



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

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	July 11, 2023
<b>SUBJECT/REPORT NO:</b>	Application for Amendments to the Urban Hamilton Official Plan, Township of Glanbrook Zoning By-law No. 464 and Zoning By-law No. 05-200, and Draft Plan of Subdivision for Lands Located at 3479 Binbrook Road, Glanbrook (PED23117) (Ward 11)
<b>WARD(S) AFFECTED:</b>	Ward 11
<b>PREPARED BY:</b>	James Van Rooi (905) 546-2424 Ext. 4283
<b>SUBMITTED BY:</b>	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

- (a) That **Urban Hamilton Official Plan Amendment Application UHOPA-23-015, by Metropolitan Consulting Inc. (c/o Peter De Iulio) on behalf of Palmel Developments Inc. (c/o David Pitblado), Owners**, to redesignate lands in the Binbrook Village Secondary Plan from “Low Density Residential 2e” to “Low Density Residential 3e”, “Low Density Residential 2h”, “Utility”, “Utility – SWM”, and “Neighbourhood Park”; to redesignate lands from “Low Density Residential 2h” to “Low Density Residential 2e”, “Low Density Residential 3e”, and “Utility – SWM”; to redesignate lands from “Low Density Residential 3e” to “Utility”; to redesignate lands from “Parkette” to “Low Density Residential 2h”, “Utility”, and “Utility – SWM”; to redesignate lands from “Neighbourhood Park” to “Low Density Residential 2h” and “Utility”; to redesignate lands from “Utility” to “Low Density Residential 2h” and “Low Density Residential 3e”; and to redesignate lands from “Institutional” to “Neighbourhood Park” and “Utility”, and to amend the Binbrook Village Secondary Plan – Open Space Linkages Map B.5.1-2, for lands located at 3479 Binbrook Road, as shown on Appendix “A” attached to Report PED23117, be **APPROVED** on the following basis:

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

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

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

**SUBJECT: Application for Amendments to the Urban Hamilton Official Plan, Township of Glanbrook Zoning By-law No. 464 and Zoning By-law No. 05-200, and Draft Plan of Subdivision for Lands Located at 3479 Binbrook Road, Glanbrook (PED23117) (Ward 11) - Page 2 of 45**

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- (i) That the draft Official Plan Amendment attached as Appendix “B” to Report PED23117, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- (b) That **Zoning By-law Amendment Application ZAC-22-008, by Metropolitan Consulting Inc. (c/o Peter De Iulio) on behalf of Palmel Developments Inc. (c/o David Pitblado), Owners**, for a change is zoning from the Restricted Agricultural “A2” Zone to the Residential Multiple “RM3-326” Zone, Modified, to permit the development of up to 146 multiple dwelling units on three blocks, for lands located at 3479 Binbrook Road, as shown on Appendix “A” attached to Report PED23117, be **APPROVED** on the following basis:
- (i) That the draft By-law attached as Appendix “C” to Report PED23117, 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 approval of Urban Hamilton Official Plan Amendment No. XX;
- (c) That **Zoning By-law Amendment Application ZAC-22-008, by Metropolitan Consulting Inc. (c/o Peter De Iulio) on behalf of Palmel Developments Inc. (c/o David Pitblado), Owners**, for a change in zoning from the Restricted Agricultural “A2” Zone to the Low Density Residential – Small Lot (R1a, 867) Zone, Low Density Residential – Small Lot (R1a, 868) Zone, Low Density Residential – Small Lot (R1a, 869) Zone, Conservation / Hazard Land (P5) Zone and Neighbourhood Park (P1) Zone, in order to establish 196 single detached dwellings, 42 semi detached dwellings, 388 street townhouse dwellings, a neighbourhood park, naturalized drainage channel, and stormwater management pond, for lands located at 3479 Binbrook Road, as shown on Appendix “A” attached to Report PED23117, be **APPROVED** on the following basis:

**SUBJECT: Application for Amendments to the Urban Hamilton Official Plan, Township of Glanbrook Zoning By-law No. 464 and Zoning By-law No. 05-200, and Draft Plan of Subdivision for Lands Located at 3479 Binbrook Road, Glanbrook (PED23117) (Ward 11) - Page 3 of 45**

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- (i) That the draft By-law, attached as Appendix “D” to Report PED23117, 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 approval of Urban Hamilton Official Plan Amendment No. XX;
- (d) That **Red Line Revised Draft Plan of Subdivision Application 25T-202201, by Metropolitan Consulting Inc. (c/o Peter De Iulio) on behalf of Palmel Developments Inc. (c/o David Pitblado), Owners**, for lands located at 3479 Binbrook Road, as shown on Appendix “A” attached to Report PED23117, be **APPROVED**, subject to the following:
- (i) That this approval apply to the red line revised Draft Plan of Subdivision “Binbrook Meadows” 25T-202201, certified by R. Mayo, O.L.S., dated May 11, 2023, consisting of three blocks for up to 146 multiple dwelling units (Blocks 1, 2 and 3), 14 blocks for 388 street townhouse dwellings (Blocks 4, 5, 6, 9, 10, 12, 13, 19, 20, 21, 22, 26, 30 and 32), nine blocks for 196 single detached dwellings (Blocks 16, 17, 18, 23, 24, 25, 27, 28 and 29), one block for 42 semi detached dwellings (Block 31), one block for parkland (Block 8), two blocks for a drainage channel (Blocks 7 and 11), two blocks for a walkway (Blocks 14 and 15), one block for a stormwater management pond (Block 33), two blocks for a right-of-way dedication (Blocks 34 and 35), and 16 public roadways (Streets “A” to “K”) including extensions to existing roads (Gowland Drive, Whitwell Way, McAllister Drive, McKee Drive, and Windwood Drive), as shown on the red line revised Draft Plan of Subdivision attached as Appendix “F” to Report PED23117, subject to the Owner entering into a standard form subdivision agreement as approved by City Council and with the Special Conditions attached as Appendix “G” to Report PED23117;
  - (ii) In accordance with the City’s Comprehensive Development Guidelines and Financial Policies Manual there will be no City of Hamilton cost sharing for this subdivision;
  - (iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the *Planning Act*, prior to the issuance of each building

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permit. The calculation for the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the issuance of each building permit, all in accordance with the Financial Policies for Development and the City's Parkland Dedication By-law, as approved by Council.

## **EXECUTIVE SUMMARY**

The Applicant has applied for an Urban Hamilton Official Plan Amendment, a Zoning By-law Amendment, and a Draft Plan of Subdivision to permit the development of 196 single detached dwellings, 42 semi detached dwellings, 388 street townhouse dwellings, up to 146 multiple dwelling units, a neighbourhood park, naturalized drainage channel, and stormwater management pond, along with new public roads and the extension of existing public roads and a walkway.

The purpose of the Official Plan Amendment application is to modify the boundaries as shown within the Binbrook Village Secondary Plan of the "Low Density Residential 2e", "Low Density Residential 2h", "Low Density Residential 3e", "Utility", "Utility – SWM" and "Neighbourhood Park" designations and remove the "Institutional" and "Parkette" designations and to amend the Binbrook Village Secondary Plan – Open Space Linkages Map B.5.1-2.

The purpose of the Zoning By-law Amendment is for a change from the Restricted Agricultural "A2" Zone to Residential Multiple "RM3-326" Zone, Modified in Township of Glanbrook Zoning By-law No. 464 and to change the Restricted Agricultural "A2" Zone to Low Density Residential - Small Lot Residential (R1a, 867) Zone, Low Density Residential - Small Lot Residential (R1a, 868) Zone, Low Density Residential - Small Lot Residential (R1a, 869) Zone, Conservation / Hazard Land (P5) Zone and Neighbourhood Park (P1) Zone in Hamilton Zoning By-law No. 05-200. Staff are supportive of the modifications requested.

The proposed Draft Plan of Subdivision consists of 27 residential blocks which would include 196 single detached dwellings, 42 semi detached dwellings, 388 townhouse dwellings and up to 146 multiple dwelling units, one block for parkland, two blocks for a drainage channel, one block for a stormwater management pond, two blocks for a right-of-way widening along Binbrook Road, one block to be retained, two blocks for a public walkway and 16 public roads including new roads and the extension of existing roads.

The proposal has merit and can be supported as it 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 general intent of the Official Plan, in particular, the function, scale and design of the Low Density Residential

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policies as they relate to residential intensification and complete communities in the “Neighbourhoods” designation as well as the Binbrook Village Secondary Plan, and represents good planning by, among other considerations, providing a compatible residential development that contributes to a complete community through the establishment of housing forms and densities that are in keeping with existing and planned development in the surrounding area. The proposed development provides for intensification which achieves the overall planned public road network envisioned by Binbrook Village Secondary Plan which ensures land, municipal services, and transportation systems are used efficiently.

**Alternatives for Consideration – See Page 45**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

Legal: As required by the *Planning Act*, Council shall hold at least one Public Meeting to consider an application for an Official Plan Amendment and Zoning By-law Amendment. *Bill 23* amended the *Planning Act* to remove the mandatory requirement for a public meeting to consider a proposed Draft Plan of Subdivision.

**HISTORICAL BACKGROUND**

<b>Application Details</b>	
Owner:	Parmel Developments Inc. (c/o David Pitlabo)
Applicant/Agent:	Metropolitan Consultants Inc. (c/o Peter De Iulio)
File Number:	UHOPA-23-015 ZAC-22-008 25T-202201
Type of Application:	Urban Hamilton Official Plan Amendment Zoning By-law Amendment Draft Plan of Subdivision

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<b>Application Details</b>	
Proposal:	<p>The proposal consists of:</p> <ul style="list-style-type: none"> <li>• Three blocks of up to 146 multiple dwelling units (Blocks 1, 2 and 3);</li> <li>• 14 blocks for 388 street townhouse dwellings (Blocks 4, 5, 6, 9, 10, 12, 13, 19, 20, 21, 22, 26, 30 and 32);</li> <li>• Nine blocks for 196 single detached dwellings (Blocks 16, 17, 18, 23, 24, 25, 27, 28 and 29);</li> <li>• 1 block for 42 semi detached dwellings (Block 31);</li> <li>• One block for parkland (Block 8);</li> <li>• Two blocks for a drainage channel (Blocks 7 and 11);</li> <li>• Two blocks for a walkway (Blocks 14 and 15);</li> <li>• One block for a stormwater management pond (Block 34);</li> <li>• Two blocks for a right-of-way dedication (Blocks 35 and 36); and,</li> <li>• 16 public roadways (Streets “A” to “K”) including extensions of Gowland Drive, Whitwell Way, McAllister Drive, McKee Drive, and Windwood Drive, as shown on the red line revised Draft Plan of Subdivision attached as Appendix “F” to Report PED23117.</li> </ul>
<b>Property Details</b>	
Municipal Address:	3479 Binbrook Road, Glanbrook.
Lot Area:	±31.1 ha (Irregular)
Servicing:	Full municipal services.
Existing Use:	Vacant lands.
<b>Documents</b>	
Provincial Policy Statement (PPS):	The proposal is consistent with the Provincial Policy Statement (2020).
A Place to Grow:	The proposal conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).
Official Plan Existing:	Volume 1: “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations.

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<b>Documents</b>	
Official Plan Existing <b>(Continued):</b>	<p>Volume 2: Binbrook Village Secondary Plan – Land Use Plan Map B.5.1-1:</p> <ul style="list-style-type: none"> <li>• “Low Density Residential 2e”;</li> <li>• “Low Density Residential 2h”;</li> <li>• “Low Density Residential 3e”;</li> <li>• “Neighbourhood Park”;</li> <li>• “Institutional”;</li> <li>• “Utility”;</li> <li>• “Utility – SWM”; and,</li> <li>• “Parkette”.</li> </ul>
Official Plan Proposed:	<p>To amend the Binbrook Village Secondary Plan to redesignate lands from:</p> <ul style="list-style-type: none"> <li>• “Low Density Residential 2e” to “Low Density Residential 3e”, “Low Density Residential 2h”, “Utility”, “Utility - SWM”, and “Neighbourhood Park”;</li> <li>• “Low Density Residential 2h” to “Low Density Residential 2e”, “Low Density Residential 3e”, “Utility”, and “Utility – SWM”;</li> <li>• “Low Density Residential 3e” to “Utility”;</li> <li>• “Parkette” to “Utility” and “Utility – SWM”;</li> <li>• “Neighbourhood Park” to “Low Density Residential 2h” and “Utility”;</li> <li>• “Utility” to “Low Density Residential 2h” and “Low Density Residential 3e”; and,</li> <li>• “Institutional” to “Neighbourhood Park” and “Utility”.</li> </ul> <p>(See Appendix “B” attached to Report PED23117).</p>
Zoning Existing:	Restricted Agricultural “A2” Zone.
Zoning Proposed:	<p>Township of Glanbrook Zoning By-law No. 464:</p> <ul style="list-style-type: none"> <li>• Residential Multiple “RM3-326” Zone, Modified (Block 1 and Block 2); (see Appendix “C” attached to Report PED23117.)</li> </ul>

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<b>Documents</b>	
<p>Zoning Proposed <b>(Continued):</b></p>	<p>City of Hamilton Zoning By-law No. 05-200:</p> <ul style="list-style-type: none"> <li>• Neighbourhood Park (P1) Zone (Block 1);</li> <li>• Conservation/ Hazard Land (P5) Zone (Block 2 and 3);</li> <li>• Low Density Residential – Small Lot (R1a, 867) Zone (Block 4);</li> <li>• Low Density Residential - Small Lot Residential (R1a, 868) Zone (Block 5); and,</li> <li>• Low Density Residential - Small Lot Residential (R1a, 869) Zone (Block 6) (see Appendix “D” attached to Report PED23117).</li> </ul>
<p>Modifications Proposed:</p>	<p>Low Density Residential – Small Lot (R1a, 867) Zone:</p> <ul style="list-style-type: none"> <li>• To reduce the Minimum Lot Area from 270 square metres to 235 square metres;</li> <li>• To reduce the Minimum Setback from a Side Lot Line from 1.2 metres (on both sides) to 1.2 metres on one side and 0.6 metres on the other;</li> <li>• To reduce the Minimum Setback from a Flankage Lot Line from 3 metres to 2.4 metres;</li> <li>• To reduce the Minimum Setback from a Rear Lot Line from 7.5 metres to 7 metres;</li> <li>• To increase the Maximum Building Height from 10.5 metres to 12.5 metres;</li> <li>• To permit one parking space in a required front yard or required flankage yard; and,</li> <li>• To reduce a parking space minimum size of 2.8 metres width and 5.8 metres length to 2.7 metres in width and 5.8 metres in length.</li> </ul> <p>Low Density Residential – Small Lot (R1a, 868) Zone:</p> <ul style="list-style-type: none"> <li>• To reduce the Minimum Lot Area from 225 square metres to 185 square metres;</li> <li>• To reduce the Minimum Lot Width for each Dwelling Unit from 7.5 metres to 6.5 metres;</li> <li>• To reduce the Minimum Setback from a Flankage Lot Line from 3 metres to 2.4 metres; and,</li> <li>• To reduce the Minimum Setback from a Rear Lot Line from 7.5 metres to 7 metres.</li> </ul>



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Documents	
<p>Modifications Proposed <b>(Continued):</b></p>	<ul style="list-style-type: none"> <li>• To increase the Maximum Building Height from 10.5 metres to 12.5 metres; and,</li> <li>• To reduce a parking space minimum size of 2.8 metres width and 5.8 metres length to 2.7 metres in width and 5.8 metres in length.</li> </ul> <p>Low Density Residential – Small Lot (R1a, 868) Zone:</p> <ul style="list-style-type: none"> <li>• To reduce the Minimum Lot Area from 180 to 150 square metres;</li> <li>• To reduce the Minimum Setback from a Flankage Lot Line from 3 metres to 2.4 metres;</li> <li>• To reduce the Minimum Setback from a Rear Lot Line from 7.5 metres to 7 metres;</li> <li>• To increase the Maximum Building Height from 10.5 metres to 12.5 metres; and,</li> <li>• To reduce a parking space minimum size of 2.8 metres width and 5.8 metres length to 2.7 metres in width and 5.8 metres in length (Single Detached, Semi Detached and Street Townhouse).</li> </ul> <p>Residential Multiple “RM3-326” Zone</p> <ul style="list-style-type: none"> <li>• To permit Apartment Buildings, Stacked Townhouses, and Back-to-back townhouses (Maisonettes);</li> <li>• Added definitions for stacked townhouses and back-to-back townhouses;</li> <li>• Added definitions indicating which lot lines are front, rear and flankage lot lines;</li> <li>• To reduce the Minimum Lot Frontage from 45 metres to 30 metres;</li> <li>• To reduce the Minimum Lot Area from 0.4 hectares to 0.3 hectares;</li> <li>• To increase the Maximum Lot Coverage from 30 percent to 50 percent; and,</li> <li>• To increase the Maximum Density from 35 dwelling units per hectare to 60 dwelling units per hectare.</li> </ul>

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<b>Documents</b>	
Modifications Proposed <b>(Continued):</b>	<ul style="list-style-type: none"> <li>• To reduce the Minimum Front Yard from 9 metres to 3 metres, except 6 metres to an attached garage;</li> <li>• To reduce the Minimum Side and Rear Yards from 7.5 metres to 1.2 metres for Side Yards, except 3 metres on a flanking street and to 3 metres for Rear Yards;</li> <li>• To not apply a Minimum Separation Distance;</li> <li>• To not apply a Minimum Floor Area per Dwelling Unit;</li> <li>• To increase the Maximum Height from 10.7 metres to 12.5 metres;</li> <li>• To reduce the Minimum Landscaped Area from 50% of the lot area to 25% of the lot area;</li> <li>• To not require a Minimum Privacy Area; and,</li> <li>• To reduce the parking space from 3 metres by 6 metres to 2.7 metres by 5.8 metres and reduce the parking ratio from 2.5 spaces for each dwelling unit to 2.25 spaces for each dwelling unit.</li> </ul> <p>(See Appendix “E” attached to Report PED23117.)</p>
<b>Processing Details</b>	
Received:	Zoning By-law Amendment application received January 11, 2022. Official Plan Amendment application received March 23, 2023.
Deemed Complete:	Zoning By-law Amendment application deemed complete January 24, 2022. Official Plan Amendment application deemed complete March 27, 2023.
Notice of Complete Application:	Sent to 152 property owners within 120m of the subject lands on February 4, 2022 for Zoning By-law Amendment. Official Plan Amendment sent on April 3, 2023.
Public Notice Sign:	Posted February 14, 2022 and updated with Public Meeting date July 4, 2023.
Notice of Public Meeting:	Sent to 152 property owners within 120 m of the subject lands on July 4, 2023.

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<b>Processing Details</b>	
Public Comments:	One comment received requesting proportionate cost sharing for a roundabout at Binbrook Road and Fletcher Road and urbanization of Binbrook Road and Fletcher Road.
Revised Submissions Received:	<ul style="list-style-type: none"> <li>• August 24, 2022;</li> <li>• March 23, 2023; and,</li> <li>• May 15, 2023.</li> </ul>
Processing Time:	547 days from receipt of initial application, 58 days from receipt of final revised submission.

**Existing Land Use and Zoning**

	<b>Existing Land Use</b>	<b>Existing Zoning</b>
<b>Subject Lands:</b>	Vacant Lands	Agricultural Restricted “A2” Zone

**Surrounding Land Uses:**

North	Single Detached Dwellings and Natural Open Space	Agricultural Restricted “A2” Zone
South	Hydro Corridor, Agricultural Lands and Conservation/Hazards Land	Agriculture (A1) Zone and Conservation Hazard Land Rural (P6) Zone
East	Single Detached Dwellings, Street Townhouse Dwellings, Vacant, Drainage Channel and Stormwater Management Pond	Residential “R4-218” Zone, Modified, Residential Multiple “RM2-194” Zone, Modified, Residential Multiple “RM4-817” Zone, Modified and Conservation Hazard Land (P5) Zone.

**Surrounding Land Uses Continued:**

West	Vacant	Holding Residential “H-R4-218” Zone, Modified, Holding Residential Multiple “H-RM3-297” Zone, Modified and Community Institutional (I2, 477, H16)
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**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

**Provincial Policy Statement (2020)**

The following policies, amongst others, apply to the proposed development.

- “1.1.1 Healthy, liveable and safe communities are sustained by:
- (b) Accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs; and,
  - (e) Promoting the integration of land use planning, growth management, *transit-supportive* development, *intensification* and *infrastructure* planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
- 1.1.3.1 *Settlement areas* shall be the focus of growth and development, and their vitality and regeneration shall be promoted;
- 1.1.3.2 Land use patterns within *settlement areas* shall be based on densities and a mix of land uses which:
- (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 uneconomical expansion;

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

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

- 1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for *transit-supportive* development, accommodating a significant supply and range of *housing options* through *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas, including *brownfield sites*, and the availability of suitable existing or planned *infrastructure* and *public service facilities* required to accommodate projected needs; and,
- 1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.”

The proposed development is located within a settlement area. The development of single detached dwellings, semi detached dwellings, street townhouse dwellings, multiple dwellings and block townhouse dwellings are an efficient use of land and represent an appropriate intensification of the site which will contribute to the completion of the surrounding neighbourhood. The subject lands are serviced by a comprehensive street network with nearby open spaces, which will encourage active transportation and the development will increase the viability for introducing transit service to Binbrook Village in the future.

#### Noise

- “1.2.6.1 *Major facilities* and *sensitive land uses* shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of *major facilities* in accordance with provincial guidelines, standards and procedures.”

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The lands front Binbrook Road, which is identified as a minor arterial road on Schedule C – Functional Road Classification in the Official Plan. Staff have reviewed the “Noise Feasibility Study”, prepared by HGC Engineering, dated October 5, 2021. The study identified warning clauses required for this development. Condition No. 51 of Appendix “G” attached to Report PED23117, addresses these requirements.

#### Archaeology

“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.*”

The subject property meets four of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential:

- 1) Within 250 metres of known archaeological sites;
- 2) Within 300 metres of a primary watercourse or permanent waterbody, 200 metres of a secondary watercourse or seasonal waterbody, or 300 metres of a prehistoric watercourse or permanent waterbody;
- 3) In areas of pioneer EuroCanadian settlement; and,
- 4) Along historic transportation routes.

These criteria define the property as having archaeological potential. A Stage 1-2 and 3 (PIF Nos. P389-0505-2020 and P389-0533-2021, P389-0534-2021, P389-0535-2021, P389-0536-2021 and P389-0537-2021) archaeological report for the subject property was submitted to the City and the Ministry of Citizenship and Multiculturalism. The Stage 3 archaeological assessment found that four sites retain further cultural heritage value or interest and are recommended for a Stage 4 Mitigation of Developmental Impacts. The Province has not signed off on the submitted reports. Staff require a Ministry clearance letter to ensure that the municipal interest in the archaeology of this site has been satisfied, as such Condition No. 59 of Appendix “G” attached to Report PED23117 has been included.

Based on the foregoing, the proposal is consistent with the Provincial Policy Statement (2020).

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

The proposal conforms with the Guiding Principles stated in Section 1.2.1 of A Place to Grow (2019), as it supports a range and mix of housing options, supports transit

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viability, and improves the integration of land use planning with planning and investment in infrastructure. The following policies, amongst others, apply to this proposal.

“2.2.1.2 Forecasted growth to the horizon of this Plan will be allocated based on the following:

- a) The vast majority of growth will be directed to *settlement areas* that:
  - i. Have a *delineated built boundary*;
  - ii. Have existing or planned *municipal water and wastewater systems*; and,
  - iii. Can support the achievement of *complete communities*;
  
- c) Within *settlement areas*, growth will be focused in:
  - i. *Delineated built-up areas*;
  - ii. *Strategic growth areas*;
  - iii. Locations with existing or planned transit, with a priority on *higher order transit* where it exists or is planned; and,
  - iv. Areas with existing or planned *public service facilities*;

2.2.1.4 Applying the policies of this Plan will support the achievement of *complete communities* that:

- a) Feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and *public service facilities*; and,
  
- 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 within the Urban Boundary in a settlement area and the proposal will provide opportunity to complete the surrounding neighbourhood and street network with additional residential uses using existing and planned municipal services. The proposed development provides an efficient use of land with appropriate densities with nearby open spaces, which will encourage active transportation and increase the viability for introducing transit service to the area in the future.

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

**Urban Hamilton Official Plan**

The subject lands are identified as “Neighbourhoods” on Schedule E – Urban Structure, designated as “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations, and shown outside of the Built Boundary on Appendix G – Boundaries Map. The subject lands are designated as “Low Density Residential 2e”, “Low Density Residential 2h”, “Low Density Residential 3e”, “Neighbourhood Park”, “Institutional”, “Utility”, “Utility – SWM” and “Parkette” on Map B.5.1-1 in the Binbrook Village Secondary Plan – Land Use Plan.

The following policies, amongst others, are applicable to the subject applications.

**Greenfield Development**

- “E.3.7.1 New greenfield communities shall be designed with a unique and cohesive character. Buildings, streetscapes, street patterns, landscaping, open spaces and infrastructure shall be designed to contribute to this character.
  
- E.3.7.5 New residential development in greenfield areas shall generally be designed and planned to:
  - a) Minimize changes to existing topography;
  - b) Preserve existing trees and natural features;
  
- E.3.7.6 New development or redevelopment adjacent to open spaces shall:
  - a) Minimize the impacts on natural heritage features;
  - b) Maintain or enhance public access to trails, bikeways, and parks within these features;
  - d) Use native plant material adjacent to these features.
  
- E.3.7.7 Prior to registration of a plan of subdivision, the City may require the owner to prepare urban design and/or architectural guidelines to the satisfaction of the City. The City may undertake architectural control to



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ensure compliance with the approved urban design or architectural guidelines.”

In response to Policy E.3.7.1, the proposed Draft Plan area is within the Binbrook Village Secondary Plan and will contribute to the completion of the land uses and a road network generally envisioned by the Secondary Plan. The lands are identified as outside of the built boundary and are within the urban boundary making them ‘Greenfield Development’. In response to Policy E.3.7.5, the Functional Servicing Report notes that the need to achieve a continuous overland stormwater flow route to the pond will require some reasonably significant cutting and filling. Preliminary estimations indicate a net requirement for fill. The grading will be refined during detail design to achieve a closer to balanced cut and fill if possible. Proposed tree removal is discussed in greater detail below. In response to Policy E.3.7.6, the proposal is for a drainage channel that will include a trail and provides walkways to allow foot traffic to the neighbourhood park. The drainage channel will be naturalized with native plant materials as indicated in the EIS. In response to Policy E.3.7.7, the applicant submitted Urban Design Guidelines by Metropolitan Consulting dated December 2021, and updated Urban Design Guidelines, dated August 2022. Further to the Guidelines submitted, a standard clause in the Subdivision Agreement requires the developer to submit streetscape plans for landscape treatments, roundabouts, traffic circles, gateway features, traffic medians, fencing and street lighting (Part 4, condition f) of Standard Subdivision Agreement, 2021”).

#### Natural Heritage

- “C.2.5.2 New development and site alteration shall not be permitted within provincially significant wetlands, significant coastal wetlands or significant habitat of threatened and endangered species.
- C.2.5.9 An Environmental Impact Statement shall propose a vegetation protection zone which:
- a) Has sufficient width to protect the Core Area and its ecological functions from impacts of the proposed land use or site alteration occurring during and after construction, and where possible and deemed feasible to the satisfaction of the City, restores or enhances the Core Area and/or its ecological functions; and,
  - b) Is established to achieve and be maintained as natural self-sustaining vegetation.”

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The lands contain an unevaluated wetland. The proponents have submitted an Environmental Impact Study (EIS) prepared by Myler Ecological Consulting, dated December 2021, and submitted two addendum letters dated August, 2022 and March 2023 in support of the applications. The unevaluated wetland is approximately 0.51 ha of Reed Canary Grass Meadow Marsh. Based on the EIS and addendum letters, it was noted that the most substantial existing occurrence of invasive plants at the site is the stand of invasive Reed Canary Grass within the unevaluated wetland. The addendum notes that the unevaluated wetland will be replaced by 0.88 ha of compensation wetland which will focus on native species. Although this small polygon of vegetation is technically a wetland, it is an extremely poor quality and low functioning wetland community. As the ecological function of the wetland in its current state was determined to be very low, being without occurrence or breeding by amphibians and with no substantial wildlife habitat function, its temporary removal will not cause substantial ecological impact. Restoration of wetland vegetation within the bottom of the realigned channel will restore 0.88 ha of wetland vegetation along its entire length, flanked by vegetated banks, thereby improving the potential wildlife linkage function of the channel across the site between the significant woodland north of Binbrook Road and the significant woodland to the south of the site. The Niagara Peninsula Conservation Authority indicated support for the proposal and will require Work Permits (Condition No. 75 of Appendix "G" attached to Report PED23117).

In response to Policy C.2.5.9, natural heritage staff have included conditions such as an invasive species management plan, five year monitoring plan, snow salt management plan and natural channel design to ensure the compensation wetland is maintained and becomes self-sustaining (Condition Nos. 52, 53, 55 and 58 of Appendix "G" attached to Report PED23117). A condition for stewardship signage is also required (Condition No. 54 of Appendix "G" attached to Report PED23117) to educate the residents and public on the wetland.

#### Tree Protection

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

Trees have been identified on the subject property, and staff have reviewed the submitted Tree Protection Plan prepared by Jackson Arborculture Inc., dated February 22, 2023. The Tree Protection Plan inventoried 93 trees on the subject lands with a minimum of 10 cm diameter at breast height. Of these 90 are proposed to be removed. In most cases the trees are required to be removed to allow for building location (51), grading (25), the storm water management pond (12), the channel (1) and roads (1).

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Based on these requirements, there are limited opportunities for retention of these trees, therefore, staff are requiring an updated Tree Protection Plan to see if there is any further opportunity for tree protection/retention (Condition No. 56 of Appendix “G” attached to Report PED23117). The preservation of three trees will be possible with appropriate tree protection measures. Written permission will be required from adjacent landowners to remove any boundary trees, if applicable. The City requires 1 for 1 compensation for any tree (10 cm diameter at breast height or greater) that is proposed to be removed from private property, with said compensation to be identified on the Landscape Plan which will be required as a condition (Condition No. 57 of Appendix “G” attached to Report PED23117). It is likely that more than the 1 to 1 planting will be achieved through the planting of street trees, trees within the storm water management pond and within the channel.

#### Transportation Network and Right-of-Ways

“C.4.5.2 The road network shall be planned and implemented according to the following functional classifications and right-of-way-widths:

- d) Minor arterial roads, subject to the following policies:
  - ii) The basic maximum right-of-way widths for minor arterials roads shall be 36.576 metres unless otherwise specifically described in Schedule C-2 – Future Right-of-Way Dedications. (OPA 109);
- e) Collector roads, subject to the following policies:
  - ii) The basic maximum right-of-way widths for collector roads shall be ... 26.213 metres ...;
- f) Local roads, subject to the following policies:
  - ii) The basic maximum right-of-way widths for local roads shall be ... 20.117 metres ...;

C.4.5.7 The City shall require the conveyance of property for appropriate daylighting triangles and corner rounding on existing roads at such times as the property is to be developed or redeveloped, as a condition of site plan approval, consent, or plan of subdivision approval, in accordance with City standards based on the intersecting roadways of the functional road

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classification detailed in Section C.4.5.2. Daylighting triangles at intersections shall generally be as follows:

- a) Local to local roads: 4.57 m triangle or radius;
- b) Collector to local or collector Roads: 9.14 m x 9.14 m triangle; and,
- c) Arterial to collector or arterial (Urban): 12.19 m x 12.19 m triangle.”

In response to Policy C.4.5.2 d), the existing right-of-way along Binbrook Road is approximately 20.0 metres, and approximately,  $\pm 5.0$  metres are to be dedicated along the Binbrook Road right-of-way. As per the Urban Hamilton Official Plan, the Binbrook Road right-of-way is to be 30.480 metres from Fletcher Road to Fall Fair Way. The 5 metre right-of-way dedication is identified on the red line revised Draft Plan of Subdivision as Blocks 34 and 35 (Appendix “F” attached to Report PED23117).

In response to Policies C.4.5.2 e) and f) the basic minimum width requirements for the local and collector right-of-way widths have been provided to support the proposed development. In response to Policies C.4.5.7 a), b) and c), the appropriate daylight triangle dedications have been shown on the draft plan at all local to local road intersections, all collector to local road intersections and all arterial to collector road intersections. The dedications have been demonstrated on the red line revised Draft Plan of Subdivision attached as Appendix “F” to Report PED23117.

Condition Nos. 68 to 71 of Appendix “G” attached to Report PED23117 have been included to ensure all land dedications for the right-of-ways are provided.

#### Infrastructure and Servicing

“C.5.3.11 The City shall ensure that any change in density can be accommodated within the municipal water and wastewater system; and,

C.5.4.2 Any new *development* that occurs shall be responsible for submitting a detailed storm water management plan prior to *development* to properly address on site drainage and to ensure that new *development* has no negative impact on off site drainage.”

Development Engineering Approvals staff have reviewed the Functional Servicing and Stormwater Management Report, prepared by Metropolitan Consulting Inc. as revised, and have identified a number of matters to be addressed at the detailed design stage and through special conditions of draft plan approval. These matters include, but are

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not limited to, sanitary sewer capacity, the drainage channel, and determining a suitable storm outlet, which are addressed in further detail on pages 27 to 30 of this report and through Conditions No. 1 - 50 of Appendix "G" attached to Report PED23117.

#### Plan of Subdivision

"F.1.14.1.2 Council shall approve only those plans of subdivision that meet the following criteria:

- a) The plan of subdivision conforms to the policies and land use designations of this Plan;
- b) The plan of subdivision implements the City's staging of development program;
- c) The plan of subdivision can be supplied with adequate services and community facilities;
- d) The plan of subdivision shall not adversely impact upon the transportation system and the natural environment;
- e) The plan of subdivision can be integrated with adjacent lands and roadways;
- f) The plan of subdivision shall not adversely impact municipal finances; and,
- g) The plan of subdivision meets all requirements of the *Planning Act*."

The proposal complies with the applicable policies of the Official Plan, subject to approval of the proposed Official Plan Amendment. It is consistent with the Criteria for Staging of Development as the site can be serviced using existing and planned infrastructure and will not adversely impact the transportation system and the natural environment, subject to the proposed Draft Plan conditions, will not adversely impact municipal finances, and meets all requirements of the *Planning Act*.

Based on the foregoing, the proposal complies with the applicable policies of Volume 1 of the Official Plan subject to the proposed amendments.

## **Binbrook Village Secondary Plan – Volume 2**

The subject lands are designated “Low Density Residential 2e”, “Low Density Residential 2h”, “Low Density Residential 3e”, “Neighbourhood Park”, “Institutional”, “Utility”, “Utility – SWM” and, “Parkette” on Map B.5.1-1 – Binbrook Village Secondary Plan Land Use Plan. In addition, the property is identified as “Local”, “Arterial”, “Collector”, “Drainage Channel / Public Walkway”, “Parkette” and Neighbourhood Park” on the Binbrook Village Secondary Plan – Open Space Linkages Map B.5.1-2. The following policies, amongst others, apply to the proposal.

“B.5.1.4.3 In addition to Section E.3.0 – Neighbourhoods Designation of Volume 1, the following general policies apply to all residential land use designations identified in Map B.5.1-1 – Binbrook Village – Land Use Plan:

- a) Residential development in Binbrook Village shall have a compact urban form to enhance the livability of the community, provide for cost efficiencies, and support environmental sustainability.
- b) Each neighbourhood shall contain the following elements:
  - i) Compact and well defined urban form;
  - ii) A variety and balance of dwelling types;
  - iii) Accessible elementary schools and parks;
  - iv) Community design that encourages walking and socializing; and,
  - v) A clearly defined public realm (streets, open spaces, etc.).
- c) A range and mix of housing types shall be permitted, including single detached, semi-detached, duplexes, townhouses, quattroplexes, and apartment (multiple) dwellings, as well as housing with supports.
- d) Innovative and varied housing types and designs shall be encouraged.
- e) The location and design of new residential areas shall be sensitive to the density and form of existing residential uses. To encourage

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*compatibility*, new residential areas shall also be sensitive to the location and nature of existing and future non-residential uses.

- f) Residential development shall comply with Policy B.5.1.10.1 – Residential Design Guidelines.”

The proposed development is based on a compact urban form which contains a variety of dwelling types (single detached, semi detached, street townhouses and medium density development), as well as park uses. The design encourages walking and active transportation by providing walkways through the neighbourhood, and by providing a recreational trail within the drainage channel, and by providing a grid pattern of development which minimizes distance between uses. The applicant has submitted urban design guidelines which identify an enhanced public realm through the provision of sidewalks, tree-lined streets, and enhanced architectural detailing.

“B.5.1.4.5 Low Density Residential

- b) 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 2e on Map B.5.1-1 – Binbrook Village – Land Use Plan:
  - i) The permitted uses shall consist primarily of single detached dwellings. Semi-detached dwellings, duplexes and cluster homes may also be permitted.
  - ii) The density shall not exceed 30 units per net hectare.
- c) 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 2h on Map B.5.1-1 – Binbrook Village – Land Use Plan:
  - i) The permitted uses shall consist primarily of multiple dwelling unit types including street, block and stacked townhouse dwellings. Duplexes and triplexes may also be permitted.
  - ii) The density range shall be from 26 to 40 units per net hectare.

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- 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 quattroplexes.
  - ii) The density range shall be from 41 to 60 units per net hectare.
  - iii) 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.
    - 2. Some Low Density Residential 3e *development* in proximity to the Mixed Use - Medium Density area is desirable.
    - 3. Low Density Residential 3e dwelling forms shall be sensitively integrated with and adequately buffered from adjacent land uses.
    - 4. Where Low Density Residential 3e areas are proposed adjacent to Low Density Residential 2e and 2h uses, consideration shall be given to appropriate integration and compatibility of the dwelling forms. *Compatibility* may be accomplished through attention to architectural massing, height, scale, buffering and landscaping.”

The subject lands include lands designated “Low Density Residential 2e”, “Low Density Residential 2h” and “Low Density Residential 3e” on Map B.5.1.1 of the Binbrook Village Secondary Plan. The property is also identified as “Local”, “Arterial”, “Collector”, “Drainage Channel / Public Walkway”, “Parkette” and Neighbourhood Park” on the Binbrook Village Secondary Plan – Open Space Linkages Map B.5.1-2. Through the proposed Official Plan Amendment, the location and extent of the lands subject to the above noted designations will be modified. The boundaries of the existing designations



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in the Binbrook Village Secondary Plan require modifications to implement the proposal, as such an Official Plan Amendment is required.

The “Parkette” designation is being removed, however the channel has been widened to 24.5 metres in width, whereas a 19.5 metre wide channel is required by the Secondary Plan. The channel will feature a multi-use path and walkways allowing for passive recreation. As such, staff are supportive of the “Parkette” designation being removed. There is an “Institutional” designation that is also being removed. The lands immediately west the subject lands (3105 Fletcher Road) contain a 2.43 hectare school block and as such the “Institutional” designation on these lands is not required and staff are supportive of its removal.

In response to Policy B.5.1.4.5 b), i), for lands designated as “Low Density Residential 2e”, it is noted that these lands are proposed for single detached residential development and in accordance with Policy B.5.1.4.5 b), ii) above, the density is 29.6 units per hectare (196/ 6.60 ha). The applicant is proposing Block 31 for semi detached dwellings with an increased density of 45.6 units per hectare (42/0.92 ha). A site specific policy is required to increase the density, and staff are supportive as it will increase the variety of dwelling types and provides a compact form and would be compatible with existing and planned uses in the area.

In response to Policies B.5.1.4.5 c), i) and ii), and with regards to the “Low Density Residential 2h” designation, the applicant is proposing an increase in the permitted density to a maximum of 54 uph (388/7.22 ha), whereas policy B.5.1.4.5c) above permits a density range of 26 to 40 uph. Street townhouses are proposed for the lands within this designation, which complies with the permitted uses. A site specific policy will be required to increase the density and staff are satisfied that this increase can be supported as it adds to the variety of dwelling types and provides a compact built form and is compatible with the existing and planned uses in the area.

In response to Policy B.5.1.4.5 e) for lands designated “Low Density Residential 3e”, the permitted uses are low-rise apartments, stacked townhouses and quaterplexes. The applicant has noted that 99 to 146 units will be located in Blocks 1,2 and 3 in the form of stacked townhouses or multiple dwellings. The locations of the blocks are appropriately located along the Binbrook Road frontage and are consistent with the density requirement of 41 to 60 uph for this designation. The blocks are located on the periphery of the neighbourhood and will be separated from the street townhouses by the proposed Gowland Drive extension. Further review for Blocks 1, 2 and 3 will occur through future Site Plan Control applications.

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.
  - 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) A variety of building types and designs shall be encouraged, and excessive repetition discouraged within each Low Density Residential 2e area to provide an interesting streetscape through compliance with the following criteria:
    - i) No identical front elevations may be sited on adjacent lots.
    - ii) No more than three houses of the same model may be adjacent, regardless of elevation.
    - iii) Identical elevations are allowed to a maximum of 25% repetition in any group of houses.
    - iv) The builder is required to develop alternative elevations for models that exceed the limits set for repetition.

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- g) Long and short townhouse blocks shall be mixed to provide rhythm in the streetscape.
- h) 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.
- i) The side façade of a residential building which abuts a street should be given an architectural design treatment to create a street presence.
- j) 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.
- k) Pairing of driveways shall be encouraged where appropriate.”

In response to Policy B.5.1.10.1, b), the proponent has provided concept plans for Blocks 1, 2 and 3, where the residential development would be accessed through common driveways. In response to Policies B.5.1.10.1 c) – k) Staff note that the applicant submitted a document entitled “Binbrook Lands 3479 Binbrook Road Urban Design Guidelines” which has been reviewed by staff. Staff note that the guidelines generally address the policy requirements above, through the recommendation for streetscape enhancements, façade variation, mitigation of garage intrusion and provision for pedestrian access. The guidelines provided are based on the first and second submissions of the Draft Plan, and staff recommend updating the guidelines that are reflective of the most up to date Draft Plan. Staff have made recommendations to improve the guidelines by ensuring that garages are setback further from the street than the main dwelling, including a pedestrian crossing across the drainage channel to provide ease of access for pedestrians through the subdivision. Revised urban design guidelines will be required through future Site Plan Control applications and a streetscape plan is required as a standard condition in the Subdivision Agreement.

**“5.1.6.1 Parks and Open Space Designations**

- g) The following policies shall apply to the lands designated Neighbourhood Park:
  - i) Where possible, Neighbourhood Parks shall be linked to a natural environmental feature such as a naturalized storm

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channel/walkway or woodlot to provide a continuous link through the neighbourhood.”

In response to Policy 5.1.6.1 g), a Neighbourhood Park is proposed (Block 8), which will be linked with the drainage channel (Block 7) which provides a continuous link through the neighbourhood with a 3 metre wide walkway. A redesignation is required to be more reflective of the proposed park’s boundaries and is required to replace lands that are designated “Institutional” with the “Neighbourhood Park” designation.

“5.1.8 Utility Designations:

5.1.8.1 In addition to Section C.3.4 – Utility Designation of Volume 1, the following policies shall apply to the lands designated Utility on Map B.5.1-1 – Binbrook Village – Land Use Plan:

- a) Lands designated Utility and identified as Storm Water Management (SWM) shall be used primarily for storm water drainage purposes but may also be used for compatible open space purposes.
- b) Lands required for storm water management facilities shall be dedicated to the City.
- c) The use of naturalized forms of storm water management shall be encouraged.
- d) Storm water drainage channels shall provide appropriate drainage facilities. Additionally, they may be used for a public walkway/trail linkage through the southern half of Binbrook Village. Efforts to link the channels to proposed parkland shall be encouraged.
- e) The storm water management drainage Channels identified on Map B.5.1-1 – Binbrook Village – Land Use Plan, shall be a minimum of 19.5 metres wide to maintain a meandering channel design, and to provide sufficient lands to accommodate the water, as well as table land for maintenance purposes and a public walkway along one side of the drainage channel.”

The proposal realigns the storm water drainage channel (Blocks 7 and 11) of Appendix “F” attached to Report PED23117) and provides a Storm Water Management Pond at the south east corner of the subject lands (Block 33 of Appendix “F” attached to Report

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PED23117). The drainage channel will be naturalized and is proposed to be 24.5 metres in width, which will accommodate a walkway or passive recreational trail that will also function as a maintenance access along one side of the channel.

Through the proposed Official Plan Amendment, the location and extent of the lands subject to the above noted designations will be modified and amend the Binbrook Village Secondary Plan. In addition, new Site Specific Policies will be added to allow an increase in density for one block (Block 31) for semi detached dwellings with an increased density of 45.6 units per hectare and for street townhouses (Blocks 4, 5, 6, 9, 10, 12, 13, 19, 20, 21, 22, 26, 30 and 32) for street townhouse dwellings with an increased density of 54 units per hectare.

The proposal complies with the applicable policies of the Urban Hamilton Official Plan, subject to approval of the proposed Official Plan Amendment. In addition, it is consistent with the Criteria for Staging of Development as the site can be serviced using existing and planned infrastructure, does not adversely impact the transportation system or natural environment, can be integrated with adjacent lands to the east and west, and does not impact municipal finances and meets all requirements of the *Planning Act*.

**Township of Glanbrook Zoning By-law No. 464 and City of Hamilton Zoning By-law No. 05-200**

The subject property is currently zoned Restricted Agricultural “A2” Zone in Township of Glanbrook Zoning By-law No. 464, as shown on Appendix “A” attached to Report PED23117. In order to permit the proposed development, the Zoning By-law Amendment proposes to rezone the subject property to the:

Township of Glanbrook Zoning By-law No. 464:

- Residential Multiple “RM3-326” Zone, Modified (Block 1 and Block 2).

City of Hamilton Zoning By-law No. 05-200:

- Neighbourhood Park (P1) Zone (Block 1);
- Conservation/ Hazard Land (P5) Zone (Block 2 and 3); and,
- Low Density Residential – Small Lot (R1a, 867) Zone (Block 4).
- Low Density Residential - Small Lot Residential (R1a, 868) Zone (Block 5); and,
- Low Density Residential - Small Lot Residential (R1a, 869) Zone (Block 6).

The proposed zoning is further discussed in the Analysis and Rationale section of this Report, and an evaluation of the proposed modifications to the Low Density Residential – Small Lot (R1a) Zone and Residential Multiple “RM3” Zone, Modified, are included in Appendix “E” attached to Report PED23117.

**SUBJECT: Application for Amendments to the Urban Hamilton Official Plan, Township of Glanbrook Zoning By-law No. 464 and Zoning By-law No. 05-200, and Draft Plan of Subdivision for Lands Located at 3479 Binbrook Road, Glanbrook (PED23117) (Ward 11) - Page 30 of 45**

**RELEVANT CONSULTATION**

<b>Departments and Agencies</b>		
	<ul style="list-style-type: none"> <li>Real Estate Section, Economic Development Division, Planning and Economic Development Department</li> <li>Commercial Districts and Small Business Section, Economic Development Division, Planning and Economic Development Department</li> </ul>	No Comment
	<b>Comment</b>	<b>Staff Response</b>
Development Engineering Approvals Section, Growth Management Division, Planning and Economic Development Department	<ul style="list-style-type: none"> <li>If phasing is proposed and approved by the City, the entire length of the proposed drainage channel (Block 7 and Block 11) must be constructed as part of Phase 1. The maximum number of dwelling units that will be allowed to be serviced with one road access is 100. The proposed phasing plan shall be staged such that a secondary road access, satisfactory to the City, will be provided prior to the cumulative servicing of more than 100 dwelling units (including potential units in multi-residential blocks) within the entire draft plan;</li> <li>The Owner is required to urbanize Binbrook Road from the existing urbanized limits located approximately 100m west of Royal Winter Drive to Fletcher Road; and,</li> <li>It is our understanding that all three Developers (Caterini 25T-200610, Cachet 25T-201405 and Palmel) are currently collaboratively working to determine a suitable storm outlet on Binbrook Road including all external drainage areas that will be draining to the proposed channel. The preferred option may impact the proposed layout of the Draft Plan.</li> </ul>	<ul style="list-style-type: none"> <li>Staff are supportive of the application proceeding with Draft Plan approval. A Phasing plan, updated Stormwater Management Report, updated Functional Servicing Report, a parking plan among other Engineering requirements are addressed as Conditions Nos. 1 to 50 of Appendix "G" attached to Report PED23117 and will be further addressed through detailed design; and,</li> <li>In addition to an on-street parking plan, the owner is required to provide warning clauses in purchase and sale agreements indicating that garages are intended for the purposes of parking a vehicle. This is addressed as Condition No. 3i of Appendix "G" to Report PED23117.</li> </ul>

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	<b>Comment</b>	<b>Staff Response</b>
<p>Development Engineering Approvals Section, Growth Management Division, Planning and Economic Development Department <b>Continued</b></p>	<ul style="list-style-type: none"> <li>• The Owner shall provide smooth transitions of the proposed right-of-ways for Gowland Drive, Whitwell Way and McAllistar Drive between the existing 18m wide cross-section in Summerlea West (25T-200605) to the proposed 20m wide cross-section within the draft plan lands, including any required removals / restoration within the existing right-of-ways, at entirely the Owner's expense;</li> <li>• The Stormwater Management Pond maintenance access connection to Street K should be relocated northerly to align with the storm sewer outlet and the remaining southerly lands that are currently located in the Stormwater Management Pond (Block 33) shall be removed from the SWM Pond Block;</li> <li>• The proposed sanitary and storm sewer crossing below the proposed channel will need to be encased Further construction details will be resolved at the detailed design stage; and,</li> <li>• Demonstrate that the overall density approved in the Summerlea West (25T-200605) design is not exceeded. If it is found that the allocated sanitary capacity is exceeded, then the proponent shall revise the sanitary drainage area plans with appropriate population densities and perform a sanitary capacity analysis including, but not limited to, the existing sanitary sewer trunk and potential upgrades to the existing Binbrook Sanitary Sewer Pumping Station to service the increased flows from the proposed development and demonstrate that there will be no negative impacts to the downstream sanitary sewer.</li> </ul>	

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.

**SUBJECT: Application for Amendments to the Urban Hamilton Official Plan, Township of Glanbrook Zoning By-law No. 464 and Zoning By-law No. 05-200, and Draft Plan of Subdivision for Lands Located at 3479 Binbrook Road, Glanbrook (PED23117) (Ward 11) - Page 32 of 45**

	<b>Comment</b>	<b>Staff Response</b>
<p>Development Engineering Approvals Section, Growth Management Division, Planning and Economic Development Department <b>Continued</b></p>	<ul style="list-style-type: none"> <li>• It will need to be clearly demonstrated that there will be adequate wastewater capacity in the downstream sewers to accommodate the proposed development and upstream Cachet development (25T-201405). Any analysis should consider potential increases in the density of all blocks to ensure that the sewers will be adequately sized for all scenarios that may arise;</li> <li>• A retaining wall, between 1.0m to 3.0m high, is proposed along the existing Drainage Chanel in Summerlea West (25T-200605) adjacent to the subject development. Identify if any tie-backs or other anchoring system will be required and if so, what restrictions, including required set-backs, should be applied within the affected lots to facilitate the retaining wall and all appurtenances; and,</li> <li>• The lands of 3489 Binbrook Road are shown as lands external to the draft plan. If the Owner is proposing to grade onto the 3489 Binbrook Road property, please ensure that proof of permission satisfactory to the City is provided with the next submission of the Functional Servicing Report. The letter of permission to allow for grading on 3489 Binbrook Road must be accompanied by a drawing clearly showing the encroachments and must be agreed to and signed by the homeowner of 3489 Binbrook Road. If satisfactory arrangements with the adjacent homeowner cannot be demonstrated, the Owner will be required to show how the roughly 2m grade difference will be reconciled in the interim.</li> </ul>	



**SUBJECT: Application for Amendments to the Urban Hamilton Official Plan, Township of Glanbrook Zoning By-law No. 464 and Zoning By-law No. 05-200, and Draft Plan of Subdivision for Lands Located at 3479 Binbrook Road, Glanbrook (PED23117) (Ward 11) - Page 33 of 45**

	<b>Comment</b>	<b>Staff Response</b>
Development Engineering Approvals Section, Growth Management Division, Planning and Economic Development Department <b>Continued</b>	<ul style="list-style-type: none"> <li>• Block 1, Block 4, Block 10, Block 14, Block 19 and the west limit of Gowland Drive will remain undevelopable until such time that the channel design confirms an adequate depth to accommodate required storm sewer on Binbrook Road which will facilitate upstream development including the urbanization of Binbrook Road;</li> <li>• The proposed bridge at Street A shall be designed as a full-span bridge across the full channel width of the channel from bank to bank;</li> <li>• The terms of reference for the proposed footbridge between Block 14 and Block 15 shall be reviewed and approved by the City in consultation with the Public Works Department;</li> <li>• The City may require that any structural design (i.e. retaining wall, footbridge) shall be peer-reviewed at the Owner's expense;</li> <li>• The Owner agrees to provide an updated Functional Servicing Report within 30 days following receipt from the City of Hamilton of a Notice of Completion for a draft plan of subdivision on the subject lands;</li> <li>• Dimensions were not provided for the width of Block 14 and Block 15; and,</li> <li>• It will need to be demonstrated through the detailed design that the lot sizes will allow for the required on-street parking. In addition, it will need to be demonstrated through detailed design that the lots can be serviced with at least the minimum required separations between the laterals and services.</li> </ul>	

**SUBJECT: Application for Amendments to the Urban Hamilton Official Plan, Township of Glanbrook Zoning By-law No. 464 and Zoning By-law No. 05-200, and Draft Plan of Subdivision for Lands Located at 3479 Binbrook Road, Glanbrook (PED23117) (Ward 11) - Page 34 of 45**

	<b>Comment</b>	<b>Staff Response</b>
Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department	<p>Transportation Planning supports the proposed development subject to the following high-level summary of requirements:</p> <ul style="list-style-type: none"> <li>• A traffic control signal is required at the intersection Binbrook Road and Street 'A'. Additional infrastructure improvements are required to be implemented along Binbrook Road and Street 'A' to accommodate the projected vehicular demand at the intersection;</li> <li>• A traffic circle is to be installed at the intersection of Street 'A' and Windwood Drive. Additional right-of-way dedications in the surrounding area may be necessary to provide the traffic circle, subject to the design of the intersection;</li> <li>• 2.0 metre sidewalks shall be provided on both sides of the municipal right-of-way along the continuation of Windwood Drive, Street 'A' and the south side of Binbrook Road;</li> <li>• 1.8 metre sidewalks (minimum) shall be provided on both sides of the municipal right-of-way along all designated local roads within the proposed Draft Plan of Subdivision; and,</li> <li>• The existing right-of-way along Binbrook Road is approximately ±20.0 metres. Approximately, ±5.0 metres are to be dedicated to the right-of-way on Binbrook Road. Binbrook Road is to be 30.480 metres from Fletcher Road to Fall Fair Way. The right-of-way dedication shall be indicated and illustrated on the Draft Plan of Subdivision.</li> </ul>	<ul style="list-style-type: none"> <li>• A traffic control signal and intersection infrastructure for Binbrook Road &amp; Street 'A' are addressed as Condition No. 61 of Appendix "G" attached to Report PED23117;</li> <li>• A traffic circle is addressed as Condition No. 62 of Appendix "G" attached to Report PED23117;</li> <li>• Municipal right-of-way dedications are addressed as Condition Nos. 68 to 71 of Appendix "G" attached to Report PED23117;</li> <li>• Driveway access from Binbrook Road is not contemplated for Block 2 or 3; and,</li> <li>• Pavement markings, sidewalks, traffic calming, and parking plans are addressed as Condition Nos. 63 to 67 of Appendix "G" attached to Report PED23117</li> </ul>

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	Comment	Staff Response
<p>Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department <b>Continued</b></p>	<ul style="list-style-type: none"> <li>• The continuation of Windwood Drive shall have a right-of-way width of 26.213 metres. The 26.213 metre right-of-way shall be illustrated and indicated on the Draft Plan of Subdivision;</li> <li>• All other designated 'Local Roads' shall have a right-of-way width of 20.117 metres. The 20.117 metre right-of-way shall be illustrated and indicated on the Draft Plan of Subdivision;</li> <li>• The Applicant is to dedicate a 12.19 metres x 12.19 metres Daylighting Triangle at the intersection of Binbrook Road &amp; Street 'A' to the right-of-way;</li> <li>• All proposed roads intersecting with the continuation of Windwood Drive or intersecting with 'Street A' shall have Daylighting Triangles of 9.14 metres x 9.14 metres dedicated to the municipal right-of-way;</li> <li>• All other designated 'Local' to 'Local' roads shall have Daylighting Triangles of 4.57 metres x 4.57 metres dedicated to the municipal right-of-way; and,</li> <li>• Due to the short link distance and potential northbound queuing along Street 'A' between Binbrook Road and Gowland Drive, driveway access to 'Block 2' and 'Block 3' shall not be permitted via Binbrook Road.</li> </ul>	

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	<b>Comment</b>	<b>Staff Response</b>
Recycling and Waste Disposal Section, Environmental Services Division, Public Works Department	<ul style="list-style-type: none"> <li>This development is eligible for municipal waste collection service subject to meeting the City's requirements. The property owner must contact the City to request waste collection service to complete a site visit to determine if the property complies with the City's waste collection requirements.</li> </ul>	<ul style="list-style-type: none"> <li>Waste collection requirements are addressed as Note No. 2, 3, 4 and 5 on the conditions of Draft Plan of Subdivision approval (see Appendix "G" attached to Report PED23117).</li> </ul>
Landscape Architectural Services, Strategic Planning, Public Works	<ul style="list-style-type: none"> <li>Please illustrate the Hamilton Conservation Authority regulated area on the park block. Regulated areas do not count towards parkland dedication;</li> <li>LAS supports the park block being consolidated into one block. Please note that the channel blocks will not count towards parkland dedication;</li> <li>Access points into the park are required from multiple sides. As it is shown right now, only pedestrians can access the park along Street 'C'. A pathway access to the park must be provided along Street 'A' and not just at the corner of the property; and,</li> <li>Please submit grading and servicing plans of the park block for LAS to review. It is the owner's responsibility to construct the park to base conditions including rough and fine grading, soil reports, servicing (water stub to inside property and sanitary control manhole inside property and catch basins and electrical service stub to inside property), topsoil, seeding and fencing. There is an option for the Owner to build the park on the City's behalf and be reimbursed through the Parkland Development Financing Agreement.</li> </ul>	<ul style="list-style-type: none"> <li>Blocks 7 and 11 of the draft plan of subdivision will be the limits of the NPCA regulated area and will not count towards parkland;</li> <li>The existing amount of Neighbourhood Park identified by the Secondary Plan is 1.47 hectares. The applicant is reducing the amount of parkland to 1.39 hectares; however the drainage channel has been widened from 19 metres to 24.5 metres thereby allowing for an alternative recreational opportunity through a multi-use trail system;</li> <li>Detailed grading and servicing plans are addressed as Condition No. 72 of Appendix "G" attached to Report PED23117; and,</li> <li>Detailed plans on the trail within the channel system is addressed as Condition No. 74 of Appendix "G" attached to Report PED23117.</li> </ul>

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	<b>Comment</b>	<b>Staff Response</b>
Landscape Architectural Services, Strategic Planning, Public Works <b>Continued</b>	<ul style="list-style-type: none"> <li>As identified in the Recreational Trails Master Plan, there is a trail system that is to run through the channel connecting to Binbrook Road and the existing residential neighbourhood to the east of this parcel. The owner is to show how this trail will be built within the channel system and submit detailed plans (layout, grading, etc.) for the LAS to review.</li> </ul>	
Forestry and Horticulture Section, Environmental Services Division, Public Works Department	<ul style="list-style-type: none"> <li>Forestry has reviewed the Arborist Report and Tree Inventory and Preservation Plans revision No. 4 dated February 22, 2023 and as the inventory table notes that there are no municipal trees impacted by this development, Forestry will not require loss of canopy fees or a public tree permit at this time.</li> </ul>	<ul style="list-style-type: none"> <li>Noted</li> </ul>
Growth Planning Section, Growth Management Division, Planning and Economic Development Department	<ul style="list-style-type: none"> <li>Requested that prior to registration, the owner and agent should work with Legislative Approvals / Staging of Development Staff to finalize street naming and municipal addressing for the individual Lots and Blocks; and,</li> <li>Requested a note indicating that Draft Approval shall lapse if not given final approval within three years, however extensions can be considered if written request is provided in writing two months in advance of the lapsing date.</li> </ul>	<ul style="list-style-type: none"> <li>Addressing of the lots and blocks within the subdivision is addressed as Condition No. 60 of Appendix "G" attached to Report PED23117; and,</li> <li>This note has been included as a Note No. 1 on the conditions of Draft Plan of Subdivision approval (see Appendix "G" attached to Report PED23117).</li> </ul>
Niagara Peninsula Conservation Authority	<ul style="list-style-type: none"> <li>There are several watercourses present on the subject property that are regulated by the Niagara Peninsula Conservation Authority.</li> </ul>	<ul style="list-style-type: none"> <li>Detailed grading, storm servicing, and storm water management are addressed as Condition No. 72 of Appendix "G" attached to Report PED23117.</li> </ul>

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	<b>Comment</b>	<b>Staff Response</b>
Niagara Peninsula Conservation Authority <b>Continued</b>	<ul style="list-style-type: none"> <li>• Requests review and approval of detailed grading, storm servicing, stormwater management, construction sediment control, and channel realignment (including revegetation and restoration) drawings;</li> <li>• Request that erosion and sediment control and limit of work fencing be shown on the Grading Plan to the satisfaction of the Niagara Peninsula Conservation Authority and no alterations to the existing grades or vegetation occur beyond this point. Limit of work fencing, and sediment erosion controls shall be maintained for the duration of the development process and shall only be removed once work is completed, and all exposed soils are re-vegetated or otherwise stabilized;</li> <li>• Request that the Developer obtain a Work Permit from the Niagara Peninsula Conservation Authority prior to beginning any work related to realigning and crossing the watercourse; and,</li> <li>• Request that the Developer obtain Work Permits from the NPCA prior to removal of the existing wetland on the subject lands and prior to construction of the proposed new wetland.</li> </ul>	<ul style="list-style-type: none"> <li>• Erosion and sediment control are addressed as Condition No. 73 of Appendix “G” attached to Report PED23117;</li> <li>• A condition for a work permit prior to realignment of the watercourse is included as Condition No. 74 of Appendix “G” attached to Report PED23117; and,</li> <li>• A condition for a work permit prior to the removal of the existing wetlands is included as Condition No. 75 of Appendix “G” attached to Report PED23117.</li> </ul>
Bell Canada	<ul style="list-style-type: none"> <li>• Bell Canada has requested the appropriate easements be included to service to the subject lands.</li> </ul>	<ul style="list-style-type: none"> <li>• This requirement will be addressed through the Standard Form Subdivision Agreement (Clause 2.06).</li> </ul>

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	<b>Comment</b>	<b>Staff Response</b>
Canada Post Corporation	<ul style="list-style-type: none"> <li>• Owners / developers are required to notify purchasers of Centralized Mailbox locations; and,</li> <li>• Owner agrees to work with Canada Post to determine the Centralized Mailbox locations.</li> </ul>	<ul style="list-style-type: none"> <li>• These requirements will be addressed through the Standard Form Subdivision Agreement (Clause 1.43 f) and 2.10).</li> </ul>
Union Gas	<ul style="list-style-type: none"> <li>• The owner / developer is required to provide to Union Gas the necessary easements and / or agreements required by Union Gas for the provision of gas services for this project, in a form satisfactory to Union Gas.</li> </ul>	<ul style="list-style-type: none"> <li>• This requirement is addressed through the Standard Form Subdivision Agreement (Clause 1.20).</li> </ul>
Hydro One	<ul style="list-style-type: none"> <li>• Prior to Hydro One providing its final approval, the developer must make arrangements satisfactory to Hydro One for lot grading and drainage. Digital PDF copies of the lot grading and drainage plans (true scale), showing existing and proposed final grades, must be submitted to Hydro One for review and approval. The drawings must identify the transmission corridor, location of towers within the corridor and any proposed uses within the transmission corridor. Drainage must be controlled and directed away from the transmission corridor; and,</li> <li>• Any development in conjunction with the subdivision must not block vehicular access to any Hydro One facility located on the transmission corridor. During construction, there must be no storage of materials or mounding of earth, snow or other debris on the transmission corridor.</li> </ul>	<ul style="list-style-type: none"> <li>• These requirements will be addressed through the Standard Form Subdivision Agreement (Clause 1.20)</li> </ul>

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	<b>Comment</b>	<b>Staff Response</b>
Hydro One <b>Continued</b>	<ul style="list-style-type: none"> <li>The costs of any relocations or revisions to Hydro One facilities which are necessary to accommodate this plan will be borne by the developer. The developer will be responsible for restoration of any damage to the transmission corridor or Hydro One facility thereon resulting from construction; and,</li> <li>Hydro One's easement rights must be protected and maintained.</li> </ul>	

<b>Public Consultation</b>		
	<b>Comment</b>	<b>Staff Response</b>
Cost Sharing	<p>Draft Plan Conditions were placed on the approval of Empire's subdivision and the subdivision located immediately west of the subject application (25T-201405; 3105 Fletcher Road). These included provisions for a single-lane roundabout at Binbrook Road and Fletcher Road, and the urbanization of Binbrook Road and Fletcher Road, respectively. As such, the subject subdivision should also be responsible for its proportionate share of these works.</p> <p>In summary, we kindly request that the subject application:</p> <ul style="list-style-type: none"> <li>Be designed to accommodate drainage from Empire's subdivision, in accordance with the Binbrook Master Drainage Plan.</li> </ul>	<p>The subject lands are designed to accommodate drainage from Empire's subdivision, and the 3105 Binbrook Road subdivision.</p> <p>The owner is required to urbanize Binbrook Road 100m west of Royal Winter Drive to Fletcher Road, which is included as Condition No. 22 of Appendix "G" attached to Report PED23117.</p> <p>Condition No. 15 of Appendix "G" attached to Report PED23117 will require the subdivision to be designed in accordance with the Binbrook Master Drainage Plan.</p> <p>Condition No. 33 of Appendix "G" attached to Report PED23117 will require the owner to coordinate cost and design of the channel with the owners of 25T-200610 and 25T-201405.</p>



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Public Consultation		
	Comment	Staff Response
Cost Sharing <b>Continued</b>	<ul style="list-style-type: none"> <li>• Include provision(s) in the Draft Plan Conditions requiring proportionate contribution to the design and construction of the single lane roundabout at Binbrook Road and Fletcher Road; and,</li> <li>• Include provision(s) in the Draft Plan Conditions requiring proportionate contribution to the urbanization of existing roads, including Binbrook Road and Fletcher Road.</li> </ul>	

**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 152 property owners within 120 m of the subject lands on February 4, 2022. Another Notice of Complete Application and Preliminary Circulation was sent to the 152 property owners within 120 m of the subject lands on April 3, 2023.

A Public Notice Sign was posted on the property on February 14, 2022, updated on April 11, 2023 and updated again with the Public Meeting date on July 4, 2023. Finally, Notice of the Public Meeting was given in accordance with the requirements of the *Planning Act* on July 4, 2023. As of preparation of this report, one comment was received by staff and is summarized in the above table.

**Public Consultation Strategy**

Pursuant to the City’s Public Consultation Strategy Guidelines, the Applicant prepared a Public Consultation Strategy and hosted a Public Open House on April 20, 2023 at the Glanbrook Municipal Service Centre. The notice for the Open House was provided to property owners within 120 metres of the subject lands.

## **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 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
  - ii) It complies with the general intent and purpose of Urban Hamilton Official Plan and will comply with the Binbrook Village Secondary Plan, subject to adoption of the proposed Official Plan Amendment; and,
  - iii) The proposal represents good planning by, among other things, providing a compatible residential development that contributes to a complete community through the establishment of housing forms and densities that are in keeping with existing and planned land uses and development in the surrounding area, while making efficient use of a vacant parcel of land that is compatible with the area and achieves the planned public road network envisioned by the Plan which ensures land, municipal services, and transportation systems are used efficiently.
  
2. The purpose of Official Plan Amendment is to amend the Binbrook Village Secondary Plan as the existing location and extent the designations do not allow for what is being proposed and two of the designations are required to be removed. As such, this amendment will modify the boundaries of the “Low Density Residential 2e”, “Low Density Residential 2h”, “Low Density Residential 3e”, “Utility”, “Utility – SWM” and “Neighbourhood Park” designations and remove the “Institutional” and “Parkette” designations (refer to Appendix “B” attached to Report PED23117).

The Official Plan Amendment can be supported as the development proposes an appropriate density, achieves the planned local road network, and utilizes existing and planned infrastructure. Furthermore, the proposal builds on the existing patterns and built form of the area and provides additional housing opportunities.

Therefore, staff supports the proposed Official Plan Amendment.

3. The proposed Zoning By-law Amendment is for changes to Township of Glanbrook Zoning By-law No. 464 and Hamilton Zoning By-law No. 05-200 to permit the development of 196 single detached dwellings, 42 semi detached

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dwelling, 388 street townhouse dwellings, up to 146 dwelling units in multiple dwellings, a neighbourhood park, naturalized drainage channel, and stormwater management pond, along with the new public roads and the extension of existing public roads and a walkway.

The proposed amendment to Hamilton Zoning By-law No. 05-200 will remove a portion of the subject lands which are zoned Restricted Agricultural “A2” Zone in the Township of Glanbrook Zoning By-law No. 464 and add them to Hamilton Zoning By-law No. 05-200. The intent is to rezone them to the Low Density Residential - Small Lot Residential (R1a, 867) Zone, Residential - Small Lot Residential (R1a, 868) Zone, Residential - Small Lot Residential (R1a, 869) Zone, Conservation / Hazard Land (P5) Zone and Neighbourhood Park (P1) Zone, to permit 196 single detached dwellings, 42 semi detached dwellings, 388 street townhouse dwellings, a neighbourhood park, naturalized drainage channel, and stormwater management pond (refer to Appendix “C” to Report PED23117).

The proposed amendment to Township of Glanbrook Zoning By-law No. 464 is to rezone the lands to the Residential Multiple “RM3-326” Zone, Modified, to permit the development of up to 146 multiple dwelling units on three blocks (refer to Appendix “D” to Report PED23117). All of the modifications are discussed in Appendix “E” attached to Report PED23117. The modifications will complement the existing and planned surrounding neighbourhood envisioned by the Binbrook Village Secondary Plan, providing a mixture of lot widths and block sizes compatible with existing and planned development in the area and will be consistent with the character of the surrounding area.

As such, staff are satisfied that the proposal complies with the general intent of the Urban Hamilton Official Plan and the Binbrook Village Secondary Plan and are supportive of the Zoning By-law Amendments.

5. In review of Sub-section 51(24) of the *Planning Act*, to assess the appropriateness of the proposed subdivision, staff advise that:
  - (a) It is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan for the Greater Golden Horseshoe (2019, as amended);
  - (b) The proposal represents a logical and timely extension of existing development and services and is in the public interest;

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- (c) It will comply with the applicable policies of the Urban Hamilton Official Plan upon approval of the Urban Hamilton Official Plan Amendment to the Binbrook Village Secondary Plan;
- (d) The land is suitable for the purposes for which it is to be divided;
- (e) The proposed roads will adequately service the proposed subdivision and can connect with the current road system;
- (f) The dimensions and shape of the lots and blocks are appropriate;
- (g) Restrictions and regulations for the development of the subdivision are included in the implementing Zoning By-law Amendment, conditions of draft plan approval and Subdivision Agreement;
- (h) The subject lands can be appropriately used for the purposes for which it is to be subdivided and will not negatively impact natural heritage features, and flood control will be addressed through stormwater management plans that will be required as standard conditions of draft plan approval;
- (i) Adequate utility and municipal services will be available, the particulars of which will be determined as part of the conditions of draft plan approval and Subdivision Agreement;
- (j) The lands do not require a school block and School Boards have no comments on the requirement for such;
- (k) Public land will be conveyed to create road rights-of-way, the particulars of which will be determined as part of the Standard Subdivision Agreement and final registration of the Plan of Subdivision; and,
- (l) The proposed development of the subject land is interrelated with the Draft Approved development located at 3105 Fletcher Road to the west and the Subdivision to the east known as Summerlea Phase 4 and 5.

Therefore, staff are supportive of the proposed Draft Plan of Subdivision and recommend its approval.

## **ALTERNATIVES FOR CONSIDERATION**

Should the applications be denied, the lands could not be developed for the proposed residential draft plan of subdivision. The lands could be developed in accordance with the Restricted Agricultural “A2” Zone which permits agricultural uses, except for intensive livestock operations and kennels.

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

### **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.

### **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.

## **APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” to Report PED23117 – Location Map

Appendix “B” to Report PED23117 – Draft Official Plan Amendment

Appendix “C” to Report PED23117 – Draft Amendment to Zoning By-law No. 464

Appendix “D” to Report PED23117 – Draft Amendment to Zoning By-law No. 05-200

Appendix “E” to Report PED23117 – Zoning Modification Chart

Appendix “F” to Report PED23117 – Proposed Red Line Revised Draft Plan of Subdivision

Appendix “G” to Report PED23117 – Draft Plan of Subdivision Special Conditions

JVR:sd