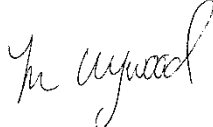




CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	August 13, 2024
SUBJECT/REPORT NO:	Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 2064 and 2070 Rymal Road East, Glanbrook (PED24131) (Ward 9)
WARD(S) AFFECTED:	Ward 9
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:	Per: 

RECOMMENDATION

- (a) That **Amended Official Plan Amendment Application UHOPA-23-007, by Bousfields Inc. (c/o David Falletta) on behalf of 1121209 Ontario Inc. (c/o Anthony Longo), Owner**, to modify “Site Specific Policy – Area A” within the Rymal Road Secondary Plan to add permissions for multiple dwellings with a maximum height of ten storeys and a maximum density of 160 units per net hectare, for lands located at 2064 and 2070 Rymal Road East, as shown on Appendix “A” attached to Report PED24131, be **APPROVED** on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED24064, be adopted by City Council;
 - (ii) That the proposed Official Plan 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 **Amended Zoning By-law Amendment Application ZAC-23-017, by Bousfields Inc. (c/o David Falletta) on behalf of 1121209 Ontario Inc. (c/o Anthony Longo), Owner**, for a change in zoning from the General Commercial

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“C3-301” Zone, Modified, to the Community Commercial (C3, 906) Zone for the eastern portion of the site and the Community Commercial (C3, 907) Zone for the western portion of the site, to permit a ten storey mixed use building containing 227 units, 1,020 square metres of ground floor commercial area, and 244 parking spaces and an existing commercial development, for lands located at 2064 and 2070 Rymal Road East, as shown on Appendix “A” attached to Report PED24131, be **APPROVED** on the following basis:

- (i) That the draft By-law, attached as Appendix “C” attached to Report PED24131, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2020), conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and comply with the Urban Hamilton Official Plan and the Rymal Road Secondary Plan upon adoption of the Official Plan Amendment.

EXECUTIVE SUMMARY

The subject lands are municipally known as 2064 and 2070 Rymal Road East, Glanbrook, and are located on the south side of Rymal Road East between Fletcher Road and Kingsborough Drive. The applicant has applied for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment. The subject lands contain an existing commercial plaza on the western portion of the site which will remain. The eastern portion of the site contains a gift shop which will be demolished to allow for the development of the ten storey mixed use building.

The purpose of the amended Official Plan Amendment application is to modify “Site Specific Policy – Area A” within the Rymal Road Secondary Plan to permit multiple dwellings with a maximum height of ten storeys and a maximum density of 160 units per net hectare.

The purpose of the Zoning By-law Amendment application is for a change in zoning from the General Commercial “C3-301” Zone, Modified, to the Community Commercial (C3, 906) Zone for the eastern portion of the site and the Community Commercial (C3, 907) Zone for the western portion of the site, to permit a ten storey mixed use building containing 227 units, 1,020 square metres of ground floor commercial area, and 244 parking spaces and an existing commercial development, as shown on Appendix “E” attached to Report PED24131. Site-specific modifications to the (C3) Zone are proposed to accommodate the proposed development, which are discussed in detail in Appendix “D” attached to Report PED24131.

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The proposal 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 and Rymal Road Secondary Plan upon adoption of the Official Plan Amendment; and,
- The development is compatible with the existing land uses in the immediate area, represents good planning by, among other things, providing a compact and efficient urban form, provides additional housing units in the area, achieves the planned urban structure and supports developing a complete community.

Alternatives for Consideration – See Page 13

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 an Official Plan Amendment and Zoning By-law Amendment.

HISTORICAL BACKGROUND

Report Fact Sheet

Application Details	
Owner:	1121209 Ontario Inc. (c/o Anthony Longo).
Applicant:	Bousfields Inc. (c/o David Falletta).
File Number:	UHOPA-23-007 and ZAC-23-017.
Type of Applications:	Urban Hamilton Official Plan Amendment and Zoning By-law Amendment.
Proposal:	The purpose of the Official Plan Amendment is to modify “Site Specific Policy – Area A” within the Rymal Road Secondary Plan to permit multiple dwellings with a maximum height of ten storeys and a maximum density of 160 units per net hectare.

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Application Details	
Proposal:	<p>The purpose of the Zoning By-law Amendment is for a change in zoning from the General Commercial “C3-301” Zone, Modified, to the Community Commercial (C3, 906) Zone for the eastern portion of the site and the Community Commercial (C3, 907) Zone for the western portion of the site.</p> <p>The effect of these applications is to facilitate the development of a ten storey mixed use building containing 227 dwelling units (including 72 one bedroom units, 119 two bedroom units, and 36 three bedroom units), 1,020 square metres of ground floor commercial area, 244 parking spaces (including 13 surface commercial parking spaces and 231 underground residential parking spaces), and a loading space with access to Rymal Road East.</p> <p>The existing gift shop will be demolished.</p>
Property Details	
Municipal Address:	2064 and 2070 Rymal Road East.
Lot Area:	1.55 ha.
Servicing:	Existing full municipal services.
Existing Use:	<ul style="list-style-type: none"> • Commercial plaza (containing a motor vehicle service station, motor vehicle washing establishment, restaurants, and retail) to be retained; and, • A commercial building (gift shop) is to be removed.
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:	“Secondary Corridor” on Schedule E – Urban Structure and “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations.
Secondary Plan Existing:	“Local Commercial” and “Site Specific Policy – Area A” on Rymal Road Secondary Plan Map B.5.2-1 – Land Use Plan Map.

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Documents	
Secondary Plan Proposed:	To modify "Site Specific Policy – Area A" within the Rymal Road Secondary Plan to permit multiple dwellings with a maximum height of ten storeys and a maximum density of 160 units per net hectare.
Zoning Existing:	General Commercial "C3-301" Zone, Modified.
Zoning Proposed by the Applicant:	Site Specific Mixed Use Medium Density (C5) Zone.
Zoning Proposed by Staff:	Community Commercial (C3, 906) Zone for the eastern portion of the site and Community Commercial (C3, 907) Zone for the western portion of the site.
Modifications Proposed:	<p>The following modifications have been requested by the applicant:</p> <ul style="list-style-type: none"> • To establish a commercial parking space requirement of 13 spaces; • To modify the parking requirement for Multiple Dwellings to 0.7 per unit for units 1 to 14, 0.85 per unit for units 15 – 50, and 1.0 per unit for units 51 and over from 1.0 per unit; • To reduce the barrier free parking space width to 3.4 metres when located adjacent to a 1.5 metre accessibility aisle from 4.4 metres; • To increase the maximum building height to 32.5 metres from 22.0 metres; • To reduce the minimum façade height along a street line to 4.5 metres from 7.5 metres; • To reduce the minimum setback from a street line for residential units to 1.0 metre from 3.0 metres; • To establish a minimum number of 230 dwelling units; • To establish a maximum gross floor area of 19,500 square metres; and, • To establish a maximum residential floor area of 18,500 square metres.

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Documents	
<p>Modifications Proposed: (Continued)</p>	<p>The following modifications to the Community Commercial (C3, 906) Zone for the eastern portion of the site have been included by staff:</p> <ul style="list-style-type: none"> • To modify the definition of Building Height; • To modify permitted uses; • To modify restrictions for residential uses within a building and to clarify that units are permitted in the basement of a building as per the dwelling unit regulations in the Mixed Use Medium Density (C5) Zone; • To introduce restrictions for a residential care facility or retirement home; • To introduce regulations for an Emergency Shelter, Lodging House, Place of Worship, Residential Care Facility, Retirement Home, or Social Service Establishment; • To allow a loading space within a required yard with a 3.2 metre setback from a Residential Zone; • To introduce a 3.0 metre setback from a Street Line for a building with residential units on the ground floor facing the street; • To increase the height to 32.5 metres from 14.0 metres; • To increase the setback from the rear lot line to 13.0 metres from 7.5 metres from a Residential or Institutional Zone; • To establish a setback from the rear lot line of 16.0 metres for any portion of a building greater than 14.0 metres in height; 20.0 metres for any portion of a building greater than 17.0 metres in height; 24.0 metres for any portion of a building greater than 20.0 metres in height; 28.0 metres for any portion of a building greater than 23.0 metres in height; 32.0 metres for any portion of a building greater than 26.0 metres in height; and, 36.0 metres for any portion of a building greater than 29.0 metres in height; and, • To increase the setback from an interior side lot line to 29.0 metres from 3.0 metres from a Residential or Institutional Zone.

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Documents	
<p>Modifications Proposed: (Continued)</p>	<ul style="list-style-type: none"> • To remove the maximum total gross floor area for commercial uses; • To increase the maximum lot area to 16,000.0 square metres from 10,000.0 square metres; • To introduce a maximum façade height of 4.5 metres; and, • To establish a minimum ground floor façade width of 30.0 metres. <p>The following modifications have been requested by the applicant:</p> <ul style="list-style-type: none"> • To establish a commercial parking space requirement of 1 space for each 24.0 square metres of gross floor area; • To establish a parking space requirement of 0 for a Motor Vehicle Service Station (oil and lube service station only) from 1 for each service bay; • To establish a parking space requirement of 0 for a Motor Vehicle Washing Establishment from 1 for each 30.0 square metres of gross floor area and 2 for every manual washing bay; • To increase the maximum setback from a street line to 25.0 metres from 4.5 metres; • To establish a maximum floor area of 2,500 square metres; and, • To establish a maximum floor area for a Motor Vehicle Service Station or Motor Vehicle Washing Establishment of 1,360 square metres. <p>The following modifications to the Community Commercial (C3, 907) Zone for the western portion of the site have been included by staff:</p> <ul style="list-style-type: none"> • To modify permitted uses; • To introduce a minimum building setback of 3.0 metres for a building with residential units on the ground floor facing a street; • To modify restrictions on residential uses within a building; and, • To introduce restrictions for a residential care facility or retirement home.

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Documents	
Modifications Proposed: (Continued)	<ul style="list-style-type: none"> • To introduce regulations for an Emergency Shelter, Lodging House, Place of Worship, Residential Care Facility, Retirement Home, or Social Service Establishment; • To remove the maximum total gross floor area for commercial uses; • To increase the maximum lot area to 16,000.0 square metres from 10,000.0 square metres; and, • To establish a maximum density of 0 units per net hectare. • A complete analysis of the proposed modifications is attached as Appendix "D" attached to Report PED24131.
Processing Details	
Received:	December 22, 2022.
Deemed Complete:	January 16, 2023.
Notice of Complete Application:	Sent to 219 property owners within 120 m of the subject property on January 27, 2023.
Public Notice Sign:	Posted January 31, 2023, and updated with Public Meeting date July 17, 2024.
Notice of Public Meeting:	Sent to 219 property owners within 120 m of the subject property on July 26, 2024.
Staff and Agency Comments:	Staff and agency comments have been summarized in Appendix "G" attached to Report PED24131.
Public Consultation:	In addition to the requirements of the <i>Planning Act</i> , the applicants submitted a Public Consultation Strategy with the supporting materials. A Neighbourhood Information Meeting was included as a possible public participation tool. A Neighbourhood Information Meeting was not requested.
Public Comments:	No written submissions were received.
Processing Time:	600 days.

Existing Land Use and Zoning

	Existing Land Use	Existing Zoning
Subject Lands:	Commercial plaza (containing a motor vehicle service station, motor vehicle washing establishment, restaurants, and retail) and gift shop.	General Commercial "C3-301" Zone, Modified.
Surrounding Lands:		
North	Eramosa Karst Conservation Area.	Conservation/Hazard Land (P5) Zone.
South	Townhouse dwellings.	Residential Multiple "RM3-173b" Zone, Modified.
East	Commercial uses - Dental office.	Community Commercial (C3) Zone.
West	Water haulage facility.	Agriculture "A1" Zone.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

A full review of the applicable Provincial Policy Statement (2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended) is provided in Appendix "F" attached to Report PED24131.

Provincial Policy Statement (2020)

Commercial uses are located on the subject property and additional commercial uses are located approximately 350 metres east. Hamilton Street Railway operated bus route 44 is located on Rymal Road East. In addition, Rymal Road East has been identified as a potential rapid transit route. Bellagio Park, Our Lady of the Assumption Catholic Elementary School, and Shannen Koostacin Elementary School are located approximately 500 metres southwest of the site. The proposed development will provide a greater range of housing types and achieve the planned urban structure. The increased density will support the use of existing and planned transit and commercial uses.

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 subject site is located within the delineated built boundary. The proposed development supports the achievement of complete communities. It provides a mix of housing options, expands access to transportation options and public service facilities, and provides a more compact built form and a vibrant public realm.

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

Urban Hamilton Official Plan and Rymal Road Secondary Plan

The subject lands are identified as “Secondary Corridor” on Schedule E – Urban Structure and designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan. The subject lands are further designated “Local Commercial” and located within “Site Specific Policy – Area A” on Map B.5.2-1 – Rymal Road Secondary Plan – Land Use Plan Map. A full policy analysis of the applicable Urban Hamilton Official Plan policies is provided in Appendix “F” to attached to Report PED24131.

The purpose of the amended Official Plan Amendment is to modify “Site Specific Policy – Area A” within the Rymal Road Secondary Plan to permit multiple dwellings with a maximum height of ten storeys and a maximum density of 160 units per net hectare. The applicant proposed the “Mixed Use – Medium Density” designation within the Urban Hamilton Official Plan and Rymal Road Secondary Plan.

The proposed amendments can be supported as the proposed development will provide a range of housing types and achieve the planned urban structure. Areas identified as “Secondary Corridor” are intended to accommodate retail and mixed use forms in small clusters. The “Neighbourhoods” designation is intended to include a full range of residential types and densities as well as supporting uses intended to serve the local residents. The proposed multiple dwelling is a medium density residential use in the “Neighbourhoods” designation, and the local commercial uses are assessed under the applicable policies of the Rymal Road Secondary Plan as outlined in Appendix “F” attached to Report PED24131. The proposed modifications to the “Site Specific Policy – Area A” policies are supported by both the “Secondary Corridor” and “Neighbourhoods” policies.

The “Local Commercial” designation is intended to provide the convenience shopping amenities for the surrounding residents as well as to the pass-by travelling public. The

existing development on the site contains commercial uses and the proposed development includes additional commercial uses on the ground floor.

The proposed height of ten storeys (32.5 metres) can be supported as the proposed development meets the criteria to permit additional height above six storeys. The proposed development contains a mix of unit sizes, incorporates sustainable building and design principles, which will be implemented through a future Site Plan Control application. The proposal does not have any adverse shadow impacts, provides stepbacks from adjacent residential development, and provides minimized height appearance from the street, as outlined in Appendix “F” attached to Report PED24131.

Based on the foregoing, the proposal complies with the Urban Hamilton Official Plan and Rymal Road Secondary Plan upon adoption of the Official Plan Amendment.

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

The proposed Zoning By-law Amendment is for a change in zoning from the General Commercial “C3-301” Zone, Modified, to the Community Commercial (C3, 906) Zone for the eastern portion of the site and the Community Commercial (C3, 907) Zone for the western portion of the site.

The effect of this Zoning By-law Amendment is to permit a ten storey mixed use building containing 227 units, 1,020 square metres of ground floor commercial area, and 244 parking spaces and an existing commercial development. Modifications to the Community Commercial (C3) Zones are required to facilitate the proposed and existing development.

The “C3-301” Zone contains site specific regulations for the development of a commercial plaza. Staff completed a review of these regulations against the applicable policies in the Urban Hamilton Official Plan and included the regulations within the proposed by-laws.

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 and Rymal Road Secondary Plan upon adoption of the Official Plan Amendment; and,

- (iii) It is compatible with the existing land uses in the immediate area, it represents good planning by, among other things, providing a compact and efficient urban form, provides additional housing units in the area, achieves the planned urban structure and supports developing a complete community.

2. Official Plan Amendment

The purpose of the Official Plan Amendment is to amend the Rymal Road Secondary Plan to modify “Site Specific Policy – Area A” within the Rymal Road Secondary Plan to permit multiple dwellings with a maximum height of ten storeys and a maximum density of 160 units per net hectare.

The Official Plan Amendment can be supported as the proposal supports the development of healthy, liveable, and safe communities. The proposed mixed use development represents a compatible form of development. It will provide a range of housing types and achieves the planned urban structure. The increased height is appropriate at this location as shadowing does not impact adjacent residential uses. Privacy and overlook impacts have been mitigated through the introduction of a building setback and a stepback above the fourth floor. The increased density will support the use of existing and planned transit and commercial uses.

Based on the foregoing and the analysis provided in Appendix “F” attached to Report PED24131, staff supports the proposed Official Plan Amendment.

3. Zoning By-law Amendment

The subject lands are zoned General Commercial “C3-301” Zone, Modified in the former Township of Glanbrook Zoning By-law No. 464. The Zoning By-law Amendment proposes to change the zoning to the Community Commercial (C3, 906) Zone for the eastern portion of the site and the Community Commercial (C3, 907) Zone for the western portion of the site. Staff are satisfied that the proposal meets the intent of the “Neighbourhoods” designation policies in the Urban Hamilton Official Plan and the “Local Commercial” policies in the Rymal Road Secondary Plan designation upon adoption of the proposed Official Plan Amendment, and the applicable urban design policies of the Urban Hamilton Official Plan as outlined in Appendix “F” attached to Report PED24131. Staff recommend, among other modifications to the Zoning By-law Law, a building setback and a stepback above the fourth floor to mitigate any privacy and overlook impacts. The proposed amendments meet the general intent of the

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Zoning By-law. An analysis of the requested modifications is provided in attached Appendix "D" attached to Report PED24131.

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

ALTERNATIVES FOR CONSIDERATION

Should the applications be denied, the subject property can be used in accordance with the General Commercial "C3-301" Zone, Modified, the former Township of Glanbrook Zoning By-law No. 464.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report PED24131 – Location Map
Appendix "B" to Report PED24131 – Amendment to Urban Hamilton Official Plan
Appendix "C" to Report PED24131 – Amendment to Zoning By-law No. 05-200
Appendix "D" to Report PED24131 – Zoning Modification Table
Appendix "E" to Report PED24131 – Concept Plan
Appendix "F" to Report PED24131 – Policy Review
Appendix "G" to Report PED24131 – Staff and Agency Comments

MM:sd