SUBJECT: Applications to Amend the Ancaster Official Plan and Zoning By-law No. 87-57, for Lands Located at 149 Stonehenge Drive (Ancaster) (PED08005) (Ward 12)

RECOMMENDATION:

(a) That approval be given to **Official Plan Amendment Application, OPA-06-30 by Stonehenge Development Limited owner**, to amend Schedule “A”, Land Use – Urban Area Plan from “Institutional” to “Residential” and “Open Space”, and Map “1”, Meadowlands Neighbourhood III Secondary Plan from “Institutional” to “Low Density Residential 1” and “Natural Open Space”, of the Town of Ancaster Official Plan, for lands located at 149 Stonehenge Drive (Ancaster), as shown on Schedule “B” and Map 1 to Appendix “B” of Report PED08005, on the following basis:

(i) That the Draft Official Plan Amendment, attached as Appendix “B” to Report PED08005, be adopted by Council.

(ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement and conforms to the Hamilton-Wentworth Official Plan.

(b) That approval be given to **Zoning By-law Amendment Application ZAC-06-30, by Stonehenge Development Limited owner**, for changes in zoning from the Institutional “I” Zone to the Modified Residential Multiple “RM4-567” Zone and the Conservation Hazard Land “P5” Zone, to permit single detached dwellings on a condominium road for lands located at 149 Stonehenge Drive, shown as Schedule “A” of Appendices “C” and “D” respectively to Report PED08005, on the following basis:

(i) That the draft By-law, attached as Appendix “C” to Report PED08005, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.
(ii) That the amending By-law be added to Map 1 to Schedule “B” of Zoning By-law No. 87-57.

(iii) That the draft By-law, attached as Appendix “D” to Report PED08005, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(iv) That the amending By-law be added to Schedule “A”, Map No. 1284 of Zoning By-law No. 05-200.

(v) That the proposed changes in zoning will be in conformity with the Town of Ancaster Official Plan upon approval of Official Plan Amendment No. __ .

EXECUTIVE SUMMARY:

The proposed amendments are intended to permit the development of a maximum of 41 single detached residential dwellings on a condominium road on property which is surplus to Redeemer University College known municipally as 149 Stonehenge Road (Appendix “A”).

The proposal has merit and can be supported since the proposed Official Plan Amendments and change in zoning are consistent with the Provincial Policy Statement, and conform to the Hamilton-Wentworth Official Plan. The proposal is considered to be compatible with the surrounding neighbourhood.

BACKGROUND:

Proposal:

The applicant is proposing a residential development consisting of a maximum of 41 single detached dwellings on a condominium road for lands located at the south-east corner of Stonehenge Drive and Kitty Murray Lane. The property is triangular in shape and comprises an area of 2.57 hectares (6.35 acres) of undeveloped lands which are
surplus to Redeemer University College. The easterly portion of the site is situated adjacent to a Provincially Significant Wetland which includes a remnant tributary of Tiffany Creek and its valley features.

Concept Plan (Appendix “E”):

The applicant’s conceptual site plan identifies 36 single detached dwelling units on 2 internal condominium roads which have entrances on Kitty Murray Lane (east of Holkham Avenue) and on Stonehenge Drive (Appendix “E”). A stormwater management pond, which will function as a “dry pond” is proposed along the easterly side of the driveway entrance on Stonehenge Drive. This design represents the development of the property with a density of 14 units per hectare.

The property would be developed under condominium ownership and the individual dwellings and driveways would be owned privately. There are 18 visitor parking spaces proposed along the internal condominium roads. A minimum 10m buffer in which no development will be permitted is required for the dwellings abutting the Tiffany Creek subwatershed lands between the development limit (the rear lot line for these units) and the top-of-bank/drip line.

The applicant has requested a maximum density of 16 units/ha or 41 units, which would be achieved by maintaining the same design patterns but will reduce the unit/lot sizes to provide up to 5 additional units.

Official Plan Amendment:

The subject lands are located within the Meadowlands III Secondary Plan of the Ancaster Official Plan and are currently designated “Institutional” as part of the Redeemer University College campus. The proposed Amendment to the Ancaster Official Plan involves the redesignation of the subject lands from “Institutional” to “Residential” on Schedule “B” Land Use Plan – Urban Area.

The proposed Official Plan Amendment would also involve changes to the Meadowlands Neighbourhood III Secondary Plan to redesignate the residential portion of the development from the “Institutional” designation to the “Low Density Residential 1” designation which permits single detached housing forms with a maximum gross density of 18 units per hectare. The proposed storm water management pond would be included in the “Low Density Residential 1” designation.

The required buffer would be redesignated in the Meadowlands Neighbourhood III Secondary Plan from “Institutional” to “Natural Open Space”.
Zoning By-law Amendment:

The purpose of the proposed Zoning By-law Amendment is to change the zoning of the subject property from the Institutional “I” Zone to a Modified Residential Multiple “RM4” Zone to permit the development of a single detached dwelling condominium project for up to 41 units along a 6 metre wide condominium road. The applicant is proposing a number of special zoning provisions which are discussed in the Analysis/Rationale Section of this report.

The minimum 10m buffer abutting the Tiffany Creek Subwatershed lands would require a change in zoning from the Institutional “I” Zone to the Conservation Hazard Land (P5) Zone in the new Zoning By-law 05-200 which currently replaces the Open Space “OS1” Zone, in the Ancaster Zoning By-law.

Details of Submitted Application

<table>
<thead>
<tr>
<th>Owner:</th>
<th>Redeemer University College</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant:</td>
<td>Stonehenge Development Limited (Joint venture between Starward Homes Ltd. and Redeemer University College)</td>
</tr>
<tr>
<td>Agent:</td>
<td>Sarah Knoll, Planning Consultant, Starward Development Services</td>
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<td>Location:</td>
<td>149 Stonehenge Drive, Ancaster</td>
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<tr>
<td>Property Size:</td>
<td>Frontage along Stonehenge Drive: 198.00 metres</td>
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<tr>
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<td>Frontage along Kitty Murray Lane: 248.05 metres</td>
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<td></td>
<td>Area: 2.57 Ha.</td>
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Existing Land Use and Zoning:

<table>
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<th>Subject Lands:</th>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
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<tbody>
<tr>
<td>North-west portion of Redeemer University Campus, currently undeveloped</td>
<td>Institutional “I” Zone</td>
<td></td>
</tr>
<tr>
<td>Surrounding Lands:</td>
<td></td>
<td></td>
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<tr>
<td>West</td>
<td>Single Detached Dwellings</td>
<td>Residential “R3-450” Zone</td>
</tr>
<tr>
<td>North</td>
<td>Single Detached Dwellings</td>
<td>Residential “R3-409” Zone</td>
</tr>
<tr>
<td>East</td>
<td>Undeveloped part of Redeemer University Campus and part of Tiffany Creek Headwaters Provincially Significant Wetland</td>
<td>Institutional “I” Zone</td>
</tr>
<tr>
<td>South</td>
<td>Redeemer University Campus</td>
<td>Institutional “I” Zone</td>
</tr>
</tbody>
</table>

ANALYSIS / RATIONALE:

1. The proposal has merit and can be supported for the following reasons:
   (i) It is consistent with the Provincial Policy Statement and conforms to the Hamilton-Wentworth Official Plan.
   (ii) It would be consistent with the “Low Density Residential 1” and “Natural Open Space” designations of the Meadowlands Neighbourhood III Secondary Plan.
   (iii) The proposal is compatible with the surrounding residential area along Kitty Murray Lane and Stonehenge Drive.

2. The proposed Official Plan Amendment would allow for the development of a unique residential community on an underutilized portion of the Redeemer University College Campus. The proposed design would enable the retention of existing mature street trees which have formed as hedgerows along Stonehenge Drive and Kitty Murray Lane. The proposal would allow for an appropriate
density of development that is in close proximity to community facilities such as existing and future parks, an elementary school and church.

The proposal addresses environmental concerns associated with development adjacent to the Tiffany Creek Provincially Significant Wetland (PSW) through the provision of a designated and zoned buffer area, which would meet the requirements of the Hamilton Conservation Authority. The proposal also provides a storm water management solution through the provision of a storm water management pond, which satisfies the design requirements of the Hamilton Conservation Authority to minimize impacts upon the adjacent PSW.

3. The proposed residential development is to be regulated by a site-specific Residential Multiple “RM4-567” Zone. The need for special zoning provisions is to address the development of single detached dwellings within a block along a condominium road rather than block townhouses, which are the standard use under the Residential Multiple “RM4” Zone. A discussion of the special zoning provisions is provided below:

(i) Permitted Uses

The “RM4-567” Zone would only permit single detached dwellings on a condominium road, and a stormwater management pond.

(ii) Maximum Density

The maximum density, which is requested by the applicant, is for 16 units per hectare, which would yield up to 41 single detached dwellings. This is consistent with the maximum density permitted in the “Low Density Residential 1” designation of the Meadowlands Neighbourhood III Secondary Plan, for single detached and semi-detached dwellings (18 unit/ha.).

(iii) Minimum Lot Frontage

A regulation is required to address the minimum lot frontage along Stonehenge Drive because the development will occur on lands which will be developed as a single condominium block. The minimum lot frontage requirement under the standard “RM4” Zone is 46 metres for block townhouse dwellings. The minimum lot frontage for the proposed development would be 180 metres to recognize property frontage along Stonehenge Drive and would be measured from the Development Limit.
abutting the storm water management pond to the intersection of Kitty Murray Lane.

(iv) Minimum Lot Depth

A regulation to address the minimum lot depth along Kitty Murray Lane is required because the lands will be developed as a single condominium block. The minimum lot depth requirement under the “RM4” Zone for a block townhouse development is 23 metres. The lot depth of the proposed development would be 240 metres and would be measured from the intersection of Stonehenge Drive to the south-west corner of the residential block.

(v) Maximum Lot Coverage

The proposed maximum lot coverage requirement of 30% is consistent with the standard “RM4” Zone requirement for block townhouses. This requirement addresses the total amount of building area within the residential zoned portion of the lands. As this requirement is based on the proposed plan for 36 single detached dwellings, the unit sizes would need to be reduced accordingly to accommodate an increase in density up to the 41 unit maximum.

(vi) Minimum Setbacks from Stonehenge Drive

The proposed setback of 13 metres for a dwelling from Stonehenge Drive is greater than the standard “RM4” requirement of 7.5 metres and would allow for the retention of the existing row of mature street trees, which are in good condition. The requested setback is based on the applicant’s Tree Assessment Report. Adjustments to this actual setback may be required in order to preserve the street trees, if determined necessary at the site plan approval stage. A separate setback requirement is recommended in the “RM4-567” Zone to establish a minimum setback of 19 metres from the hypotenuse of the daylight triangle at the road intersection for dwellings close to the corner.

(vii) Minimum Setbacks from Kitty Murray Lane

The applicant is proposing a setback of 7.5 metres from Kitty Murray Lane. As the street trees along Kitty Murray Lane are smaller and in poorer condition than those along Stonehenge Drive, the reduced setback
is supportable. The privacy areas, landscaping and fencing for these units will be determined through the review of landscape plans at the site plan approval stage.

A proposed setback of 3.5 metres is requested for Unit 1 which has a side yard facing Kitty Murray Lane. This would be supportable as this area would not be required as outdoor privacy area.

(viii) Minimum Setback from Development Limit

The Open Space boundary represents the Development Limit /rear lot line and buffer edge for the dwellings, which have rear yards that are oriented to the Provincially Significant Wetland (PSW). The recommended setback is 7.5 metres, which is based on the applicant’s Environmental Impact Statement (E.I.S.) and the concurrence of the Hamilton Conservation Authority. This setback is consistent with the standard “RM4” Zone setback for rear yards.

(ix) Minimum Landscaping

The proposed minimum landscaping requirement of 45% is consistent with the requirement of the standard “RM4” Zone for block townhouses. As the development will be a condominium, it would ensure that a reasonable amount of the property is to remain as landscape/open space.

(x) Parking

The recommended parking provision is 2 spaces per unit and 0.5 spaces per unit for visitors parking. The parking conforms to the requirement in the Ancaster Zoning By-law for single detached dwellings, but the proposed parking for visitors would be slightly higher than the current requirement of 0.33 spaces per unit for townhouses under the standard “RM4” Zone regulations.

(xi) Minimum Setback from a Condominium Road

The proposed minimum setback from a condominium road of 4 metres from the dwelling and 6 metres from the front of a garage would allow certain dwellings to project slightly in front of the garage. The garage setback is required to provide 1 standard parking space within the driveway.
Subject: Applications to Amend the Ancaster Official Plan and Zoning By-law No. 87-57, for Lands Located at 149 Stonehenge Drive (Ancaster) (PED08005) (Ward 12) - Page 9 of 21

Staff further recommends that provisions be included in the Draft Zoning to permit a 2.4 metre setback for an unenclosed porch and 3.0 metres for a deck from the condominium road to address the interior dwelling units which are located on both condominium roads (see Appendix “E”).

(xii) Minimum Separation between Dwellings

The proposed separation of 2.4 metres between dwellings is to allow for separations for side and rear yards between several of the units in which certain walls are juxtaposed in closer proximity to one another based on the conceptual design of the dwellings and the internal street layout. In most cases, the separation between dwellings would be 3.0 metres, which is generally consistent with the development of single family dwellings on individual lots. The recommended separation of 2.4 metres would also provide flexibility for the consideration of development at the higher density than what is shown on the plan provided in Appendix “E”.

(xiii) Fencing

The zoning will include a provision for a 1.8 metre high perimeter fence around the condominium block. This is required to enclose the rear yard privacy areas along Stonehenge Drive and Kitty Murray Lane. Fencing would also be provided along the ‘Development Limit’ to provide a separation between the residential area and the buffer. The type and style of fencing will be determined at the site plan approval stage.

(xiv) Decks

The proposed requirement for decks is 3.75 metres from Kitty Murray Lane, in lieu of 4.5 metres, due to the conceptual design which requires reduced setbacks due to the location of the internal road and buffer. The recommended setback would allow decks within the privacy areas and would establish a limit to enable the privacy areas to be fenced and improved with landscaping, so that they are less visible from the street. The same setback of 3.75 metres would be permitted for the lots which are adjacent to the buffer. There are no issues from the Hamilton Conservation Authority with respect to this setback. The recommended setback of 9.25 metres for dwellings located along Stonehenge Drive is in response to the more substantive setbacks in this area and to ensure that future decks maintain an appropriate separation from the existing hedgerow.
Staff, therefore, is in support of the proposed special zoning regulations for the Residential Multiple “RM4-567” Zone, which are identified in the Draft Zoning By-law Amendment provided in Appendix “C”.

Zoning for Buffer

With respect to the required buffer, it would be appropriate that the lands be incorporated into Zoning By-law 05-200 under the new Conservation Hazard Land (P5) Zone. The buffer would be located between the easterly boundary of the “RM4-567” Zone (Development Limit) and the Top-of-Bank/Dripline. The recommended zoning for the buffer is provided in Appendix “D”.

4. The issues raised in the letters received from the public in response to the pre-circulation are: impacts associated with the location of the proposed entrance; impacts on the value of existing homes; removal of existing trees; traffic; aesthetics and construction traffic (refer to Appendix “G”).

(i) Proposed Entrance

In terms of the proposed entrance location on Stonehenge Drive, a resident has indicated concerns with the loss of the existing rural view of a former farm field. However, the lands are located within an urban area and are appropriate for intensification and redevelopment.

(ii) Aesthetics

The aesthetics of the development would be considered at the site plan approval stage to ensure that the development design is attractive with enhanced landscaping, appropriate fencing and to retain the existing hedgerows.

(iii) Construction Impacts (Mud and Dust)

With respect to mud and dust, the applicant would be required to obtain approval for an Erosion and Sediment Control Plan as part of the site plan approval process, and may also be required to provide ground cover to prevent soil erosion if construction activities are suspended for a period of more than 45 days. During the construction phase, concerns with mud and dust would also be typically addressed under the Property Standards By-law or on a complaint basis to the Engineering Design and Construction Section.
(iv) **Shining Headlights**

The concern with shining headlights from traffic exiting the site onto the existing dwelling at 146 Stonehenge Drive opposite the condominium driveway will be addressed at the site plan approval stage through the consideration of alternative access driveway locations and driveway alignments.

(v) **Loss of Property Values**

With respect to the perceived loss in the value of existing homes, staff is not aware of any empirical evidence or data to suggest that the proposed development would negatively affect home values in this area.

(vi) **Loss of Trees**

The value of the existing trees is recognized and the proposed zoning and concept designs are based on the need to preserve this important component of the streetscape. However, it is recognized that the removal of some of the exiting trees would be required to accommodate the proposed driveway on Stonehenge Drive. This matter will require a comprehensive assessment and evaluation of a tree management plan prepared by a licensed arborist or landscape architect at the site plan approval stage.

(vii) **Traffic Congestion**

The proposed development did not require a traffic impact study as this was not a policy requirement of the Meadowlands Neighbourhood III Secondary Plan. The Traffic Engineering Section has indicated that they have no concerns with the proposal. As the Meadowlands Neighbourhood III Secondary Plan area is less than 40% developed, higher traffic volumes will be experienced along all major streets within this area. Concerns with speeding or other traffic calming measures would be appropriately addressed through the Hamilton Police Services and the Traffic Operations office, respectively.

(viii) **Construction Traffic**

It is noted that vehicles required for construction activities are subject to adherence to local and provincial laws concerning vehicle speed and
municipal by-laws concerning matters, such as improper refuse disposal. The removal of construction waste from a construction site would be the responsibility of the developer and contractor.

5. Site Plan Approval will be required to address the proposed development of the site with respect to conformity to the provisions of the Zoning By-law, landscaping, access driveways, parking, tree preservation, site servicing, grading, stormwater management, etc.

6. The approval of a consent application through the Committee of Adjustment will be required for the severance of the residential block and buffer from the balance of the Redeemer lands. An application for the approval of a Draft Plan of Condominium would also be required.

7. Servicing of the property will be provided by an existing sanitary sewer within the Stonehenge Drive road allowance, which has sufficient size and capacity for this site. There is an existing storm sewer within the Stonehenge Drive road allowance available to service the proposed development which was designed to accept pre-development and post-development drainage from these lands. There are existing watermains on both Kitty Murray Lane and Stonehenge Drive available to service the subject lands.

8. The existing municipal services on Kitty Murray Lane were constructed under the Meadowlands Phase 5 Subdivision. The developer will be required to pay their proportionate share of the costs of these services, which will be determined as a condition of the approval of the severance.

9. The current width of Kitty Murray Lane fronting the proposed development is approximately 23.165m. The Owner will be required to convey approximately 3.048 of land for widening purposes as a condition of the severance. There are no additional lands required for widening purposes on Stonehenge Drive. The conveyance of a 12.0m x 12.0m daylight triangle at the south-east corner of Kitty Murray Lane and Stonehenge Drive would also be required as a condition of the severance.

10. The construction of a sidewalk is required along Stonehenge Drive in front of the subject property in accordance with the City of Hamilton Sidewalk Policy as a condition of site plan approval. In order to preserve the existing hedgerow, an alternative sidewalk location will be considered adjacent to the curb without the requirement for a boulevard.
ALTERNATIVES FOR CONSIDERATION:

The consideration of dwellings having direct frontage was considered but would require the removal of the existing street trees along Stonehenge Drive and Kitty Murray Lane in order to provide driveways.

A second option that was considered was for the dwellings to have an architectural orientation to Kitty Murray Lane and Stonehenge Drive. This option would require that privacy areas be situated adjacent to the driveways and that appropriate amenity areas will not be provided for each dwelling unit.

The proposed concept (Appendix “E”) is preferred because it will allow for the protection of the existing street trees and the provision of adequate privacy areas which can be enhanced visually by landscaping.

If the proposed application for amendments to the Official Plan and Zoning By-law are denied, the subject lands may be used in accordance with the “I” (Institutional) Zone for institutional uses, and accessory uses, buildings and structures.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial: No financial implications.

Staffing: No staffing implications.

Legal: As required by the Planning Act, Council shall hold at least one (1) Public Meeting to consider an application for an Official Plan Amendment and a Zoning By-law Amendment.

POLICIES AFFECTING PROPOSAL:

Provincial Policy Statement

The application is consistent with the policies that focus growth in settlement areas (Policy 1.1.3.1).

Policy 2.6.2 outlines that development and site alteration may be permitted on lands containing archaeological resources or areas of archaeological potential if significant archaeological resources have been conserved by removal and documentation, or preservation on site. Where significant archaeological resources must be preserved on
site, only development and site alteration which maintain the heritage integrity of the site may be permitted.

Note – A Stage 4 Archaeological Assessment received clearance from the Ministry of Culture on September 28, 2007.

**Places to Grow Growth Plan**

The proposal conforms to the Places to Grow Plan, which encourages new growth to the built up areas of the City through intensification and to areas which offer full municipal services.

**Hamilton-Wentworth Official Plan**

The subject lands are designated “Urban Area” in the Hamilton-Wentworth Official Plan. Policy 3.1 outlines that a wide range of urban uses, defined through Area Municipal Official Plans and based on full municipal services, will be concentrated in the Urban Areas.

Policy B-9.2 states that the City shall consider the protection and preservation of regionally significant historical and cultural resources, including recognized archaeological sites, in the review of proposals for development and redevelopment. This policy requirement has now been addressed, as the applicant has received clearance for a Stage 4 Archaeological Assessment from the Ministry of Culture.

**Ancaster Official Plan**

The proposed Official Plan Amendment is required to consider a change in the land use designation of the property from “Institutional” to “Residential” for the residential component of the proposal, and from “Institutional” to “Open Space” for the required buffer, which abuts the Provincially Significant Wetland. These general land use changes would affect Schedule “B”, Land Use Plan for the Urban Area. The relevant policies for the Residential designation are the following:

“4.4.1 The predominant use of lands designated “Residential” on Schedule “B” shall be for dwellings in areas which will be supplied with urban services (sanitary and storm sewers and water mains).

4.4.2 Types of Residential development permitted in the “Residential” designation shall be single detached dwellings, semi-detached dwellings,
As the proposal would introduce single detached dwellings within a condominium development and within a fully serviced residential area, there are no issues with respect to Official Plan conformity.

The following policies which address Residential intensification have been considered as part of the review of the proposed Official Plan Amendment application:

“4.4.10 Council recognizes that Residential Intensification is an important component in reducing housing costs. Residential intensification is defined as the creation of new residential units or accommodations in existing buildings or on previously developed and/or serviced land. Accordingly, Residential Intensification shall be encouraged, where appropriate, on the basis of the following criteria:

i) In the case of infilling, redevelopment or conversion of non-residential structures in whole or in part, Residential Intensification shall be subject to the following considerations:

   (a) Complementing the established development pattern by taking into consideration natural vegetation, lot frontages, and areas, building height, coverage, mass, setbacks, privacy, and overview; and,

   (b) Compliance with the other objectives of this Plan.”

In terms of Policy 4.4.10.1(a), the proposed development would complement the existing single detached neighbourhood, by providing additional dwellings of a similar scale and mass along an internal road, which would be developed within a condominium format as a single block without individual frontages. The project has taken into account foremost the need to preserve existing street tree hedgerows along Stonehenge Drive and Kitty Murray Lane, which is a significant feature of the existing streetscape. The dwellings would be oriented to the internal roads and driveways.

The proposal would also comply with other objectives of the Ancaster Official Plan concerning the provision of appropriate access, servicing and the protection of environmental features.

The relevant policies for the Open Space designation are the following:
"4.3.1 The predominant use of lands designated Open Space and Conservation on Schedules “A” and “B” shall be for public or private land extensive recreational facilities, conservation and other open space uses. These uses include public and private parks, camping areas, golf clubs, passive recreation activities, certain types of active extensive recreation uses such as hiking and cross country skiing, compatible small scale institutional developments, cemeteries and agricultural uses."

As the required buffer is comprised of lands which are regulated by the Hamilton Conservation Authority, there are no issues with respect to Official Plan conformity.

**Meadowlands Neighbourhood III Secondary Plan**

The proposed Official Plan Amendment is also required to address the redesignation of lands within the Meadowlands Neighbourhood III Secondary Plan from “Institutional” to “Low Density Residential 1” for the residential component including stormwater management, and from “Institutional” to “Natural Open Space” for the buffer.

The relevant policies from the Secondary Plan to address the residential component of the proposal include the following:

“Residential Policies

6.6.6(a) The Secondary Plan is intended to provide a moderate mix of housing opportunities in terms of lot size, unit size, type and tenure that are suitable for different age levels, income groups, lifestyles and household structures. The preparation of the Secondary Plan has considered the extent of existing development as a constraint to a broader range of higher density development.

6.6.6(d) The Meadowlands Neighbourhood III identifies the following criteria for Low Density Residential 1:

<table>
<thead>
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<th>Minimum Frontage</th>
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<tbody>
<tr>
<td>Permitted Housing Forms</td>
<td>Single Detached</td>
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<tr>
<td>Maximum Gross Net Density (u/Ha)</td>
<td>18 units/Ha.</td>
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</table>

The proposed residential development would introduce detached housing which is consistent with the policy direction of the Secondary Plan, and which is within the density requirements of the Low Density Residential 1 designation.
In terms of the criteria of Policy 6.6.6(d), there is a slight difference in that the minimum frontage requirement would not apply as the proposal will be comprised of units that would be developed within a non-registered block for condominium singles. This particular policy is intended to serve as a guideline for future development and would not preclude uses such as condominiums, which do not have individual unit frontages from being developed.

“Infrastructure Services

6.6.16(g) All development shall comply with the approved Master Drainage Plan. Applicants for development proposals may be required by the Town to prepare a site-specific stormwater Management Plan for their lands. The site-specific Stormwater Management Plan shall comply with and incorporate the requirements of the Master Drainage Plan, to the satisfaction of the Town of Ancaster and the Hamilton Conservation Authority.”

The proposed development would be evaluated for compliance with the approved Master Drainage Plan at the Site Plan Approval Stage by the City and the Hamilton Conservation Authority. The design and location for the SWM pond at the northeast corner of the site outside of the buffer area was determined through setback requirements provided in the applicant’s EIS to address stormwater quantity and to minimize impacts upon the adjacent Provincially Significant Wetland. The proposed SWM pond location is to the satisfaction of the Hamilton Conservation Authority. Design and construction details, including stormwater quality, would be addressed at the Site Plan Approval stage.

“Design Policies

6.6.17(a) Wherever possible, existing trees, significant vegetation and distinctive site views, such as the wooded areas, shall be protected and preserved through sensitive subdivision design.

6.6.17(b) Aesthetically pleasing streetscapes shall be encouraged through careful building, site and landscape design.

6.6.17(c) Building and site design, setbacks, landscaping and buffering techniques shall be applied to minimize potential conflicts related to the physical compatibility of adjacent uses between new residential development and existing residential land uses both within and adjacent to the neighbourhood.”
The proposed development has been designed with internal roads and driveways and generous setbacks along Stonehenge Drive to preserve the existing mature street trees along Stonehenge Drive and Kitty Murray Lane. The proposed design is appropriate for the proposed development, given the value provided by the trees to the existing streetscape and the triangular configuration of the proposed condominium block which lends itself to an internal road.

The relevant policies from the Secondary Plan to address the required buffer are the following:

“6.6.13 (c) Any applicant submitting development proposals on lands adjacent to the local wetland shall carry out a site-specific investigation to establish the wetland boundary limit and appropriate buffers in the field. The investigation conducted shall be to the satisfaction of the Town of Ancaster and the Hamilton Conservation Authority.”

The protection of the wetland features has been addressed to the satisfaction of the City and the Hamilton Conservation Authority, through the review of the requisite Environmental Impact Study, Hydrogeological Report and Stormwater Management Assessment Report. Although recognized as a Provincially Significant Wetland (PSW) and woodland, the Tiffany Creek valleylands are not identified specifically as an Environmentally Sensitive Area (E.S.A.) and, as such, there was no formal requirement for the environmental impact study to be reviewed by ESAEIG. Concerns with respect to the location and size of the buffer were addressed at the staff level by the City through consultation with the Hamilton Conservation Authority.

In particular, the establishment of a suitable buffer between the development and the wetland to the satisfaction of the Conservation Authority will be addressed through the recommended “P5” Zoning and site plan approval, which would allow for the protection of the natural area. Parkland dedication requirements for the proposed development would be determined prior to the issuance of building permits as a condition of Site Plan approval.

**RELEVANT CONSULTATION:**

Departments/Agencies having no concerns or objections:

- Community Services Division, Culture and Recreation Department.
- Traffic Engineering Section, Operations and Maintenance Division, Public Works Department.
Community Facilities, Culture and Recreation Department.

Open Space Development and Park Planning, Capital Planning and Implementation Division, Public Works Department.

Forestry and Horticulture Section, Operations and Maintenance Division, Public Works Department.

Hamilton-Wentworth District School Board.

Parking Services

Parking Services has indicated no objection to the proposal, but have advised that future parking requirements shall be met on site.

Forestry and Horticulture Section, Operations and Maintenance Division, Public Works Department

There are numerous trees located off the road allowance in this location. Heritage-size trees should be retained, as set out in the Ancaster Tree By-law, which was not repealed when the Hamilton Tree By-law 06-151 was passed by Council. Heritage trees cannot be removed unless they are in poor condition or located within 7.5 metres of the outer edge of an occupied building.

It is requested that all trees within this Development Area should be identified as Municipal or Private, and that a Tree Management Plan be submitted for all trees on municipal property as well as private trees of heritage diameter (>46cm d.b.h.) so a determination of construction impact can be made.

Note: The Tree Management Plan would be required for evaluation at the Site Plan Approval Stage.

Hamilton Conservation Authority

The Hamilton Conservation Authority has reviewed the Environmental Impact Study, Hydrogeological Report, Stormwater Management Assessment Report and a Survey Plan showing the required buffer and has advised that the review documents and survey are to their satisfaction for the proposed applications. Concerns identified through the EIS review were addressed through site meetings and the establishment of an appropriate buffer between the proposed residential development and the adjacent Provincially Significant Wetland.
The buffer is the “no development area” between the top-of-bank/dripline, which is the easterly boundary and the Development Limit, which is determined to be a setback based on the greater of 30 metres from the watercourse, 15 metres from the wetland boundary and 10 metres from the top-of-bank. The Development Limit would serve as the boundary between the Residential and the Open Space zoned portion of the lands.

Through the review of revised plans, the Conservation Authority is agreeable to an encroachment of up to 1 metre for the stormwater management pond maintenance access road into the buffer area on the south side of the Development Limit line and the allowance for the pond outfall structure to be within the buffer. (Note - This matter would be addressed in the recommended “P5” Zone for the buffer, which permits stormwater management facilities.)

The entire property is located within an area that is regulated by the Hamilton Conservation Authority and will require a permit prior to any development including the erection of any structures, grading activities and alterations to waterways.

**Public Consultation**

In accordance with Council’s Public Participation Policy, this application was precirculated to all property owners within 120 metres and a sign was posted on the site. A total of 116 notices were circulated. To date, there have been 3 letters received (Appendix “G”) which are addressed in the Analysis/Rationale Section of this report.

Prior to the applications being submitted, Public Open Houses were hosted by Starward Development Services, in conjunction with City staff, to provide an opportunity for early public input for the proposal. The first Open House was held on February 15, 2006, at Redeemer University College and was attended by 20 residents. The second Open House was held on May 16, 2006, and was attended by 14 residents. The concept that was presented identified a proposal for 38 dwelling units, which is attached as Appendix “H”. Refinements to this initial concept were subsequently made in the current applications to address storm water management, entrances and the requirement for the buffer.

Notice of the Public Meeting will be given in accordance with the requirements of the Planning Act through the circulation to property owners within 120 metres of the subject lands and through the posting of a sign on the property.
CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, and economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑ Yes ☐ No
The public are involved in the definition and development of local solutions.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
Ecological function and the natural heritage system are protected.

Economic Well-Being is enhanced. ☑ Yes ☐ No
Infrastructure and compact development minimize land consumption and servicing costs.

Does the option you are recommending create value across all three bottom lines? ☑ Yes ☐ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☐ Yes ☑ No

:CT
Attachs. (8)
Change in Zoning from Institutional "I" Zone to Residential Multiple "RM4-667" Zone and Conservation Hazard Land "P6" Zone.
Draft Amendment No. __

to the

Official Plan of the Former Town of Ancaster

The following text together with Schedule “B” – Land Use – Urban Area and Map 1 – Meadowlands Neighbourhood III Land Uses, attached hereto, constitutes Official Plan Amendment No. __.

Purpose:

The purpose of this Amendment is to redesignate the 2.57 ha subject lands from “Institutional” to “Residential” and “Open Space”, and from “Institutional” to “Low Density Residential 1” and “Natural Open Space” in order to permit up to 41 single detached residential condominium units and a stormwater management pond.

Location:

The lands affected by this Amendment are located at 149 Stonehenge Drive, at the south east corner of Stonehenge Drive and Kitty Murray Lane, in Ancaster.

Basis:

The basis for permitting the proposed redesignation is as follows:

- The proposed development is consistent with the Provincial Policy Statement.

- The proposed residential development is consistent with the Region of Hamilton-Wentworth Official Plan, and consistent with the intent of the Town of Ancaster Official Plan, including the Meadowlands Neighbourhood III Secondary Plan.

- The proposed residential development is compatible with the surrounding residential development and segregated from the remaining institutional lands by a natural area.

Actual Changes:

Schedule Changes:

1) Schedule "B" – Land Use – Urban Area – is hereby amended by redesignating the subject lands from “Institutional” to “Residential” and “Open Space”, as shown on the attached Schedule “A” of this amendment.
2) Map "1" – Meadowlands Neighbourhood III Secondary Plan - Land Uses – is hereby amended by redesignating the subject lands from "Institutional" to "Low Density Residential 1" and "Natural Open Space", as shown on the attached Schedule "B" of this amendment.

**Implementation:**

A Zoning By-law amendment and Plan of Site Plan will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. passed on the day of , 2008.

**The City of Hamilton**

_______________________       __________________________
Fred Eisenberger            Kevin C. Christenson
Mayor                     City Clerk

OPA-06-112
ZAC-06-030
CITY OF HAMILTON

BY-LAW NO. __________________

To Amend Zoning By-law No. 87-57 (Ancaster), respecting lands described as being Part of Lot 9, Concession 3, in the former Town of Ancaster, now in the City of Hamilton

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as “The Corporation of the Township of Ancaster” and is the successor of the former Regional Municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council or the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

AND WHEREAS the Council of the City of Hamilton, in adopting Section ___ of Report _______ of the Economic Development and Planning Committee at its meeting held on the day of _________, 2008, recommended that Zoning By-law No. 87-57 (Ancaster) be amended as hereinafter provided;

AND WHEREAS this By-law will be in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster), upon approval of Official Plan Amendment No. ___ proposed by the City of Hamilton but not yet approved in accordance with the provisions of the Planning Act.
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Map 1 to Schedule “B” of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by changing from the Institutional “I” Zone to the Residential Multiple “RM4-567” Zone, the lands the extent and boundaries of which are shown on Schedule “A” annexed hereto and forming part of this by-law.

2. Section 34: Exceptions of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by adding the following subsection:

“RM4-567” Notwithstanding the provisions of Section 17 in its entirety and Section 7.14 (a)(i),(ix)1 and 4,(xvi), (b)(i) and Section 9.10(a) of By-law No. 87-57 (Ancaster), the following uses and special provisions shall apply to the lands zoned “RM4-567”:

Permitted Uses
- Only Single Detached Dwellings along a 6.0 metre Private Condominium road
- A Storm Water Management Pond, outfall structure and access road

Development Regulations
(a) Minimum Lot Area 2 hectares
(b) Maximum Density 16 units per hectare
(c) Minimum Lot Frontage 180 metres along Stonehenge Drive
(d) Minimum Lot Depth 240 metres along Kitty Murray Lane
(e) Maximum Lot Coverage 30 percent
(f) Minimum Setback from Stonehenge Drive 13 metres
(g) Minimum Setback from Kitty Murray Lane 3.5 metres from side elevation 7.5m from rear elevation
(h) Minimum Setback from the hypotenuse of the daylight triangle at the corner of Kitty Murray Lane and Stonehenge Drive 19 metres
(i) Minimum Setback from Development Limit 7.5 metres
(j) Maximum Height 10.5 metres

(k) Minimum Landscaping 45 percent

(l) Parking 2 spaces per dwelling, plus 0.5 spaces per dwelling for visitors, and except as otherwise stated, the provisions of Section 7.14 shall apply

(m) Minimum Setback from a Condominium Road 4.0 metres, except 6.0 metres to front face of garage
2.4 metres to an unenclosed porch
3.0 metres to a deck

(n) Minimum Separation between Dwellings 2.4 metres

(o) Fencing Perimeter fencing of maximum height of 1.8m

(p) Decks Decks shall be permitted in any yard subject to the following setbacks:
3.75 metre setback from Kitty Murray Lane lot line
3.75 metres setback from the Development Limit
9.25 metres from the Stonehenge Drive lot line

(q) Accessory Buildings The provisions of Subsection 7.18(a) shall apply.

(r) For the purpose of this Zoning By-law, the Development Limit is shown on Schedule 'A', attached hereto.

3. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this day of  , 2008.

________________________________________________________
Fred Eisenberger
Mayor

________________________________________________________
Kevin C. Christenson
City Clerk

OPA-06-012 & ZAC-06-30
Appendix "C" to Report PED08005 (Page 4 of 4)

This is Schedule "A" to By-Law No. 08-

Passed the .......... day of .................., 2008

Schedule "A"

Map Forming Part of By-Law No. 08-____

to Amend By-law No. 87-57

Subject Property
149 Stonehenge Drive

- Change in Zoning from the Institutional "I" Zone to the Residential Multiple "RM4-567" Zone, Modified
- Refer to By-Law 05-200

Scale: N.T.S.
File Name/Number: ZAC-06-112 / OPA-06-30
Date: Nov. 26, 2007
Planner/Technician: CT/LMM

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
CITY OF HAMILTON

BY-LAW No. ___

To Amend Zoning By-law No. 05-200,

149 Stonehenge Drive (Ancaster)

WHEREAS the City of Hamilton has in force several Zoning By-laws which apply to the different areas incorporated into the City by virtue of the City of Hamilton Act, 1999, S.O. 1999, Chap. 14;

AND WHEREAS the City of Hamilton is the lawful successor to the former Municipalities identified in Section 1.7 of By-law No. 05-200;

AND WHEREAS Zoning By-law No. 05-200 was enacted on the 25th day of May, 2005;

AND WHEREAS the Council of the City of Hamilton, in adopting Item ___ of Report ___ of the Economic Development and Planning Committee at its meeting held on the ___ day of ___ , 2008, recommended that Zoning By-law No. 05-200, be amended as hereinafter provided;

AND WHEREAS this by-law will be in conformity with the Official Plan of the City of Hamilton (formerly the City of Ancaster Official Plan) upon approval of Official Plan Amendment No. ___.

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

1. That Map Nos. 1284 and 1337 of Schedule “A” to Zoning By-law No. 05-200, are amended by incorporating additional Conservation/Hazard Land (P5) Zone boundaries for the applicable lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”;

2. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.
PASSED and ENACTED this [___] day of [___], 2008.

Fred Eisenberger
Mayor

Kevin C. Christenson
City Clerk

ZAC-06-112 & OPA-06-30
Appendix "D" to Report PED08005 (Page 3 of 3)

This is Schedule "A" to By-Law No. 08-
Passed the ........... day of .................., 2008

Schedule "A"

Map Forming Part of
By-Law No. 08-_____

to Amend By-law No. 05-200
Map 1284

Subject Property
149 Stonehenge Drive

- Change in Zoning from the Institutional "I" Zone to the Private Open Space "P5" Zone
- Refer to By-Law 87-57

Scale: N.T.S.
File Name/Number: ZAC-06-112 / OPA-06-30
Date: Dec 5, 2007
Planner/Technician: CT/LMM

Hamilton
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Proposed Conceptual Site Plan
Plan Showing Existing Street Trees
Letters from Residents

Thomas, Cameron

From: Ferguson, Lloyd
Sent: Sunday, February 04, 2007 1:23 PM
To: Thomas, Cameron
Subject: FW:

Is this the same application as the Melville’s
Do you have a electronic map of the area showing the layout?

-----Original Message-----
From: Dennis Smith
Sent: Thursday, February 01, 2007 11:04 PM
To: Thomas, Cameron
Cc: Ferguson, Lloyd;
Subject:

Dear Mr. Thomas,

I write to you in response to the preliminary circulation of File No. OPA-06-30 and ZAC-06-112 Proposed Zoning By-law Amendment to Permit Condominium Single Detached Units, a Stormwater Management Pond and a Buffer Area (Ancaster), Ward 12

Seven years ago when we bought 146 Stonehenge Dr., the view provided by Redeemer Field (the proposed 149 Stonehenge) was a selling feature. It is one spectacular piece of land. “And the land belonged to Redeemer College…it will never be developed” or so the sales pitch went. A look at the attached photos of Redeemer Field and My View of it will show why I had little hesitation in paying a premium on my lot. But alas, it appears time has proven that the view was neither the salesman’s to sell, nor ours to buy. While I believe Redeemer Field would make a better public park than subdivision, we are not entirely opposed in principle to its rezoning. Our objections have more to do with the Concept Site Plan included in the preliminary circulation.

The Concept Site Plan positions an access road to serve 149 Stonehenge directly across the street from our home and that of our neighbors at 150 Stonehenge. We have a number of reasons for objecting to any plan that places an access road here.

Firstly, placing a road here would require the removal of one of the largest walnut trees(see pic Walnut Trees At Entrance) in the Stonehenge Dr. hedgerow. Some would consider the walnut trees of the hedgerow an extension of the conservation land’s ecosystem.

Secondly, a road located there would impact us personally in several ways: In place of a magnificent view we would have a roadway; the process of construction would generate mud and dust and noise for several years to come; once the subdivision is fully occupied headlights would frequently shine through our living room window at night. I consciously avoided locating near an intersection…most prospective buyers would likely have the same aversion…I would consequently expect the value and salability of our property to drop if an access road were to be located here.

Finally, the prospect of an access road located here raises a safety concern. Since moving here we have seen two light standards (see Lamp Standards pic), located immediately west of the suggested Stonehenge access knocked down by motorists attempting to negotiate the traffic circle at excessive

02/05/2007
speeds. The volume of traffic on Stonehenge has increased dramatically since those accidents. If an access were located here I fear it would be a matter of time before an MVC occurred on our doorstep.

To sum up, we are opposed to any plan that includes an access road on Stonehenge Drive. We would prefer that any second road access be located across from Moorland Crescent.

Thank you for reading our concerns.

Dennis and Linda Smith, 146 Stonehenge Dr., Ancaster, ON, L9K 1M8
Letters from Residents

Photo 1 - View of Existing Field from Kitty Murray Lane

Photo 2 - View of Site from Smith Residence, 146 Stonehenge Drive
Letters from Residents

Photo 3 - Walnut Trees at Proposed Entrance

Photo 4 - Looking East Showing Light Standards
Letters from Residents

From: Harvey Jaster  
291 Kitty Murray Lane  
Ancaster, Ont.

To: Cam Thomas, MCIP, RPP  

Re: File No. OPA- 06-30 & zac-06-112

Almost all of the homes surrounding this corner of Stonehenge and Kitty Murray Lane are beautiful large homes. They have increased in value considerably in the last seven years.

Building small homes on small properties across the street from us is certainly going to damage the value of our homes. Is your department going to compensate us for the loss of the value of our homes?

Unless we can hear of a better plan for this property, we will certainly vote NO to this proposal.

Yours truly,

Harvey Jaster

RECEIVED
Jan 26 2007
Letters from Residents

From: D & J Melville
Sent: Wednesday, January 31, 2007 10:30 AM
To: Thomas, Cameron
Cc: Ferguson, Lloyd
Subject: File No.: OPA-06-30 ZAC-06-112 149 Stonehenge Drive, Ancaster

Dear Mr. Thomas:

This is in response to your letter dated January 15, 2007 regarding Official Plan Amendment and Rezoning to permit Condominium Single Detached Dwelling Units, a Stormwater Management Pond and Open Space Buffer of lands at 149 Stonehenge Drive (Ancaster), Ward 12.

Although we are not opposed to the development of this land. However, after reviewing the documents we are strongly opposed to the current conceptual site plan. It will severely impact the mature tree line on Stonehenge Drive as well as our property and surrounding properties as a result of traffic congestion. The proposed entrance/exit on Stonehenge Drive will eliminate several of the most mature trees that are contained in the treescape along Stonehenge Drive.

We suggest as an alternative to the Stonehenge entrance/exit having it relocated to tie in with Moorland Crescent at Kitty Murray Drive. This would minimize/limit the removal of many trees as well as maintaining property enjoyment. This would be better especially from an environment point of view as well as all homeowners. In the Meadowlands area many trees were removed to allow residential homes to be constructed. Why would we want to remove even more trees that are close to 100 years old when there are other alternative locations for this entrance. The current plan will result in vehicle headlights shining directly into our home as well as our neighbours home.

Other concerns relating to the proposed development is the construction access. We have put up with many years of construction trucks racing along Stonehenge and not following the traffic circles properly causing many near accidents with local vehicles. The roads are continually littered with dirt and construction debris which the city does not fine or enforce the builders to maintain. This is more than a slight inconvenience to homeowners. By having the entrances/exits on Kitty Murray Drive there would be much less of an impact to local homeowners as there are fewer people affected.

Perimeter fencing is another concern because of the number of homes backing onto Stonehenge Drive. Will the city require the developer to install perimeter fencing that is complimentary to the streetscape of the area?

As the Meadowlands has evolved, Stonehenge Drive in proximity to our address has become extremely busy therefore having additional traffic exiting and entering raises safety concerns. Vehicles have been observed traveling at excessive speeds, in an erratic manner and unfortunately enforcement does not occur. The design of the traffic circle at Thoroughbred and Stonehenge is seriously flawed and does not slow down traffic but encourages vehicles to maintain their excessive speed. Residents along Stonehenge have tried on numerous occasion to have local law enforcement monitor the traffic with very little or no results. We were told that there is a lack of manpower available.

We would appreciate if you would consider our concerns and suggestions before preparing your staff report for Council consideration. We look forward to hearing from you and if you have any questions you may contact us at 905-304-9866.

Yours truly,
David & Josephine Melville
150 Stonehenge Drive, Ancaster, ON L9K 1M8
Original Development Concept – March, 2006