water Protection	<p>The Applicant states that an aquifer will not be breached during construction. Based on local water well records and their geotechnical report excerpts, Source Protection Planning agrees that the likelihood of encountering groundwater is low.</p> <p>The Applicant stated that their groundwater monitoring and contingency plan will be addressed at Site Plan Control stage. That is satisfactory.</p>	<p>Should the Application be approved, these matters, including a groundwater monitoring and contingency plan and detailed grading and storm water management plans will be required and reviewed at the Site Plan Control stage.</p>

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	Comment	Staff Response
Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department	<p>Transportation Planning supports the Zoning Bylaw Amendment (ZAC-21-024) since the site generated traffic volume is less than originally anticipated based on the revised plan to allow Stacked Townhomes as a permitted use within the Residential Multiple “RM4-217” Zone, whereas a denser mixed-use was proposed previously.</p> <p>A Transportation Impact Study (TIS) was approved for this site on December 4, 2019. The net difference in site generated traffic from a previous site plan compared to the current site plan would result in less trips on the transportation network, therefore a resubmission is waived.</p> <p>The rights-of-way were approved through the subdivision plan and no additional dedications are required.</p> <p>The daylighting triangles were approved through the subdivision plan and no additional dedications are required.</p> <p>The site plan states in writing 40 bicycle parking spaces are provided, which Transportation Planning assumes is shown as boxes labelled “BP” throughout the site. With a lack of garages for the stacked townhouse units it is recommended that the bicycle parking be secured and shielded from the elements via an overhead structure.</p>	<p>Staff note the Traffic Impact Study that was reviewed was prepared on the basis of a development with 99 dwelling units in conjunction with approximately 700 m² of commercial floor space. The TIS concluded the existing road network could accommodate morning and evening peak demands generated by this scale of development. As the revised development is for a reduced number of units and no commercial floor space is proposed, the road network is anticipated to be able to accommodate the proposal.</p> <p>Staff note that the Applicant will have to address Transportation Planning comments with respect to bicycle parking through their future Site Plan Application.</p>

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	Comment	Staff Response
Growth Planning Section, Growth Management Division, Planning and Economic Development Department	<p>It should be confirmed if tenure for the subject proposal will be a Condominium. Please note a PIN Abstract would be required with the submission of a future Draft Plan of Condominium Application. If the intent is to phase the Condominium, Schedules “G” and “K” as per the <i>Condominium Act</i>, would be required for future phases.</p> <p>It should be determined if there are any implications arising from the Registered Plan of Subdivision, 62M-1207 (25T-200605), e.g. cost recoveries relating to the registered plan. It should also be determined if there are any implications to 25T-202201. It is noted that the subject lands are also within close proximity to a defined area of cost recovery.</p> <p>The future of Block 83 should be determined when Gowland Drive is extended.</p> <p>It should be determined if the rear yard and/or side yard easements are required for access and maintenance purposes.</p> <p>The Owner and Agent should be made aware that the proposed addressing for this development will be provided once conditional Site Plan approval has been granted.</p>	<p>The Applicant has indicated the units will be purpose-built rental units.</p> <p>Should the Application be approved, these matters, including the municipal address and mailing address will be finalized and addressed through the future Site Plan Control Application.</p>
Waste Management Operations Section, Environmental Services Division, Public Works Department	<p>This development is a multi-residential property with stacked townhouses which will require front-end garbage bin service and cart collection for recycling and organic material.</p> <p>As currently designed, the development is ineligible for municipal waste</p>	<p>Should the Application be approved, matters related to waste collection and disposal services will be addressed at the Site Plan Control stage.</p>

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	collection. A private waste hauler will be required for the site.	
	Comment	Staff Response
Forestry and Horticulture Section, Environmental Services Division, Public Works Department	<p>Forestry has no issues or concerns with the proposed Zoning By-law Amendment for 3435 Binbrook Road, Glanbrook.</p> <p>Plan is required to show large growing trees in the public boulevard on the west side of Binhaven Boulevard between the curb and sidewalk. Trees should be spaced at 8m to 10m apart and 8-10 m from private trees.</p> <p>Plans are required to note that “All trees to be planted on the City of Hamilton road allowance are to be selected and planted by the City of Hamilton Forestry section”.</p> <p>Plan is required to label all property lines.</p> <p>Plans are required to show visibility triangles and entrance/exits.</p> <p>Plan is required to show large growing trees in the public boulevard on the north side of Gowland Drive between the curb and the sidewalk. Trees should be spaced at 8m to 10m apart and 8-10 m from private trees.</p>	Should the Application be approved, these matters, including a revised Landscape Plan will be required and addressed at the Site Plan Control stage.
Niagara Peninsula Conservation Authority	The NPCA has reviewed the ‘Functional Servicing and Stormwater Management Report – Proposed Stacked Townhouse Development – 3435 Binbrook Road, Hamilton’ (dated May 31, 2021) and the associated engineering drawing set (revised 2021.05.31) all by Stantec Consulting Limited.	Staff note the Niagara Peninsula Conservation Authority offers no objections to this proposal.

SUBJECT: Application for Amendment to Glanbrook Zoning By-law No. 464 for Lands Located at 0 Gowland Drive and 3435 Binbrook Road, Glanbrook (PED22161) (Ward 11) - Page 19 of 24

	Comment	Staff Response
Niagara Peninsula Conservation Authority Continued	<p>Based on our review, the NPCA offers the following comments:</p> <ol style="list-style-type: none"> 1. The NPCA is satisfied that the existing downstream Summerlea Pond 1A stormwater management facility has been adequately designed to provide stormwater quality and quantity controls for a large catchment which includes this proposed development. 2. The NPCA has no objection to the proposed grading, storm servicing, stormwater management, and construction sediment control drawings. <p>Based on the above, the NPCA offers no objections to this proposal.</p>	
Public Consultation		
Issue	Comment	Staff Response
Insufficient Information	Concern that insufficient information related to the proposed development was provided to the public.	A Notice of Complete Application and Public Meeting was circulated to all registered landowners within 120 metres of the subject lands. The notice provides that additional information related to the Application is readily available for inspection by contacting City staff. In addition, the Owner and Agent co-hosted a virtual Neighbourhood Meeting on Thursday, April 21, 2022 to address concerns from the public and to provide further information related to the proposal.

SUBJECT: Application for Amendment to Glanbrook Zoning By-law No. 464 for Lands Located at 0 Gowland Drive and 3435 Binbrook Road, Glanbrook (PED22161) (Ward 11) - Page 20 of 24

Issue	Comment	Staff Response
Plans Provided to Public	Concern that the proposed development plans provided to the public are subject to change.	The plans provided to the public may not always be finalized at the time of circulation as to allow for further refinement and revisions to incorporate staff and public feedback during the Site Plan Control or other stages of development. Finalised plans can be provided when requested.
Landscaping	Concern that no landscaping plan related to the proposed development was provided.	A landscape plan will be required at the Site Plan Control stage.
Engineering	Concern that engineering drawings related to the proposed development were not provided.	A Functional Servicing Report and Stormwater Management Report were submitted in support of the Application. In response to a resident request, staff provided the complete Application submission, including the Stormwater Management Report and Functional Servicing Report to 17 neighbouring residents.
Access to subject lands	Concern there is limited access to the proposed development.	Transportation Planning has raised no concerns related to access to the subject lands. A Traffic Impact Study was submitted that was reviewed and approved by City staff that indicates no concerns related to access to the subject lands.
Access to subject lands	Concern a gas leak or gas explosion could prevent access to and from the proposed development in the absence of a second entrance.	The proposed development will be subject to all applicable Ontario Building Code standards.

SUBJECT: Application for Amendment to Glanbrook Zoning By-law No. 464 for Lands Located at 0 Gowland Drive and 3435 Binbrook Road, Glanbrook (PED22161) (Ward 11) - Page 21 of 24

Issue	Comment	Staff Response
Access to units	Concern the units within the proposed development provide an insufficient number of exits.	The minimum number of exits required in any proposed development is regulated by and provided in accordance with the Ontario Building Code.
Traffic	Concern that the proposed development will create negative traffic impacts.	A Traffic Impact Study (TIS) was submitted in support of the Application and was reviewed by staff. The TIS concluded that the proposed development can be supported by the surrounding transportation network without significant concerns and was supported by staff.
Parking	Concern there is insufficient parking for the proposed development.	The Zoning By-law Amendment does not include a modification for reduction to on-site parking. The proposed development meets and exceeds the minimum parking requirements of the Zoning By-law.
Amenity and/or outdoor area(s)	Concern that insufficient amenity and/or outdoor space is being provided for the proposed development.	The Zoning By-law Amendment does not include a modification to reduce the minimum standards for an amenity area. The subject lands are adjacent to existing public open space.
Housing tenure	Concern that the proposal is for purpose built rental dwellings.	The Glanbrook Zoning By-law does not regulate housing tenure. Staff note that the Urban Hamilton Official Plan requires a full range of housing types and tenures.

SUBJECT: Application for Amendment to Glanbrook Zoning By-law No. 464 for Lands Located at 0 Gowland Drive and 3435 Binbrook Road, Glanbrook (PED22161) (Ward 11) - Page 22 of 24

Issue	Comment	Staff Response
Crime	Concern that the proposal will increase crime in the area.	Staff are unaware of any empirical evidence to suggest that crime rates would rise.
Construction	Concern was received that the construction would create excessive debris and mud in the neighbourhood.	Staff will require a Construction Management Plan at the Site Plan Control stage.

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 residents within 120 metres of the subject lands on July 15, 2021. The Public Notice sign was posted on the lands no later than July 21, 2021 and updated with the Public Meeting date no later than July 6, 2022. A Notice of Public Meeting was sent to property owners within 120 metres of the subject lands no later than July 15, 2022, in accordance with the requirements of the *Planning Act*.

To date, one email and one letter, signed by 20 neighbouring landowners, has been received in response to the Public Notice. The submissions are summarized above and included in Appendix “E” attached to Report PED22161.

Public Consultation Strategy

The Applicant held a virtual Neighbourhood Meeting on Thursday, April 21, 2022. Eight members of the public were in attendance and offered comment on the proposal. The concerns expressed by members of the public were summarized by the Applicant and are included as Appendix “E-1” attached to Report PED22161.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposed Zoning By-law Amendment Application has merit and can be supported for the following reasons:
 - i. It is consistent with the Provincial Policy Statement and conforms to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
 - ii. The proposed development complies with the Urban Hamilton Official Plan and the Binbrook Village Secondary Plan; and,

- iii. The proposal is compatible with the existing and planned neighbourhood.
2. The proposed Zoning By-law Amendment will permit four residential stacked townhouse blocks consisting of 72 units in total. The proposal is to change the zoning from the Residential Multiple “RM4-217” Zone, Modified, to the Residential Multiple “RM4-217-817” Zone, Modified (refer to Appendix “B” attached to Report PED22161).

The implementing by-law proposes 13 modifications to the Residential Multiple “RM4-217” Zone, Modified. The proposed Zoning By-law Amendment will facilitate residential development consisting of purpose-built rentals units that comply with the Urban Hamilton Official Plan and the Binbrook Village Secondary Plan and are compatible with the existing and planned development within the immediate and surrounding area. Therefore, staff support the proposed amendment to the Zoning By-law.

3. A revised Site Plan Control Application will be required to implement the proposal for 72 stacked townhouse units.

ALTERNATIVES FOR CONSIDERATION

Should the Zoning By-law Amendment Application be denied, the subject lands could be utilized in accordance with the existing Residential Multiple “RM4-217” Zone within the Township of Glanbrook Zoning By-law No. 464.

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.

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 PED22161 - Location Map
Appendix "B" to Report PED22161 - Amendment to Zoning By-law No. 464
Appendix "C" to Report PED22161 - Zoning Modification Table
Appendix "D" to Report PED22161 - Concept Plan
Appendix "E" to Report PED22161 - Public Submission
Appendix "E-1" to Report PED22161 - Public Concerns
Appendix "F" to Report PED22161 - Concept Elevations

DM:sd