



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	August 10, 2021
SUBJECT/REPORT NO:	Application for Approval of a Draft Plan of Subdivision for Lands Located at 4 Vickers Road, Hamilton (PED21155) (Ward 7)
WARD(S) AFFECTED:	Ward 7
PREPARED BY:	Mark Andrews (905) 546-2424 Ext. 1384
SUBMITTED BY:	Steve Robichaud Director of Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

That **Draft Plan of Subdivision application 25T-202004, by The Biglieri Group, on behalf of Diconzo (Linden Park) Holdings Inc., Owner**, to establish a Draft Plan of Subdivision on lands located at 4 Vickers Road (Hamilton), as shown on Appendix "B", attached to Report PED21155, be **APPROVED** subject to the following conditions:

- (i) That this approval applies to the Draft Plan of Subdivision application 25T-202004 prepared by A. T. McLaren Limited and certified by S. Dan McLaren, O.L.S. dated July 15, 2020, consisting of seven development blocks (Blocks 1 - 7) attached as Appendix "B" to Report PED21155;
- (ii) That the Special Conditions of Draft Plan of Subdivision Approval, 25T-202004, attached as Appendix "C" to Report PED21155, be received and endorsed by City Council;
- (iii) That payment of Cash-in-Lieu of Parkland be required, pursuant to Section 51 of the *Planning Act*, with the calculation of parkland payment to be based on the value of the lands on the day prior to the day of issuance of each building permit, and in the case of multiple residential blocks, prior to the issuance of the first

building permit, all in accordance with the Financial Policies for Development and the City's Parkland Dedication By-law, as approved by Council;

- (iv) That the Owner enter into a Standard Form, Subdivision Agreement, with Special Conditions attached as Appendix "C" to Report PED21155;
- (v) That in accordance with the City's Comprehensive Development Guidelines and Financial Policies Manual (2017), there will be no cost sharing for this subdivision.

EXECUTIVE SUMMARY

The application is for a Draft Plan of Subdivision to establish seven development blocks fronting onto existing public roads (Vickers Road, East 16th Street and Jellicoe Court) and a proposed private condominium road (Block 7 which is subject to Site Plan Control and a Draft Plan of Common Element Condominium) for the development of street townhouse dwellings. Approval of this application will be subject to the owner entering into a Standard Form Subdivision Agreement, with special conditions.

The site is appropriately designated in the Urban Hamilton Official Plan (UHOP) and zoned to permit the proposed use of the subject lands for townhouse dwellings. The site previously contained a school (Linden Park Elementary). The school was closed in June 2015 and demolished in 2020.

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, as amended, and complies with the Urban Hamilton Official Plan (UHOP) and Zoning By-law No. 05-200. The proposed development is compatible with the existing development in the area that will make full use of available municipal services and contributes to achieving the City's intensification target.

Alternatives for Consideration – See Page 25

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 a Draft Plan of Subdivision.

HISTORICAL BACKGROUND

Report Fact Sheet

Application Details	
Applicant/Owner:	Dicenzo (Linden Park) Holdings Inc.
Agent:	The Biglieri Group
File Number:	25T-202004
Type of Applications:	Draft Plan of Subdivision
Proposal:	The Draft Plan of Subdivision proposes to create seven development blocks. Blocks 1-6 which front onto existing public roads (Vickers Road, East 16 th Street and Jellicoe Court) will consist of 34 street townhouse dwellings (freehold) and Block 7 will consist of 49 condominium townhouse dwellings with access to Vickers Road via a private condominium road.
Property Details	
Municipal Address:	4 Vickers Road
Lot Area:	1.84 ha
Servicing:	Full Municipal Services.
Existing Use:	Vacant Land (former Linden Park School which was demolished in 2020).
Proposed Uses:	83 townhouse dwellings (34 street townhouse dwellings fronting onto public roads and 49 townhouse dwellings on a private condominium road with access to Vickers Road).
Documents	
Provincial Policy Statement (PPS)	The proposal is consistent with the PPS.
A Place to Grow:	The proposal conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) 2019

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Official Plan Existing:	Neighbourhoods on Schedule “E” – Urban Structure and on Schedule “E-1” – Urban Land Use Designations in the UHOP.
Official Plan Proposed:	N/A
Zoning Existing:	Community Institutional “I2” Zone (Zoning By-law No. 05-200).
Zoning Proposed:	N/A
Processing Details	
Received:	July 27, 2020
Deemed Complete:	August 27, 2020
Notice of Complete Application:	Sent to 124 property owners within 120 m of the subject property on September 9, 2020.
Public Notice Sign:	September 28, 2020, sign updated on July 14, 2021.
Notice of Public Meeting:	July 23, 2021
Public Consultation:	Public meeting notice has been provided in accordance with the requirements of the <i>Planning Act</i> .
Public Comments:	Five emails expressing concerns related to stormwater management, servicing capacity, water pressure, the impact of traffic as well as the number of parking spaces proposed within the condominium and the freehold blocks (attached as Appendix “D” to Report PED21155).
Processing Time:	344 days.

EXISTING LAND USE AND ZONING

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands:</u>	Vacant	Community Institutional “I2” Zone
<u>Surrounding Lands:</u>		

North	Single detached dwellings	“C” (Urban Protected Residential, etc.) District
South	Hill Park Learning Centre/Recreation Centre and Sackville Hill Park	Community Institutional “I2” Zone and Community Park “P2” Zone
East	Single detached dwellings	“C” (Urban Protected Residential, etc.) District
West	Single detached dwellings	“C” (Urban Protected Residential, etc.) District

The following related applications will be reviewed by the City to facilitate the development of the proposed 83 street townhouse dwellings:

1. Site Plan Control Application DA-20-091

A Site Plan Control application has been submitted to the City to facilitate the development of 49 street townhouse dwellings on a condominium road within Block 7 including sidewalks, landscaping, outdoor amenity areas and 12 visitor parking spaces. The Site Plan Control application and the Draft Plan of Common Element Condominium (described below) to establish tenure for the dwelling units are being reviewed concurrently with this application. The application has not yet received conditional approval.

2. Draft Plan of Condominium (Common Element) Application 25CDM-202009

The Draft Plan of Condominium (Common Element) application is comprised of a private road network in Block 7, sidewalks, landscaping, outdoor amenity areas and 12 visitor parking spaces in favour of 49 townhouse dwellings proposed on Block 7 of the draft plan of subdivision, as shown on Appendix “B” to Report PED21155.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Statement (2020) (PPS):

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

The mechanism for the implementation of the Provincial plans and policies is through the Official Plan. Through the preparation, adoption and subsequent Ontario Land Tribunal (OLT) approval of the City of Hamilton Official Plans, the City of Hamilton has established the local policy framework for the implementation of the Provincial planning policy framework. Matters of provincial interest (i.e. efficiency of land use) are discussed in the Official Plan analysis below.

As the application for Draft Plan of Subdivision complies with the UHOP it is staff's opinion that the application is:

- consistent with Section 3 of the *Planning Act*;
- consistent with the PPS (2020); and,
- conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) 2019.

Urban Hamilton Official Plan (UHOP):

The subject lands are identified as "Neighbourhoods" on Schedule "E" – Urban Structure, designated as "Neighbourhoods" on Schedule "E-1" – Urban Land Use Designations in the UHOP. The following UHOP policies of Volume 1, amongst others, apply to the subject applications.

Neighbourhoods Designation

- "E.3.1.1 Develop compact, mixed use, transit-supportive, and active transportation friendly neighbourhoods.
- E.3.1.2 Develop neighbourhoods as part of a complete community, where people can live, work, shop, learn, and play.
- E.3.1.4 Promote and support design which enhances and respects the character of existing neighbourhoods while at the same time allowing their on-going evolution.
- E.3.1.5 Promote and support residential intensification of appropriate scale and in appropriate locations throughout the neighbourhoods.
- E.3.2.1 Areas designated Neighbourhoods shall function as *complete communities*, including the full range of residential dwelling types and densities as well as supporting uses intended to serve the local residents.
- E.3.2.3 The following uses shall be permitted on lands designated Neighbourhoods on Schedule E-1 – Urban Land Use Designations:

- a) residential dwellings, including second dwelling units and *housing with supports*.

E.3.2.4 The existing character of established Neighbourhoods designated areas shall be maintained.”

The proposed development for 83 street townhouse dwellings will contribute to the provision of complete communities and provide additional housing units within the neighbourhood. The area is well served with a neighbourhood park (Sackville Hill Park), and the Hill Park Learning and Recreation Centre to the south, as well as commercial uses and public transit amenities within walking distance along Upper Wentworth Street and Upper Wellington Street. The proposed development complements the established lot, block pattern and built form of the existing residential neighbourhood.

Low Density Residential (Blocks 1-6)

“E.3.4.1 The preferred location for low density residential uses is within the interior of neighbourhoods.

E.3.4.2 Low density residential areas are characterized by lower profile, grade-oriented built forms that generally have direct access to each unit at grade.

E.3.4.3 Uses permitted in low density residential areas include single-detached, semidetached, duplex, triplex, and street townhouse dwellings.”

The proposed development is located in the Hill Park Neighbourhood. The proposal consists of six blocks (Blocks 1-6) for street townhouse dwellings fronting on existing public roads (East 16th Street, Vickers Road and Jellicoe Court), with access proposed at grade. The proposed street townhouse dwellings are permitted by the UHOP and comply with the low density residential policies of the Neighbourhoods designation.

Scale

“E.3.4.4 For low density residential areas the maximum *net residential density* shall be 60 units per hectare.

E.3.4.5 For low density residential areas, the maximum height shall be three storeys.”

The proposed 34 street townhouse dwellings on 0.66 net residential hectares (Blocks 1-6) with a density of 51.5 units per net residential hectare, are intended to be two storeys

in height. While it is recognized that the surrounding neighbourhood consists of single detached dwellings, mostly one storey bungalows built in the mid to late 1950s, it introduces a mix of dwelling unit types which are similar in scale and integrate well with the established community. The proposed development complies with the density range and height requirements for low density residential in the Neighbourhoods designation.

“Design

E.3.4.6 Development in areas dominated by low density residential uses shall be designed in accordance with the following criteria:

- a) Direct access from lots adjacent to major or minor arterial roads shall be discouraged. (OPA 142)
- b) Backlotting along public streets and in front of parks shall be discouraged. The City supports alternatives to backlotting, such as laneway housing and window streets, to promote improved streetscapes and public safety, where feasible.
- c) A mix of lot widths and sizes compatible with streetscape character; and a mix of dwelling unit types and sizes compatible in exterior design, including character, scale, appearance and design features; shall be encouraged. Development shall be subject to the Zoning By-law regulations for appropriate minimum lot widths and areas, yards, heights, and other zoning regulations to ensure compatibility.
- d) Development, including the creation of infill lots involving the creation of new public streets or extensions, shall generally proceed by way of plan of subdivision. Such plans shall achieve the logical and sequential extension of streets and municipal services and an efficient lotting pattern.”

The Concept Plan provided in support of the application demonstrates that the site can accommodate the proposed built form while providing adequate landscaping, parking and buffering from adjacent single detached dwellings. Landscaping and design requirements will be addressed through the Site Plan Control stage for Block 7. Street townhouse dwelling units on lands that are subject to a current plan of subdivision are exempt from site plan control.

Medium Density Residential (Block 7)

“E.3.5.1 Medium density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods in proximity to major or minor arterial roads, or within the interior of neighbourhoods fronting on collector roads.

E.3.5.2 Uses permitted in medium density residential areas include multiple dwellings except street townhouses.

E.3.5.5 Medium density residential uses shall be located within safe and convenient walking distance of existing or planned community facilities, public transit, schools, active or passive recreational facilities, and local or District Commercial uses.

Scale

E.3.5.7 For medium density residential uses, the net residential density shall be greater than 60 units per hectare and not greater than 100 units per hectare.

E.3.5.8 For medium density residential uses, the maximum height shall be six storeys.

Design

E.3.5.9 Development within the medium density residential category shall be evaluated on the basis of the following criteria:

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

- d) Access to the property shall be designed to minimize conflicts between traffic and pedestrians both on-site and on surrounding streets.”

The proposed 49 townhouse dwellings on 1.18 net residential hectares (Block 7) will result in a density of 41.5 units per net residential hectare. The units will be two storeys in height. While the proposed density is below the medium density range in terms of net residential unit per hectare, the lands are zoned (I2) Zone which permits the use as of right and therefore deemed to comply with the Official Plan.

While Block 7 is located within the interior of neighbourhoods, it does have direct access to a minor arterial road (Upper Wentworth Street) via Vickers Road, which is classified as a local road. Block 7 is located within walking distance to public transit, with bus stops located at the intersection of Upper Wentworth Street and Vickers Road, churches, schools and local commercial uses at the southeast corner of Fennell Avenue and Upper Wentworth Street.

Residential Intensification

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

- a) a balanced evaluation of the criteria in b) through g), as follows;
- b) the relationship of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form;
- c) the development’s contribution to maintaining and achieving a range of dwelling types and tenures;
- d) the compatible integration of the development with the surrounding area in terms of use, scale, form and character. In this regard, the City encourages the use of innovative and creative urban design techniques;
- e) the development’s contribution to achieving the planned urban structure as described in Section E.2.0 – Urban Structure;
- f) infrastructure and transportation capacity; and,
- g) the ability of the development to comply with all applicable policies.

- B.2.4.2.2 When considering an application for a residential intensification development within the Neighbourhoods designation, the following matters shall be evaluated:
- a) the matters listed in Policy B.2.4.1.4;
 - b) compatibility with adjacent land uses including matters such as shadowing, overlook, noise, lighting, traffic, and other nuisance effects;
 - c) the relationship of the proposed building(s) with the height, massing, and scale of nearby residential buildings;
 - d) the consideration of transitions in height and density to adjacent residential buildings;
 - e) the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;
 - f) the provision of amenity space and the relationship to existing patterns of private and public amenity space;
 - g) the ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations;
 - h) the ability to complement the existing functions of the neighbourhood;
 - i) the conservation of cultural heritage resources; and,
 - j) infrastructure and transportation capacity and impacts.”

The proposed development is an infill development which will contribute to achieving the City's intensification target for lands within the existing urban boundary. This development will provide an opportunity to add a range of new dwelling types which can be integrated into the neighbourhood. The proposed development will complement the established lot patterns in the neighbourhood and support the City's objective to encourage transit supportive development.

The proposed street townhouse dwellings are an infill development that is compatible and complements the existing surrounding neighbourhood by encouraging a range of dwelling types and sizes. The street townhouses are proposed to be a maximum of two storeys in height, where a maximum of three storeys is permitted. The proposed development makes use of the existing municipal infrastructure, including roadways that

are designed to accommodate the increase in additional traffic generated from the development without the need for any major road improvements (i.e., turn lanes, widenings) and can be serviced by existing water and sanitary services. Minor upgrades are necessary for the provision of separate storm sewers within the vicinity of the development, however there is capacity for these systems to be integrated in the existing infrastructure.

Tree and Woodland 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.”

In order to accommodate the proposed development, 35 trees (eight public and 27 private) have been proposed to be removed. Adequate compensation (i.e. 1:1) is required to replace any trees that are proposed to be removed. Condition Nos. 21 and 22 of Appendix “C” to Report PED21155 require a Tree Protection Plan/Preservation Plan and a Landscape Plan, prior to registration of the plan of subdivision and prior to any preliminary grading or servicing occurring on the subject lands.

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*, R.S.O., 1990 c. P.13.”

The proposed Draft Plan of Subdivision complies with the Urban Hamilton Official Plan and meets all the requirements of the *Planning Act*. It is consistent with the Criteria for Staging of Development as the subject lands can be adequately serviced using existing infrastructure. It can be integrated with adjacent lands and road network. The proposal will not adversely impact the natural environment, transportation system, and municipal finances.

Therefore, the proposed Draft Plan of Subdivision complies with the UHOP.

Hamilton Zoning By-law No. 05-200

The subject lands are zoned Community Institutional (I2) Zone, in Hamilton Zoning By-law No. 05-200, as shown on Appendix “A” to Report PED21155.

The Community Institutional (I2) Zone permits a range of low intensity institutional and residential uses, such as educational establishments, places of worship, single and semi detached dwellings. The proposed 83 street townhouse dwellings are permitted within the (I2) Zone, and generally conform to the standards of the (I2) Zone, as shown on the concept plan attached as Appendix “B” to Report PED21155. Due to the location of the cul-de-sac at the end of Jellicoe Court, a Minor Variance application will be required to address deficiencies in lot area, minimum front yard and minimum front yard to the attached garage (Block 6).

RELEVANT CONSULTATION

Departments and Agencies		
<ul style="list-style-type: none">• Hydro One Networks Inc;• Hamilton Conservation Authority;• Hamilton-Wentworth District School Board (HWDSB); and,• Hamilton-Wentworth Catholic District School Board (HWCDSB)		No Comment
	Comment	Staff Response
Canada Post	Identified that the site will be serviced by a centralized mailbox. The applicant will need to locate the mailbox on site per Canada Post standard requirements.	These requirements have been included as Condition Nos. 23, 24 and 25 in Appendix “C” to Report PED21155.

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Bell Canada	Requires the owner to provide any easements that may be necessary for communication/telecommunication infrastructure.	This is included as Condition No. 26 in Appendix "C" to Report PED21155.
Union Gas	Requires that the applicant provide necessary easements and/or agreements for the provision of gas services for this project.	This has been included as Condition No. 32 in Appendix "C" to Report PED21155.
Rogers Communications	Requires the owner to provide any easements that may be necessary for communication/telecommunication infrastructure.	This is included as Condition No. 28 in Appendix "C" to Report PED21155.
Recycling and Waste Disposal, Public Works Department	Has reviewed the development and noted that the site is eligible for municipal waste collection subject to meeting the City's requirements.	An Agreement for On-Site Collection of Municipal Solid Waste will be required in order to begin waste collection on private property. Note Nos. 2 and 3 in Appendix "C" to Report PED21155 informs the owner that waste collection is subject to the City's Waste Management System By-law No. 20-221.
Forestry & Horticulture Section, Environmental Services Division, Public Works Department	<p>Indicated that municipal trees on site shall be removed subject to receiving a permit and paying the appropriate loss of canopy fees.</p> <p>A Tree Management Plan is required.</p> <p>A landscape plan is required depicting the street tree planting scheme for the proposed development.</p> <p>Tree By-Law No. 15-125 requires new developments to provide payment of \$644.89 plus HST per tree for road allowance street trees.</p>	A Tree Management Plan (Tree Protection Plan) has been included as Condition No. 17 in Appendix "C" to Report PED21155. Block 7 will be addressed through the Site Plan Control stage.

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Hamilton Water, Public Works Department	<p>Based on the information provided, it is not anticipated that this development would cause any adverse effects on the municipal infrastructure.</p> <p>A wastewater generation assessment report is to be submitted prior to any servicing of the subject lands.</p> <p>Therefore, Hamilton Water has no further comments regarding sanitary servicing.</p>	This has been included as Condition No. 16 in Appendix "C" to Report PED21155.
Development Engineering Approvals Section, Growth Management Division, Planning and Economic Development Department	<p>Existing Infrastructure</p> <p>There are currently watermains and combined sanitary/storm sewers fronting the subject property along Vickers Road, East 16th Street and Jellicoe Court.</p> <p>Stormwater Management</p> <p>There are no dedicated storm sewers or stormwater management facilities in the immediate vicinity of the site. New separate storm sewers will be required to be constructed on East 16th Street, Vickers Road and Jellicoe Court. As part of the required storm drainage works, new stormwater measures are being proposed.</p> <p>Roadways</p> <p>The existing and designated road allowance width fronting the subject lands on Vickers Road, East 16th Street and Jellicoe Court is 20 metres. No road widenings are required to be dedicated to the City.</p>	<p>Daylighting triangles have been included as Condition No. 1 of Appendix "C" to Report PED21155.</p> <p>Reconstruction of the road widths abutting the subject property along Vickers Road, Jellicoe Court and East 16th Street have been addressed through Condition No. 4 of Appendix "C" to Report PED21155.</p> <p>Stormwater management measures and the need for a Stormwater Management Report have been addressed through Condition No. 11 of Appendix "C" to Report PED21155.</p> <p>The requirement of a pavement marking plan has been addressed through Condition No. 14 of Appendix "C" to Report PED21155.</p> <p>No development on adjacent</p>

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	<p>The owners will be required to dedicate to the City a 4.57 metre x 4.57 metre daylight triangle at the southwest corner of Jellicoe Court and Vickers Road and at the southeast corner of East 16th Street and Vickers Road.</p> <p>Jellicoe Court turning circle is to be widened and dedicated to the City, including new sidewalks on the west side of Jellicoe Court and replacing the existing combined curb and sidewalk along the east side of East 16th Street and the south side of Vickers Road, including lay-bys. Any removals or replacement or relocation of any utility poles, hydrants, hydro vaults, etc. are to be at the expense of the Owner.</p> <p>Due to the number of municipal cuts related to servicing, the developer will be required to reconstruct the full road widths of Vickers Road, East 16th Street and Jellicoe Court adjacent to the subject property at their own expense.</p> <p>A pavement marking plan will be required for East 16th Street, Vickers Road and Jellicoe Court.</p> <p>Grading</p> <p>The functional Grading design indicates that there are proposed grading encroachments onto lands not owned by the Developer. The proposed removal of the existing retaining wall (southwest) will have an impact on the adjacent and higher Hill</p>	<p>owners' lands, including any removals of retaining walls, without prior written permission, has been addressed through Condition No. 6 of Appendix "C" to Report PED21155.</p> <p>The development of all blocks concurrently under a single servicing contract until all SWM facilities are operational has been addressed through Condition No. 12 of Appendix "C" to Report PED21155.</p> <p>The requirement of replacing sidewalks and the costs to remove or replace any City infrastructure (i.e., utility poles, hydrants) has been addressed through Condition Nos. 2 and 3 of Appendix "C" to Report PED21155.</p> <p>The requirement for the reconstruction of Vickers Road, East 16th Street and Jellicoe Court, adjacent to the subject property have been addressed through Condition No. 4 of Appendix "C" to Report PED21155.</p> <p>The requirements for providing a dust control/street cleaning plan and the submission of a Construction Management Plan have been addressed through Condition Nos. 8 and 10 of Appendix "C" to Report PED21155.</p> <p>The requirement for a</p>
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	<p>Park School property due to the close proximity. Obtain permission from the School Board for any anticipated encroachments. All disturbed areas shall be restored to an equal or better standard and to the satisfaction of the School Board and City. No work shall commence on the School Board's property or other lands not owned by the Developer without their written consent first being obtained from the adjacent Owner and suitable proof being provided to this City for our records. If permission cannot be obtained, then the works shall be strictly limited to the Developer's lands.</p> <p>A Geotechnical report and study will also be required with any recommendations to be implemented prior to any grading.</p> <p>Construction Management</p> <p>In order to deal with issues concerning dust control and street cleaning and to minimize any potential disturbances to the neighbourhood, the City will require a plan for dealing with dust control and street cleaning, as well as a Construction Management Plan to deal with timing and staging of construction and any impacts to road closures or restrictions.</p> <p>Storm Sewers</p> <p>As part of the new storm sewers proposed to be constructed in East 16th Street, Vickers Road, and Jellicoe Court, there will be a SWM</p>	<p>geotechnical report prior to grading has been addressed through Condition No. 9 of Appendix "C" to Report PED21155.</p> <p>The requirement for a fence to be installed along the southern portion of the subject lands abutting the park has been addressed through Condition No. 13 of Appendix "C" to Report PED21155.</p> <p>The additional maintenance and operation costs of the proposed stormwater management facility, as well as the provision of costs associated with the flushing of any dead end watermain along Jellicoe Court have been addressed through Condition Nos. 18 and 19 of Appendix "C" to Report PED21155.</p>
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	<p>quantity storage facility installed within the existing ROW in the form of a Superpipe i.e. oversized storm sewers with orifices to regulate the release rate to the downstream sewers. The City shall not contribute to the cost of the superpipe on Vickers Road. Block 7 shall remain undevelopable until such time as the SWM facility details including location and size are confirmed and to the satisfaction of the City.</p> <p>Fencing</p> <p>The City requires a 1.5 m high black vinyl coated heavy-duty chain link fence along the south side yards of Blocks 6 and 7 abutting the park lands.</p> <p>Maintenance</p> <p>The City requires cash payment of \$100,000.00 to cover a portion of the increased operation, maintenance and future replacement costs associated with the Vickers Stormwater Management facility. The Owner is also to provide engineering and cost schedules for adequate water quality flushing of the proposed dead end watermain on Jellicoe Court.</p>	
Growth Planning Section, Growth Management Division, Planning and Economic Development Department	<p>As required by Section 51(17)(b) of the <i>Planning Act</i>, widths of the existing highways on which the subdivision abuts shall be identified, i.e. Jellicoe Court.</p> <p>Require a note to be included in the Draft Approval Conditions:</p>	<p>Revisions to the Draft Plan will be completed prior to final approval.</p> <p>Note No. 1 of Appendix “C” to Report PED21155 addresses the requirement for a note with respect to lapsing within three</p>

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	<p>NOTES: Pursuant to Section 51(32) of the <i>Planning Act</i>, draft approval shall lapse if the plan is not given final approval within 3 years. However, extensions will be considered if a written request is received two months before the draft approval lapses.</p> <p>The Owner is also required to coordinate the finalization of municipal addressing for each of the development blocks.</p>	<p>years.</p> <p>Condition No. 29 of Appendix "C" to Report PED21155 addresses the requirement for coordinating the finalization of municipal addressing of the development blocks.</p>
<p>Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department</p>	<p>Transportation Planning has reviewed the submitted Transportation Impact Study document which was approved on December 23, 2020.</p> <p>As per a meeting held on May 19, 2021, Transportation Planning can support a reduced sidewalk width of 1.2 metres on the bulb of Jellicoe Court with a 0.2 metre curb, for a total width of 1.4 metres which is consistent with the other side of Jellicoe Court, however recommends a 1.5 metre wide sidewalk as per AODA guidelines.</p> <p>The design has been circulated to Development Approvals which have suggested the sidewalk transition from a 1.5m width between the southern edge of the southern most driveway. Under this case, the narrowing of the surface caused by the driveway depressions that starts within the combined sidewalk may be mitigated with the wider 1.5 m width and have less of an impact on those that may use an assistive device for mobility. The main consideration is to</p>	<p>While staff recommend a minimum of a 1.5 metre wide sidewalk, staff have agreed to a reduced sidewalk of 1.4 m due to constraints of the cul-de-sac at the terminus of Jellicoe Court. The requirement to provide a 13 m radii will impact the front yard setbacks and driveway length of Block 6, which will require a Minor Variance.</p> <p>The sidewalk construction details have been addressed through Condition No. 22 of Appendix "C" to Report PED21155.</p> <p>The need for costs to be paid for speed cushions and engineering details pertaining to the proposed lay-bys has been addressed through Condition Nos. 20 and 21 of Appendix "C" to Report PED21155.</p>

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	<p>provide safe access.</p> <p>As part of traffic calming measures and to address parking in lay-bys, the City requires \$12,000 for the placement of two speed cushions on Vickers Road and the submission of detailed engineering specifications of the proposed lay-bys on Vickers Road.</p> <p>As per a meeting held on May 19, 2021, Transportation Planning can support a reduced distance from the face of units to the municipal right-of-way of 4.8 metres, where 6.0 metres is typically required for the two shared driveways for four southerly units in Building F (Block 6). The distance from building face to back side of sidewalk will be at least 8.8 metres and can accommodate a typical passenger vehicle without encroaching onto the sidewalk.</p>	
Public Consultation		
	Comment	Staff Response
Parking	Concern has been raised regarding parking and overflow of parking with residents with multiple vehicles and visitor parking.	<p>A parking plan submitted in support of the proposal, dated March 4, 2021, provides 12 parking spaces for on-street parking as required for the 34 street townhouse dwellings (Blocks 1 to 6).</p> <p>The Parking Plan demonstrates a satisfactory quantity of street parking through the provision of the proposed parking lay-bys.</p>

		<p>The parking for Block 7 (subject to Site Plan and Draft Plan of Standard Condominium) will be addressed through detailed design with their own separate conditions.</p> <p>A final driveway location / on-street parking plan will be required, including driveway locations shown on all engineering plans, as a condition of Draft Plan of Subdivision approval and included as Condition No. 7 of Appendix "C" to Report PED21155.</p>
Servicing	<p>Concerns have been raised that the existing servicing capacity will be overwhelmed and cannot support the additional 83 proposed units leading to capacity issues (i.e., floods and sewer line backups).</p>	<p>Engineering Approvals has reviewed the Functional Servicing Report and preliminary servicing plans and confirm that there is sufficient capacity to support the proposed development in accordance with all current and applicable engineering design standards.</p> <p>Existing watermains and sanitary sewers have capacity to accommodate the proposed development. Currently, there are no storm sewers in the immediate vicinity of the site. New separate storm sewers are required to be installed on Vickers Road, East 16th Street and Jellicoe Court.</p> <p>As part of the new storm sewers proposed to be constructed in East 16th Street, Vickers Road,</p>

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		and Jellicoe Court, there will be a SWM quantity storage facility installed within the existing ROW in the form of a Superpipe i.e. oversized storm sewers with orifices to regulate the release rate to the downstream sewers.
Density	A concern was raised that Block 7 could potentially be developed into a mid-rise building.	Block 7 (which is subject to Site Plan Control and Draft Plan of Standard Condominium), is proposed to be developed as 49 townhouse dwelling units, all of which will be two storeys. The current zoning of the subject property does not permit a mid-rise building.
Traffic Generation	There is concern that the proposed addition of 83 dwelling units in the neighbourhood will only exasperate a moderately high traffic area.	Transportation Planning Staff have reviewed Transportation Impact Study, by Nextrans Consulting Engineers, dated June 2020 and agree that the additional traffic generated during peak times will be negligible and the current roads infrastructure, including intersections can accommodate the additional traffic.
Decreased property values	A concern was raised that the proposed development will lower adjacent property values and be an "eyesore".	The City is not aware of any empirical data that supports property values being affected by a new residential development.
Overcrowded Schools	A concern was raised that numerous schools have been closed and merged and will lead to overcrowding of existing schools.	Concerns regarding school closures should be directed to the appropriate school boards.
Traffic Calming	A concern was raised for traffic calming measures along Vickers Road to accommodate the additional	The City has required two speed cushions to be installed, at the Owner's expense along Vickers

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	traffic volume.	Road as a traffic calming measure. This has been added as Condition No. 20 of Appendix “C” to Report PED21155.
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PUBLIC CONSULTATION

In accordance with the provisions of the *Planning Act* and Council’s Public Participation Policy, Notices of Complete Application and Preliminary Circulation were sent to 124 property owners within 120 m of the subject property on September 9, 2020, requesting comments on the Draft Plan of Subdivision application.

A Public Notice Sign was posted on the property on September 28, 2020, and updated on July 14, 2021, with the Public Meeting date. Finally, Notice of the Public Meeting was given on July 23, 2021, in accordance with the requirements of the *Planning Act*.

A virtual Neighbourhood Open House organized by the applicant was held on December 17th, 2020. The meeting was attended by six residents, the Ward Councillor, and City planning staff. Comments by residents related to stormwater management, servicing capacity, water pressure, the impact of traffic to be generated from the development as well as the amount of parking proposed within the condominium and the freehold blocks.

The five comments received on this proposal are attached as Appendix “D” to Report PED21155.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposal has merit and can be supported for the following reasons:
 - (i) It is consistent with the PPS (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended;
 - (ii) It complies with the policies of the Urban Hamilton Official Plan; and,
 - (iii) It provides for dwelling units in an area where full municipal services are available, making efficient use of the land and infrastructure.
2. 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, A Place to Grow Plan, and complies with the Urban Hamilton Official Plan;
- (b) The proposal represents a logical and timely extension of existing development and services and is in the public interest;
- (c) It complies with the applicable policies of the Urban Hamilton Official Plan;
- (d) 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;
- (e) The proposed subdivision will be compatible with the existing road network and block pattern of the surrounding neighbourhood;
- (f) The proposed subdivision can be adequately serviced by the current road network;
- (g) The dimensions and shapes of the proposed lots generally conform to the Zoning By-law and are sufficient to accommodate the proposed development of street townhouse dwellings;
- (h) Restrictions and regulations for the development of the subdivision are included in the conditions of draft plan approval and Subdivision Agreement;
- (i) Adequate utilities and municipal services are available to service the proposed blocks within the subdivision, the particulars of which will be determined as part of the conditions of draft approval and Subdivision Agreement; and,
- (j) The application will not have any negative impact on the City's finances.

Based on the above, staff are supportive of the Draft Plan of Subdivision and recommend its approval.

3. The subject lands are zoned Community Institutional (I2) Zone, in Hamilton Zoning By-law No. 05-200. The proposed 83 townhouse dwellings are permitted within the (I2) Zone, and generally conform to the standards of the (I2) Zone. A Minor Variance application will be required to address deficiencies in lot area, minimum front yard and minimum front yard to the attached garage (Block 6) due to the location of the cul-de-sac at the end of Jellicoe Court.

4. A Site Plan Control application has been submitted to the City to facilitate the development of 49 townhouse dwellings on a condominium road within Block 7 including sidewalks, landscaping, outdoor amenity areas and 12 visitor parking spaces. The Site Plan Control application and the Draft Plan of Standard Condominium to establish tenure for the dwelling units are being reviewed concurrently with this application. The Draft Plan of Condominium (Common Element) application is comprised of a private road network in Block 7, sidewalks, landscaping, outdoor amenity areas and 12 visitor parking spaces in favour of 49 street townhouse dwellings.

ALTERNATIVES FOR CONSIDERATION

Should the proposed Draft Plan of Subdivision not be approved, the lands will remain zoned Community Institutional (I2) Zone and can only be developed with street townhouse dwellings along the existing public roads (Vickers Road, East 16th Street and Jellicoe Court) or for other uses permitted in the (I2) Zone, including a place of worship, recreation uses, educational establishments or single or semi detached dwellings.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

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

Healthy and Safe Communities

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

Our People and Performance

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

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PED21155 – Location Map

Appendix “B” to Report PED21155 – Draft Plan of Subdivision – 25T-202004

Appendix “C” to Report PED21155 – Special Conditions of Draft Plan of Subdivision

Appendix “D” to Report PED21155 – Public Comments