



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	June 4, 2024
SUBJECT/REPORT NO:	Application for a Zoning By-law Amendment for Lands Located at 253 and 259 Limeridge Road West, Hamilton (PED24092) (Ward 8)
WARD(S) AFFECTED:	Ward 8
PREPARED BY:	Mark Michniak 905-546-2424 Ext. 1224
SUBMITTED BY:	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

That **Zoning By-law Amendment Application ZAC-23-014, by UrbanSolutions Planning & Land Development Consultants Inc. c/o Matt Johnston on behalf of Qianye Property Management Limited c/o Lei Zhao, owner**, for a change in zoning from the "AA" (Agricultural) District to the "RT-10/S-1831-H" (Townhouse) District, Modified, Holding, to permit the development of 22, three storey townhouse dwellings and 51 parking spaces, on lands located at 253 and 259 Limeridge Road West, Hamilton, as shown on Appendix "A" attached to Report PED24092, be **APPROVED**, on the following basis:

- (a) That the draft By-law, attached as Appendix "B" to Report PED24092, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the amending By-law apply the Holding Provisions of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject property by introducing the Holding symbol 'H' to the proposed "RT-10/S-1831" (Townhouse) District, Modified;

The Holding Provision 'H' is to be removed conditional upon:

- (i) That the Owner submit and receive approval of a revised Functional Servicing Report to demonstrate that the stormwater management, sanitary flows, and water supply demand resulting from the proposed development has adequate capacity in the existing municipal infrastructure, to the satisfaction of the Director of Growth Management and Chief Development Engineer;
- (ii) That the Owner enter into an External Works Agreement with the City for the design and construction of required improvements to municipal infrastructure, at the Owner's cost, determined by the revised Functional Servicing Report, to the satisfaction of the Director of Growth Management and Chief Development Engineer;
- (c) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and complies with the Urban Hamilton Official Plan.

EXECUTIVE SUMMARY

The subject lands are municipally known as 253 and 259 Limeridge Road West, Hamilton and are located on the south side of Limeridge Road West between Garth Street and West 5th Street. The purpose of the Zoning By-law Amendment application is to rezone the lands from the "AA" (Agricultural) District to the "RT-10/S-1831-H" (Townhouse) District, Modified, Holding, to permit the development of 22, three storey townhouse dwellings and 51 parking spaces as shown on Appendix "D" attached to Report PED24092. Site specific modifications to the "RT-10" District are required to facilitate the proposed development, which are discussed in detail in Appendix "C" attached to Report PED24092.

The proposed Zoning By-law Amendment has merit and can be supported for the following reasons:

- It is consistent with the Provincial Policy Statement (2020);
- It conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- It complies with the Urban Hamilton Official Plan, in particular, the function, scale and design of the "Neighbourhoods" designation and residential intensification policies; and,
- The development is compatible with the existing land uses in the immediate area and represents good planning by, among other things, providing a compact and

efficient urban form, adding to the supply of housing and supports the development of a complete community.

Alternatives for Consideration – See Page 10

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: As required by the *Planning Act*, Council shall hold a Public Meeting to consider an application for a Zoning By-law Amendment.

HISTORICAL BACKGROUND

Report Fact Sheet

Application Details	
Owner:	Qianye Property Management Limited (c/o Lei Zhao).
Applicant:	UrbanSolutions Planning & Land Development Consultants Inc. (c/o Matt Johnston).
File Number:	ZAC-23-014.
Type of Application:	Zoning By-law Amendment.
Proposal:	<p>To permit the development of 22, three storey townhouse dwellings, 44 residential parking spaces, and seven visitor parking spaces, with vehicle access from Limeridge Road West.</p> <p>The existing dwellings on the subject property are proposed to be demolished.</p>
Property Details	
Municipal Address:	253 and 259 Limeridge Road West.
Lot Area:	0.49 ha.
Servicing:	Existing full municipal services.

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Property Details	
Existing Use:	253 Limeridge Road West - Single detached dwelling. 259 Limeridge Road West - Single detached dwelling.
Proposed Use:	Townhouse dwellings.
Documents	
Provincial Policy Statement:	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:	"Neighbourhoods" on Schedule E-1 – Urban Land Use Designations.
Official Plan Proposed:	No amendment proposed.
Zoning Existing:	253 Limeridge Road West - "AA" (Agricultural) District. 259 Limeridge Road West - "AA" (Agricultural) District.
Zoning Proposed:	"RT-10/S-1831-H" (Townhouse) District, Modified, Holding.
Modifications Proposed:	<p>The following modifications are being proposed by the applicant:</p> <ul style="list-style-type: none"> • To reduce the minimum front yard from 6.0 metres to 3.5 metres; and, • To reduce the parking space dimensions from 2.7 metres wide and 6.0 metres long to 2.7 metres wide and 5.8 metres long. <p>The following modifications are being proposed by staff:</p> <ul style="list-style-type: none"> • To establish Limeridge Road West as the front lot line; • To reduce the Mountain Freeway setback from 22.86 metres to 16.5 metres; • To remove the minimum lot area requirement; • To increase the number of townhouse dwellings that can be attached from 8 to 11; • To reduce the access driveway setback from 3.0 metres to 1.5 metres; and, • To require a 1.5 metre planting strip along the easterly property line.

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Documents	
Modifications Proposed: (Continued)	<ul style="list-style-type: none"> To reduce the minimum landscaped area requirement from 50% to 40% of the lot area; and, To permit tandem parking. <p>The applicant agrees with the modifications proposed by staff. A complete analysis of the proposed modifications is provided in Appendix "C" attached to Report PED24092.</p>
Processing Details	
Received:	December 22, 2022.
Deemed Complete:	January 18, 2023.
Notice of Complete Application:	Sent to 71 property owners within 120 metres of the subject property on January 31, 2023.
Public Notice Sign:	Posted on January 30, 2023, and updated with the Public Meeting date May 8, 2024.
Notice of Public Meeting:	Sent to 71 property owners within 120 metres of the subject property on May 17, 2024.
Staff and Agency Comments:	Staff and agency comments have been summarized in Appendix "F" attached to Report PED24092.
Public Consultation:	The applicant submitted a Public Consultation Strategy in support of the application. A micro-site for the project was created to provide project information and collect feedback. The applicant did not receive any feedback with concerns as a result of their consultation.
Public Comments:	No response from the public was received.
Processing Time:	530 days from receipt of application, 173 days from receipt of revised submission.

Existing Land Use and Zoning

	Existing Land Use	Existing Zoning
Subject Lands:	253 Limeridge Road West - Single detached dwelling.	"AA" (Agricultural) District.

	Existing Land Use	Existing Zoning
Subject Lands:	259 Limeridge Road West - Single detached dwelling.	"AA" (Agricultural) District.
Surrounding Lands:		
North	Elementary school.	Neighbourhood Institutional (I1) Zone.
South	Lincoln M. Alexander Parkway.	"AA" (Agricultural) District.
East	Single detached dwelling and townhouse dwellings.	"D/S-314" (Urban Protected Residential - One and Two Family Dwellings, Etc.) District, Modified, "D/S-1822" (Urban Protected Residential - One and Two Family Dwellings, Etc.) District, Modified, and "RT-10/S-314" (Townhouse) District, Modified.
West	Pedestrian walkway and single detached dwelling.	"D/S-1822" (Urban Protected Residential - One and Two Family Dwellings, Etc.) District, Modified.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Planning Policy Framework

The Provincial Planning Policy Framework is established through the *Planning Act* (Section 3) and the Provincial Policy Statement (2020). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the Provincial Policy Statement (2020) and conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (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 approval of the City of Hamilton Official Plans, the City of Hamilton has established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of Provincial interest (e.g. efficiency of land use) are discussed in the Official Plan analysis that follows.

As the application for Zoning By-law Amendment complies with the Urban Hamilton Official Plan, it is staff's opinion that the application is:

- Consistent with Section 3 of the *Planning Act*;
- Consistent with the Provincial Policy Statement (2020); and,
- Conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).

Urban Hamilton Official Plan

The subject lands are designated "Neighbourhoods" on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan. A full policy analysis of the applicable Urban Hamilton Official Plan policies is provided in Appendix "E" attached to Report PED24092.

The intent of the "Neighbourhoods" designation is to provide the full range of residential dwelling types and densities as well as supporting uses intended to serve local residents. The proposed development is for townhouse dwellings that respects the existing streetscape in the neighbourhood and is located within a convenient distance to a number of uses that will support the proposed use. The proposed development is located directly across from Annunciation of Our Land Elementary School to the north and retail uses located approximately 110 metres to the west. Hamilton Street Railway operates bus routes along Limeridge Road West, Garth Street, and West 5th Street and will complement the existing functions of the neighbourhood. Bicycle lanes are located east of the site on West 5th Street. Captain Cornelius Park, a community park, is located approximately 136 metres north of the site. As such, the proposal meets the intent of the "Neighbourhoods" designation by adding to the range of residential dwelling types in an appropriate location with services that supports residential intensification.

The Urban Hamilton Official Plan describes medium density residential as multiple dwellings within the interior of neighbourhoods fronting onto collector roads that are compatible with existing and future uses in the surrounding area. The proposed development is located on Limeridge Road West, which is identified as a collector road on Schedule "C" - Functional Road Classification. The proposed modifications for setbacks, lot area, amenity area, parking space dimensions, and landscape area within the proposed Zoning By-law will result in a development that is compatible with existing and future uses in the surrounding area (see Appendix "B" attached to Report

PED24092). As such, the proposal meets the intent of the medium density residential policies.

A Tree Protection Plan, prepared by Whitehouse Urban Design dated May 11, 2023, was submitted in support of the development. A total of 18 trees have been inventoried and 16 trees are proposed to be removed. Of these trees, one was found to be in “poor” condition. Of the 16 trees proposed to be removed, six will be removed to accommodate the townhouse dwellings, four will be removed to accommodate an internal roadway, four to accommodate site grading, and two will be removed to accommodate a swale. The two remaining trees are located within the road right-of-way and on the adjacent property to the southeast. To ensure existing tree cover is maintained, a one-to-one ratio of compensation is required for any tree (10 cm DBH or greater) that is proposed to be removed. A Landscape Plan will be required at the Site Plan Control stage to confirm compensation of tree plantings and cash-in-lieu requirements.

Therefore, the proposal complies with the Urban Hamilton Official Plan.

Rolston Neighbourhood Plan

The subject lands are located in the Rolston Neighbourhood Plan, which is bound by Mohawk Road West to the north, West 5th Street to the east, the Lincoln M. Alexander Parkway to the south, and Garth Street to the west. The subject lands are designated “Attached Housing” in the Rolston Neighbourhood Plan. The Rolston Neighbourhood Plan does not define “Attached Housing”; however, it is understood to mean dwelling types such as townhouses. Therefore, the proposal meets the intent of the Rolston Neighbourhood Plan.

Zoning By-law No. 6593

The proposed Zoning By-law Amendment is for a change in zoning from the "AA" (Agricultural) District to the "RT-10/S-1831-H" (Townhouse) District, Modified, Holding. The effect of this Zoning By-law Amendment will permit the development of 22, three storey townhouse dwellings and 51 parking spaces. Modifications to the "RT-10" (Townhouse) District are required to facilitate the development and are summarized in the Report Fact Sheet above and further discussed in Appendix "C" attached to Report PED24092.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposal has merit and can be supported for the following reasons:
 - (i) It is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
 - (ii) It complies with the general intent and purpose of the Urban Hamilton Official Plan, in particular the function, scale and design of the "Neighbourhoods" designation and residential intensification policies; and,
 - (iii) It is considered to be compatible with the existing land uses in the immediate area, and represents good planning by, among other things, providing a compact and efficient urban form along an existing transit route, respecting the streetscaping and lotting pattern of the neighbourhood, adding to the supply of housing and supports developing a complete community.
2. Zoning By-law Amendment

The subject lands are zoned "AA" (Agricultural) District in Zoning By-law No. 6593. The Zoning By-law Amendment proposes to change the zoning to the "RT-10/S-1831-H" (Townhouse) District, Modified, Holding, as outlined in the table on page 4.

Staff are satisfied that the proposal meets the intent of the "Neighbourhoods" designation policies and applicable intensification policies of the Urban Hamilton Official Plan as outlined in Appendix "E" attached to Report PED24092. The proposed amendment meets the general intent of the Zoning By-law. An analysis of the requested modifications is provided in Appendix "C" attached to Report PED24092.

The proposed development complies with the policies of the Urban Hamilton Official Plan and therefore staff supports the proposed Zoning By-law Amendment, subject to the proposed Holding Provision.

3. Holding Provision

Holding "H" Provisions are proposed to be added to the subject lands for the purpose of requiring the submission and approval of a revised Functional Servicing Report to demonstrate that the stormwater management, sanitary

flows, and water supply demand resulting from the proposed development has adequate capacity in the existing municipal infrastructure. In addition, the completion of an External Works Agreement with the City for the design and construction of any required improvements to municipal infrastructure, at the owner's cost, determined by the revised Functional Servicing Report, is required. Upon submission and approval of the above noted studies and agreements, the Holding Provision can be lifted.

Therefore, staff support the proposed Zoning By-law Amendment.

ALTERNATIVES FOR CONSIDERATION

Should the application be denied, the subject property can be used in accordance with the "AA" (Agricultural) District in Zoning By-law No. 6593.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report PED24092 – Location Map
Appendix "B" to Report PED24092 – Amendment to Zoning By-law No. 6593
Appendix "C" to Report PED24092 – Zoning Modification Table
Appendix "D" to Report PED24092 – Concept Plan
Appendix "E" to Report PED24092 – Policy Review
Appendix "F" to Report PED24092 – Staff and Agency Comments

MM:sd