



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

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	June 13, 2023
<b>SUBJECT/REPORT NO:</b>	Applications for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 382 Southcote Road, Ancaster (PED23119) (Ward 12)
<b>WARD(S) AFFECTED:</b>	Ward 12
<b>PREPARED BY:</b>	Aminu Bello (905) 546-2424 Ext. 5264
<b>SUBMITTED BY:</b>	Stephen Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

- (a) That **Official Plan Amendment Application UHOPA-23-003 by Urban Solutions Planning and Land Development Consultants Inc. c/o Matt Johnson, on behalf of 1376412 Ontario Ltd. c/o Zeina Homes, Owner**, to add a new Site Specific Policy within the Garner Neighbourhood Secondary Plan, to permit the development of the subject lands for 3 single detached dwellings with a minimum lot frontage of 12.0 metres and a maximum overall density of 24 units per gross/net residential hectare, for lands located at 382 Southcote Road, as shown on Appendix “A” attached to Report PED23119, be **APPROVED** on the following basis:
- (i) That the draft Official Plan Amendment attached as Appendix “B” to Report PED23119, which has been prepared in a form satisfactory to the City Solicitor, 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);

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- (b) That **Amended Zoning By-law Amendment Application ZAR-23-003 by Urban Solutions Planning and Land Development Consultants Inc., on behalf of 1376412 Ontario Ltd. c/o Zeina Homes, Owner**, for a change in zoning from the Agricultural “A-216” Zone, Modified, to the Low Density Residential (R1, 848) Zone, Modified, to facilitate development of three single detached dwellings, for lands located at 382 Southcote Road, as shown on Appendix “A” attached to Report PED23119, be **APPROVED** on the following basis:
- (i) That the draft By-law attached as Appendix “C” to Report PED23119, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
  - (iii) That this By-law will comply with the Urban Hamilton Official Plan upon the approval of Urban Hamilton Official Plan Amendment No. XX.

## **EXECUTIVE SUMMARY**

The subject lands municipally known as 382 Southcote Road are located on the west side of Southcote Road in the Garner neighbourhood. The Applicant has applied for Urban Hamilton Official Plan (UHOP) and Zoning By-law Amendments to facilitate development of three single detached dwellings, as shown on Appendix “E” attached to Report PED23119.

The purpose of the Official Plan Amendment is to add a new Site Specific Policy within the Garner Neighbourhood Secondary Plan to permit a minimum lot frontage of 12.0 metres and a maximum density of 24 units per gross/net residential hectare.

The purpose of the Zoning By-law Amendment is for a change in zoning from Agricultural “A-216” Zone, Modified, to the Low Density Residential (R1, 848) Zone. Modifications are required to implement the proposal.

A Consent application (File: AN/B-22:59) to create two new lots and retain a parcel for single detached dwellings was considered by the Committee of Adjustment on September 22, 2022 and approved with conditions. Condition Nos. 4 and 5 of the Consent approval, attached as Appendix “F” to Report PED23119, requires final approval of Official Plan Amendment and Zoning By-law Amendment applications, in addition to other conditions, in order to grant a final and binding Consent. Staff are

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recommending further amendments to Zoning By-law No. 05-200 to update terminology to support consistency of zoning interpretation for front yard parking for single detached dwellings.

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

- It is consistent with the Provincial Policy Statement (2020) (PPS);
- It conforms to the Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- It complies with the general intent of the Urban Hamilton Official Plan and will comply with the Garner Neighbourhood Secondary Plan upon approval of the Official Plan Amendment; 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 16**

**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:	Urban Solutions Planning and Land Development Consultants Inc. on behalf of 1376412 Ontario Ltd. c/o Zeina Homes.
File Number:	UHOPA-23-003 and ZAR-23-003.
Type of Application:	Urban Hamilton Official Plan Amendment and Zoning By-law Amendment.

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<b>Application Details</b>	
Proposal:	To facilitate development of three single detached dwellings fronting onto Southcote Road.
<b>Property Details</b>	
Municipal Address:	382 Southcote Road, Ancaster.
Lot Area:	1,609 square metres (0.16 hectares).
Servicing:	Existing full municipal services.
Existing Use:	Single detached dwelling (to be demolished).
<b>Documents</b>	
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” 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 1a” in the Garner Neighbourhood Secondary Plan.
Secondary Plan Proposed:	Add a new Site Specific Policy to the Garner Neighbourhood Secondary Plan to permit a minimum lot frontage of 12 metres and a maximum density of 24 dwelling units per gross/net residential hectare.
Zoning Existing:	Agricultural “A-216” Zone, Modified
Zoning Proposed:	Low Density Residential (R1, 848) Zone recommended by staff whereas Single Residential "R4" Zone was requested by the Applicant.
Modifications Proposed:	<p>Staff recommend the following modifications:</p> <ul style="list-style-type: none"> <li>• To reduce the minimum distance for a required parking space located in the front yard to 0 metres from a street line;</li> <li>• To permit a required parking space in the front yard;</li> <li>• Removing the permission for duplex, semi detached, and street townhouse dwellings from the Low Density Residential (R1) Zone as the uses are not permitted by the Garner Neighbourhood Secondary Plan at this point in time; and,</li> <li>• An accessory dwelling unit and or detached accessory dwelling unit will be permitted.</li> </ul>

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<b>Processing Details</b>	
Received:	November 9, 2022.
Deemed Complete:	December 5, 2022.
Notice of Complete Application:	Sent to 74 property owners within 120 metres of the subject property on December 14, 2022.
Public Notice Sign:	Posted December 9, 2022 and updated with public meeting date on May 17, 2023.
Notice of Public Meeting:	Sent to 74 property owners within 120 metres of the subject property on May 26, 2023.
Public Comments:	One email was received expressing concern.
Processing Time:	217 days from date of receipt of initial application. 100 days from receipt of Noise Impact Study proposal and 104 days from receipt of updated Tree Management Plan.

**Existing Land Use and Zoning:**

	<b>Existing Land Use</b>	<b>Existing Zoning</b>
<b>Subject Property:</b>	Single detached dwellings.	Agricultural “A-216” Zone, Modified
<b>Surrounding Land Uses:</b>		
<b>North</b>	Single detached dwellings.	Existing Residential “ER” Zone
<b>East</b>	Single detached dwellings.	Residential “R4-450” Zone, Modified
<b>South</b>	Single detached dwellings.	Residential “R4-514” Zone, Modified
<b>West</b>	Single detached dwellings.	Residential “R4-514” Zone, Modified

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

### **Provincial Policy Statement**

The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the PPS. The following policies, amongst others, apply to the proposal.

- “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;
  - 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 an appropriate form of intensification, which promotes efficient use of land, existing infrastructure, and is transit supportive through its proximity to existing public transit. The proposed development introduces a compact form that is appropriately scaled for the area.

Based on the foregoing, the proposal is consistent with the PPS (2020).

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

The Growth Plan directs the vast majority of growth to settlement areas that have existing or planned municipal water and waste water systems that can support the achievement of complete communities. The following policies, amongst others, apply to the proposal.

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- “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 Urban Boundary and Built-up Area in a settlement 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 utilizes existing municipal services. The proposal represents a form of residential intensification within the built-up area, in proximity to an existing transit route along Garner Road East.

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

### **Urban Hamilton Official Plan**

The subject property is identified as “Neighbourhoods” on Schedule E – Urban Structures and designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designation in the UHOP. The lands are also designated “Low Density Residential 1a” on Map B.2.3-1 Land Use Plan, in the Garner Neighbourhood Secondary Plan. The following policies, amongst others, apply to the proposal.

## Cultural Heritage

- "B.3.4.2.1 The City of Hamilton shall, in partnership with others where appropriate:
- a) Protect and conserve the tangible *cultural heritage resources* of the City, including *archaeological resources*, *built heritage resources*, and *cultural heritage landscapes* for present and future generations."

The subject property meets four (4) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential. The proposal will not result in any significant soil disturbances; therefore, the proposal does not require an Archaeological Assessment as a condition of Consent application AN/B-22:59. An acknowledgment note was imposed on the conditionally approved Consent to advise that the Applicant may be required to conduct an archaeological assessment prior if archaeological resources are encountered on the subject property through demolition, grading and/or construction activities on the subject property.

## Noise

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

The proposal is located adjacent to Southcote Road, which is classified as a minor arterial road. A Noise Impact Study has been prepared by dBA Acoustical Consultants Inc. dated March 2023 in support of the proposal. The report concluded that no additional mitigation or building components are required for the proposed single detached dwellings, but warning clauses are required for dwellings to be designed to allow provision of central air conditioning at the occupant's discretion. It is the applicant's responsibility to advise future residents of the warning clause in lease or rental agreements and/or agreements of purchase and sale. Staff have requested a modification to the conditions of the consent approval requiring that the owner include the warning clause in lease or rental agreements and/or agreements of purchase and sale and that this will be included in the future Consent agreement to be registered on title.



### Tree Management

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

A Tree Protection Plan (TPP) prepared by Whitehouse Urban Design Inc. dated January 16, 2023 was submitted in support of the applications. The TPP inventoried 14 private trees and three trees within the municipal right-of-way. The Applicant proposed to remove 10 private trees to facilitate development of the subject property.

A Private Tree Protection By-law (2000-118) is in place for the Town of Ancaster, which regulates the removal of individual trees that are 45 cm diameter-at-breast-height (DBH) or greater.

Staff require further revisions to the TPP to satisfy minor concerns. Staff have requested a modification to the conditionally approved Consent (File: AN/B-22:59), attached as Appendix “F” to Report PED23119, to require a Tree Protection Plan/Landscape Plan and Tree Protection Verification Letter from the Applicant.

### Traffic Management

“C.4.5.12 The City shall require transportation impact studies to assess the impact of proposed developments on current travel patterns and/or future transportation requirements. These studies shall be submitted as part of applications for Official Plan amendments, subdivision approvals, major rezoning and major site plan approvals.”

The Applicant has confirmed through a qualified traffic professional that vehicle traffic anticipated to be generated from the additional two single detached dwellings is negligible and can be accommodated by the Southcote Road without any adverse impacts to the existing road network.

### **Garner Neighbourhood Secondary Plan**

The subject property is designated “Low Density Residential 1a” on Map B.2.3-1 Land Use Plan, in the Garner Neighbourhood Secondary Plan. The following policies, amongst others, apply to the proposal.

“Volume 2

“B.2.3.1.2 General Residential Policies

- a) Residential buildings in the Low Density Residential and Medium Density Residential designations shall have no more than three occupied storeys entirely above grade;
- b) To minimize the impact of new residential development on existing single detached residential uses to the immediate east and west of the neighbourhood, a transition in dwelling type and density shall be applied. Adjacent to those existing single detached residential areas, single detached dwellings shall be located on minimum 15 metre frontage lots and larger.

B.2.3.1.3 Low Density Residential Designations

Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the Low Density Residential designations identified on Map B.2.3-1 – Garner Neighbourhood – Land Use Plan.

- b) The Low Density Residential 1a designation:
  - i. The permitted uses shall be single detached dwellings;
  - ii. The lot frontages shall be a minimum of 15 metres; and,
  - iii. The density shall not exceed 18 dwelling units per gross/net residential hectare.”

The proposal does not comply with the minimum 15 metre lot frontage and maximum density of 18 units per gross/net residential hectare as required under policies B.2.3.1.2 b) and B.2.3.1.3 b) i) and ii) of the Garner Neighbourhood Secondary Plan. The Applicant has requested a Site Specific Policy Area within the Garner Neighbourhood Secondary Plan to establish single detached dwelling lots with a minimum frontage of 12 metres and a maximum density of 24 dwelling units per gross/net residential hectare, as described in Appendix “B” attached to Report PED23119.

It is the opinion of staff that the intent of UHOP policy B.2.3.1.2 of Volume 2 is met as the proposal maintains the predominate form of single detached dwellings in the area, and the proposed decrease in the minimum lot frontage and increase in maximum residential density is compatible with the existing single detached lots in the area. The

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proposal represents intensification and compact built form and is an appropriate transition dwelling type that will minimize any impact of new development on the existing single detached dwellings located immediately east of the Garner neighbourhood in accordance with B.2.3.1.2 b) of Volume 2.

Based on the foregoing, the proposed development meets the intent of the policies of the UHOP and the Garner Neighbourhood Secondary Plan subject to the Official Plan Amendment.

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

The subject property is zoned Agriculture “A-216” Zone, Modified, which permits one single detached dwelling accessory to agricultural uses. Exemption 216 prohibits piggeries, poultry operations, feed lot operations, mushroom farms, and mink farms on the subject lands.

The Agricultural “A” Zone requires a minimum lot area of 1,850 square metres and minimum lot frontage of 30 metres. Prior to the applicant submitting the Official Plan and Zoning By-law Amendment applications, staff considered a Minor Variance application (file AN/A-22:191) submitted by the applicant that requested a reduced minimum lot area of 459 square metres, a minimum lot frontage of 12 metres and to permit a 1.2 metre minimum side yard instead of the required 3.0 metres. Staff did not support the Minor Variance application AN/A-22:191 and recommended the Applicant apply for a Zoning By-law Amendment as the requested variances were not minor in nature and not viewed as an appropriate development of the Agricultural zoned lands. On September 22, 2022, the Committee of Adjustment approved Minor Variance application AN/A-22:191 to permit a minimum lot area of 445 square metres, a minimum lot frontage of 12.0 metres and a minimum side yard of 1.2 metres as modifications to Agricultural (A-216) Zone on the subject lands. On September 22, 2022, the Committee of Adjustment approved Consent application AN/B-22:59 with conditions for an Official Plan Amendment and Zoning By-law Amendment. The intent of the Agricultural (A-216) Zone is to permit agricultural uses and accessory uses that include one single detached dwelling, therefore the Applicant is required to rezone the subject lands to a modified Residential “R4” Zone in Ancaster Zoning By-law No. 87-57 to facilitate development of single detached dwellings fronting Southcote Road. The modified Agricultural (A-216) Zone approved under Minor Variance application AN/A-22:191 does not include the full range of zoning permissions under a standard residential zone.

**Hamilton Zoning By-law 05-200**

The Residential “R4” Zone, in the Town of Ancaster Zoning By-law No. 87-57, has been replaced with the Low Density Residential (R1) Zone, in the City of Hamilton Zoning By-

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law No. 05-200. Staff have amended the application to rezone the lands to the Low Density Residential (R1, 848) Zone in Zoning By-law No. 05-200. Staff are recommending the Low Density Residential (R1, 848) Zone to remove Duplex Dwellings, Semi detached Dwellings and Street Townhouse Dwellings as permitted uses as these uses are not permitted by the Garner Neighbourhood Secondary Plan. The Applicant agrees with the staff requested amendments to the application, as shown on Appendix “D” attached to Report PED23119.

Further staff-initiated zone modifications are recommended to permit tandem parking spaces on front driveways for ground-oriented dwellings. Sections 5.1 b) i) and ii) of Zoning By-law No. 05-200 require that a parking space shall be located a minimum distance of 5.8 metres from the street line and no parking shall be located in the front yard or flankage yard. Application of the above-noted zone provisions would result in undue owner hardship to accommodate on-site parking for residential dwellings with smaller lot widths. On May 10, 2023, City Council approved City Initiative CI 23-E for a housekeeping amendment to Zoning By-law No. 05-200 to resolve interpretation issues and ensure the Zoning By-laws remain up-to-date, etc. Appendix “A” to Report PED23074 recommends, among other things, that subsections 5.1 b) i) and 5.1 b) ii) are deleted in their entirety. As an interim solution, staff have recommended an exemption to Sections 5.1 b) i) and ii) of Zoning By-law No. 05-200 in order to advance a recommendation for Zoning By-law Amendment application ZAR-23-003 at this point in time. To date, City Initiative CI 23-E for housekeeping amendments to Zoning By-law No. 05-200 is not final and binding.

**RELEVANT CONSULTATION**

<b>Departments and Agencies</b>		
<ul style="list-style-type: none"> <li>• Alectra Utilities;</li> <li>• Canada Post; and,</li> <li>• Hamilton Conservation Authority.</li> </ul>		No Comment.
<b>Department</b>	<b>Comment</b>	<b>Staff Response</b>
Strategic Planning Section, Public Works Department.	Southcote Road is currently under reconstruction along the frontage of the subject lands including watermain replacement, sewer replacement, and road widening. Construction works are expected to continue through the end of August 2024.	These requirements have been addressed through Condition Nos. 8, 12 and 15 of Consent application AN/B-22:59 as shown on Appendix “F” attached to Report PED23119.

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<b>Department</b>	<b>Comment</b>	<b>Staff Response</b>
Strategic Planning Section, Public Works Department <b>(Continued).</b>	The Owner / Applicant shall incorporate the new Southcote Road right-of-way into the site design.	
Development Engineering Approvals Section, Planning and Economic Development Department.	The proposed development is negligible to the municipal servicing capacity.	Detailed grading, storm water management and servicing plans will be reviewed and approved as part of the Consent Agreement under the conditionally approved Consent AN/B-22:59.
Legislative Approvals/Staging of Development Section, Planning and Economic Development, Department.	Addresses for this proposal will be finalized following clearance of all conditions of Consent Application, AN/B-22:59 and the Final Certificate.	Noted.
Forestry and Horticulture Section, Public Works Department.	Municipal tree assets or trees will be acquired through potential road right-of-way widening on the subject plans.	A Tree Management Plan has been addressed under Condition No. 6 of Consent application AN/B-22:59 as shown in Appendix "F" attached to Report PED23119.
Transportation Planning Section, Planning and Economic Development, Department.	<p>The proposal is anticipated to generate minimal vehicle traffic and is unlikely to have a perceptible negative impact on the area road network.</p> <p>A ±3.05 metre road right-of-way dedication is required along the subject property to achieve an ultimate 31.9 metre road width for Southcote Road.</p> <p>Staff recommends a paved / traversable turnaround area on the front driveway of each new lot to facilitate ingress / egress of vehicles in a forward direction.</p>	<p>Staff are satisfied the existing road network can accommodate the proposal.</p> <p>This requirement has been addressed through Condition No. 15 of Consent application AN/B-22:59 as shown on Appendix "F" attached to Report PED23119.</p> <p>Noted.</p>

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<b>Department</b>	<b>Comment</b>	<b>Staff Response</b>
Recycling and Waste Disposal, Operations Division, Public Works Department.	The proposed development is eligible for municipal waste collection subject to meeting the City's requirements for serviceability.	Noted.
Enbridge Gas Inc.	The existing gas service will need to be abandoned prior to demolition of the existing single detached dwelling. An active gas main service is available fronting the proposed lots.	Noted.
<b>Public Consultation</b>		
<b>Issue</b>	<b>Comment</b>	<b>Staff Response</b>
Tree Protection.	A suitable Tree Protection Plan needs to be included in the application to protect Norway spruce trees along the northerly limits of the subject property.	<p>The Applicant has submitted a Tree Protection Plan in support of the Zoning By-law Amendment application which indicates 1:1 compensation for replacement of existing trees proposed for removal to facilitate the proposed development.</p> <p>The conditionally approved Consent application AN/B-22:59 will be amended to add conditions for a Tree Protection Plan/Landscape Plan.</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 74 property owners within 120 m of the subject property on December 14, 2022. A Public Notice sign was posted on the property on December 9, 2022 and updated on May 26, 2023. Finally, the Notice of the Public Meeting was given on May 26, 2023. The Applicant provided a Public Consultation Strategy as part of their application which identified no additional neighbourhood engagement beyond the minimum requirements of the *Planning Act*.

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To date, one email has been submitted expressing concern with the proposed development (attached as Appendix “G” to Report PED23119 and summarized in the table above).

**Public Consultation Strategy**

The Applicant submitted a Public Engagement Strategy in support of these applications. A neighbourhood meeting was not held as the proposal is considered a minor application and implements the decision of the Committee of Adjustment.

**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 Garner Neighbourhood 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 establish a Site Specific Policy Area to permit a minimum 12 metre lot frontage and maximum density of 24 units per gross/net residential hectare. In the opinion of staff, the Site Specific Policy constitutes a scale of development that is compatible with the existing neighbourhood. The subject properties can accommodate an increase in residential density at a scale that is compatible with the area and within the existing municipal servicing capacity.

Therefore, staff support the proposed Official Plan Amendment.

3. Zoning By-law Amendment

The proposed Zoning By-law Amendment is for a change in zoning from the Agriculture “A-216” Zone, Modified, to the Low Density Residential (R1, 848) Zone.

Staff are recommending that the subject lands be removed from the Town of Ancaster Zoning By-law No. 87-57 and rezoned to Low Density Residential (R1, 848) Zone, in the City of Hamilton Zoning By-law No. 05-200, to facilitate the proposal. Single detached dwellings are permitted within the “Neighbourhoods” designation of the UHOP and within the “Low Density Residential 1a” designation of the Garner Neighbourhood Secondary Plan. Duplex Dwellings, Semi detached Dwellings and Street Townhouse Dwellings are not permitted within the “Low Density Residential 1a” designation of the Garner Neighbourhood Secondary Plan, as such, staff propose a modification to the Low Density Residential (R1) Zone to remove these uses. Further staff-initiated modifications are proposed to address to the location of tandem parking spaces on front driveways for ground-oriented dwellings.

Staff are in support of the change in zoning as the proposal complies with the Urban Hamilton Official Plan policies and the general intent of the Garner Neighbourhood Secondary Plan.

## **ALTERNATIVES FOR CONSIDERATION**

Should the applications be denied, the subject property can be used in accordance with the Agriculture “A-216” Zone, Modified, which permits a single detached dwelling and agricultural uses.

## **ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

### **Community Engagement and Participation**

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

### **Economic Prosperity and Growth**

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

### **Healthy and Safe Communities**

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



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**Clean and Green**

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

**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report PED23119 – Location Map

Appendix "B" to Report PED23119 – Draft Official Plan Amendment

Appendix "C" to Report PED23119 – Draft Zoning By-law Amendment

Appendix "D" to Report PED23119 – Zoning Modification Chart

Appendix "E" to Report PED23119 – Concept Plan

Appendix "F" to Report PED23119 – Consent Approval Conditions AN/B-22:59

Appendix "G" to Report PED23119 – Public Submissions

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