

Planning Justification Report



487 Shaver Road, Hamilton

Submitted to: the City of Hamilton

Prepared for: Shaver Road M.D.
Holdings Inc.

Official Plan Amendment and
Zoning By-law Amendment

GSP File No. 20219

October 2021



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- Appendix A** – Formal Consultation Document (FC-20-146)
- Appendix B** – Draft Official Plan Amendment
- Appendix C** – Draft Zoning By-law Amendment
- Appendix D** – Public Consultation Strategy

1.0 INTRODUCTION

GSP Group Inc. has been retained by Shaver Road M.D. Holdings Inc. to prepare a Planning Justification Report in support of planning applications to facilitate the redevelopment of 487 Shaver Road in the former Town of Ancaster, now in the City of Hamilton (“the Site”). The purpose of the proposed amendments is to facilitate the redevelopment of the Site for a 3-storey 44-unit stacked townhouses development consisting of four buildings. Several planning approvals are required to implement the proposed development, including an Official Plan Amendment (OPA), Zoning By-law Amendment (ZBA), Draft Plan of Condominium, and Site Plan Approval.

This Planning Justification Report has been prepared in support of applications for an OPA and ZBA (the “Subject Applications”) and is structured as follows:

- Section 1.0** provides an overview of the Site;
- Section 2.0** provides an outline of the proposed development;
- Section 3.0** provides an overview of the technical studies that have been completed in support of the Subject Applications;
- Section 4.0** provides an evaluation of the proposed development in the context of the Provincial Policy Statement (2020), A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), the Urban Hamilton Official Plan (UHOP), and the City of Hamilton Zoning By-law No. 6593;
- Section 5.0** provides planning analysis; and
- Section 6.0** contains the recommendations.

The Subject Applications and supporting materials are submitted in accordance with the Formal Consultation Document (FC-20-146) dated January 22, 2021 and constitute a complete application as described in Sections 22(4) and 34(10) of the *Planning Act*. The Formal Consultation document is attached to this report as Appendix A.

A Draft Plan of Condominium application and Site Plan Control application are required to implement the proposed development and will be submitted under separate cover at the appropriate time in the development review process.

1.1 Project Team

A team of professionals has been assembled as follows:

Owner/Applicant:	Shaver Road M.D. Holdings Inc.
Planning:	GSP Group Inc.
Architect:	KNYMH Inc.
Civil Engineering:	The Odan-Detech Group Inc.
Landscape Architect:	Marton Smith Landscape Architects
Arborist:	Kuntz Forestry Consulting Inc.
Topographic Survey:	Barich Grenkie Surveying Ltd.

1.2 Site Description

The Site is located on the east side of Shaver Road with an area of approximately 0.45 hectares and a frontage of 30.4 metres. The Site gently slopes upwards toward the eastern boundary.

Access is provided from a gravel driveway that extends all the way to the rear of the Site. The Site is predominantly covered by gravel and grass with a number of mature trees (see Image A).

The Site is currently occupied by several buildings, including a single-detached dwelling located in the western portion and a commercial garage facility located in the eastern portion. The southeast corner of the Site is leased to Bell Mobility Inc. and contains a small shed like structure and a communication tower. All buildings and structures are proposed to be demolished to facilitate the proposed development.

The Site location and surrounding context is shown in **Figure 1**.



Source: Site Visit; Oct. 12, 2021

Image A: 487 Shaver Road currently contains a single-detached dwelling with a commercial garage facility in the rear.



Tree Inventory and Preservation Plan

Kuntz Forestry Consulting Inc. was retained by Shaver Road M.D. Holdings Inc. to complete a Tree Inventory and Preservation Plan (dated: April 9, 2021). The tree inventory was conducted on April 6, 2021. Trees greater than 10 cm DBH (diameter at breast height) on or within six meters of the subject property were included in the inventory. Trees were located using the topographic survey provided and estimations made in the field. Where trees were situated in groups and their individual locations were not surveyed, they were inventoried in tree polygons.

The findings of the study indicate a total of 48 trees and two tree polygons are located on and within six metres of the Site. The removal of 38 trees and portions of two other trees is required to accommodate the proposed development. The remaining trees can be saved provided appropriate tree protection measures are installed prior to the proposed development. Refer to the Tree Inventory and Preservation Plan for the results of the inventory and tree locations.

1.3 Surrounding Uses

The Site is located in the Shaver Neighbourhood in an area with a mix of uses as follows:

North: A 2-storey townhouse complex named “Westbrooke Valley” is located immediately to the north (see Image B and C), which includes the Shaver Estates Park (see Image D).

East: The City of Hamilton Works (Ancaster) Operations Yard is located immediately to the east and south (see Image E). Further east is a naturalized creek area and a residential subdivision consisting of single-detached dwellings (See Image F).

South: The City of Hamilton Works (Ancaster) Operations Yard is located immediately to the south (see Image G and H). Further south is a vacant site currently being redeveloped for a 24 unit block townhouse development (see Image I). In addition, a recently built 3-storey townhouse development is located along Garner Road West (see Image J).

West: Across Shaver Road, on the west side of the street is large commercial shopping area hosting a variety of retail stores, restaurants, medical clinics, and big-box style department stores providing for the daily grocery and shopping needs of the local neighbourhood and wider area (see Image K).

Surrounding Area to the North:



Source: Site Visit; Oct. 12, 2021

Image B: A 2-storey townhouse complex known as Westbrooke Valley is located directly to the north of the Site.



Source: Site Visit; Oct. 12, 2021

Image C: The southern lot line of the Westbrooke Valley townhouse complex includes a stone retaining wall and solid wood privacy fence. As per the Tree Inventory and Preservation Plan, a cedar hedgerow is located on the Site, twelve (12) metres of which can be retained with the appropriate tree protection measures.



Source: Site Visit; Oct. 12, 2021

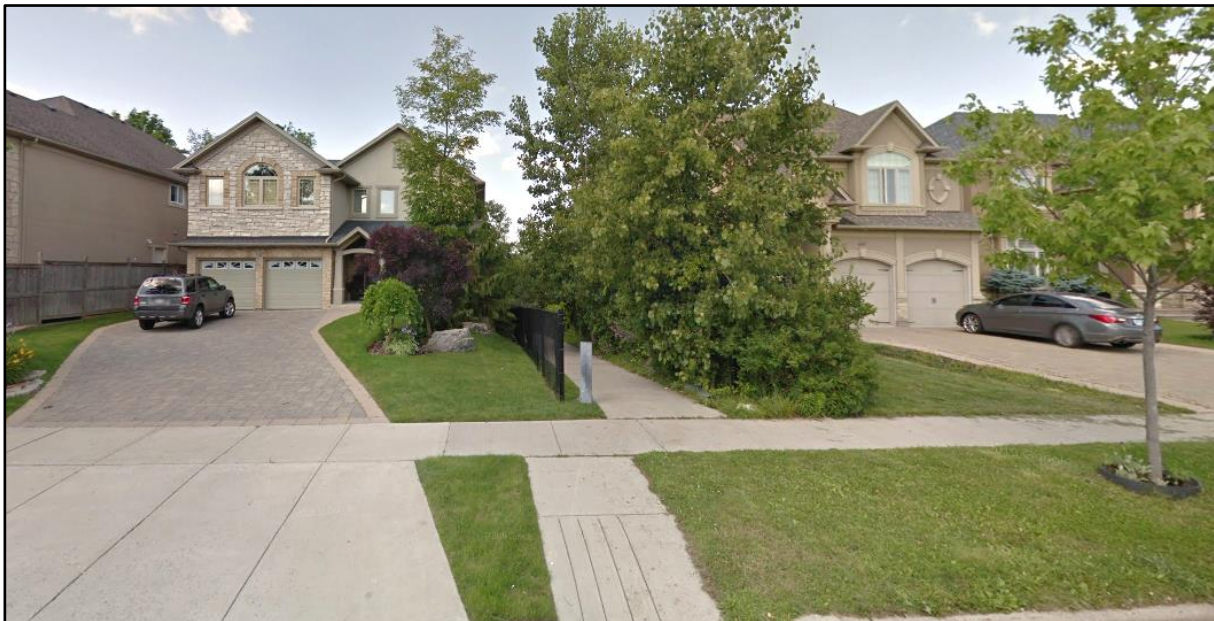
Image D: Shaver Estates Park includes a playground and field and can be accessed via a continuous sidewalk from the Site with a 4-minute walk (approximately 290 metres). At the rear of the park, a boardwalk provides access through a naturalized area to Tollgate Drive and a residential area.

Surrounding Area to the East:



Source: Site Visit; Oct. 12, 2021

Image E: The City of Hamilton Works (Ancaster) Operations Yard is located to the south and east of the Site. This picture shows the access to the eastern portion of the works yard located to the rear of the Site. It is noted that an existing residential development (Monterey Heights) abuts this yard to the south.



Source: Google Street View; July 2015

Image F: Further to the east, beyond the Hamilton Works Operations Yard, there is a naturalized creek area and single-detached dwellings fronting Tollgate Drive.

Surrounding Area to the South:



Source: Site Visit; Oct. 12, 2021

Image G: The City of Hamilton Works (Ancaster) Operations Yard is located immediately to the south of the Site at 501 Shaver Road and consists of several low-rise maintenances buildings plus a maintenance yard.



Source: Site Visit; Oct. 12, 2021

Image H: An internal perspective of the City of Hamilton Works (Ancaster) Operations Yard, showing the adjacent Monterey Heights residential development to the east, which includes 3.5 storey townhouses and a 4.5 storey apartment building.



Source: Site Visit; Oct. 12, 2021

Image I: 527 Shaver Road, at the corner of Shaver Road and Garner Road West is currently being redeveloped for a 24-unit block townhouse development. This redevelopment is also adjacent to the City of Hamilton Works (Ancaster) Operations Yard.



Source: Site Visit; Oct. 12, 2021

Image J: 591 Garner Road West (known as Monterey Heights) contains 3.5 storey townhouse blocks and a 4.5 storey apartment building. This development demonstrates recent residential intensification in the Shaver neighbourhood.

Surrounding Area to the West:



Source: Site Visit; Oct. 12, 2021

Image K: Across Shaver Road is a large commercial shopping centre hosting a variety of retail stores, medical clinics, restaurants, and big-box style department stores providing for the daily grocery and shopping needs of the local neighbourhood and wider area.

1.4 Community Context

As identified in **Figure 1**, the wider community features several schools, parks, health facilities, and community/religious facilities, including the following:

Education Facilities:

- Bishop Tonnos Secondary School..... ±1.4km east

Commercial Amenities:

- Large Commercial shopping centre with wide variety of restaurants, retail stores, health clinics, and big-box department stores (see Image K) Across Shaver Road

Health Clinics (located within commercial shopping centre):

- Walk-In Clinic at Walmart Ancaster ±210m west
- Canadian Comprehensive Care Clinic at Walmart Ancaster..... ±210m west
- Ancaster Family Eyecare ±520m west
- Ancaster Endoscopy Clinic..... ±520m west
- Ancaster X-Ray & Ultrasound..... ±520m west
- Total Health-Physio ±520m west
- Neo Dental ±650m west
- FYidoctors – Ancaster (optometrist) ±700m west

Parks:

- Shaver Estates Park (see Image D) ±120m north

Community/Religious Facilities

- Heritage Fellowship Baptist Church..... ±200m southeast
- Bethesda United Church ±250m southeast
- Canadian Reformed Church of Ancaster ±310m south
- Turning Point Church ±705m west

Employment Lands:

- Ancaster Business Park ±1km southwest

Relevance of Community Context to the Site:

As outlined above and shown in **Figure 1**, the proposed development is located in an area with the kinds of facilities and amenities necessary to support the achievement of a complete community.

1.5 Transportation Context

Road Network

Shaver Road is classified as a Collector Road on Schedule C of the Urban Hamilton Official Plan (see **Figure 9**) and is generally characterized by a 3-lane cross section with sidewalks on both sides of the street. The centre lane is utilized for turning movements.

Shaver Road connects to Garner Road West in the north, and Wilson Street West to the south, both of which are classified as Major Arterial Roads. Wilson Street West provides convenient access to Ancaster's Old Town and Hwy 403, which in turn provides access to Downtown Hamilton to the east and Brantford to the west.

Local Transit

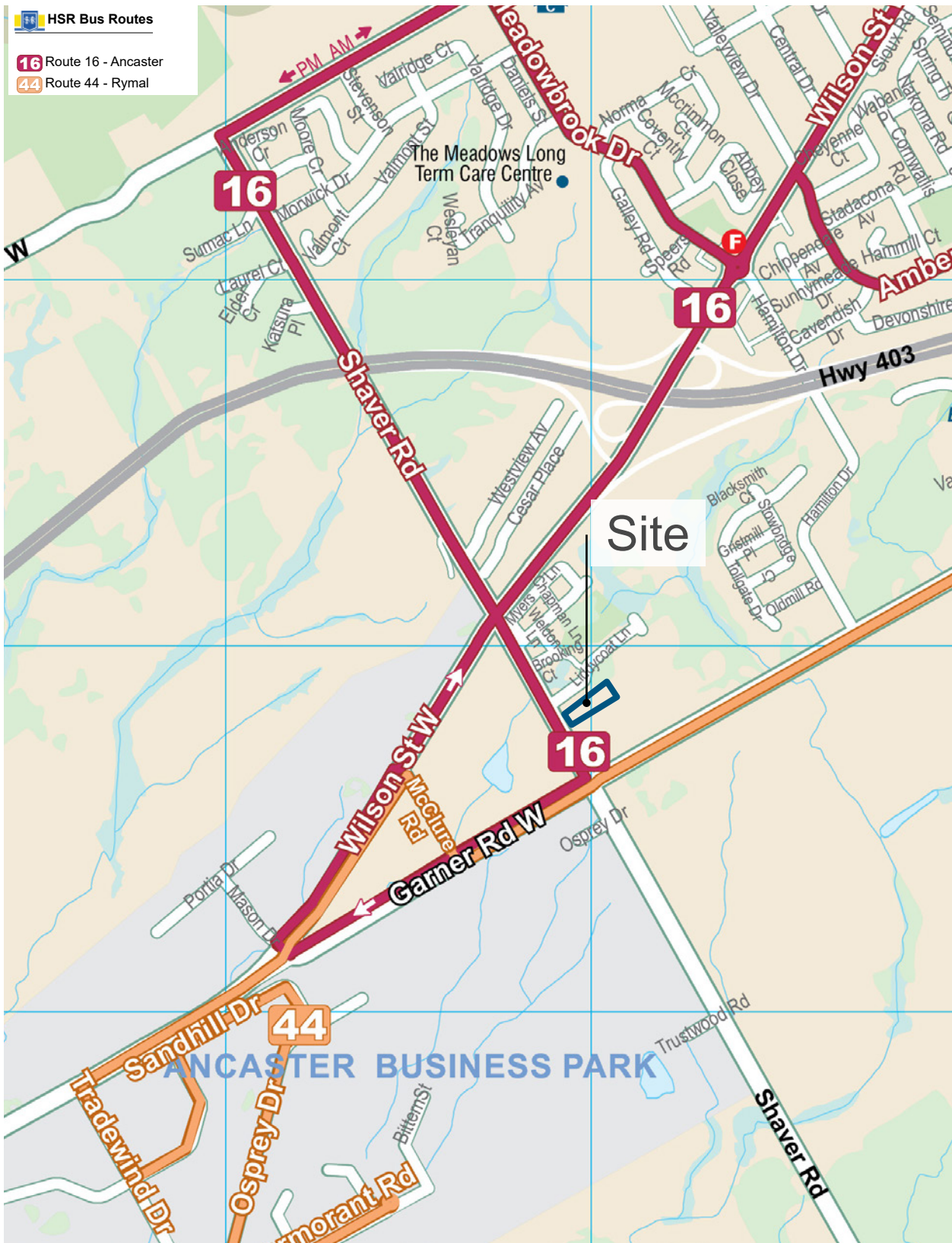
As shown in **Figure 2**, the Site is located in an area serviced by the Hamilton Street Railway (HSR) transit system by the following two (2) bus routes:

- **Route #16 Ancaster:** provides service between the large commercial shopping centre to the west of the Site and the Meadowlands Transit Terminal to the east via Wilson Street and Ancaster's Old Town. It runs 6 days per week, Monday through Saturday. There is no Sunday or holiday services. This route can be accessed from a bus stop located on the west side of Shaver Road, approximately 100 metres north of the Site, or a 1-minute walk.
- **HSR Route #44 Rymal:** provides service from the Ancaster Business Park to Eastgate Square via Rymal Road, Upper Centennial Parkway, and Centennial Parkway. Service runs 7 days a week from the early morning until after midnight. This route can be accessed from a bus stop located at the intersection of Shaver Road and Garner Road West, approximately 200 metres south of the Site, or a 3-minute walk.

Relevance of Transportation Context to the Site:

The Site is located in an area with convenient transit options to key local destinations, including Ancaster's Old Town, the Meadowlands Transit Terminal (with onwards connections), commercial and residential areas across Hamilton Mountain, and East Gate Square—which is the planned terminus of the King Street LRT.

With respect to future transit, it is noted that HSR Route #44 is the 'S' in the City's proposed BLAST frequent rapid transit system, which was developed as part of the City's 2007 Transportation Master Plan. Should the proposed frequent rapid corridor be implemented in the future, the proposed development would benefit from enhanced transit connectivity.



Transit Context
 Source: Hamilton Street Railway System Map (December 2019)

2.0 PROPOSED DEVELOPMENT

The proposed development consists of four blocks of 3-storey stacked townhouses containing a total of 44 units at a density of 98 units per hectare. A conceptual rendering is shown in Image L.

The proposed development will be accessed from a driveway off Shaver Road. Forty-four (44) parking spaces are provided at a rate of one per unit, plus 11 visitor spaces at a rate of 0.25 per unit, for a total of 55 parking spaces. One (1) visitor space is designed as a barrier-free space. The parking lot includes a hammerhead and turn around space to facilitate vehicle maneuvering. Four (4) bicycle parking spaces are proposed at the northeast corner of the parking area. With respect to pedestrian access, individual units will have direct links to a paved pedestrian pathway located along the eastern and southern edge of the parking area, which in turn connects to the municipal sidewalk along the east side of Shaver Road.

A community mailbox is proposed near to the northeast corner of the parking area, and a Molok garbage area is proposed to the north of the parking area and will be partially screened by a flower bed and deciduous trees.



Source: KNYMH Inc.

Image L: Rendering of the front façade of the proposed development. Note the similar character of the proposed development to nearby residential developments shown in Image B (Westbrooke Valley) and Image J (Monterey Heights).

Overall, the proposed development will:

- Provide forty-four (44) additional residential units within Hamilton's Urban Area;
- Redevelop and intensify an underutilized site located nearby to commercial amenities, community amenities, and employment areas;
- Support the nearby commercial shopping centre with additional residents/customers;
- Enhance the character of the neighbourhood through an architectural style that is sympathetic and complementary to the existing character of the neighbourhood;
- Optimize the use of existing municipal water and waste water services;
- Encourage active transportation by the inclusion of four (4) bicycle parking spaces; and
- Support local transit through HSR Routes #16 and #44.

The proposed development concept has been designed by KNYMH Inc. and is shown on the next page in **Figure 3**. The façades of building A, which is representative of the four (4) proposed buildings, is shown in **Figure 4**.

Landscape Plan

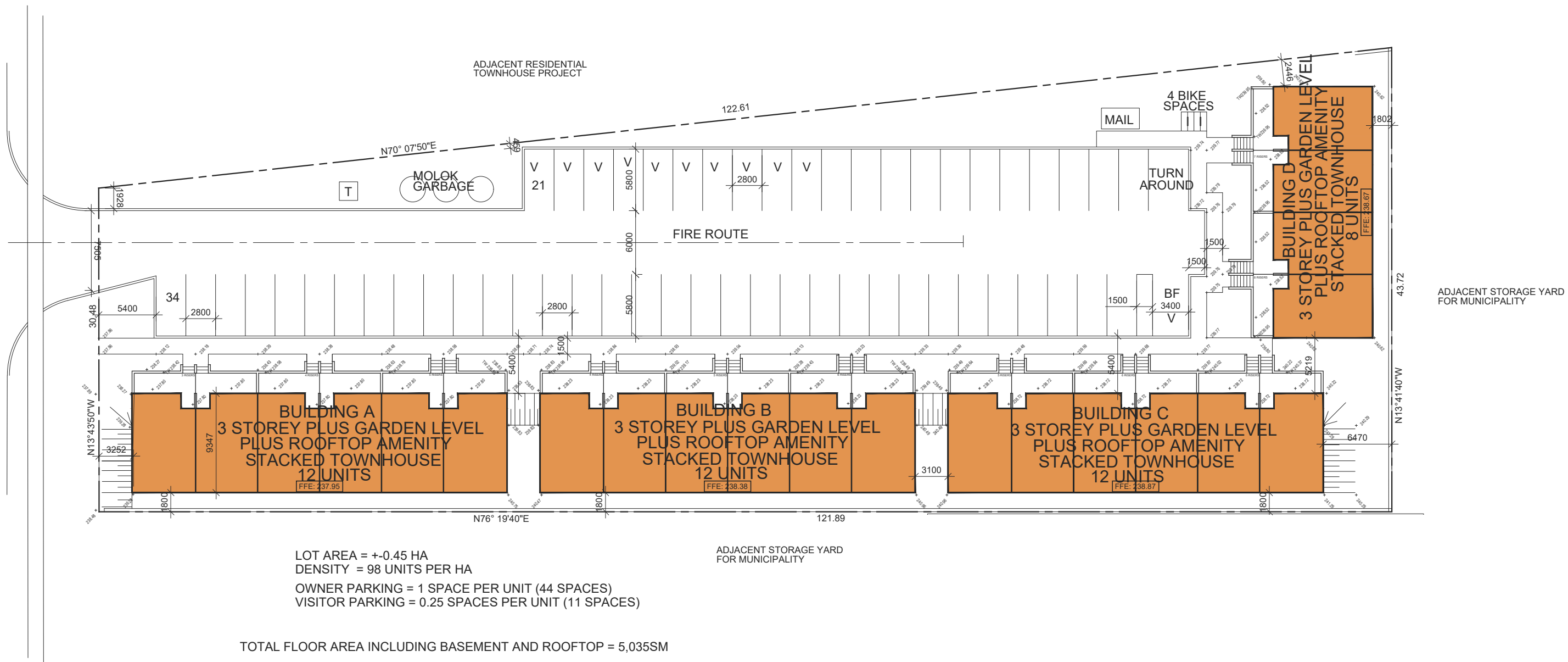
A conceptual Landscape Plan has been developed by Marton Smith Landscape Architects (MSLA) and is shown in **Figure 5**. Refer to the Landscape Plan for details on the location and types of proposed plantings as well as details on the proposed unit paving.

The Landscape Plan proposes that sixteen (16) deciduous trees are planted between the residential buildings and the parking area. Several additional deciduous trees are proposed along the western, northern, and eastern property lines. A portion of the existing cedar hedge row located along the northern lot line is to be retained for privacy (see Image C).

Flowerbeds containing shrubs and flowers are proposed on the south side of the driveway entrance, around the Molok garbage area, north of the parking area, and along the front and western side of the three southern residential buildings.

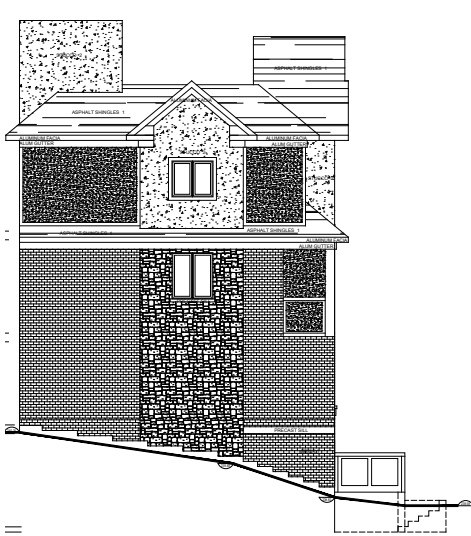
A concrete signage wall and seatwall are proposed at the south side of the driveway entrance to create a sense of place, and two benches are proposed on the eastern end of the parking area for pedestrian comfort.

SHAVER ROAD

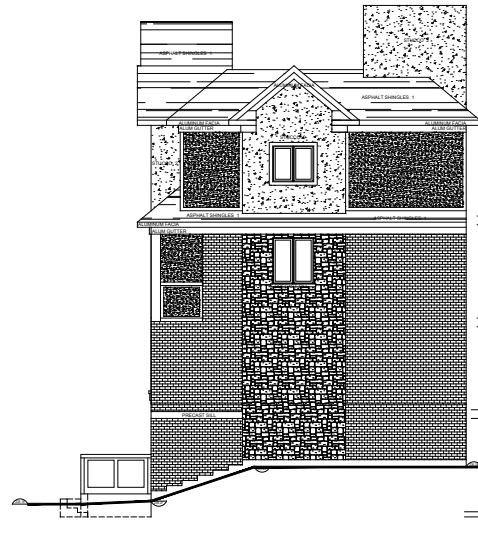




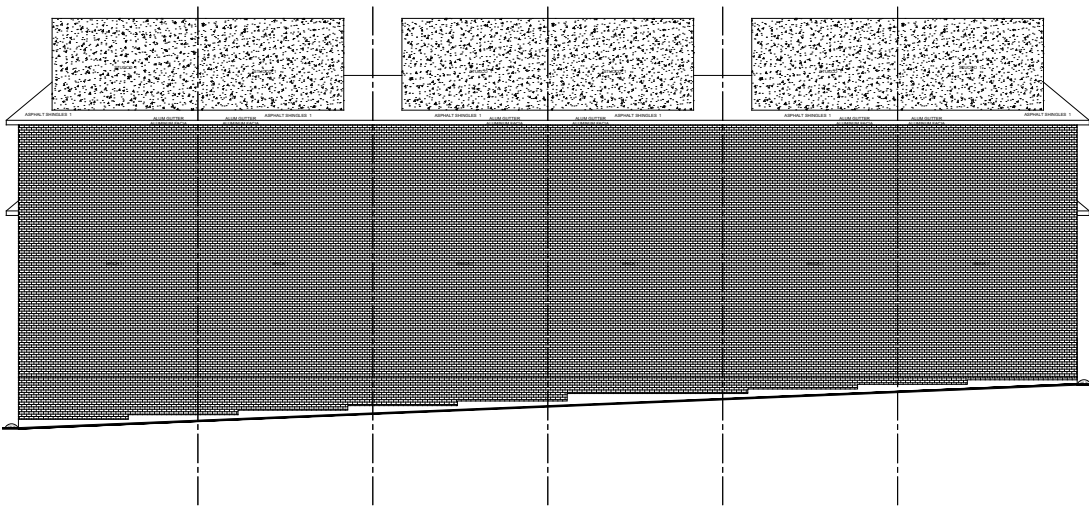
1 BUILDING A: FRONT ELEVATION
A6



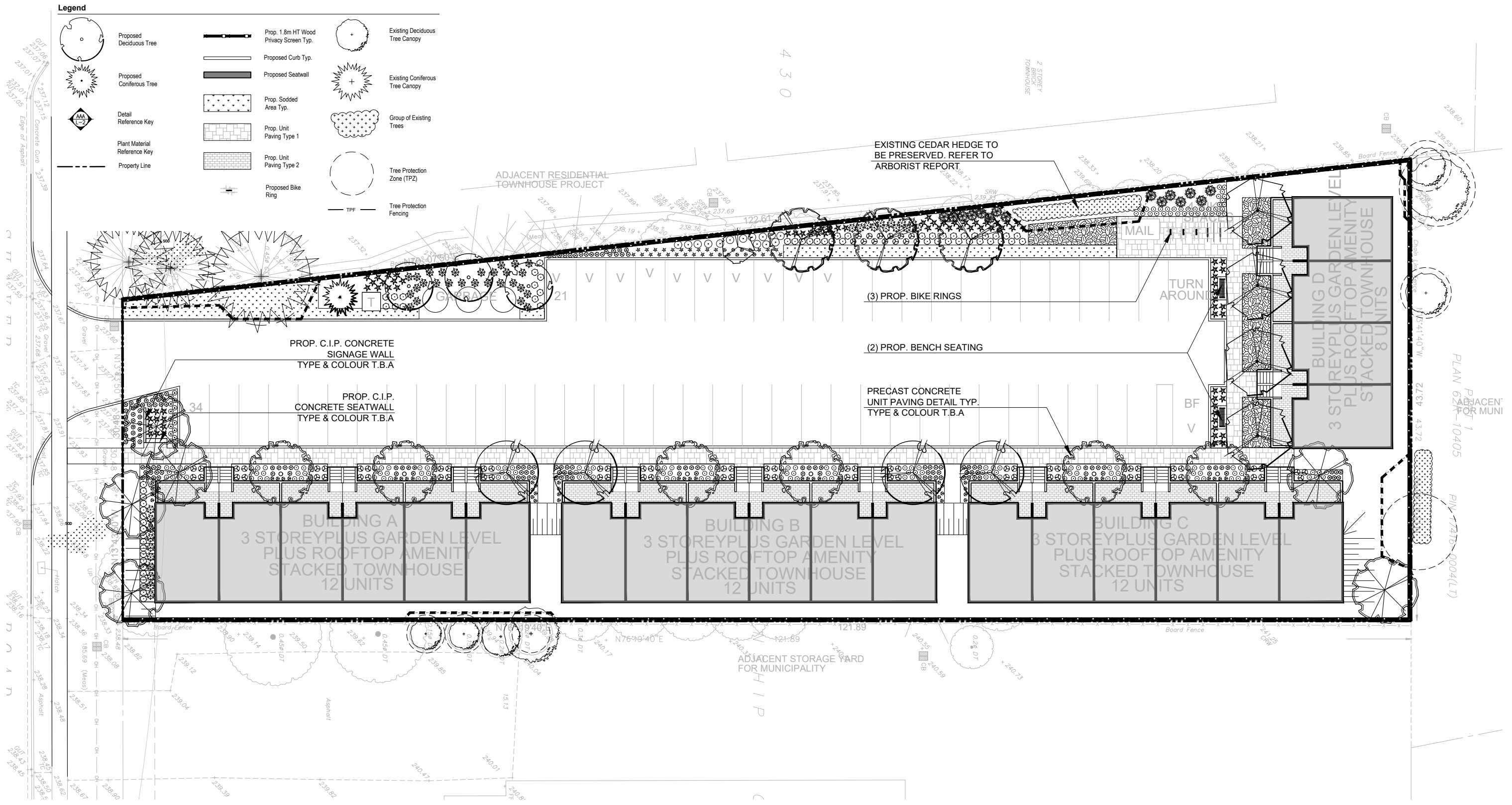
1 BUILDING A: LEFT ELEVATION
A7



1 BUILDING A: RIGHT ELEVATION
A7



1 BUILDING A: REAR ELEVATION
A8



Conceptual Landscape Plan
Source: MSLA (2021)

2.1 Required Planning Applications

Through the Formal Consultation process (FC-20-146) it was determined that an Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) are required to implement the proposed development. The details of these amendments are described as follows:

Official Plan Amendment (OPA)

An amendment is required to the Urban Hamilton Official Plan to permit the stacked townhouse form as well as a site specific policy to permit the density (98 dwelling units per hectare).

In order to permit the stacked townhouse form, the designation of the Site is proposed to be changed from “Medium Density Residential 2a” to “Medium Density Residential 2b” with a site specific policy area permitting a maximum density of 98 dwelling units per hectare.

The justification for this amendment is provided in the planning analysis contained in Section 5.0 of this report, and a draft amendment is appended to this report as Appendix B.

Zoning By-law Amendment (ZBA)

A Zoning By-law Amendment is required to Ancaster Zoning By-law 87-57 in order to rezone the Site from C5-243 “Rural Commercial” to a Residential Multiple “RM5” Zone, Modified. The required modifications are outlined in Table 2 of this report and are as follows:

- To redefine the definition of “Multi-Plex Dwelling” to include Stacked Town Dwellings;
- To permit a lot area of 0.45 hectares, whereas 0.5 hectares is required for a multi-plex dwelling;
- To permit a density of 98 units per hectare, whereas a maximum of 50 units per hectare is permitted;
- To permit a lot frontage of 30.4 metres, whereas a minimum of 45 metres is required for a multi-plex dwelling containing 7 or more units;
- To permit a front yard of 3.1 metres, whereas a minimum of 7.5 metres is required;
- To permit a side yard of 1.8 metres, whereas a minimum of 9 metres is required for multi-plex dwellings that are two units in height;
- To permit a rear yard of 1.8 metres, whereas a minimum of 9 metres is required;
- To permit a building height of 14.2 metres, whereas a maximum of 10.5m is permitted;
- To permit a landscaping area of 25.7%, whereas 50% of the lot area is required to be landscaped for multi-plex dwellings;
- To permit reduced planting strips along three of the four lot lines, whereas a minimum of 3 metres is required;

- To permit all parking spaces to be outside, whereas 25% are required to be in an enclosed building or underground;
- To permit a parking ratio of 1 space per unit plus 0.25 visitor parking spaces per unit, whereas parking is required at a ratio of 2 spaces per unit plus 0.66 visitor parking spaces per unit;
- To permit a Children's Play Area of 0 square metres, whereas 308 square metres are required; and
- To permit a building separation distance of 5.2 metres from an end wall to a façade, whereas 15.0 metres is required.

The proposed ZBA is further discussed in Section 5.0 Planning Analysis of this report, and a draft by-law is appended to this report as Appendix C.

3.0 SUPPORTING STUDIES

In addition to this Planning Justification Report, the Pre-Consultation Document (FC-20-146) identified the following report requirements for a complete application:

- Phase One Environmental Site Assessment;
- Phase Two Environmental Site Assessment;
- Record of Site Condition;
- Noise Impact Study;
- Stormwater Management Report; and
- Functional Servicing Report.

In addition to these requirements, a Geotechnical Investigation has been completed.

The following is intended to provide a brief summary of the key findings and conclusions of the completed studies; however, each report should be reviewed in its entirety.

3.1 Phase One Environmental Site Assessment

Exp Services Inc., November 5, 2020

EXP Service Inc. was retained to complete a Phase One Environmental Site Assessment (ESA) of the Site.

Three (3) Area of Potential Concern (APEC) were identified:

- APEC 1: Presence of imported fill material, at the eastern portion of the Site;
- APEC 2: Presence of underground storage tanks (USTs) and private fuel outlet at 501 Shaver Road, at the southeastern portion of the Site;
- APEC 3: Fleet Services and Public Works Yard at 501 Shaver Road, at the south central portion of the Site.

Based on the findings of the Phase One ESA, a Phase Two ESA was required to assess the soil and groundwater conditions at the Site prior to submitting an RSC.

3.2 Phase Two Environmental Site Assessment

Exp Services Inc., December 22, 2020

EXP Service Inc. was retained to complete a Phase Two Environmental Site Assessment (ESA) of the Site. The objective of the Phase Two ESA was to assess the areas of potential environmental concern (APECs) identified in the Phase One ESA and to support the filing of a Record of Site Condition (RSA) on the Ontario Ministry of Environment, Conservation and Parks (MECP) Environmental Brownfield Site Registry. The results and findings of the Phase Two ESA conducted at the Site are summarized as follows:

- On October 26th, 2020, five (5) boreholes (BH1 to BH5) were advanced to a maximum depth of 8.23 m bgs at the Site.
- The general stratigraphy at the Site, as observed in the boreholes, asphalt and granular fill, underlain by silty sand fill material, followed predominantly by silty sand and silt.
- The monitoring well network advanced as part of this Phase Two ESA consisted of three (3) monitoring wells screened within the silty sand / silt layer. Groundwater levels were measured from the three (3) monitoring wells (MW1 to MW3) between November 3rd and November 27th, 2020.
- Based on the groundwater contour map delineated for the Site, the shallow groundwater is anticipated to flow in a southwest / southeast direction. However, EXP notes that the direction of localized groundwater flow may be influenced by disturbed soil (fill), underground utilities and/or underground building structures in the area. As such, the measured groundwater flow direction may not be representative of the regional area.
- The horizontal hydraulic gradient on-Site ranged from 0.048 m/m (between MW1 and MW2) and 0.016 m/m (between (MW2 and MW3).
- Soil samples were submitted for the analysis of polycyclic aromatic hydrocarbons (PAHs) and/or metals. All parameters were either non-detected below their applicable MECP (2011) Table 3 SCS.
- Groundwater samples were submitted for the analysis of PHCs and VOCs. All parameters were either non-detected or detected below their applicable MECP (2011) Table 3 SCS.
- No evidence of free produce (i.e. visible film or sheen), or dour was observed during soil sampling, groundwater purging, or groundwater sampling activities.

Based on findings of the Phase Two ESA, no further work was recommended at this time prior to filing a Record of Site Condition.

3.3 Record of Site Condition Exp Services Inc., May 5, 2021

A record of site condition was submitted to the Environment Site Registry on August 6, 2021 (Confirmation #44755930) with supporting documentation provided by the Phase One and Phase Two Environmental Site Assessment.

3.4 Geotechnical Investigation Report Exp Global Inc., May 5, 2021

EXP Services Inc. has been retained by Shaver Road M.D. Holdings Inc. to prepare a geotechnical investigation on the Site. The purpose of this preliminary investigation was to determine the subsoil and groundwater conditions at the Site by advancing five (5) boreholes based on an assessment of the factual borehole data provide an engineering report containing general geotechnical recommendations pertinent to the proposed construction. A total of five

(5) boreholes were advanced at the Site to depths ranging from 1.4 to 8.2 metres below existing grade.

3.5 Environmental Noise Impact Study

dBA Acoustical Consultants Inc., September 2021

dBA Acoustical Consultants Inc. has been retained by Shaver Road M.D. Holdings Inc. to prepare an Environmental Noise Impact Study for the Site. The purpose of the study is to determine the vehicular traffic noise from Shaver Road, Wilson Street West, and Garner Road West, as well as area stationary noise sources from area commercial businesses that may impact the proposed residential development.

Vibration was not considered as there are no heavy industrial operations in the area of the proposed development. Aircraft is not a concern as the development is located outside the NEF 25 contour of the area. There are no CN/CP Rail within the setback requirements, therefore rail is not a concern with noise.

Road Noise: Shaver Road, Garner Road West, and Wilson Street West

Wilson Street West will have no acoustical impact on the proposed development due to distance (approximately 350 metres north of the Site) and shielding from existing 3-storey residential townhouses.

Predicted road traffic noise levels were calculated for Shaver Road and Garner Road West, the major road noise sources in the area.

Based on predicted road traffic levels, Shaver Road will have no noise impact on the proposed development due to low traffic volumes.

To the south of the Site, the Hamilton Works maintenance building provides ample shielding from Garner Road traffic noise.

Stationary Noise: Hamilton Works Yard and Walmart

With respect to the City of Hamilton Works (Ancaster) Operations Yard located at 501 Shaver Road, it was confirmed by dBA staff that the works yard will have no noise impact on the proposed development. The works yard building is constructed with brick exterior walls and a small portion leading to the roofline of vinyl or steel siding. The building is insulated and does not emanate any noise from within the building to the exterior. The maintenance building height is sufficient to shield traffic noise from the works yard. The maintenance building provides ample shielding from Garner Road traffic noise.

The City of Hamilton Works yard operates Monday to Friday between the hours of 7:00 AM to 3:00 PM. Only emergency operations occur during evening and nighttime hours. In the maintenance building abutting the easterly property line are offices and work area. This building has no open areas to the abutting site development. The other portion of the works' yard are utilized for storage of seasonal material for road works and maintenance and are to the east of the proposed site development. Furthermore, a newly constructed townhouse development of residential properties abutting the east storage area did not require a noise barrier (Monterey Heights—see Image H).

To the west of the proposed development is a large commercial area consisting of a Walmart store, and other smaller commercial businesses. The Walmart store is the closest to the westerly portion of the proposed development. The Walmart store has several HVAC units on the roof and ground level. The HVAC units are equipped with noise mitigation shrouds and insulated coverings on the units. The distance separation (90m) of the HVAC units from the proposed development have no noise impact on the development. A site visit during September 16, 2021, confirmed that the Rooftop chillers and HVAC units have acoustical apparatus installed and are not audible from the Site.

Recommendations

The following noise control measures are required for the proposed development:

- Construction of OBC is required throughout the development.
- Appropriate ventilation requirements and warning clauses be inserted into the Offers and Agreements of Purchase and Sale or Lease for all units.

It is recommended that a Qualified Acoustical Consultant certify that the required noise control measures have been incorporated into the builder's plans, prior to issuance of a building permit. Prior to issuance of an occupancy permit, it is recommended the Qualified Acoustical Consultant certify that the approved noise control measures have been properly installed.

3.6 Functional Servicing Report

[The Odan/Detech Group Inc., September 10, 2021](#)

The Odan/Detach Group Inc. was retained by Shaver Road M.D. Holdings Inc. to complete a Functional Servicing Report in support of the proposed development. The report evaluates the serviceability of the Site with respect to sanitary wastewater, water, and stormwater management (SWM) and will implement the SWM criteria identified by City staff in prior correspondence.

Background

The Site falls within the area of the Shaver Estates residential subdivision (City of Hamilton File No. 25T-97002) which was designed by A.J. Clarke and Associates Ltd. The lands were

slated for future medium density development and were thus accounted for in the design of the entire subdivision. Engineering drawings for the Shaver Estates residential subdivision were retrieved by Odan/Detech through the City of Hamilton Spatially Indexed Engineering Records (SPIDER) website.

Sanitary Servicing

There is an existing 300mm diameter municipal sanitary sewer flowing southerly beneath Shaver Road, adjacent to the site's west boundary. The proposed development will contribute 1.76 L/s more flow into the existing sanitary sewer when compared to A.J. Clarke and Associates Ltd.'s design of the same area (0.452 ha). Based on the Sanitary Sewer Design Sheet, all the downstream sewers can accommodate this extra flow. Furthermore, the proposed 200mm @ 2.0% sanitary sewer connection for the site has a capacity of 46 L/s, which is adequate to convey the post-development sanitary flows from the Site (3.17 L/s).

Water Servicing

There is an existing 300mm diameter municipal water main on the east side of Shaver Road adjacent to the site's west boundary which is available to service the Site. It is proposed to provide a 150mm diameter water service connection to this main for the proposed townhouses' domestic water supply and fire protection.

Storm Water Management

The Site was originally designed to divert any storm flows to a stub manhole which was to be available for any future development to occur in this parcel that was part of the larger subdivision plan which initially fell within the catchment area of the stormwater management and conveyance system for the Shaver Estates residential subdivision (City of Hamilton File No. 25T-97002) which was designed by A.J. Clarke and Associates Ltd. However, as the Stub Manhole was not built during the construction stage of the aforementioned project. Due to the lack of an existing stub manhole to act as a control manhole for the site. The storm flows will have to be discharged directly into the municipal sewers via existing catch basin and lead.

Water quality for the site will be accomplished via an Oil/Grit Separator (OGS). The total upstream area contributing flow to the proposed OGS will be considered. The OGS will be sized at the Site Plan application stage.

Conclusions

Based on the investigation contained within the report, the Site is serviceable utilizing existing sanitary, storm and water main infrastructure within and adjacent to the Site. Storm water management for the proposed development will match existing conditions as described in the report.

4.0 PLANNING POLICY FRAMEWORK

The following is intended to provide a review and highlight the planning policy framework applicable to the Site. These policy documents include: the *Planning Act*, the Provincial Policy Statement (2020), A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), the Urban Hamilton Official Plan, and Ancaster Zoning By-law 87-57.

4.1 Ontario Planning Act, R.S.O. 1990, c. P.13

Section 2 of the *Planning Act* sets out matters of Provincial Interest when considering and carrying out responsibilities under the Act. The following table provides an analysis of the Subject Applications in response to the prescribed Provincial interest:

Table 1 Provincial Interest in regard to Subject Applications

Provincial Interest	Policy Response
a) The protection of ecological systems, including natural areas, features and functions	The Site is not located in a Natural Heritage System as per Ministry of Natural Resources and Forestry online mapping. As per Schedule B—Natural Heritage System of the Urban Hamilton Official Plan, the Site is not incumbered by any natural heritage features.
b) The protection of the agricultural resources of the Province	The Site is not located in the Agricultural Land Base for the Greater Golden Horseshow as per online mapping (Agricultural Systems Portal).
c) The conservation and management of natural resources and the mineral resource base	As per Appendix G: Boundaries Map of the UHOP, the Site is located within Hamilton’s Urban Boundary.
d) The conservation of features of significant architectural, cultural, historical, archaeological or scientific interest	As per the City of Hamilton’s online heritage mapping, there appear to be no cultural heritage resources on or adjacent to the Site.
e) The supply, efficient use and conservation of energy and water	The Site will utilize existing energy and water infrastructure.
f) The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems	The proposed development will utilize existing water and wastewater infrastructure and will support existing transportation in the form of HSR Routes #16 and #44.

Table 1 Provincial Interest in regard to Subject Applications

Provincial Interest	Policy Response
g) The minimization of waste	N/A
h) The orderly development of safe and healthy communities; the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies	<p>The proposed development has been designed to ensure safe access to the Site, which is appropriately located in a safe and healthy community with access to commercial amenities, education, employment, transportation, and medical clinics.</p> <p>One (1) barrier free parking space has been provided. Through the building permit process, the proposed development will be required to demonstrate compliance with the Ontario Building Code, which includes barrier-free design provisions.</p>
i) The adequate provision and distribution of educational, health, social, cultural and recreational facilities	N/A
j) The adequate provision of a full range of housing, including affordable housing	The proposed development would contribute and diversify the local housing stock by providing an additional 44 residential dwelling units.
k) The adequate provision of employment opportunities	N/A
l) The protection of the financial and economic well-being of the Province and its municipalities	The proposed development will protect the financial and economic well-being of the Province and the City of Hamilton by optimizing the use of existing infrastructure and services within Hamilton’s Urban Boundary.
m) The co-ordination of planning activities of public bodies	N/A
n) The resolution of planning conflicts involving public and private interests	N/A
o) The protection of public health and safety	N/A

Table 1 Provincial Interest in regard to Subject Applications

Provincial Interest	Policy Response
<p>p) The appropriate location of growth and development</p>	<p>The Site is an appropriate location of growth and development as it is an underutilized property located in Hamilton’s Urban Boundary along a Collector Road in close proximity to commercial amenities, a park, and community facilities as outlined in Section 1.4 of this report and shown on Figure 1.</p> <p>In addition, the Site is located in an area with available transit. In particular, the proposed development will support existing transportation in the form of HSR Routes #16 and #44, as are outlined in Section 1.5 of this report and shown in Figure 2.</p> <p>In consideration of the existing water and wastewater infrastructure, community facilities, education facilities, park, and existing transit infrastructure, the Site is an appropriate location for growth and development.</p>
<p>q) The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians</p>	<p>As outlined in Section 1.5 of this report, the proposed development will utilize and support HSR Routes #16 and #44.</p> <p>With respect to pedestrians, the proposed development includes a paved walkway connecting each unit to the sidewalk along the east side of Shaver Road. For pedestrian comfort, two benches are proposed at the eastern end of the parking lot and a seat-wall is proposed at the southern driveway entrance.</p>

Table 1 Provincial Interest in regard to Subject Applications

Provincial Interest	Policy Response
<p>r) The promotion of built form that,</p> <ul style="list-style-type: none"> (i) is well-designed, (ii) encourages a sense of place, and (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant 	<p>The proposed development has been professionally-designed by KNYMH Inc. to provide future residents with a safe, pleasant, and attractive place to live.</p> <p>In addition, a conceptual Landscape Plan has been developed by Marton Smith Landscape Architects (MSLA) and is shown in Figure 5. To encourage a sense of place, a concrete signage wall is proposed at the south side of the driveway entrance.</p>
<p>s) The mitigation of greenhouse gas emissions and adaptation to a changing climate</p>	<p>As outlined in Section 1.5 of this report, the proposed development will utilize and support HSR Routes #16 and #44. Transit infrastructure outputs less greenhouse gas emissions than personal vehicles.</p>

4.2 Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 (“PPS”) provides policy direction on matters of provincial interest related to land use planning and development. The PPS is issued under the authority of Section 3(1) of the *Planning Act* and came into effect on May 1, 2020. Section 3(5) of the *Planning Act* requires that decisions affecting planning matters be consistent with the PPS. The following policies, amongst others, apply to the proposed development.

Intensification

The PPS supports intensification, redevelopment and the efficient use of land and existing planning infrastructure within urban areas. The PPS defines *intensification* as “the development of a property, site or area at a higher density than currently exists through:

- a. *redevelopment*, including the reuse of *brownfield sites*;
- b. the development of vacant and/or underutilized lots within previously developed areas;
- c. infill development; and [...]

As defined in (a), (b), and (c) of the above criteria, the proposed development represents intensification.

Building Strong and Healthy Communities

The PPS provides guidelines to manage growth and promote efficient and resilient land use and development patterns, as follows:

“1.1.1 Healthy, livable and safe communities are sustained by:

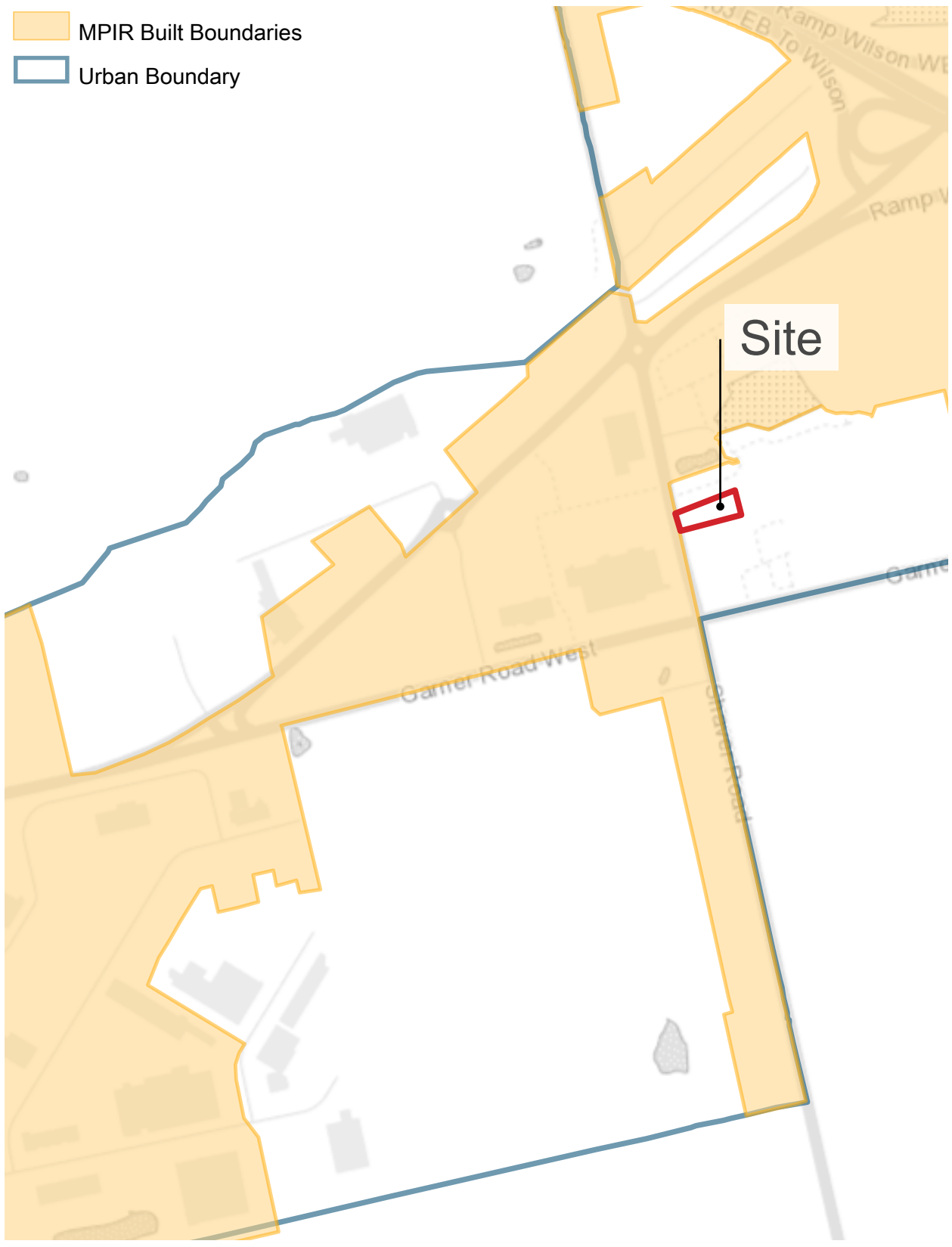
- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;

- d) avoiding development and land use patterns that would prevent the efficient expansion of *settlement areas* in those areas which are adjacent or close to *settlement areas*;
- e) promoting the integration of land use planning, growth management, *transit-supportive* development, *intensification* and *infrastructure* planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society; [...]"

Settlement Areas

As shown in **Figure 6**, the Site is located with Hamilton's Urban Boundary and contiguous within the built-up area as identified by the Ministry of Public Infrastructure Renewal (MPIR). Settlement Areas include urban areas and "lands which have been designated in an official plan for development...". Given that the Site is located within Hamilton's Urban Boundary and designated for residential development (see **Figure 7**), it is considered part of the Settlement Areas, where growth is to be focused as outlined in the following policies:

- "1.1.3.1 *Settlement areas* shall be the focus of growth and development.
- 1.1.3.2 Land use patterns within *settlement areas* shall be based on densities and a mix of land uses which:
 - a) efficiently use land and resources;
 - b) are appropriate for, and efficiently use, the *infrastructure and public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
 - e) support *active* transportation;
 - f) are *transit-supportive*, where transit is planned, exists or may be developed; and [...]
- 1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for *transit-supportive development*, accommodating a significant supply and range of *housing options* through *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas, including *brownfield sites*, and the availability of suitable existing or planned *infrastructure and public service facilities* required to accommodate projected needs."



MPIR Built Boundaries
Source: Ontario Ministry of Public Infrastructure Renewal Online Mapping (2021)

Figure
6

“1.1.3.4 Appropriate development standards should be promoted which facilitate *intensification, redevelopment* and compact form, while avoiding or mitigating risks to public health and safety.”

Housing

The PPS also provides the following direction on housing policy to meet the projected needs of current and future residents:

- “1.4.3 Planning authorities shall provide for an appropriate range and mix of *housing options* and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:
- [...]
 - b) permitting and facilitating:
 2. all *housing options* required to meet the social, health, economic and well-being requirements of current and future residents, including *special needs* requirements and needs arising from demographic changes and employment opportunities; and
 3. all types of *residential intensification*, including additional residential units, and *redevelopment* in accordance with policy 1.1.3.3;
 - c) directing the development of new housing towards locations where appropriate levels of *infrastructure* and *public service facilities* are or will be available to support current and projected needs;
 - d) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation* and transit in areas where it exists or is to be developed;
 - e) requiring *transit-supportive* development and prioritizing *intensification*, including potential air rights development, in proximity to transit, including corridors and stations; and
 - f) establishing development standards for *residential intensification, redevelopment* and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.”

Sewage, Water and Stormwater

The PPS provides the following direction on the preferred method of servicing for new development:

“1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.”

Transportation Systems

The PPS provides the following direction on making efficient use of existing transportation infrastructure:

“1.6.7.2 Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.

1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.”

Long-Term Economic Prosperity

The PPS contains policies related to securing the Province’s long-term prosperity, the following of which are applicable to the proposed development:

- “1.7.1 Long-term economic prosperity should be supported by:
- [...]
 - b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;
 - c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;
 - d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;
 - e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define

character, including built heritage resources and cultural heritage landscapes; [...]”

Relevance to the Site:

The PPS supports intensification, redevelopment and the efficient use of land and existing planning infrastructure within urban areas, which is where the Site is located.

The proposed development would contribute to the development of a healthy, livable, and safe community as per the policies outlined in Policy 1.1.1. Specifically, the proposed development represents an efficient development and land use pattern that will sustain the financial well-being of the province and City of Hamilton over the long term. The proposed development will increase and diversify the available housing options in the Shaver neighbourhood and Hamilton overall.

The Site is located in a settlement area, which is to be the focus of growth and development. The proposed development represents an efficient use of land and resources that will optimize the use of existing infrastructure and public service facilities, and in doing so, avoid the need for their unjustified expansion.

The proposed development represents a cost-effective development pattern that would optimize existing transit investments, including HSR bus routes #16 and #44. Regarding future transit, it is noted that HSR Route #44 is the ‘S’ in the City’s proposed BLAST frequent rapid transit system, which was developed as part of the City’s 2007 Transportation Master Plan.

With respect to housing policy, the PPS directs planning authorities to permit and facilitate all types of residential intensification and redevelopment. Furthermore, the proposed development represents a compact form that efficiently uses land, resources, and infrastructure.

The proposed development utilizes municipal water and wastewater services, which are the preferred form of servicing for settlement areas. In addition, the PPS promotes intensification and redevelopment wherever feasible to optimize the use of existing services.

Based upon the above review, the Subject Applications are consistent with the applicable policies of the PPS, 2020.

4.3 A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020

On May 16, 2019 “A Place to Grow: Growth Plan for the Greater Golden Horseshoe” came into effect, replacing the 2017 “Growth Plan for the Great Golden Horseshoe”. Amendment 1 (2020) to the Growth Plan for the Grater Golden Horseshoe 2019 was approved and came into effect on August 28, 2020 (“the Growth Plan”). The Growth Plan applies to the area designated as the Greater Golden Horseshoe Growth Plan Area which includes the entire City of Hamilton. All decisions that affect a planning matter must conform to the Growth Plan. The following is a summary of the policies applicable to the Subject Applications and how the policies of the Growth Plan have been addressed.

Guiding Principles

The Growth Plan provides a framework for implementing the Province’s vision for managing growth across the region to the year 2041. The successful realization of the Growth Plan is based on several Guiding Principles which provide the basis for guiding decisions on how land is to be developed. The Guiding Principles are outlined in Section 1.2.1 of the Growth Plan and include the following, amongst others:

- “Support the achievement of *complete communities* that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime.
- Support a range and mix of housing options, including second units and *affordable* housing, to serve all sizes, incomes, and ages of households.”

Relevance to the Site:

The proposed development fulfils several guiding principles of the Growth Plan. For instance, the proposed development will support the achievement of complete communities by providing additional and more diverse housing options in the Shaver neighbourhood.

Growth Plan Context

Section 2.1 of the Growth Plan provides the following context on where and how to grow in the Greater Golden Horseshoe:

“Better use of land and *infrastructure* can be made by directing growth to *settlement areas* and prioritizing *intensification*, with a focus on *strategic growth areas*, including *urban growth centres* and *major transit station areas*, as well as *brownfield sites* and *greyfields*. Concentrating new development in these areas provides a focus for investments in transit as well as other types of *infrastructure* and *public service facilities* to support forecasted growth, while also supporting a more diverse range and mix of housing options.”

In addition, Section 2.1 emphasizes the importance of optimizing the use of land, infrastructure, and public service facilities within the urban area as a first priority:

“This Plan’s emphasis on optimizing the use of the existing urban land supply represents an *intensification* first approach to development and city-building, one which focuses on making better use of our existing *infrastructure* and *public service facilities*, and less on continuously expanding the urban area.”

Relevance to the Site:

The Site is located within a settlement area, which is a prioritized area for intensification and new development so as to make better use of existing infrastructure and public service facilities, and less on continuously expanding the urban area.

Managing Growth

Policy 2.2.1.1 states that the population and employment forecasts provided in Schedule 3 of the Growth Plan will be used for planning and managing growth to the planning horizon. Schedule 3 provides that the City of Hamilton is forecasted to grow to 820,000 by 2051.

Policy 2.2.1.2(a) states that forecasted growth to 2051 will be allocated based on the following:

- “a) the vast majority of growth will be directed to *settlement areas* that:
 - i. have a *delineated built boundary*;
 - ii. have existing or planned *municipal water and wastewater systems*; and
 - iii. can support the achievement of *complete communities*;

Furthermore, Section 2.2.1.2(c) states that within settlement areas, growth will be focused in: (i) delineated built-up areas; (ii) strategic growth areas; (iii) locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and (iv) areas with existing or planned public service facilities.

Policy 2.2.1.4 states that applying the polices of the Growth Plan will support the achievement of complete communities that:

- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and *public service facilities*; [...]
- c) provide a diverse range and mix of housing options, including additional residential units and *affordable* housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes; [...];
- d) expand convenient access to:

- i. a range of transportation options, including options for the safe, comfortable and convenient use of *active transportation*;
 - ii. *public service facilities*, co-located and integrated in community hubs;
 - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and
 - iv. healthy, local, and affordable food options, including through urban agriculture;
- e) provide for a more *compact built form* and a vibrant *public realm*, including public open spaces;”

Relevance to the Site:

The vast majority of the City of Hamilton’s forecasted growth to 820,000 people by 2051 is to be directed to settlement areas that have a delineated built boundary; have existing municipal water and wastewater systems and can support the achievement of complete communities. As shown in **Figure 6**, the Site is contiguous with the Built-up boundary and located within Hamilton’s Urban Boundary. Based on these locational attributes, the Site is an appropriate location for growth.

With respect to Policy 2.2.1.4, the proposed development will support the achievement of complete communities as follows:

- Diversify the mix of land uses by intensifying a residential use in an area with a significant presence of commercial and employment lands;
- Increase and diversify the range and mix of housing options in the surrounding community;
- Support existing transportation options, and public service facilities;
- Expand convenient access to the safe and comfortable use of active transportation through the inclusion of four (4) bicycle parking spaces; and
- Provide for a more compact built form and vibrant public realm.

Based on the above policy review, the proposed development conforms to the Growth Plan.

4.4 Urban Hamilton Official Plan (UHOP)

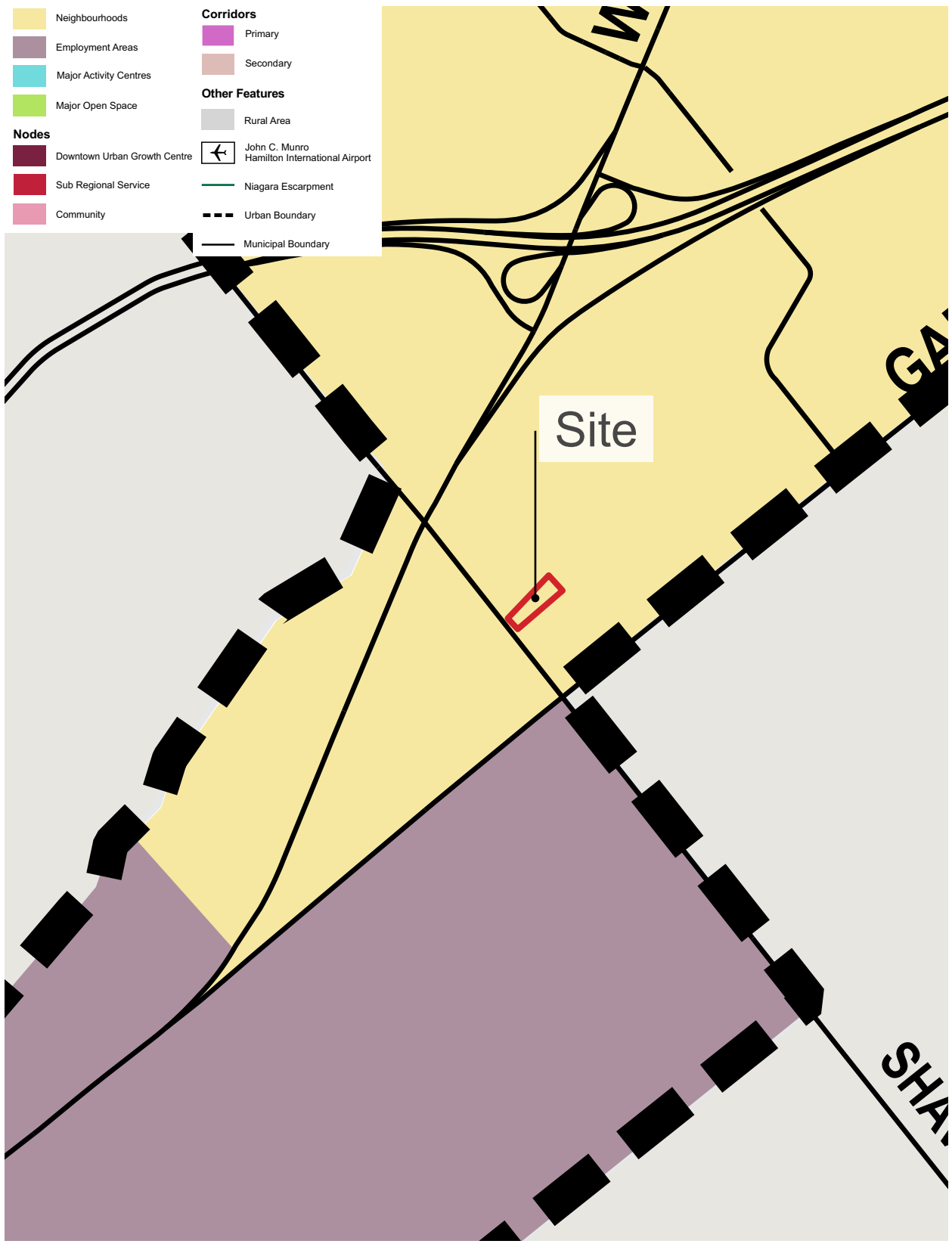
The City of Hamilton Urban Official Plan (“UHOP”) was adopted by City Council on July 9, 2009, approved by the Ministry of Municipal Affairs and Housing (“MMAH”) on March 16, 2011 and came into effect on August 16, 2013. The UHOP provides direction and guidance on the management of land use change and physical development within the City. The following section provides a review of the applicable policies of the UHOP.

Urban Structure: Neighbourhoods

Hamilton’s urban structure formally identifies how the City will physically grow over the long-term and provides a general high level land use vision for the City. The urban structure is based on a system of Urban Nodes, Urban Corridors, Major Activity Centres, Neighbourhoods, Employment Areas, and Major Open Space. With respect to the planned urban structure, the Site is identified as part of the Neighbourhoods element on Schedule E – Urban Structure (see **Figure 7**).

The policies of the Neighbourhoods urban structural element are found in Section E.2.6 of Volume 1 of the UHOP. Generally, the Neighbourhoods element is an all-encompassing element representing the concept of a complete community at the structural level. Neighbourhoods occupy the greatest proportion of the City, containing a mix of low, medium, and high rise residential areas. The following policies apply to redevelopment within the Neighbourhoods urban structural element:

- “2.6 [...] *Residential intensification* within Neighbourhoods is part of the evolution of a neighbourhood and can happen at a range of scales and densities provided the *intensification* is *compatible* with and respects the built form and character of the surrounding neighbourhood.”
- “2.6.2 Neighbourhoods shall primarily consist of residential uses and [...]”
- “2.6.4 The Neighbourhoods element of the urban structure shall permit and provide the opportunity for a full range of housing forms, types and tenure, including *affordable* housing and *housing with supports*.”



Urban Hamilton Official Plan - Urban Structure
 Source: Urban Hamilton Official Plan Schedule E (October 2016)

Figure
7

“2.6.7 Neighbourhoods shall generally be regarded as physically stable areas with each neighbourhood having a unique scale and character. Changes compatible with the existing character or function of the neighbourhood shall be permitted. Applications for development and residential intensification within Neighbourhoods shall be reviewed in consideration of the local context and shall be permitted in accordance with Sections B.2.4 – Residential Intensification, E.3.0 – Neighbourhoods Designation [...]”

Relevance to the Site:

As stated in Policy E.2.6, residential intensification within neighbourhoods is part of the evolution of a neighbourhood and can happen at a range of scales and densities provided the proposed development is compatible with and respects the built form and character of the surrounding neighbourhood, in this case the Shaver neighbourhood.

Furthermore, the proposed development conforms to the vision of the Neighbourhoods urban structural element from a land use perspective, as Neighbourhoods are to primarily consist of residential uses (Policy E.6.2) and provide the opportunity for a full range of housing forms and types (Policy 2.6.4).

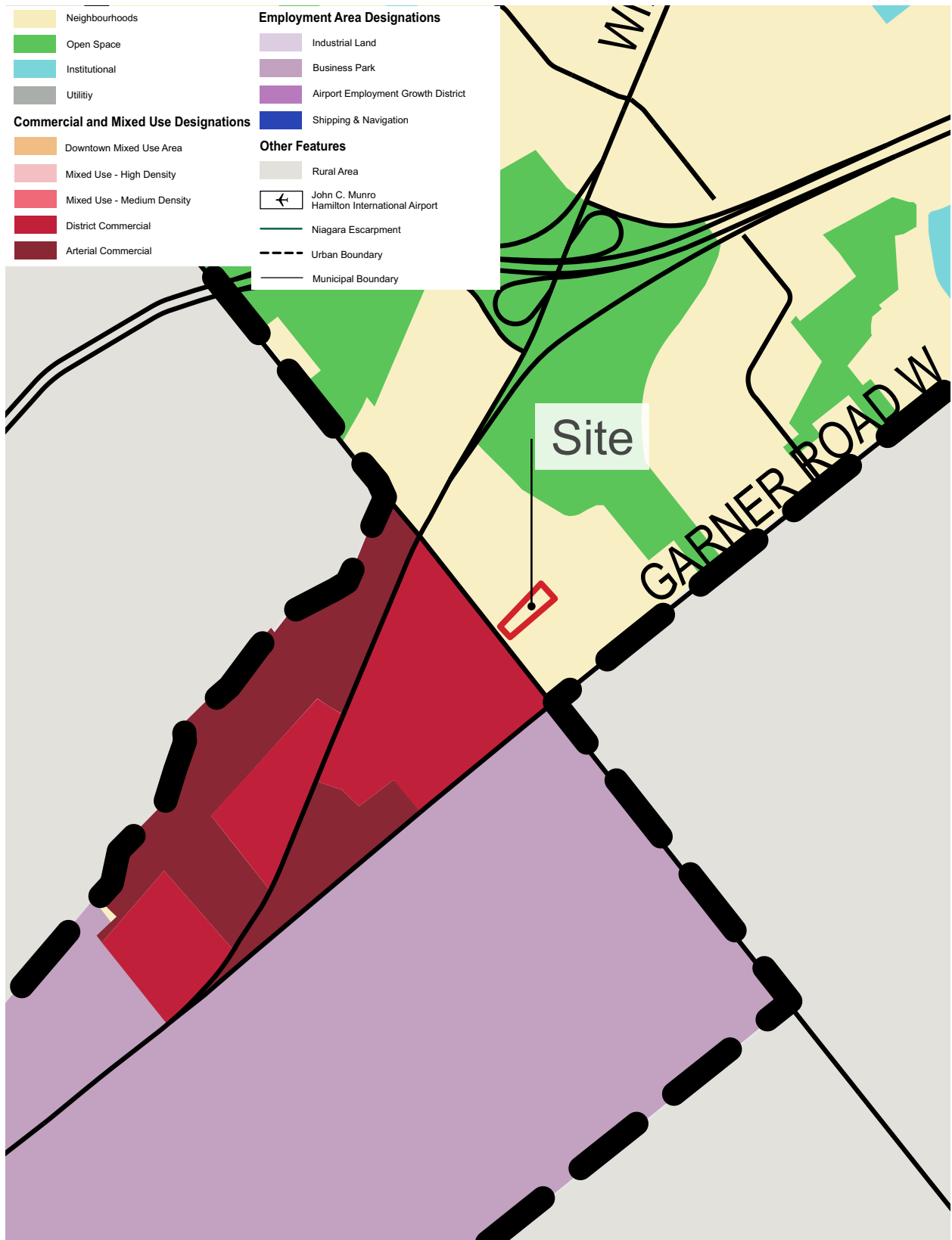
Changes compatible with the existing character of function of the Shaver neighbourhood shall be permitted (Policy 2.6.7). Further, the proposed development, which represents intensification, will be reviewed in consideration of the local context and shall be permitted in accordance with the residential intensification policies contained in Sections B.2.4. An evaluation of the proposed development against the residential intensification criteria is provided in the planning analysis contained in section 5.0 of this report.

Land Use Designation: Neighbourhoods

The Site is designated Neighbourhoods on Schedule E-1 Urban Land Use Designations (see **Figure 8**). The policies for the Neighbourhood designation are contained in Vol. 1, E.3.0 of the UHOP. The intent of the Neighbourhoods designation is to describe neighbourhood functions, identify appropriate scales of development and design requirements for various land uses, and allow for the continued evolution of neighbourhoods.

The policy goals of the Neighbourhood designation are as follows:

- “3.1.1 Develop compact, mixed use, transit-supportive, and active transportation friendly neighbourhoods.
- 3.1.2 Develop neighbourhoods as part of a complete community, where people can live, work, shop, learn, and play.”



- “3.1.3 Plan and designate lands for a range of housing types and densities, taking into account affordable housing needs.
- 3.1.4 Promote and support design which enhances and respects the character of existing neighbourhoods while at the same time allowing their ongoing evolution.
- 3.1.5 Promote and support residential intensification of appropriate scale and in appropriate locations throughout the neighbourhoods.”

Relevance to the Site:

The proposed development generally conforms to the policy goals of the Neighbourhoods designation. Specifically, the proposed development:

- Represents a compact design that will support existing local transit, and support convenient use of active transportation through the inclusion of four (4) bicycle parking spaces (Policy 3.1.1);
- Will assist in developing the neighbourhood into a complete community, where people can live in close proximity to shops and employment opportunities (Policy 3.1.2);
- Will expand and diversify the density and range of housing types in the Shaver neighbourhood (Policy 3.1.3);
- Will enhance the existing character of the neighbourhood by redeveloping an underutilized Site into professionally designed stacked townhouses in keeping with nearby block townhouse residential developments (Policy 3.1.4);
- Represents residential intensification at an appropriate scale and in an appropriate location (Policy 3.1.5).

Neighbourhoods Designation: Function and Permitted Uses

The function and permitted uses of the Neighbourhoods designation are as follows:

- “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.”
- “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; [...]”

Relevance to the Site:

As proposed, residential dwellings are a permitted use within the Neighbourhoods designation (Policy 3.2.3.a). Furthermore, the proposed development will assist the Shaver neighbourhood

to function as a complete community by widening the range of residential dwelling types and densities (Policy 3.2.1).

Neighbourhoods Designation: Scale and Design

With respect to scale and design of development within the Neighbourhoods designation, the following policies apply:

- “3.2.4 The existing character of established Neighbourhoods designated areas shall be maintained. *Residential intensification* within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood in accordance with Section B.2.4 – Residential Intensification and other applicable policies of this Plan.”
- “3.2.7 The City shall require quality urban and architectural design. *Development* of lands within the Neighbourhoods designation shall be designed to be safe, efficient, pedestrian oriented, and attractive, and shall comply with the following criteria:”
- “b) Garages, parking areas, and driveways along the public street shall not be dominant. Surface parking between a building and a public street (excluding a public alley) shall be minimized.
 - c) Adequate and direct pedestrian access and linkages *to community facilities/services* and local commercial uses shall be provided.
 - d) *Development* shall improve existing landscape features and overall landscape character of the surrounding area.
 - e) *Development* shall comply with Section B.3.3 – Urban Design Policies and all other applicable policies.”

Relevance to the Site:

Pursuant to Policy 3.2.4, an evaluation of the proposed development against the residential intensification criteria of Section B.2.4 is provided in the planning analysis contained in section 5.0 of this report.

As per Policy 3.2.5.e, the proposed development is to comply with Section B.3.3 – Urban Design Policies, which are discussed in the next section of this report.

Urban Design Policies

Volume 1, Section 3.3 of the UHOP contains Urban Design policies, the following of which are relevant to the proposed development:

- “3.3.1.5 Ensure that new development is compatible with and enhances the character of the existing environment and locale.”
- “3.3.3.2 New development shall be designed to minimize impact on neighbouring buildings and public spaces by:
- a) creating transitions in scale to neighbouring buildings;
 - b) ensuring adequate privacy and sunlight to neighbouring properties; and,
 - c) minimizing the impacts of shadows and wind conditions.
- 3.3.3.3 New development shall be massed to respect existing and planned street proportions.”
- 3.3.3.4 New development shall define the street through consistent setbacks and building elevations. Design directions for setbacks and heights are found in Chapter E – Urban Systems and Designations and in the Zoning By-law.
- 3.3.3.5 Built form shall create comfortable pedestrian environments by:
- a) locating principal façades and primary building entrances parallel to and as close to the street as possible;
 - b) including ample glazing on ground floors to create visibility to and from the public sidewalk;
 - c) including a quality landscape edge along frontages where buildings are set back from the street;
 - d) locating surface parking to the sides or rear of sites or buildings, where appropriate; and,
 - e) using design techniques, such as building step-backs, to maximize sunlight to pedestrian areas.”

Relevance to the Site:

As per Policy 3.3.1.5, the proposed development is compatible with and will enhance the character of the existing environment and locale. An evaluation of the proposed development against the residential intensification criteria of Section B.2.4 is provided in the planning analysis contained in section 5.0 of this report.

As per Policy 3.3.3.2, the proposed development is at a similar scale to the neighbouring residential townhouses to the north (Westbrook Valley), as well as the townhouse and

apartment building located to the southeast (Monterey Heights). As shown in the Landscape Plan (see **Figure 5**), privacy to the residential property to the north will be assisted by partially retaining the existing cedar hedgerow along the Site's northern lot line (see Image C). Given that the proposed development takes the form of low-rise buildings, concerns regarding shadow and wind are not expected.

As per Policy 3.3.3.3, the mass of the proposed development respects the existing residential massing along the eastern side of Shaver Road.

As per Policy 3.3.3.4, all four (4) of the proposed stacked townhouse buildings feature stylistically similar elevations and together form a cohesive development.

As per Policy 3.3.3.5, the building will create a comfortable pedestrian environment by providing windows on the ground floor, providing quality landscaping between the westernmost edge of the building and Shaver Road, as well as around the entirety of the parking area (see **Figure 5**).

Residential Intensification

The proposed development represents residential intensification and therefore the general residential intensification policies of the UHOP apply. The general residential intensification policies are contained in Vol. 1., Chapter B, Section B.2.4.1 of the UHOP and include the following evaluation criteria:

- “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.”

In addition, the Site is located within the Neighbourhoods designation, and therefore the proposed development is also to be evaluated against the following criteria pertaining to residential intensification within the Neighbourhoods designation:

“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.”

Relevance to the Site:

The proposed development represents residential intensification within the Neighbourhoods designation and therefore must be evaluated against the criteria listed in Policy B.2.4.1.4 and

Policy B.2.4.2.2. Accordingly, this evaluation is provided in the planning analysis in section 5.0 of this report.

Air Quality and Climate Change

As per Section B.3.6.2 of the UHOP, there are several policies and goals that directly and indirectly contribute to the improvement of air quality and reduce greenhouse gases. These include, among others:

- a) promoting compact, mixed use urban communities;
- b) integrating the transportation network to include all modes of transportation;
- c) promoting walking, cycling, and use of public transit; [...]
- d) implementing urban design features to reduce fugitive dust;
- e) enhancing vegetative cover; and,
- f) reducing the heat island effect through the use of reflective roofs, green roofs, natural landscaping, and increasing the tree canopy.”

Relevance to the Site:

The proposed development will help the City achieve its climate change goals and policies by providing a compact built form. A more compact urban form encourages efficient use and conservation of energy and water, as they are known to be a more efficient form of development than large-lot single-use neighbourhoods.

Energy and Environmental Design

Policy B.3.7.1 states that the City supports energy efficient land use patterns, in particular:

- a) a *compact urban form*, with a nodes and corridors urban structure;
- b) *development* of mixed use urban environments that support public transit and *active transportation*;
- c) employment opportunities in proximity to housing thereby reducing commuting distance and traffic congestion; and,
- d) designs that facilitate the establishment or expansion of public transit in the future.”

Relevance to the Site:

The proposed development represents a compact urban form that will support nearby public transportation in the form of HSR bus routes #16 and #44. It will also support convenient use of active transportation through the inclusion of four (4) bicycle parking spaces. The proposed development is also in close proximity to employment opportunities located in the nearby commercial shopping centre and Ancaster Business Park, thereby reducing commuting distance and traffic congestion.

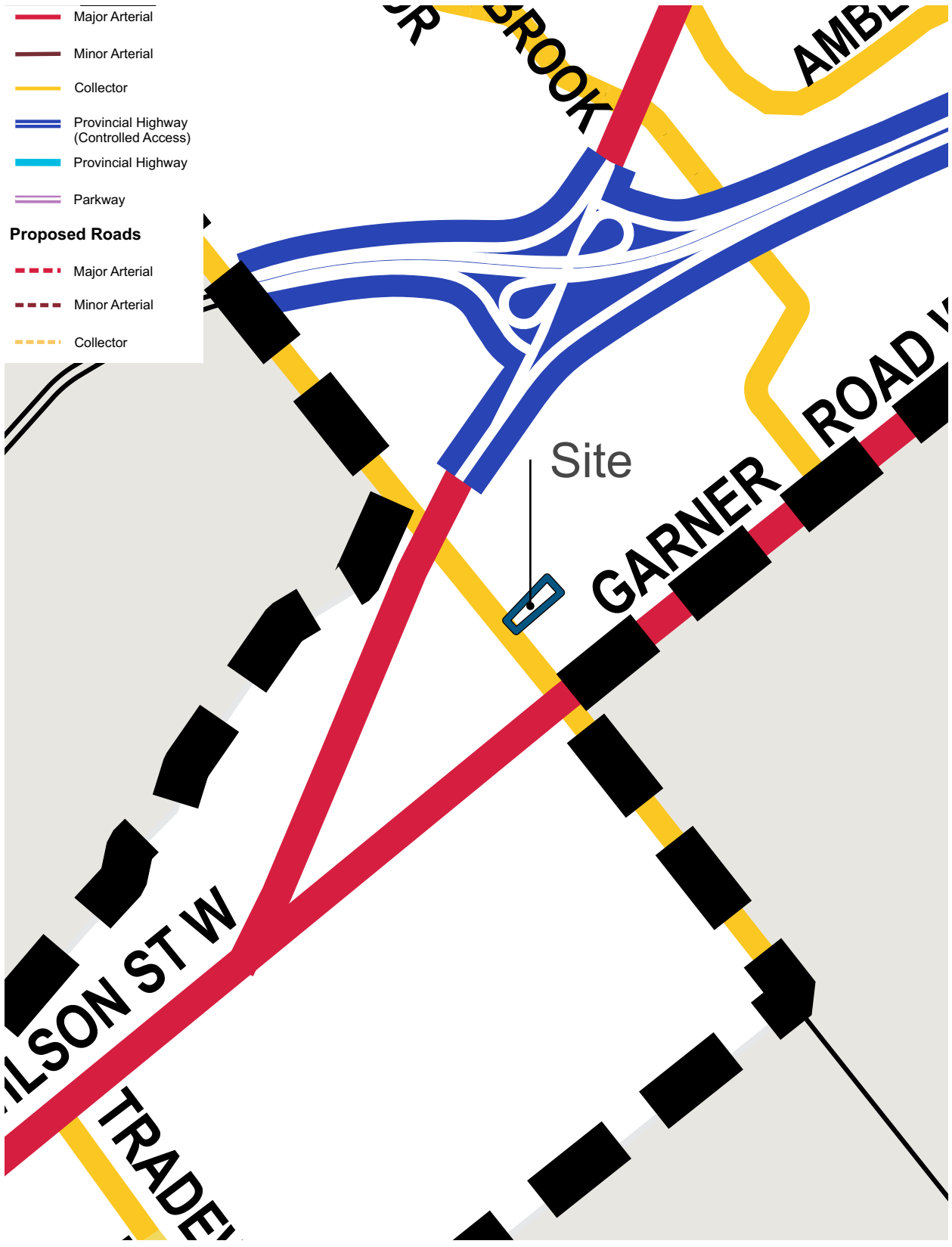
Road Network

Shaver Road is classified as a Collector Road on Schedule C—Functional Road Classification, as shown in **Figure 9**. The UHOP describes the function of a collector road as equally shared between providing direct land accesses and the movement of moderate volumes of traffic within and through designated Neighbourhood Areas.

Development Engineering comments (FC-20-146) indicate that Shaver Road is approximately 30.1 metres along the frontage of the Site. Schedule C-2 – Future-Right-of-Way Dedications indicates that a road widening of 10 metres is required along the west side of Shaver Road from Wilson Street to the Hydro Corridor.

Relevance to the Site:

The Site is located on the east side of Shaver Road and therefore a road widening will not be required as part of a future Site Plan application.



Urban Hamilton Official Plan -
Functional Road Classification

Source: Urban Hamilton Official Plan Schedule C (August 2013)

Figure
9

4.5 Shaver Neighbourhood Secondary Plan

Within the UHOP, the Site is part of the Shaver Neighbourhood Secondary Plan, which is bounded by HWY 403 to the north, Fiddler's Green Road to the east, Garner Road West to the south, and Shaver Road to the west. The policies of the Shaver Neighbourhood Secondary Plan are contained in Vol. 2, B.2.2 of the UHOP. This section provides a review of the applicable policies of the Shaver Neighbourhood Secondary Plan as they pertain to the proposed development.

Land Use Designation

The Site is designated as "Medium Density Residential 2a" on Map B.2.2-1 Shaver Neighbourhood – Land Use Plan (see **Figure 10**). The following policies apply to the "Medium Density Residential 2a" designation:

- "i) the permitted use shall be low rise apartment buildings; and,
- ii) the density shall not exceed 62 dwelling units per gross/net residential hectare."

Stacked townhouses are not a permitted use in the "Medium Density Residential 2a" designation and therefore the Site is required to be redesignated to "Medium Density Residential 2b". As provided below in Policy B.2.2.1.4.b, stacked townhouses are permitted in the "Medium Density Residential 2b" designation at a maximum density of 62 dwelling units per hectare:

- "i) the permitted uses shall be low rise apartment buildings and stacked townhouses; and,
- ii) the density shall have a minimum density of 40 units and a maximum density of 62 dwelling units per gross/net residential hectare."

The maximum density of the proposed development is 98 dwelling units per hectare and therefore a Site Specific Policy Area will be required to permit an increase to the permitted density.

It should be noted that the general residential policies state:

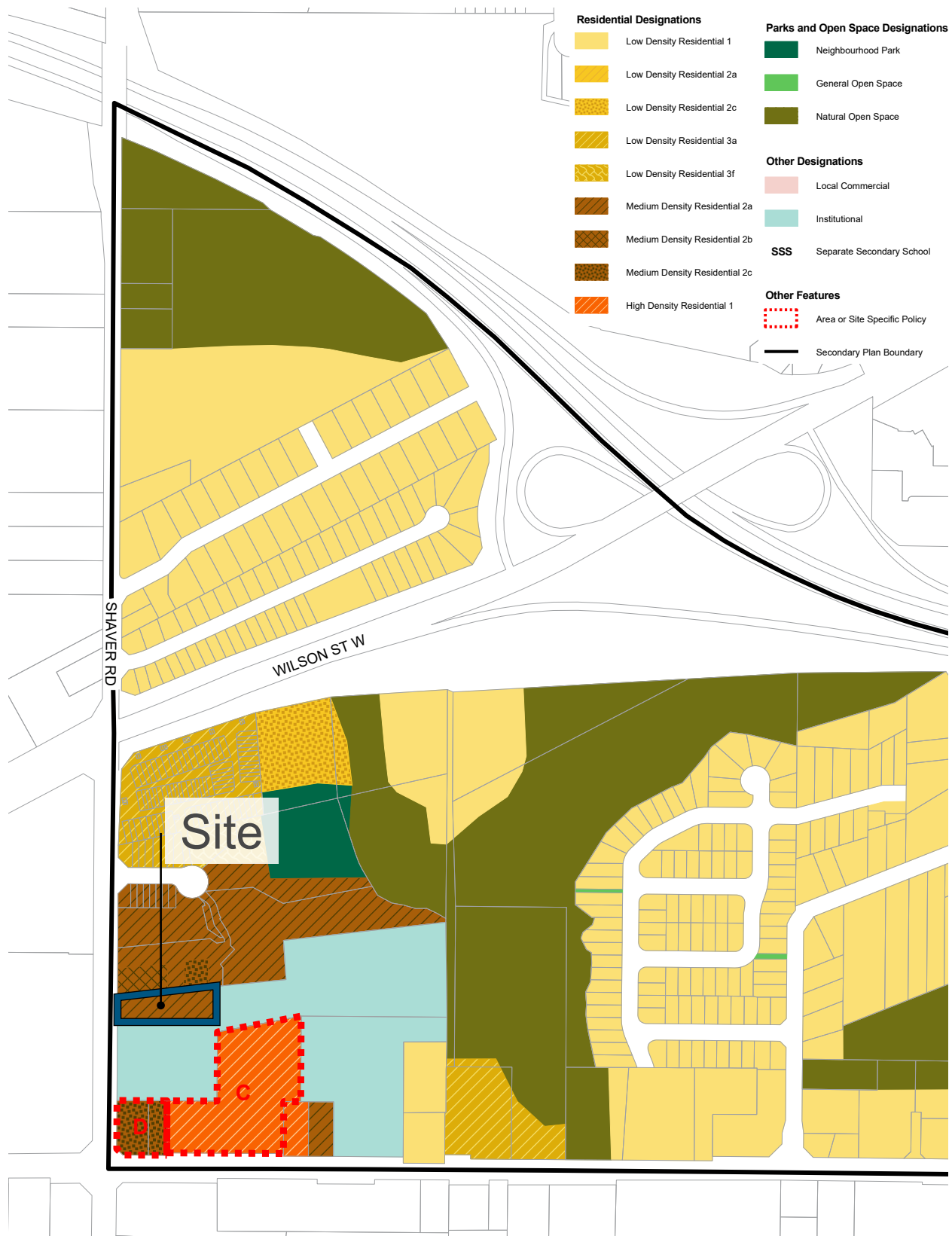
- "a) Residential buildings shall have no more than three occupied storeys entirely above grade."

The stair tower that provides access to the roof top amenity area is not considered an occupied storey and therefore the proposed development does not offend this policy.

Relevance to the Site:

The Site is required to be redesignated from “Medium Density Residential 2a” to “Medium Density Residential 2b” subject to a Site Specific Policy Area to permit a maximum density of 98 dwelling units per hectare.

The justification to increase the density is provided in Section 5.0 Planning Analysis of this report as part of evaluation of the Residential Intensification criteria. A draft Official Plan Amendment is appended to this report as Appendix B.



Shaver Neighbourhood Secondary Plan - Land Use Plan

Source: Urban Hamilton Official Plan Map B.2.2-1 (August 2013)

Figure **10**

4.6 Ancaster Zoning By-law No. 87-57

The Site is zoned C5-243 “Rural Commercial” in Ancaster Zoning By-law 87-57 as shown in **Figure 11**. Special exemption 243 states that the Site can only be used for the repair and open storage of service station equipment, including gasoline, diesel pumps, etc.

In order to implement the proposed development, a Zoning By-law Amendment is required to permit a residential use in the form of stacked townhouses. It is proposed that the Site is rezoned to a Residential Multiple “RM5” Modified zone. The proposed use of a “stacked townhouse” is not a term recognized by Ancaster Zoning By-law No. 87-57 and therefore the definition of “multi-plex dwelling” is to be redefined to permit stacked townhouse dwellings.

The compliance of the proposed development with the regulations of the proposed Residential Multiple “RM5” zone are provided in Table 2:

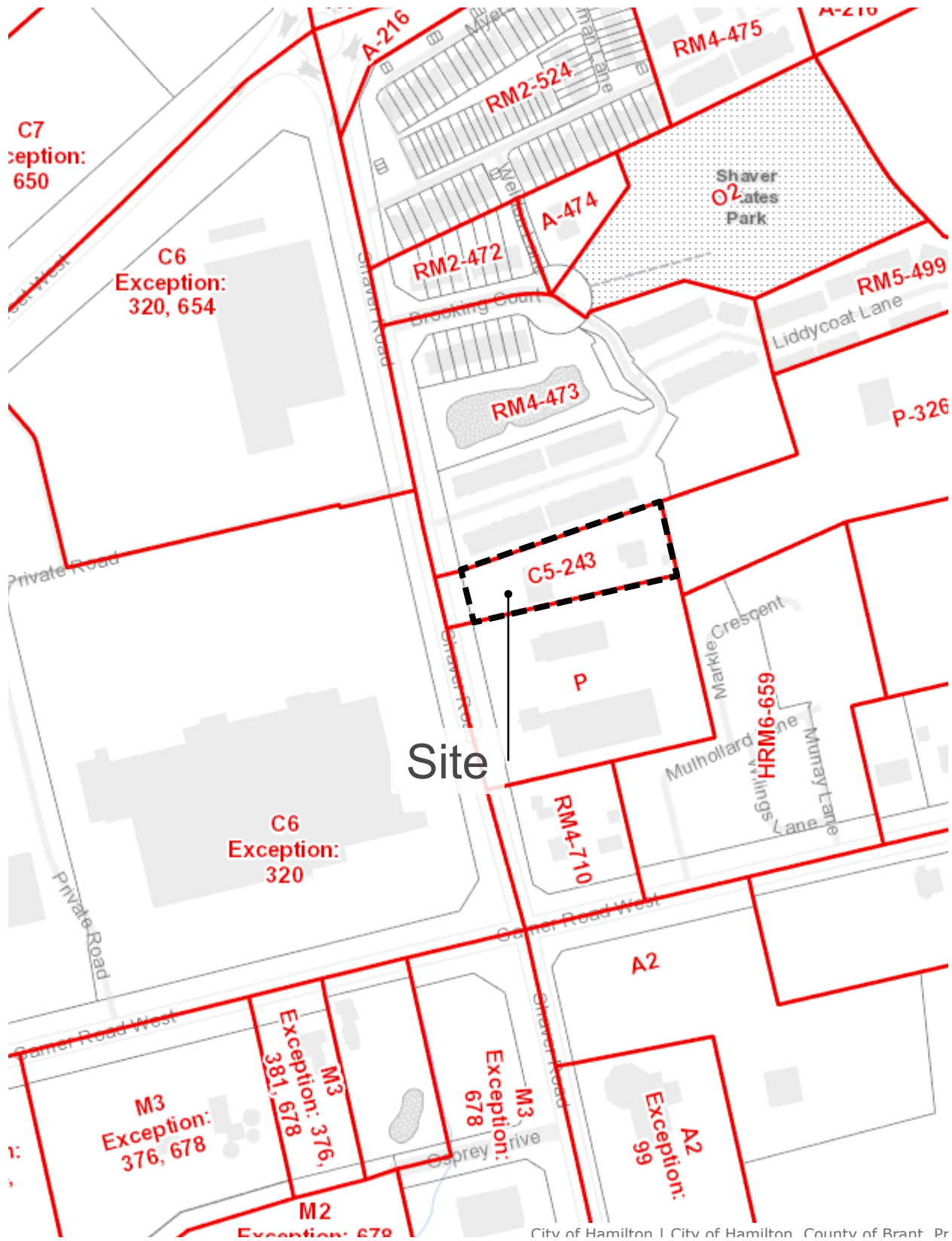
Table 2 Zoning Compliance Chart for Residential Multiple “RM5” Zone

Residential Multiple “RM5” Regulations		Required	Provided	Comply
18.1	Permitted uses	Triplex dwellings, multi-plex dwellings and uses, buildings and structures accessory thereto.	Multi-plex Dwellings (Stacked Townhouse)	✓
18.2 (a)	Min. Lot Area	0.5 hectares for a multi-plex dwelling containing 7 or more units	±0.45 ha	✗
(b)	Max. Density	50 units/ha	98 units/ha	✗
(c)	Min. Lot Frontage	45 metres for a multi-plex dwelling containing 7 or more units	30.4m	✗
(d)	Min. Lot Depth	35m	122m	✓
(e)	Max. Lot Coverage	35%	25.6%	✓
(f)	Min. Front Yard	7.5m where façade has primary entrance facing street or 10.5m + distance specified in Schedule C	3.1m	✗
(g)	Min. Side Yard	9 metres for multi-plex dwellings that are two units in height, plus any distance as specified in Schedule “C”	Northern Side Yard: 2.4m Southern Side Yard: 1.8m	✗
(h)	Min. Rear Yard	9.0m	Rear Yard: 1.8m	✗
(i)	Max. Height	10.5m	±14.2m	✗
(j)	Min. Landscaping	50% of the lot area for multi-plex dwellings	25.7% (1,162m ²)	✗
(k)	Planting Strip	3m along all lot lines	North: 0.4m East: 0m South: 0m West: 1.5m	✗ ✗ ✗ ✗

Table 2 Zoning Compliance Chart for Residential Multiple “RM5” Zone

Residential Multiple “RM5” Regulations		Required	Provided	Comply		
(l)	Parking	25 percent of the required parking spaces for multi-plex dwellings (excluding required visitor parking) shall be within an enclosed building or underground	No enclosed nor underground parking.	x		
		2 per unit plus 0.66 per unit visitor parking spaces	1 per unit plus 0.25 per unit visitor parking	x		
		Parking Stall size: 2.8 x 5.8m* (*City’s new regulation)	Parking Stall Size: 2.8m x 5.8m	✓		
(m)	Children’s Play Area	Curbed or fenced children’s outside play area a min. of 7m ² per dwelling unit (7m x 44 units = 308m ²)	0m ²	x		
(o)	Building Separation	A townhouse building shall be not closer to another townhouse building on the same lot in accordance with the following:			End Wall to End Wall: 3.1m End Wall to Façade: 5.2m	
			Façade	Rear Wall		End Wall
		Façade	18.0m	19.5m		15.0m
		Rear Wall	19.5m	15.0m		10.5m
	End Wall	15.0m	10.5m	3.0m	x	

As outlined in the above zoning compliance chart, a number of modification are required to the Residential Multiple “RM5” zone in order to implement the proposed development. The justification for these modifications is provided in section 5.0 Planning Analysis of this report.



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Ancaster Zoning By-Law No. 81-57

Source: City of Hamilton Online Mapping (2021)

Figure

11

5.0 PLANNING ANALYSIS

This section provides justification as to how the proposed development represents good land use planning.

5.1 Provincial Policy and Plans

Consistent with the PPS, the proposed development represents intensification and redevelopment in a compact form; the efficient use of land; and the optimization of existing infrastructure, public service facilities, and existing transit facilities within Hamilton's Urban Boundary. The proposed development would contribute to the development of a healthy, livable, and safe community and encourage active transportation through the inclusion of four (4) bicycle parking spaces. For these reasons, the proposed development is consistent with the Provincial Policy Statement (2020).

The Growth Plan emphasizes optimizing the use of the existing urban land supply. This strategy represents an intensification-first approach to development and city-building by focusing on making better use of existing infrastructure and public service facilities and less on continuously expanding the urban area. As such, the vast majority of the City of Hamilton's forecasted growth to 820,000 people by 2051 is to be directed to settlement areas that have a delineated built boundary; have existing municipal water and wastewater systems and can support the achievement of complete communities. Based on this criteria, the Site is an appropriate location for growth because it is located within the urban boundary, contiguous to the built-up boundary, is fully serviced by municipal water and wastewater infrastructure, and benefits from existing and planned transit.

Furthermore, the proposed development will support the achievement of complete communities by diversifying the mix of land uses; intensifying a residential use in an area with a significant presence of commercial and employment lands; increase and diversify the range and mix of housing options in the Shaver neighbourhood; support existing transportation options and public service facilities; encourage active transportation and provide for a more compact built form and vibrant public realm. For these reasons, the development proposal conforms to the policies of the Growth Plan (2020), as amended.

5.2 Evaluation of Residential Intensification Criteria

General Residential Intensification

The proposed development represents residential intensification and therefore the general residential intensification policies of the UHOP apply. As per Policy B.2.4.1.4, the proposed development is to be evaluated on a balance of the following criteria listed in b) through g):

- “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;”**

The existing neighbourhood character is generally divided by Shaver Road, with a large commercial shopping centre and parking area to the west, and residential townhouses as well as the City of Hamilton (Ancaster) Public Works Yard to the east. The established pattern and built form for residential uses along the east side of Shaver Road has been established by the 2-storey townhouse complex located immediately to the north (Westbrooke Valley). These townhouses are oriented perpendicular to Shaver Road and grouped into several buildings. Similar to this established pattern, the proposed development is in the form of townhouse units, albeit stacked townhouse units, and grouped into four (4) buildings, three (3) of which are oriented perpendicular to Shaver Road. In this way, the proposed development builds upon desirable aspects of the established pattern and built form.

- “c) the development’s contribution to maintaining and achieving a range of dwelling types and tenures;”**

The proposed development will contribute forty-four (44) stacked townhouse condominium units into the Shaver neighbourhood and thereby assist in maintaining 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;”**

The proposed stacked residential townhouses compliment the use (residential), scale (grouped into multiple buildings), form (townhouses), and character (oriented perpendicular to Shaver Road) of the townhouse complex located immediately to the north (Westbrooke Valley), as well as the townhouse complex and 4.5 storey apartment building located to the southeast at 591 Garner Road West (Monterey Heights). The stacked townhouse form integrates well with these nearby block townhouse developments and apartment building as they are of a similar character.

“e) the development’s contribution to achieving the planned urban structure as described in Section E.2.0 – Urban Structure;”

The Site is part of the Neighbourhoods urban structural element (See **Figure 7**). Neighbourhoods are to primarily consist of residential uses (Policy E.6.2) and provide the opportunity for a full range of housing forms and types (Policy 2.6.4). Accordingly, the proposed development contributes to achieving the planned urban structure of the Neighbourhoods urban structural element by providing appropriate residential intensification that will diversify the range of housing forms and types available within the Shaver Neighbourhood.

“f) infrastructure and transportation capacity; and,”

As outlined in the Functional Servicing Report prepared by Odan/Detech Group Inc. and dated September 10, 2021, the proposed development is serviceable utilizing existing sanitary, storm and watermain infrastructure within and adjacent to the Site. Stormwater management for the proposed development will match existing conditions as described in the FSR summarized in section 3.6 of this report.

With respect to transportation capacity, the proposed development is located on a Collector Road (Shaver Road) in close proximity to the Wilson Street West junction with Hwy. 403. The Site is also served by HSR bus routes #16 and #44 as described in section 1.5 of this report and shown in **Figure 2**.

“g) the ability of the development to comply with all applicable policies.”

Upon approval of the Subject Applications, the proposed development will comply with all applicable policies.

Residential Intensification in the Neighbourhoods Designation

As the Site is located within the Neighbourhoods designation, the proposed development is to be evaluated against the following criteria pertaining to residential intensification within the Neighbourhoods designation. Accordingly, the following contains an evaluation of the matters listed in Policy B.2.4.2.2 b) through j):

b) compatibility with adjacent land uses including matters such as shadowing, overlook, noise, lighting, traffic, and other nuisance effects;”

The UHOP defines compatibility as:

“Compatibility/compatible: means land uses and building forms that are mutually tolerant and capable of existing together in harmony within an area. Compatibility or compatible should not be narrowly interpreted to mean “the same as” or even as “being similar to”.”

Based on this definition, the proposed development is compatible with the adjacent residential land use to the north (Westbrooke Valley) as well as the City of Hamilton Works (Ancaster) Operation yard located to the south and east.

The residential townhouse complex (Westbrooke Valley) located immediately to the north of the Site shares the same land use and function as the proposed development. The low-rise nature of the proposed stacked townhouses in conjunction with the fact that the buildings are located along the southern and eastern portion of the Site, furthest from the existing townhouses, will mitigate against overlook and shadowing effects. In addition, the southern lot line of the Westbrooke Valley townhouse complex includes a stone retaining wall and solid wood privacy fence. There is also an existing cedar hedgerow along the northern property line of the Site (see Image C), of which approximately 12 metres of this existing hedgerow can be retained with the appropriate tree protection measures. The retention of this portion of the cedar hedgerow has been incorporated into the Landscape Plan to assist in mitigating overlook and privacy concerns (see **Figure 5**).

With respect to the City of Hamilton Works (Ancaster) Operations Yard located at 501 Shaver Road, it was confirmed by dBA Acoustical Consultants Inc. staff that the works yard will have no noise impact on the proposed development. The report states that the maintenance building is insulated and does not emanate any noise from within the building to the exterior. Furthermore, the proposed development will benefit from the fact that the maintenance building provides ample shielding from Garner Road West traffic noise. The report also notes that the townhouse complex located to the east of the facility at 591 Garner Road West (Monterey Heights) did not require a noise barrier. The full details of the noise investigation are contained in their Environmental Noise Impact Study, which is summarized in section 3.5 of this report. In order to mitigate concerns regarding dust emanating from the public works yard, no windows are proposed along the rear of any of the buildings (see **Figure 4**). It should also be noted there are existing and planned residential developments already adjacent to the works yard, including Monterey Heights to the east at 591 Garner Road West, and a planned 24-unit block townhouse development at 527 Shaver Road.

Based on the above assessment, the proposed development is compatible with the adjacent land uses.

“c) the relationship of the proposed building(s) with the height, massing, and scale of nearby residential buildings;”

Nearby residential buildings include the townhouse complex located immediately to the north (Westbrooke Valley) and the townhouse complex to the southeast located at 591 Garner Road West (Monterey Heights).

With respect to height, the Westbrook Valley townhouse complex contains 2-storey townhouses, and the Monterey Heights development contains 3-storey townhouses and a 4.5-storey apartment building. With this height gradient in mind, the proposed 3-storey height is within the same range as nearby residential buildings and provides for an incremental transition.

Furthermore, the massing of three (3) of the four (4) proposed buildings is oriented perpendicular to Shaver Road, which is consistent with the orientation of the adjacent townhouse blocks to the north.

“d) the consideration of transitions in height and density to adjacent residential buildings;”

The transition in height from the adjacent 2-storey townhouses to the north and proposed 3-storey stacked townhouses consists of a height difference of only 1 storey, which is an incremental and appropriate transition. This transition in height and density is mitigated by the positioning of the buildings along the southern and eastern portions of the Site, furthest away from the adjacent townhouse buildings to the north.

“e) the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;”

This criteria is not applicable to the proposed development as no new lots are proposed.

“f) the provision of amenity space and the relationship to existing patterns of private and public amenity space;”

A garden patio of approximately 11.3 square metres is located at ground level (approximately 11.6 square metres for end units) and will provide amenity space for the lower units. The upper units contain a covered balcony, which range in area from approximately 4.2 square metres for the middle units and 5.7 square metres for the end units. The upper units also include a roof top terrace with areas of approximately 17.3 square metres for the end units and approximately 25.3 square metres for the middle units.

With respect to existing patterns of private amenity space, the townhouses to the north (Westbrook Valley) utilize rear decks, while the townhouses to the southeast (Monterey Heights) use rear yards and uncovered balconies. These differing patterns of amenity space are compatible with the proposed development.

“g) the ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations;”

The existing streetscape pattern along Shaver Road varies considerably between the east and west sides of the street. The west side of Shaver Road contains a sprawling commercial shopping centre with a vast parking area, while the east side of Shaver Road contains a mix of residential townhouses as well as the City of Hamilton (Ancaster) Public Works Yard. With this context in mind, the proposed development is consistent with the established residential pattern to the north of the Site, which contains townhouses aligned perpendicular to Shaver Road. The proposed development will continue this streetscape further south along the east side of Shaver Road, leading to an overall enhancement of the streetscape.

“h) the ability to complement the existing functions of the neighbourhood;”

The proposed development will complement the existing functions of the neighbourhood by redeveloping an under-utilized Site with forty-four (44) new residential units. The new residents of these units would add pedestrians to Shaver Road and therefore animate the neighbourhood with activity and support the commercial function of the nearby shopping centre.

“i) the conservation of *cultural heritage resources*; and,”

This criteria is not applicable to the proposed development as there are no cultural heritage resources on, or adjacent to the Site as indicated in Hamilton’s Online cultural heritage mapping.

“j) infrastructure and transportation capacity and impacts.”

As outlined in the Functional Servicing Report development by Odan/Detech Group Inc. and dated September 10, 2021, the proposed development is serviceable utilizing existing sanitary, storm and watermain infrastructure within and adjacent to the Site. Stormwater management for the proposed development will match existing conditions as described in the FSR summarized in section 3.6 of this report. With respect to transportation capacity, the proposed development is located on a Collector Road (Shaver Road) in close proximity to the Wilson Street West junction with Hwy. 403. The Site is also served by HSR bus routes #16 and #44 as described in section 1.5 of this report and shown in **Figure 2**.

5.3 Requested Zoning Modifications

As outlined in the Zoning Compliance Chart (see Table 2), a number of modifications are required to the Residential Multiple “RM5” zone in order to implement the proposed development. The justification for each of these modifications is provided as follows:

Redefine “Multi-Plex Dwelling” to describe Stacked Townhouse

Ancaster Zoning By-law 87-57 does not recognize the term “Stacked Townhouse” and therefore it is necessary to redefine the term “Multi-Plex Dwelling”. A precedence for redefining the term “Multi-Plex Dwelling” can be found in site-specific policy RM5-499. The definition also functions to limit the number of vertical, horizontal, and total units contained in a single building. The proposed definition is as follows:

“Dwelling, Multiplex: means a building divided vertically into a minimum of two (2) and a maximum of six (6) side-by-side units, which may also be divided horizontally to a maximum of two (2) units in height, for a maximum total of twelve (12) units, with each unit being separated by two or more common walls and each having private entrances to the outside.”

Given that Ancaster Zoning By-law 87-57 does not recognize the term “stacked townhouse”, the introduction of the above definition is necessary to implement the form of the proposed development.

Lot Area

A multiplex-dwelling containing 7 or more units requires a minimum lot area of 0.5 hectares, whereas the Site is approximately 0.45 hectares, representing 90% of the required lot area. The lots surrounding the Site are already occupied and therefore there is no obvious way to increase the area of the Site by lot assembly. Given these constraints, it is appropriate to reduce the required lot area from 0.5 hectares to 0.45 hectares to recognize the existing condition of the Site.

Density

The proposed development represents a density of 98 units per hectare, whereas a maximum of 50 units per hectare is permitted. The increase in density is required to implement the stacked townhouse form, which is generally twice as dense as standard block townhouses, as units are stacked vertically on top of one another. This additional density represents an optimization of the Site as well as existing infrastructure.

The Site is in a suitable location for additional density as it is in close proximity to a wide range of shopping amenities and employment opportunities in the form of the Ancaster Business

Park. At this location it would be possible for new residents to live, work, and shop all within 15-minutes of the Site.

In addition, the townhouse development to the southeast of the Site (Monterey Heights) has an approved site specific policy (Area C) in the Shaver Neighbourhood Secondary Plan permitting 85 dwelling units per hectare for block townhouses and 110 units per hectare for apartments. The proposed density of 98 units per hectare is within the same range as this approved density on nearby lands.

Furthermore, the Growth Plan emphasizes optimizing the use of the existing urban land supply and promotes an intensification-first approach to development and city-building. The proposed density makes better use of existing infrastructure and public service facilities, and less on continuously expanding the urban area.

For these reasons, the proposed density of 98 units per hectare is considered appropriate at this location.

Lot Frontage

A minimum lot frontage of 45 metres is required for a multi-plex dwelling containing 7 or more units, whereas the Site has a lot frontage of 30.4 metres along Shaver Road.

It is noted that the northern lot line of the Site is tapered and therefore the reduced lot frontage does not represent the true size of the Site, which widens to 43.72 metres at the rear lot line.

Given that the buildings are oriented perpendicular to Shaver Road, as opposed to parallel, less space is required at the front of the Site in order to accommodate the driveway and width of the building.

For these reasons, recognizing the Site's existing lot frontage of 30.4 metres is considered appropriate as it is sufficient to accommodate the proposed development.

Yard Setbacks

A number of reductions to the required yard setbacks are required, including:

- A reduced front yard of 3.1 metres, whereas a minimum of 7.5 metres is required;
- A reduced northern side yard of 2.4 metres, whereas a minimum of 9 metres is required (for multi-plex dwellings that are two units in height);
- A reduced southern side yard of 1.8 metres, whereas a minimum of 9 metres is required (for multi-plex dwellings that are two units in height); and
- A reduced rear yard of 1.8 metres, whereas a minimum of 9 metres is required.

Part of the intention of the rear and side yards is to facilitate amenity and recreational areas. Amenity areas located at the rear of the proposed buildings are not as desirable in this location given the adjacent works yard and the potential for dust. For this reason, the amenity areas of the building have been incorporated into the front/top of the buildings through the inclusion of a front patio, covered balcony, and roof-top patio. Given that the rear of the buildings serve more of a utilitarian function and do not include windows (see **Figure 4**), it is considered appropriate to reduce these areas in favour of more space at the front of the buildings to accommodate the front garden/patio, landscaping, pedestrian walkway, and parking area.

With respect to the required front yard setback, Shaver Road does not feature a consistent street wall and the established pattern of development is to orient buildings perpendicular to the road. Given the orientation of the proposed buildings, the front yard setback effectively functions as a side yard, and therefore there is no compelling reason to setback the side of the building 9 metres from the lot line when 3.1 metres is sufficient to accommodate landscaping.

For these reasons, the requested reductions to the front yard, side yards, and rear yard are considered appropriate.

Building Height

The height of the proposed buildings is 14.2 metres, whereas a maximum of 10.5 metres is permitted. The difference between the maximum permitted and proposed building height is 3.7 metres and is required to implement the stacked townhouse form.

With respect to the surrounding non-residential uses, the works yard to the south and east of the Site as well as the large commercial shopping centre to the west would not be expected to be sensitive to the height of the proposed buildings.

In regard to adjacent residential uses, the townhouses to the north of the Site are 2-storeys and the proposed 3-storey stacked townhouses amount to a height difference of only 1 storey, which is an incremental and appropriate transition. In addition, this positioning of the buildings along the southern and eastern portions of the Site, furthest away from the adjacent townhouse buildings to the north, will mitigate against overlook and privacy concerns. Furthermore, an existing cedar hedge along the northern lot line (see Image C) is to be partially retained, and together with new tree plantings proposed in the Landscape Plan (see **Figure 5**) will contribute to privacy.

In regard to nearby residential uses, the Monterey Heights development to the southeast contains 3-storey townhouses and a 4.5 storey apartment building. With this height gradient in mind, the proposed 3-storey height is within the same range as nearby residential buildings and provides for an incremental transition. Furthermore, there are no overlook or privacy

concerns to the south and east of the proposed buildings as no windows are proposed at the rear of the buildings (see **Figure 3**).

For these reasons, the proposed height of 14.2 metres is considered contextually appropriate.

Landscaping Area & Planting Strip

The proposed development provides a landscaped area of 25.7%, whereas 50% of the lot area is required to be landscaped for multi-plex dwellings.

In short, the Site is not large enough to be redeveloped for a multi-plex dwelling with 50% landscaped coverage. A conceptual Landscape Plan has been developed by Marton Smith Landscape Architects (MSLA) and is shown in **Figure 5**. The Landscape Plan demonstrates that there is sufficient landscape area to provide twenty-six (26) trees. Ten (10) of these trees are proposed along the western, northern, and eastern property lines. In addition, flowerbeds containing shrubs and flowers are proposed on the south side of the driveway entrance, around the Molok garbage area, the area north of the parking, and along the front of the three southern residential buildings as well as along Shaver Road. The Landscape Plan demonstrates through the quality and quantity of plantings that a Landscape Area of 25% is suitable for the proposed development.

In addition, a minimum 3 metre wide Planting Strip is required along all lot lines, whereas reduced planting strips are proposed as follows:

- Northern lot line: 0.4 metres;
- Eastern lot line: 0 metres;
- Southern lot line: 0 metres; and
- Western lot line: 1.5 metres.

There is sufficient space to provide a 1.5 metre planting strip along the western lot line, facing Shaver Road, which is arguably the most important, as it faces a public street.

A planting strip is not required along the eastern and southern lot lines, as the rear facades of the buildings do not contain any windows given the adjacent works yard.

As shown on the Landscape Plan (see **Figure 5**) a generous amount of plantings are provided along the northern lot line; however, due to the diagonal tapering of the lot line vs. the east-west orientation of the parking lot, the planting strip is reduced significantly at the pinch-point to as little as 0.4 metres. The pinch-point is unavoidable given the tapered lot line and necessity of providing parking.

Based on the above, the requested reductions to the minimum required landscaping area and planting strip requirements are considered appropriate.

Parking Requirements

25% of the required parking area is required to be in an enclosed building or underground, whereas the parking area is provided at ground level and uncovered. Generally, underground parking is not viable for small infill developments of this nature. Furthermore, an enclosed parking building would potentially clutter the Site and obstruct views to the proposed planting strip located to the north of the parking area. For these reasons it is considered appropriate that this requirement be reduced to 0%.

Parking spaces are required at a ratio of 2 spaces per unit plus 0.66 visitor parking spaces per unit, whereas the proposed development includes 1 space per unit plus 0.25 visitor parking spaces per unit. It is noted that the Site is within walking distance of a large commercial shopping centre. The Site also has convenient nearby access to HSR bus routes #44 and #16 (see **Figure 2**), which provide access to key local destinations, including Ancaster's Old Town, the Meadowlands Transit Terminal, as well as commercial and residential areas across Hamilton Mountain, and East Gate Square. For the above reasons, a reduced parking ratio of 1 space per unit plus 0.25 visitor parking spaces per unit is considered reasonable for this location.

Children's Play Area

A Children's Play Area of 308 square metres is required (7 square metres per unit x 44 units = 308 square metres), whereas none is proposed. The requirement for a Children's Play Area is uncommon in zoning by-laws and there is no equivalent requirement in Hamilton Zoning By-laws 6593 or 05-200. In addition, each unit includes a private amenity area which could be used as a children's play area; and Shaver Estates Park, which includes a playground for children (see Image D), can be accessed from the Site with a 4-minute walk via a continuous sidewalk (approximately 290 metres). For these reasons, the removal of the required Children's Play Area is considered reasonable.

Building Separation Distance

A building separation distance of 15.0 metres is required from an end wall to a façade, whereas 5.2 metres is provided between the eastern portion of Building C and the southern portion of Building D (see **Figure 3**).

Using the proposed building configuration, it would not be possible to accommodate a fourth building (Building D) along the eastern boundary of the Site if the full 15.0 metre separation distance were provided. Building D acts as a terminating vista for the proposed development as well as screens the adjacent yard works to the east.

A separation distance of 15.0 metres is not necessary in this location, as the proposed 5.2 metres separation distance is enough to accommodate the pedestrian walkway and patio/garden.

In addition, through the building permit process, the proposed development will be required to demonstrate compliance with the Ontario Building Code (OBC), which includes fire separation distances.

For these reasons, a reduced building separation distance of 5.2 metres between an end wall and a façade is considered reasonable.

5.4 Conclusion

Based on the above assessment, it is our opinion that the Subject Applications are appropriate and would facilitate a form of residential development at a density that is compatible with adjacent land uses and harmonious with the Shaver neighbourhood.

6.0 RECOMMENDATIONS

It is our opinion that the proposed development and associated Official Plan and Zoning By-law Amendments represent good land use planning and should be approved for the following reasons:

- a) The proposed development is consistent with the policies of the 2020 Provincial Policy Statement;
- b) The proposed development is in conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020;
- c) The proposed development conforms to the land use policies of the Urban Hamilton Official Plan; including the policy guidance provided in the Shaver Neighbourhood Secondary Plan;
- d) The proposed development provides an opportunity for land use intensification at an appropriate height and scale;
- e) The proposed site layout, building form, height, and massing are compatible within the adjacent residential development and City of Hamilton Works (Ancaster) Operations Yard;
- f) Future residents will support HSR bus routes #16 and #44; and
- g) The proposed development provides for the efficient use of land and infrastructure.

Respectfully,



Stuart Hastings, MCIP, RPP
Planner

Planning and Economic Development Department

Development Planning, Heritage and Design

71 Main Street West, 5th Floor, Hamilton ON L8P 4Y5

Phone: 905.546.2424 - Fax: 905.546.4202



Hamilton

Formal Consultation Document

Meeting Date: January 27, 2021 File No: FC-20-146
 Owner: Shaver Road M.D. Holdings Inc.
 Applicant: Gsp Group Inc. C/O Brenda Khes

PROPERTY INFORMATION

Address and/or Legal Description: 487 Shaver Road, Ancaster

Lot Frontage (metres): 30.5m

Lot depth (metres): 121.8m

Lot Area(m²):4,510 sq m

Urban Hamilton Official Plan Designation: Shaver Neighbourhod Secondary Plan – Medium Density Residential 2a

Zoning: C5-243 Ancaster Zoning By-law 87-57

Description of current uses, buildings, structures and natural features on the subject lands: Single detached dwelling

Brief description of proposal: The site is proposed to be redeveloped into 44 stacked townhouse units within 3 buildings: 16 units in Building A, 16 units in Building B, and 12 units in Building C. The proposed density is 98 units per hectare. All buildings are proposed to be 3 storeys plus a rooftop patio. 55 surface parking spaces are provided at a rate of 1 space per unit, plus 0.25 spaces per unit for visitor parking. All existing structures to be demolished.

APPLICATIONS REQUIRED

Rural Hamilton Official Plan Amendment	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Urban Hamilton Official Plan Amendment	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Local Official Plan Amendment	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Zoning By-law Amendment (Complex)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Subdivision	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Condominium	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Site Plan (Type: Full Application)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Consent	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Variance(s)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Other	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Note: The City of Hamilton is in the process of creating a new comprehensive Zoning By-law for the entire City. The new Zoning By-law is being prepared in phases by Land Use topic. New Rural, Commercial and Residential zoning may be implemented which could be different than the current zoning. Accordingly, additional applications may be required. If a Building Permit has not been issued by the City prior to the new zoning coming into effect, the approved site plan may be affected, related to zoning compliance, which may require further planning approvals (i.e. Minor Variance, Zoning Amendment, etc.).

FEES REQUIRED

City of Hamilton:	Official Plan Amendment: \$33,470 Zoning By-law Amendment: \$35,265 Plan of Condominium: \$18,110 Less 25% - Joint applications: (\$21,711.25) Less FC fee: (\$1,200) Site Plan Control: \$24,280
Conservation Authority Review Fees:	n/a
Other:	Forestry Permit: \$315.04 Tree Protection Plan Review Fee: \$610
TOTAL:	89,138.79

Notes:

- Formal Consultation fee may be credited towards a future application
- Notwithstanding the fees noted above, all fees are payable based on the rate in the fee schedule by-law in effect on the date the payment is made.
- Further fees may be required at a later date as per the fee schedule.
- Separate cheques are payable to the City of Hamilton and the applicable Conservation Authority.
- A Cost Acknowledgement Agreement for potential costs at the Ontario Municipal Board may also be required.

DESIGN REVIEW PANEL

The Design Review Panel shall provide urban design advice to Planning Division staff on Planning applications with respect to complex Zoning and Site Plan applications in the following Design Priority Areas:

- (a) Downtown Hamilton Secondary Plan Area;
- (b) Areas of Major Change and Corridors of Gradual Change within the West Harbor Secondary Plan Area;
- (c) Primary Corridors as shown on Schedule E – “Urban Structure” of the Urban Hamilton Official Plan;
- (d) Any other large scale projects that may impact the physical environment functionally and/or aesthetically.

The Director of Planning or his or her designate may waive projects from the review of the Design Review Panel, if the project is not deemed to have the potential to significantly impact the physical environment functionally and/or aesthetically.

Design Review Panel review required? Yes No

REQUIRED INFORMATION AND MATERIALS

All identified reports, studies, and/or plans must be submitted before an application is deemed complete. Unless otherwise noted, 5 copies of each item and an electronic digital file in PDF locked file format must be submitted.

Reports, Studies, Plans	Required	Staff Responsible for providing guidelines or terms of reference
Background Information		
Survey Plan	<input checked="" type="checkbox"/>	OPA, ZBA, Site Plan (E. Bent ext. 2266)
Concept Plan	<input checked="" type="checkbox"/>	OPA, ZBA (E. Bent ext. 2266)
Planning		
Affordable Housing Report/Rental Conversion Assessment	<input type="checkbox"/>	
Draft OPA, and By-laws	<input checked="" type="checkbox"/>	OPA, ZBA (E. Bent ext. 2266)
Land Use/Market Needs Assessment	<input type="checkbox"/>	
Planning Justification Report	<input checked="" type="checkbox"/>	OPA, ZBA (E. Bent ext. 2266)
Site Plan and Building Elevations	<input checked="" type="checkbox"/>	ZBA (A. Cruceru ext. 5707), Site Plan (E. Bent ext. 2266)
Urban Design Report	<input type="checkbox"/>	
Cultural		

Archaeological Assessment	<input type="checkbox"/>	
Cultural Heritage Impact Assessment	<input type="checkbox"/>	
Environmental		
Aggregate Resource Assessment	<input type="checkbox"/>	
Aggregate/Mineral Resource Analysis	<input type="checkbox"/>	
Air Quality Study	<input type="checkbox"/>	
Channel Design and Geofluvial Assessment	<input type="checkbox"/>	
Chloride Impact Study	<input type="checkbox"/>	
Cut and Fill Analysis	<input type="checkbox"/>	
Demarcation of top of bank, limit of wetland, limit of natural hazard, limit of Environmentally Significant Area (ESA), or limit of Conservation Authority regulated area	<input type="checkbox"/>	
Environmental Impact Statement (EIS)	<input type="checkbox"/>	
Erosion Hazard Assessment	<input type="checkbox"/>	
Fish Habitat Assessment	<input type="checkbox"/>	
Floodline Delineation Study/Hydraulic Analysis	<input type="checkbox"/>	
General Vegetation Inventory (GVI)	<input type="checkbox"/>	
Impact Assessment for new Private Waste Disposal Sites	<input type="checkbox"/>	
Karst Assessment/Karst Contingency Plan	<input type="checkbox"/>	
Landscape Plan	<input checked="" type="checkbox"/>	ZBA, Site Plan (A. Cruceru ext. 5707), Site Plan (S. Brush ext. 7375)
Linkage Assessment	<input type="checkbox"/>	
Meander Belt Assessment	<input type="checkbox"/>	
Nutrient Management Study	<input type="checkbox"/>	
Odour, Dust and Light Assessment	<input type="checkbox"/>	
Restoration Plan	<input type="checkbox"/>	
Shoreline Assessment Study/Coastal Engineers Study	<input type="checkbox"/>	
Slope Stability Study and Report	<input type="checkbox"/>	
Species Habitat Assessment	<input type="checkbox"/>	
Tree Management Plan/Study	<input checked="" type="checkbox"/>	OPA, ZBA, Site Plan (S. Brush ext. 7375)
Tree Protection Plan (TPP)	<input checked="" type="checkbox"/>	OPA, ZBA (M. Kiddie ext. 1290)
Environmental/Servicing and Infrastructure		
Contaminant Management Plan	<input type="checkbox"/>	
Record of Site Condition (RSC)	<input checked="" type="checkbox"/>	OPA, ZBA (E. Bent ext. 2266)
Erosion and Sediment Control Plan	<input checked="" type="checkbox"/>	Site Plan (H. Juneja ext. 4351)
Hydrogeological Study	<input checked="" type="checkbox"/>	Site Plan (H. Juneja ext. 4351)

Grading Plan	<input checked="" type="checkbox"/>	OPA, ZBA, Site Plan (H. Juneja ext. 4351)
Storm Drainage Area Plan	<input checked="" type="checkbox"/>	OPA, ZBA (H. Juneja ext. 4351)
Stormwater Management Report/Plan and/or update to an existing Stormwater Management Plan	<input checked="" type="checkbox"/>	OPA, ZBA, Site Plan (H. Juneja ext. 4351)
Soils/Geotechnical Study	<input checked="" type="checkbox"/>	Site Plan (H. Juneja ext. 4351)
Sub-watershed Plan and/or update to an existing Sub-watershed Plan	<input type="checkbox"/>	
Financial		
Financial Impact Analysis	<input type="checkbox"/>	
Market Impact Study	<input type="checkbox"/>	
Servicing and Infrastructure		
Recreation Feasibility Study	<input type="checkbox"/>	
Recreation Needs Assessment	<input type="checkbox"/>	
School Accommodation Issues Assessment	<input type="checkbox"/>	
School and City Recreation Facility and Outdoor Recreation/Parks Issues Assessment	<input type="checkbox"/>	
Functional Servicing Report	<input checked="" type="checkbox"/>	OPA, ZBA (H. Juneja ext. 4351)
Servicing Options Report	<input type="checkbox"/>	
Water and Wastewater Servicing Study	<input checked="" type="checkbox"/>	Site Plan (H. Juneja ext. 4351)
Land Use Compatibility		
Agricultural Impact Assessment	<input type="checkbox"/>	
Dust Mitigation Plan	<input checked="" type="checkbox"/>	
Land Use Compatibility Study	<input type="checkbox"/>	
Landfill Impact Study	<input type="checkbox"/>	
Minimum Distance Separation Calculation	<input type="checkbox"/>	
Noise Impact Study	<input checked="" type="checkbox"/>	OPA, ZBA (E. Bent ext. 2266)
Odour Impact Assessment	<input type="checkbox"/>	
Sun/Shadow Study	<input type="checkbox"/>	
Vibration Study	<input type="checkbox"/>	
Wind Study	<input type="checkbox"/>	
Transportation		
Cycling Route Analysis	<input type="checkbox"/>	
Transportation Impact Study	<input type="checkbox"/>	
Parking Analysis/Study	<input type="checkbox"/>	
Pedestrian Route and Sidewalk Analysis	<input type="checkbox"/>	
Roadway/Development Safety Audit	<input type="checkbox"/>	
Modern Roundabout and Neighbourhood Roundabout Analysis	<input type="checkbox"/>	

Neighbourhood Traffic Calming Options Report	<input type="checkbox"/>	
Transit Assessment	<input type="checkbox"/>	
Transportation Demand Management Options Report	<input type="checkbox"/>	
Cost Recoveries		
Cost Acknowledgement Agreement	<input type="checkbox"/>	
DRP Submission Requirements		
Public Consultation Strategy		
Other:		
Pest Control Plan	<input checked="" type="checkbox"/>	Site Plan (E. Bent ext. 2266)
Site Servicing Plan	<input checked="" type="checkbox"/>	OPA, ZBA, Site Plan (H. Juneja ext. 4351)
Required Fire Flow (RFF)	<input checked="" type="checkbox"/>	OPA, ZBA (H. Juneja ext 4351)
Watermain Hydraulic Analysis	<input checked="" type="checkbox"/>	OPA, ZBA (H. Juneja ext. 4351)

ADDITIONAL INFORMATION

Additional Agencies to be contacted: _____

Comments:

- Site design is presently ineligible for municipal waste collection. Please see design guidelines at the following link in order to design according to municipal waste collection standards: <https://www.hamilton.ca/develop-property/policies-guidelines/site-plan-guidelines>.
- Please be advised that there are outstanding cost recoveries associated with this property (sanitary sewer and sanitary drain) that will require to be paid as development approvals advance.
- Cultural Heritage staff have requested that a cautionary note be added to the site plan, as the site has been determined to have archaeological potential.
- Development Planning Staff note that the proposed units on the south side of the site abut the City of Hamilton Operations Centre. Staff suggest that those units could be re-oriented to abut the residential use to the north side of the site. Privacy and overlook issues would need to be determined, but this may present a more suitable adjacent use. Additionally, the operations centre continues behind the easterly side of the property. Plans for outdoor amenity space will need properly address how to mitigate noise and dust from the neighbouring site, as identified specifically in comment from Public Works

- Additionally, Development Planning and Urban Design Staff request clarity in the outdoor amenity areas (whether they are balconies, rooftop amenity space or ground oriented for first floor units). Staff suggest that the rear yard setback could be increased from neighbouring uses, or proper justification provided.
- An Official Plan Amendment is required to address both density and form for the proposed site.
- A Zoning By-law Amendment is required for the intended use. Modification will be required to the proposed Zone.
- The type of Condominium tenure was not declared; therefore, the proposed cost may not be reflective of the future tenure.
- Ensure AODA site design
- Street tree fee for 2021: \$728.70 (with HST).
- Urban Design staff note that the parking lot should be broken down into smaller districts by introducing min 3m wide landscaped islands every 8-10 parking spaces, enhancing the appearance of the internal courtyard. Breaks within the parking isles should also be provided to allow for pedestrian movement (which will likely involve carrying strollers, shopping bags, etc) between. Staff have requested that elevation drawings and a concept of a landscape plan be required at the OPA/ ZBA stage, ahead of Site Plan Control.

PLEASE BE ADVISED OF THE FOLLOWING:

1. *The purpose of this document is to identify the information required to commence processing a complete application as set out in the Planning Act. Formal Consultation does not imply or suggest any decision whatsoever on behalf of City staff or the City of Hamilton to either support or refuse the application.*
2. *This document expires 1 year from the date of signing or at the discretion of the Director of Planning.*
3. *In the event this Formal Consultation Document expires prior to the application being accepted by the City, another document may be required.*
4. *If an application is submitted without the information and materials identified in this Formal Consultation Document the City may deem such an application incomplete and refuse to accept the application.*
5. *In accordance with the Planning Act, it is the policy of the City of Hamilton to provide public access to all Planning Act applications and supporting documentation submitted to the City. Therefore, the information contained in an application and any documentation, including reports, studies and drawings, provided in support of an*

Other Staff or Agency

Signature

Date

Other Staff or Agency

Signature
Date

Date

D R A F T
Urban Hamilton Official Plan
Amendment No. X

The following text, together with Map B.2.2-1 Shaver Neighbourhood Secondary Plan – Land Use Plan attached hereto as Appendix “A”, constitutes Official Plan Amendment No. X to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to redesignate the lands located at 487 Shaver Road from “Medium Density Residential 2a” to “Medium Density Residential 2b” as well as create a Site Specific Policy Area to facilitate the development of a 44 unit stacked townhouse development with a density of 98 units per hectare.

2.0 Location:

The lands affected by this Amendment are known municipally as 487 Shaver Road within the former Town of Ancaster.

3.0 Basis:

The basis for permitting this Amendment is:

- The proposed Amendment is in keeping with the policies of the Urban Hamilton Official Plan and the Shaver Neighbourhood Secondary Plan to provide a mix and range of housing forms and provides an efficient use of urban lands.
- The proposed development respects the existing built form of the surrounding neighbourhood and enhances the neighbourhood’s character through an architectural style that is complementary to the existing neighbourhood;
- The proposed development implements the Residential Intensification policies of the Urban Hamilton Official Plan; and,
- The Amendment is consistent with the Provincial Policy Statement, 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020.

4.0 Actual Changes:

4.1 Volume 2 – Secondary Plans

Text

4.1.1 Chapter B – Ancaster Secondary Plans – Section B.2.2 – Shaver Neighbourhood Secondary Plan

- a. That Volume 2, Chapter B.2.0 – Ancaster Secondary Plans, Section B.2.2 Shaver Neighbourhood Secondary Plan be amended by adding a new Site Specific Policy, as follows:

“Site Specific Policy – Area X

B.2.2.5.X Notwithstanding Policy B.2.2.1.4 b) ii), for the lands located at 487 Shaver Road and identified on Map B.2.2.1 – Shaver Neighbourhood Secondary Plan as Site Specific Policy Area X, the following policies shall apply:

- a) The residential density shall not exceed 98 dwelling units per hectare.

Maps

4.1.2 Maps

- a. That Volume 2, Map B.2.2-1 Shaver Neighbourhood Secondary Plan – Land Use Plan be amended by identifying the subject lands as “Medium Density Residential 2b” and being subject to Site Specific Policy Area ___ shown on Appendix “A”, attached to this Amendment.

5.0 Implementation:

An implementing Zoning By-Law Amendment and Site Plan will give effect to the intended uses on the subject lands.


This Official Plan Amendment is Schedule "1" to By-law No. [REDACTED] passed on the [REDACTED]th day of [REDACTED], 202[REDACTED].

**The
City of Hamilton**

F. Eisenberger
MAYOR

A. Holland
CITY CLERK

Appendix A
Amendment No. _____
to the Urban Hamilton Official Plan

 Land to be redesignated from "Medium Density Residential 2a" to "Medium Density Residential 2b" Site Specific Policy Area _____

(487 Shaver Road)










Date:
October 25, 2021

Revised By:
GSP

Reference File No:

Legend



Residential Designations

-  Low Density Residential 1
-  Low Density Residential 2a
-  Low Density Residential 2c
-  Low Density Residential 3a
-  Low Density Residential 3f
-  Medium Density Residential 2a
-  Medium Density Residential 2b
-  Medium Density Residential 2c
-  High Density Residential 1

Parks and Open Space Designations



-  Neighbourhood Park
-  General Open Space
-  Natural Open Space

Other Designations

-  Local Commercial
-  Institutional

SSS Separate Secondary School

Other Features

-  Area or Site Specific Policy
-  Secondary Plan Boundary

Council Adopted: July 9, 2009
Ministerial Approval: March 16, 2011
Effective Date: August 16, 2013

Urban Hamilton Official Plan
Shaver Neighbourhood
Secondary Plan
Land Use Plan
Map B.2.2-1



Not To Scale

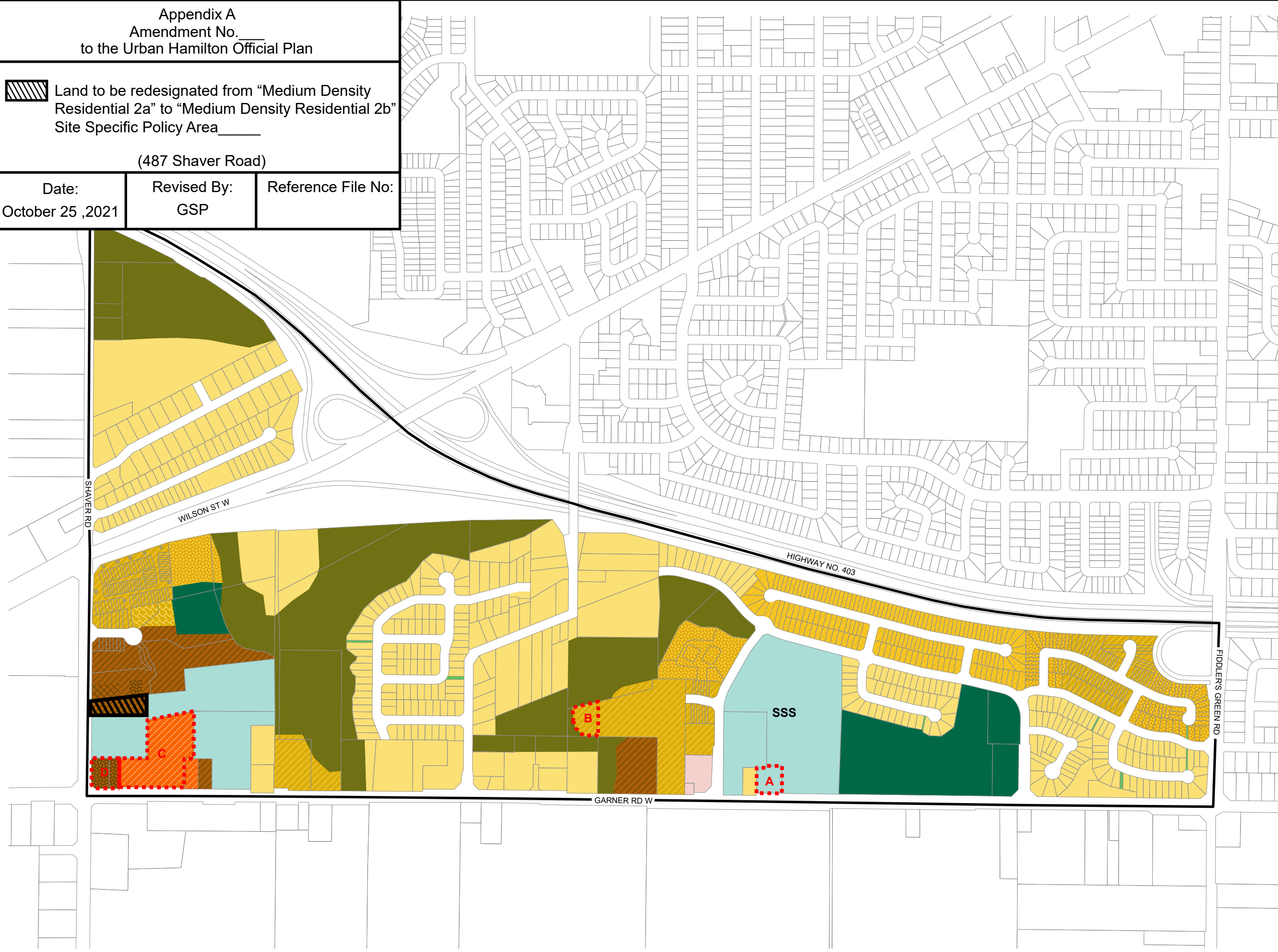
Date: February 2021



Hamilton

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

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OF SURVEY



DRAFT

CITY OF HAMILTON

BY-LAW NO.

To Amend Zoning By-law No. 87-57 (Ancaster)
Respecting Lands Located at 487 Shaver Road (Ancaster)

WHEREAS Council approved Item _____ of Report PED20 _____ of the Planning Committee at its meeting held on the _____ day of October, 2021;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan upon approval of Official Plan Amendment No. _____.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Map No. 1 to Schedule “B”, appended to and forming part of By-law No. 87-57 (Ancaster) is amended as follows:
 - (a) by changing the zoning from C5-243 “Rural Commercial” to the Residential Multiple “RM5-XXX”, modified, the lands located at 487 Shaver Road, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.
2. That Section 34: Exceptions, to Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by adding the following Sub-sections:

RM5-XXX

That notwithstanding Section 18.2, the following regulations shall apply:

1. Regulations
 - (a) Minimum Lot Area 0.44 hectares
 - (b) Maximum Density 98 units per hectare
 - (c) Minimum Lot Frontage 30 metres
 - (f) Minimum Front Yard 3 metres
 - (g) Minimum Side Yard
 - i) northern side yard: 2.4 metres
 - ii) southern side yard: 1.8 metres

APPENDIX C

- | | | |
|-----|----------------------|---|
| (h) | Minimum Rear Yard | 1.8 metres |
| (i) | Maximum Height | 14.5 metres |
| (j) | Minimum Landscaping | 25% |
| (k) | Planting Strip | i) northern lot line: 0.4 metres
ii) eastern lot line: 0 metres
iii) southern lot line: 0 metres
iv) western lot line: 1.5 metres |
| (l) | Parking | i) Notwithstanding Section 7.14(b)(i)(B), the required parking spaces shall be as follows:

for each multi-plex dwelling there shall be a minimum of 1 parking space plus 0.23 visitor parking spaces.

ii) Notwithstanding Section 18.2(l), 0 percent of the required parking spaces for multi-plex dwellings shall be within an enclosed building or underground. |
| (m) | Children's Play Area | Shall not apply. |
| (n) | Building Separation | A dwelling shall not be closer to another dwelling in accordance with the following distance requirements:

1. End Wall to End Wall 3.0 metres
2. End Wall to Façade 5.0 metres |

That notwithstanding Paragraph 3.46 "Dwelling, Multi-Plex" of Section 3 "Definitions" the following definition shall apply to the lands within the Residential Multiple "RM5-XXX" Zone:

3.46 "Dwelling, Multiplex"

means a building divided vertically into a minimum of two (2) and a maximum of six (6) side-by-side units, which may also be divided horizontally to a maximum of two (2) units in height, for a maximum total of twelve (12) units, with each unit being separated by two or more common walls and each having private entrances to the outside.

APPENDIX C

3. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Residential Multiple "RM5" Zone and the Residential Multiple "RM5" Zone provisions, subject to the special requirements referred to in Section 2 of this By-law.

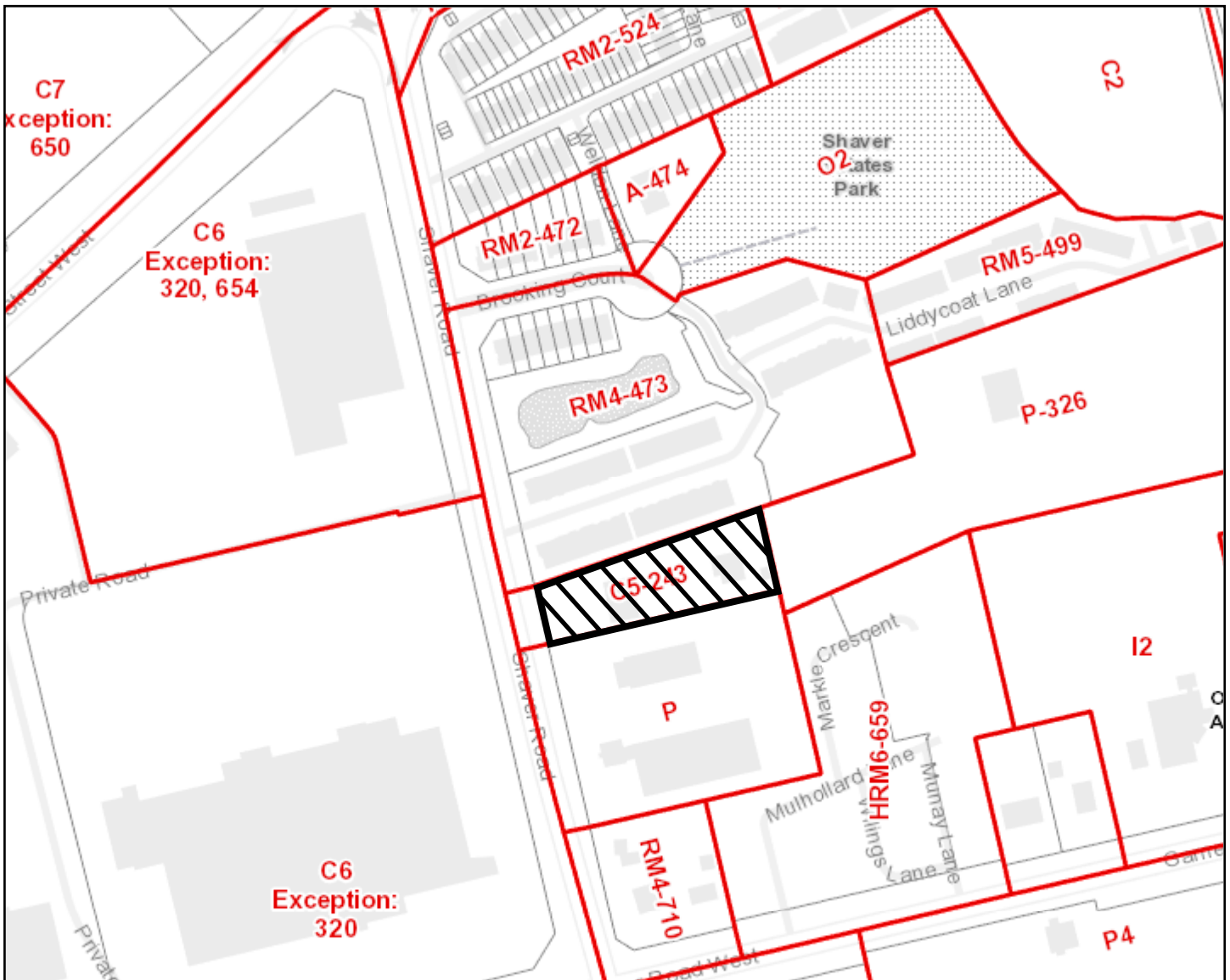
4. That the Clerk is hereby authorized to proceed with the giving of notice of the passing of this by-law, in accordance with the *Planning Act*.

PASSED this _____ , _____

F. Eisenberger
Mayor

A. Holland
City Clerk

To Amend Zoning By Law 87-57 (Ancaster)
 Respecting Lands 487 Shaver Road (Ancaster)




This is Schedule "A" to By-Law No. 21-
 Passed the ____ day of _____ 2021

 Mayor

 Clerk

Schedule "A"
 Map Forming Part of
 By-law No. 21-____
 to Amend By-law No. 87-57

Subject Properties
 487 Shaver Road, Ancaster

 Change in Zoning From the Rural Commercial "C5-243" Zone to the Residential Multiple "RM5" Zone Modified

Scale:
 N.T.S

File Name/Number:

Date:
 October 25, 2021

Prepared By:
 GSP Group

PUBLIC CONSULTATION STRATEGY

Oct. 2021

CRITERIA	RESPONSE
Target audience of the consultation	Residents and business owners in the immediate area.
Previous Consultations	No public consultation has occurred specifically for the Subject Applications prior to this submission.
Expected/Potential Issues	Adjacent townhouses owners to the north would be concerned about increased traffic, overlook, noise, and loss of privacy.
List of Stakeholders	Nearby residents, adjacent City of Hamilton Works (Ancaster) Operations Yard, existing businesses within nearby commercial shopping centre.
Tools used to consult / engage the public	<p>Public Consultation will be in accordance with the requirements of the <i>Planning Act</i>, including the holding of a Public Meeting. The public notice sign will include the City planner's contact information.</p> <p>In addition, GSP Group will create a micro-site under the active projects section of our website (https://www.gspgroup.ca/active-projects/), which will provide the public with an overview of the proposed development as well as provide all of the reports and drawings that have been submitted. An additional sign will be added to the Public Notice Sign providing a link to the project micro-website address.</p>
Timing of Consultation	The Public Meeting will be held as per the requirements of the Planning Act.
Method to receive and document comments	<p>Comments can be provided to the City planner noted on the public notice sign by either email or telephone.</p> <p>Comments can also be received through the contact information provided on the micro-website and will be forwarded to the City planner.</p>