



City of Hamilton Report for Consideration

To: Chair and Members
Planning Committee

Date: February 25, 2025

Report No: PED25053

Subject/Title: Applications for an Official Plan Amendment and
Zoning By-law Amendment for Lands Located at
3530 Upper James Street, Glanbrook

Ward(s) Affected: Ward 11

Recommendations

- 1) That **Official Plan Amendment Application UHOPA-24-010, by Landwise (c/o Edward John) on behalf of 2784320 Ontario Inc. (c/o Hussein Ghaddar), Owner**, to amend the Mount Hope Secondary Plan by redesignating a portion of the subject lands from the “Institutional” designation to the “Low Density Residential 2c” designation and adding “Site Specific Policy – Area X”, to permit the development of nine three storey townhouse blocks, containing a total of 56 units fronting onto a private condominium road with a density range of 26 to 42 units per net hectare, for lands located at 3530 Upper James Street, as shown in Appendix A attached to Report PED25053, be **APPROVED** on the following basis:
 - a) That the draft Official Plan Amendment, attached as Appendix B to Report PED25053, be adopted by City Council; and,
 - b) That the proposed Official Plan Amendment is consistent with the Provincial Planning Statement (2024).
- 2) That **Amended Zoning By-law Amendment Application ZAC-24-032, by Landwise (c/o Edward John) on behalf of 2784320 Ontario Inc. (c/o Hussein Ghaddar), Owner**, for a change in zoning from the Deferred Development “DD” Zone to the Residential Multiple - Holding “H-RM3-329” Zone, Modified, to permit the development of nine three storey townhouse blocks, containing a total of 56 units fronting onto a private condominium road, for lands located at 3530 Upper James

Street, as shown on Appendix A attached to Report PED25053, be **APPROVED** on the following basis:

- a) That the draft By-law, attached as Appendix C to Report PED25053, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- b) That the proposed change in zoning is consistent with the Provincial Planning Statement (2024);
- c) That this amending By-law will comply with the Urban Hamilton Official Plan and the Mount Hope Secondary Plan upon adoption of the Official Plan Amendment; and,
- d) That the amending By-law apply the Holding Provisions of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject lands by introducing the Holding “H” symbol as a prefix to the proposed Residential Multiple – Holding “H-RM3-329” Zone, Modified, as shown on Schedule “A” of Appendix C attached to Report PED25053 and shall be lifted conditional upon the following:

That the Owner submit to the Director of Development Engineering for review and approval, a revised Functional Servicing Report, and related drawings to demonstrate:

- i. That there is adequate capacity in the existing municipal infrastructure system including the pumping station in accordance with City standards to accommodate the proposed wastewater flows to support this development, to the satisfaction of the Director of Development Engineering.
- ii. To enter into and register on title of the lands, an External Works Agreement with the City for the design and construction of any required improvements to the municipal infrastructure at the Owner’s expense, should it be determined that upgrades are required to the infrastructure to support the development, according to the Functional Servicing Report and Watermain Hydraulic Analysis, to the satisfaction of the Director of Development Engineering.

Key Facts

- The application is for a proposed Official Plan Amendment to amend the Mount Hope Secondary Plan to redesignate a portion of the subject lands from the “Institutional” designation to the “Low Density Residential 2c” designation and add a new Site Specific Policy to permit a density range of 26 to 42 units per net hectare; and, the proposed Zoning By-law Amendment application is for a

change in zoning from the Deferred Development “DD” Zone to Residential Multiple - Holding “H-RM3-329” Zone, Modified.

- The proposed Official Plan Amendment and Zoning By-law Amendment will facilitate the development of nine three storey townhouse blocks, containing a total of 56 units fronting onto a private condominium road as shown on Appendix E to Report PED25053.
- Consent application, GL/B-23:93, which was approved to sever the eastern portion of the subject lands, separating the commercial lands from the proposed residential development, has not yet been finalized and the subject lands represents the western portion of the lands.
- Staff recommends approval of the applications for Official Plan Amendment and Zoning By-law Amendment as shown in Appendix B and C attached to Report PED25053.

Financial Considerations

Not applicable.

Analysis

The subject lands are municipally known as 3530 Upper James Street, in Mount Hope, Glanbrook. The subject lands represent the western portion of the lands which are located west of the intersection of Upper James Street and White Church Road West, and between Hamilton International Airport to the north and south of the Highway No. 6 bypass. The subject lands are approximately 1.45 hectares in size and have an irregular “L” shape with frontage along White Church Road West and Hampton Brook Way having vehicular access from Hampton Brook Way only.

A full review of the applicable Provincial Planning Statement (2024), Urban Hamilton Official Plan, and Mount Hope Secondary Plan is provided in Appendix F attached to Report PED25053.

Provincial Planning Statement (2024)

The Provincial Planning Policy Framework is established through the *Planning Act* (Section 3) and the Provincial Planning Statement (2024). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the Provincial Planning Statement (2024).

The proposal supports the development of healthy, liveable, and complete communities and implementing the targets for housing by intensifying underutilized lands. The proposal has been reviewed against the Provincial Planning Statement (2024), including policies 2.3.1.1 and 2.3.1.2, among others. The proposed development is within a settlement area and efficiently uses land and resources, optimizes existing and planned infrastructure and public service facilities, supports active transportation, and is transit

supportive. The proposed development of 56 townhouses on a private condominium road achieves appropriate residential densities within a planned settlement area, is compatible with the existing surrounding development, and is proposed on full municipal services.

Based on the foregoing, the proposal is consistent with the Provincial Planning Statement (2024).

Urban Hamilton Official Plan and Mount Hope Secondary Plan

The subject lands are identified as “Neighbourhoods” on Schedule E – Urban Structure and designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan. The western portion of the subject lands subject to this application are further designated “Institutional” in the Mount Hope Secondary Plan. A summary of the subject lands and adjacent surrounding land uses has been provided in Appendix A1 to Report PED25053 and a full policy analysis of the applicable Urban Hamilton Official Plan policies is provided in Appendix F attached to Report PED25053.

The western portion of the subject lands subject to this application are designated “Institutional” within the Mount Hope Secondary Plan. The “Institutional” designation of the Mount Hope Secondary Plan reverts to the permissions contained within policy E.6.2.2 of Volume 1 which permits educational facilities, religious facilities, cultural facilities, health care facilities, long term care facilities, and day care facilities, but does not permit the proposed residential land use. The intent of the “Institutional” designation is to provide for a wide range of institutional uses which serve Hamilton’s communities, however, policy E.6.2.6 of Volume 1 identifies that low density residential uses being a single detached, semi-detached dwelling or street townhouse dwelling, may be permitted if the institutional use ceases provided the use is compatible with the surrounding uses. The Official Plan Amendment is required as block townhouses are considered a medium density form of development and are not permitted within the “Institutional” designation. The proposed block townhouses are considered a compatible at grade land use with the existing single detached dwellings and townhouse dwellings surrounding the subject lands.

The Mount Hope Secondary Plan was approved in December 1995 as Official Plan Amendment No. 16 to the former Glanbrook Official Plan. The subject lands were designated “Institutional” at the time of approval recognizing existing institutional uses. The previous landowner, being an institution, deemed the subject lands surplus to their needs and sold the lands. The proposal was circulated to the public, internal departments, external agencies and school boards and no comments were received with regards to further a need of institutional or educational lands or facilities within Mount Hope. The subject lands have since continued to remain vacant, underutilized, and surplus for institutional needs. The proposed development represents an opportunity to redevelop the lands for residential uses which is compatible with the

surrounding land uses, helps increase the housing supply, promotes efficient use of land, utilizes existing infrastructure, and represents good planning.

The proposed development will introduce residential intensification of a vacant and underutilized institutional site. The proposal supports the development of healthy, liveable, and safe communities in a compact development to occur within designated growth areas and having a mix of uses and densities promoting the efficient use of land.

The proposal contributes to a complete community by providing opportunities for a full range of dwelling types, tenures and densities that are in character with the surrounding land uses comprised of low and medium density residential. The proposal provides a compact built form with intended benefits to future residents by being in proximity to amenities within Mount Hope. The proposed development is outside the 25 Noise Exposure Contour (NEF) as identified on Appendix D Noise Exposure Forecast Contours and Primary Zoning Regulation Area for the Hamilton International Airport and no further assessment of air traffic noise is required.

A Functional Servicing and Stormwater Management Report, prepared by S. Llewellyn & Associates Limited dated April 2023, and revised January 2025 were submitted. The proposed development has municipal water and wastewater infrastructure available. Development Engineering staff have raised concerns as the proposed density exceeds the capacity within the sanitary pumping station as the maximum density is 106 people per hectare whereas 150 people per hectare is proposed. A Holding Provision has been added to the draft Zoning By-law Amendment requiring the submission of a revised Functional Servicing Report to ensure sufficient capacity is available in the municipal system, including but not limited to any improvements that may be required to the existing sanitary sewer to accommodate the proposal.

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

Glanbrook Zoning By-law No. 464

The purpose of the Zoning By-law Amendment application is for a change in zoning from the Deferred Development “DD” Zone to the Residential Multiple - Holding “H-RM3-329” Zone, Modified, to permit the development of nine three storey townhouse blocks, containing a total of 56 units fronting onto a private condominium road. Site specific modifications to the Residential Multiple - Holding “H-RM3-329” Zone, Modified, are proposed to accommodate the proposed development, which are discussed in Appendix H attached to Report PED25053.

Rationale For Recommendation

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

- (i) It is consistent with the Provincial Planning Statement (2024);
- (ii) It complies with the general intent and purpose of the Urban Hamilton Official Plan and the Mount Hope Secondary Plan upon adoption of the Official Plan Amendment; and,
- (iii) It is compatible with existing land uses in the immediate area and represents good planning by, among other things, increasing the supply of housing units contributing to a complete community through the establishment of housing forms that are in keeping with existing and planned development in the surrounding area, making efficient use of existing infrastructure within the urban boundary, and supporting public transit.

3. Official Plan Amendment

The purpose of the Official Plan Amendment application is to amend the Mount Hope Secondary Plan by redesignating the western portion of the subject lands from the “Institutional” designation to the “Low Density Residential 2c” designation and adding a new Site Specific Policy to permit a density range of 26 to 42 units per net hectare.

The Official Plan Amendment can be supported as the proposed development supports the development of healthy, liveable, and safe communities. The proposed development represents a compatible form of development. The change in designation is appropriate as the proposed medium density residential form is a compatible land use with the surrounding neighbourhood, sufficient on-site resident and visitor parking will be provided, and existing municipal infrastructure capacities can accommodate the density, subject to satisfaction of the requirements outlined in the Holding Provision.

Based on the foregoing and the analysis provided in Appendix F of Report PED25053, staff supports the proposed Official Plan Amendment.

4. Zoning By-law Amendment

The proposed Zoning By-law Amendment application is for a change in zoning from the Deferred Development “DD” Zone to the Residential Multiple – Holding “H-RM3-329” Zone, Modified, to permit nine three storey townhouse blocks, containing a total of 56 units fronting onto a private condominium road.

The proposed modifications requested represent an efficient residential design while respecting the character and streetscape of the surrounding lands within both the Mount Hope Secondary Plan area and adjacent rural residential lands on the south side of White Church Road West. An analysis of the requested

modifications is provided in Appendix H attached to Report PED25053. Therefore, staff support the proposed Zoning By-law Amendment.

A Holding 'H' Provision is proposed to be added to the subject lands for the purpose of requiring the submission of a revised Functional Servicing Report to demonstrate sufficient capacity is available in the municipal system. Upon submission and approval of the Functional Servicing Report, the Holding Provision can be lifted.

Alternatives

Should the applications be denied, the subject property can be used in accordance with the Deferred Development "DD" Zone which permits agricultural uses.

Relationship to Council Strategic Priorities

- Priority 1: Sustainable Economic & Ecological Development
 - 1.2: Facilitate the growth of key sectors.
- Priority 2: Safe & Thriving Neighbourhoods
 - Increase the supply of affordable and supportive housing and reduce chronic homelessness.

Consultation

The applications were circulated to internal departments and external agencies. Refer to the comment summary and response provided in Appendix G attached to Report PED25053.

In addition to the requirements of the *Planning Act*, the applicants submitted a Public Consultation Strategy with the supporting materials. An information letter dated September 22, 2023, with an explanation of the development proposal including a micro-site link and agent contact information was mailed out to property owners within 120 metres of the subject lands. The micro-site link is connected to the Landwise (formerly T. Johns Consulting) online Community Portal where access to all documents and plans relevant to the development proposal are provided. The applicant has advised that no comments from the circulation were received. In addition, at the time of writing this report no comments have been received by staff.

Appendices and Schedules Attached

- Appendix A: Location Map
- Appendix A1: Existing and Surrounding Land Uses and Zoning
- Appendix B: Amendment Urban Hamilton Official Plan
- Appendix C: Amendment Zoning By-law No. 464
- Appendix D: Historical Background Report Fact Sheet

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Lands Located at 3530 Upper James Street, Glanbrook**

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Appendix E: Concept Plan
Appendix F: Policy Review
Appendix G: Staff and Agency Comments
Appendix H: Zoning Modification Table

Prepared by: Michael Fiorino, Planner II
Planning and Economic Development Department,
Development Planning

**Submitted and
recommended by:** Anita Fabac, Acting Director of Planning and Chief Planner
Planning and Economic Development Department