SUBJECT: Application for Approval of a Draft Plan of Subdivision, "Kopper Meadow Phase 2", and Change in Zoning for the Properties Located at 9796, 9788, 9778, 9772, 9754 and 9738 Twenty Road West (Glanbrook) (PED07066) (Ward 11)

RECOMMENDATION:

(a) That approval be given to **Subdivision Application 25T-200522, by the Odan Detech Group Incorporated, c/o Paul Hecimovic, applicant**, to establish a draft plan of subdivision known as “Kopper Meadow Phase 2”, as redline revised, on lands located at 9796, 9788, 9778, 9772, 9754 and 9738 Twenty Road West (Glanbrook), as shown on Appendix “A” to Report PED07066, subject to the following conditions:

(i) That this approval apply to the Draft Plan of Subdivision “Kopper Meadow Phase 2”, 25T-200522, as redline revised, prepared by Odan Detech Group, and certified by Dan McLaren, O.L.S., dated November 28, 2005, showing 26 lots for single detached dwellings (Lots 1 to 26), 2 blocks (Blocks 27 and 29) for future development, 6 blocks for existing single detached dwellings (Blocks 31 through 36), 1 block for a 0.3m reserve (Block 30), 1 block for a servicing easement (Block 28), 1 block for a 7.0m road widening on Twenty Road West (Block 37) and 2 public streets shown as Street “A” and Street “B”, attached as Appendix “B” to Report PED07066, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by the City Council, with the following special conditions included therein:

1. That the Owner agrees to provide concrete sidewalks on the south side of Kopperfield Lane abutting this development, as well as on the west side of “Street A” and the north side of Street “B”, in accordance with the City’s Sidewalk Policy, to the satisfaction of the Manager of Development Engineering.
2. That the owner agrees to provide street lighting throughout the subdivision to the limits of the subdivision and on Kopperfield Lane, where deemed necessary, to the satisfaction of the Manager of Development Engineering.

3. That the Owner make a cash payment to the City for the future urbanization of Twenty Road West, adjacent to the lands of Nos. 9796, 9788, 9778, 9772, 9754 and 9738 Twenty Road West, in accordance with the City's Financial Policy, to the satisfaction of the Manager of Development Engineering.

4. That the Owner pay for their proportionate share of services in Kopperfield Lane from the west limit of Block 27 to the east leg of Brookheath Lane, to the satisfaction of the Manager of Development Engineering.

5. That the Owner be required to prepare a plan, at his own expense, to identify the portion of the one foot reserve, known as Block 77 on Plan 62M-865, to be lifted to the satisfaction of the Manager of Development Engineering.

6. That the owner agrees to extend storm and sanitary sewers to Twenty Road, including an overland flow route for major and minor storm events. The sewer(s) shall be located within an easement to the satisfaction of the Manager of Development Engineering. If the existing watercourse through municipal numbers 9772 and 9778 Twenty Road West is to be maintained as an open channel, the Owner shall convey an easement in favour of the City of Hamilton over the water course for purposes relating to access and maintenance, to the satisfaction of the Manager of Development Engineering.

7. That final approval not be granted until such time as the necessary upgrades and improvements to the Twenty Road Pumping Station and Forcemain have been constructed and commissioned, to the satisfaction of the General Manager, Public Works.

8. That the Owner agrees, in writing, to include the following noise warning clause in all agreements of purchase and sale for all lots and blocks within the draft plan.

“Residents of this development are advised that the John C. Munro Hamilton International Airport is located in the vicinity of the subject lands and, as a result, there is a potential for increased noise levels at times related to airport activity.”
9. That the driveway locations on Lots 6, 7 and 11 be located to the satisfaction of the Supervisor of Traffic Planning, and must be shown on the approved engineering drawings.

(ii) Acknowledgement that there will be no City share for any municipal works associated with this development;

(iii) That payment of Cash-in-Lieu of Parkland will be required for the development prior to the issuance of each building permit for the lots within the plan. The calculation of the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the day of issuance of the building permit;

all in accordance with the Financial Policies for Development and the City’s Parkland Dedication By-law, as approved by Council.

(b) That approval be given to Zoning Application ZAC-05-95, by the Odan Detech Group Incorporated, c/o Paul Hecimovic, applicant, for a change in zoning from the Existing Residential “ER” Zone to the Single Residential “R4-206” Zone (Block “1”) and the Single Residential – Holding “H-R4-206” Zone (Block “2”), for the rear of lands located at 9796, 9788, 9778, 9772, 9754 and 9738 Twenty Road West (Glanbrook), as shown on Appendix “A” to Report PED07066, on the following basis:

(i) That Block “1” be rezoned from the Existing Residential “ER” Zone to the Single Residential “R4-206” Zone;

(ii) That Block “2” be rezoned from the Existing Residential “ER” Zone to the Single Residential – Holding “H-R4-206” Zone;

(iii) That the ‘H’ Holding provision, applicable to Block “2”, may be removed by a further amendment to this By-law, at such time as the owner applies for and receives approval of a draft plan of subdivision, to the satisfaction of the Director of Development and Real Estate, and that the Niagara Peninsula Conservation Authority has been satisfied that all issues pertaining to alterations to the watercourse and stormwater management have been adequately addressed;

(iv) That the attached draft By-law, included as Appendix “C” to Report PED07066, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(v) That the amending By-law be added to Schedule “E” of Zoning By-law No. 464; and,
(vi) That the proposed change in zoning and draft plan of subdivision are in conformity with the Hamilton-Wentworth Official Plan and the Official Plan of the Township of Glanbrook.

(c) That upon registration of the Subdivision, the Northwest Glanbrook Planning Area Land Use Plan be amended to reflect the change in road pattern.

Lee Ann Coveyduck  
General Manager  
Planning and Economic Development Department

**EXECUTIVE SUMMARY:**

The purpose of the application is for changes in zoning and a draft plan of subdivision to permit the development of the lands for 26 lots for single detached dwellings, 6 blocks for existing single detached dwellings, and 2 blocks for future residential development (see Appendix “B”).

The proposal has merit and can be supported since it implements the “Residential” designation of the Township of Glanbrook Official Plan and the “Low Density Residential” designation in the North-West Glanbrook Planning Area Land Use Plan. The proposed lots are consistent with the residential character of the neighbourhood.

**BACKGROUND:**

**Proposal**

The purpose of the applications is for approval of a draft plan of subdivision (see Appendix “B”) and changes in zoning (see Appendix “A”) to develop the subject lands for:

- 26 lots for single detached dwellings having frontage on Kopperfield Lane and proposed Street ‘A’ and Street ‘B’;
- 2 blocks for future residential development;
- 6 blocks for existing single detached dwellings;
- 1 block for a 0.3 metre reserve;
- 1 block for road widening along Twenty Road West; and,
- 1 block for a servicing easement.
The 26 lots for single detached dwellings and Block 27 (for future development) would be rezoned to the Single Residential “R4-206” Zone, while the existing lots on Twenty Road West would continue to be zoned Existing Residential “ER” Zone. Block 29 is also for future development and would be rezoned to the Single Residential – Holding “R4-206” Zone. The purpose of the ‘H’ Holding provision is to ensure the Block only develops through a draft plan of subdivision, and that issues pertaining to stormwater management and alterations to the watercourse are addressed to the satisfaction of the Niagara Peninsula Conservation Authority.

**Location:** 9796, 9788, 9778, 9772, 9754 and 9738 Twenty Road West (Glanbrook)

**Owners:** Francella, Priestly, Policoro, Kuehner, Worne and Varga

**Applicant/Agent:** Odan Detech Limited, c/o Paul Hecimovic

**Property Description:**
- **Width:** 213m (along Twenty Road West)
- **Depth:** 190m (measured along east property line)
- **Lot Area:** 3.95ha

**Servicing:** Full municipal services

**EXISTING LAND USE AND ZONING:**

<table>
<thead>
<tr>
<th>Subject Lands</th>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
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<tbody>
<tr>
<td>North</td>
<td>Single detached dwellings</td>
<td>Existing Residential “ER” Zone</td>
</tr>
<tr>
<td>South</td>
<td>Golf Course and agricultural land</td>
<td>Private Open Space “OS1” Zone and Agricultural “A1” Zone</td>
</tr>
<tr>
<td>East</td>
<td>Single detached dwelling</td>
<td>Existing Residential “ER” Zone</td>
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<tr>
<td>West</td>
<td>Single detached dwelling</td>
<td>Existing Residential “ER” Zone</td>
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ANALYSIS/RATIONALE:

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

   (i) It conforms with and implements the “Urban” designation of the Hamilton-Wentworth Official Plan and the “Residential” designation of the Township of Glanbrook Official Plan.

   (ii) It conforms with the “Low Density Residential” designation in the North-West Glanbrook Planning Area Land Use Plan of the Township of Glanbrook Official Plan. The proposed density of 24.8 units per Net Residential Hectare (for the proposed 26 new lots for single detached dwellings) conforms to the policy that permits a maximum density of 25 units per Net Residential Hectare.

   (iii) The proposed lots are compatible with existing and future planned residential development in the North-West Glanbrook Planning Area.

2. The applicants have proposed to rezone the northern portion of the subject lands from the Existing Residential “ER” Zone to a modified Residential “R4” Zone to implement the proposed draft plan of subdivision. A description, review and recommendations on the requested modifications are included below.

Lot area

The applicants have proposed to provide a minimum lot area of 330m$^2$ for interior lots and 400m$^2$ for corner lots, whereas a minimum lot area of 400m$^2$ for interior lots and 500m$^2$ for corner lots are required. The smallest interior lots within the plan of subdivision would be approximately 366m$^2$ in area, whereas the corner lots would be a minimum of 450m$^2$. Therefore, the full reduction would not be necessary. However, in order to both provide flexibility and zoning consistency with modified “R4” Zoning on lands further to the west as part of Draft Approved Plan of Subdivision “Kopper Meadow”, a modification to permit a minimum lot area of 345m$^2$ for interior lots and 400m$^2$ can be supported.

Corner Lot Frontage

The applicants have requested a minimum lot frontage of 15.0m, whereas 16.0m is required for corner lots. The reduction in frontage can be supported as a 15.0m lot can provide sufficient width for an increased flankage side yard. In addition, a reduction from 16.0m to 15.0m is minor in nature and is consistent with the “Kopper Meadow” draft approved subdivision that permits 15m frontage for corner lots.
Minimum Front Yard

The applicants have proposed to provide a minimum front yard of 6.0m, whereas 7.5m is required. Zoning By-law No. 464 requires parking spaces to be a minimum of 3.0m wide and 6.0m deep. A 6.0m front yard would still enable one parking space to be provided in an attached garage and one tandem parking space to be provided in the front yard. In addition, the reduction in required front yard to 6.0m is consistent with the “Kopper Meadow” draft approved subdivision that permits a minimum 6.0m front yard.

Minimum Side Yard Setbacks

The applicants have requested to provide a 1.5m side yard for a corner lot, except 4.5m if the dwelling entrance is fronting the flankage of the property. Section 16.2(e) of Zoning By-law No. 464 does not regulate side yards based on dwelling entrance. Required side yards are determined based on a front yard being the yard with the least frontage. Therefore, a variance for reduced side yard based on dwelling location is not required.

The intent of providing a 4.5m side yard is to ensure sufficient visibility for vehicles turning the corner; to provide a buffer between the road and the dwelling; and to provide a consistent streetscape character for dwelling setbacks. As the corner lots are 15m in width, if the 4.5m flankage side yard and 1.2m interior yard were provided, a dwelling width of 9.3m could be provided. This is less than the 9.6m dwelling width that could be provided on a 12.0m wide interior lot.

The Zoning By-laws of the former municipalities of the City of Hamilton contain a variety of requirements for flankage side yards. These range from no additional flankage side yard requirement in the former City of Hamilton, 3.0m in the former City of Stoney Creek, and 5.2m in the former Town of Ancaster. A reduction to a 1.5m side yard for a flankage yard is not minor in nature and would not meet the intent of the Zoning By-law. However, a reduction to 3.0m would provide a sufficient flankage yard for visibility and would allow for a 10.8m wide dwelling to be constructed on a corner lot. In addition, the two corner lots within the proposed subdivision are located back-to-back so that adjacent dwellings would maintain the same side yard setback. Therefore, a reduction in the required flankage side yard from 4.5m to 3.0m is minor in nature, meets the intent of the Zoning By-law, and can be supported.

3. Sidewalks must be provided on the south side of Kopperfield Lane, the west side of Street ‘A’ and the north side of Street ‘B’ in accordance with the City’s Sidewalk Policy (Site-Specific Condition of Draft Plan Approval No.1).
4. Six of the proposed lots will be serviced through existing sewers along Kopperfield Lane. Watermain, storm, and sanitary sewers will be constructed along Street ‘A’ and Street ‘B’ to service the remaining 20 lots as well as the block for future residential development. The six blocks containing existing single detached dwellings along Twenty Road West are currently only serviced with water. Therefore, the applicant is required to extend sewers through an easement from Street ‘B’ to Twenty Road West and then extend the sewers along Twenty Road to service the 6 lots (Site-Specific Condition No. 6). The proposed draft plan of subdivision has been redline revised to show the required easement (Block 28) at its minimum 9.0m width, and to show that it must be an easement in favour of the City of Hamilton over the proposed and existing lots and not a block to be conveyed to the City of Hamilton. Site-Specific Condition No. 6 has also been worded such that the plan may be further revised to provide an additional easement if stormwater is proposed to be conveyed through the existing open channel.

5. The proposed Draft Plan of Subdivision (see Appendix “B”) requires 2 minor alterations to the road pattern as set out on Schedule ‘G’ – Northwest Glanbrook Planning Area Land Use Plan (see Appendix “D”). Policy B.2.1.25.2(d)(ii) of the Glanbrook Official Plan provides for minor modifications to the road pattern without a formal amendment to the secondary plan.

The first alteration is to extend Street “B” through to the westerly limits of the subdivision instead of terminating the street in a cul-de-sac. The second alteration is that the proposal would provide for a slightly less than 90 degree intersection of Street “A” and Street “B” as future Street “B” to the east would curve to the north such that future cul-de-sacs would be located on the south side of the new road instead of the north side of the road abutting the Villages of Glancaster.

The minor alteration to the road pattern serves to provide a more efficient road pattern that reduces the use of cul-de-sacs as they are not a preferred road pattern by the Public Works Department (Traffic Engineering and Operations Section). The reorientation of Street “B”, east of Street “A”, is due to servicing and engineering constraints and could eliminate the need for the relocation of a drainage ditch and installation of retaining walls.

It should be noted that the draft plan of subdivision shows a potential future lot pattern for Block 29. This plan is preliminary and subject to change depending on how a watercourse/drainage ditch over this Block may or may not be relocated. A full review of the lot pattern and road alignments will occur through a future review of a draft plan of subdivision for this block.
6. The Niagara Peninsula Conservation Authority (NPCA) has reviewed the applications and has no concerns with the development proceeding as shown on the proposed draft plan of subdivision. However, the NPCA has identified a number of issues to be addressed prior to the development of Block 29 pertaining to Storm Water Management and alterations to the watercourse on this block. The applicant is working with the NPCA on resolving these issues, but the NPCA has advised that a number of draft plan conditions will apply to Block 29 when that phase of development proceeds. Therefore, to ensure that orderly development occurs on Block 29 under a full review of a new draft plan of subdivision application, it is recommended that Block 29 be placed in an ‘H’ Holding Provision that cannot be lifted until such time that an application for draft plan of subdivision is approved, to the satisfaction of the Director of Development and Real Estate, and the NPCA is suitably satisfied that the issues can be addressed.

**ALTERNATIVES FOR CONSIDERATION:**

Should the proposed draft plan of subdivision and change in zoning be denied, the subject lands could be developed only for one single detached dwelling on each of the 6 existing lots having frontage on Twenty Road West in accordance with the Existing Residential “ER” Zone.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

- Financial - N/A.
- Staffing - N/A.
- Legal - As required by the Planning Act, Council shall hold at least one (1) Public Meeting to consider an application for a Draft Plan of Subdivision and change in Zoning.

**POLICIES AFFECTING PROPOSAL:**

Provincial Policy Statement

The application is consistent with the Provincial Policy Statement, in that it focuses growth in settlement areas. However, Policy 2.6.2 of the Provincial Policy Statement (PPS) 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 that maintains the heritage integrity of the site will be permitted. Therefore, clearance of an archaeological assessment from the Director of Development and Real Estate, and the Ministry of Culture is required. This condition is addressed in the Standard Form Subdivision Agreement.
Hamilton-Wentworth Official Plan

The subject lands are designated “Urban Area” in the Hamilton-Wentworth Official Plan. The proposed residential subdivision and change in zoning conforms with the policies of the Hamilton-Wentworth Official Plan.

Township of Glanbrook Official Plan

The subject lands are designated “Urban Area - Residential” on Schedule ‘A’ – Land Use Plan and “Low Density Residential” on Schedule ‘G’ – North-West Glanbrook Planning Area Land Use Plan of the Township of Glanbrook Official Plan (see Appendix “E”). The following policies, among others, are applicable to the proposed development:

“B.2.1.1 The predominant use of lands designated Residential on Schedule “A” – Land Use Plan shall be residential dwellings. It is intended that the Township provide for a variety and mix of housing types to address all housing needs throughout the Township, including but not limited to single detached dwellings, semi-detached dwellings, townhouses and apartments. Innovative housing types may also be considered by Council.

B.2.1.11 The following policies identify the range of net residential densities and the general locational criteria for each of the density categories:

(a) Low Density Residential

Low Density Residential development shall consist primarily of single detached, semi-detached, duplex and triplex units at a maximum net residential density of 25 units per net hectare (10 units per net acre). Generally, low density development shall be located in the interior of residential neighbourhoods, adjacent to local roads.

B.2.1.25.2 Development Policies

(a) Residential

The majority of the North-West Glanbrook Planning Area shall be developed for residential purposes. Lands designated Residential shall be developed in accordance with Schedule “G” – Northwest Glanbrook Planning Area Land Use Plan, the pertinent policies of the Township Official Plan and the following specific policies:

(iv) The rear portion of existing large lot residential development fronting Glancaster Road and Twenty Road West shall be encouraged to be redeveloped in conformity with the designation identified on Schedule “G” North-West
Glanbrook Planning Area Land Use Plan and in conformity with the other relevant policies of this plan.

(vii) The housing types and density and development for the Low Density Residential, Medium Density Residential and High Density Residential designations shall be in accordance with Policies B.2.1.10 and B.2.1.11 of the Township Official Plan and the following specific policies:

(1) The predominant form of residential development within the North-West Glanbrook Planning area shall be Low Density Residential development, as designated on schedule “G” – North West Glanbrook Planning Area Land Use Plan.

(ix) Future residents of residential development are advised that the Hamilton Airport is located approximately 1.6 kilometres (1 mile) south of Twenty Road West, which is the southern boundary of the North-West Glanbrook Planning Area and, as a result, there is the potential for noise nuisance at times related to airport activity. A warning clause to advise of this potential noise nuisance related to Airport activity shall be registered on title for residential development lands.

(d) Road Network

(ii) It is the intent of this Plan that the design of the internal public road system in the North-West Glanbrook Planning Area, as shown on Schedule G – North-West Glanbrook Planning Area Land Use Plan shall be used as a guideline and, as such, some flexibility regarding the final alignment of the internal public roads is permitted. The final alignment of the internal public roads shall be determined by the Council of the Township of Glanbrook and, where applicable, the Region of Hamilton-Wentworth.”

Based on the foregoing, the proposal conforms to both the “Residential” and “Low Density Residential” designations of the Official Plan. The proposed residential density of the subject lands (including the blocks for existing residential) is 12.9 units per Net Residential Hectare and the calculation of residential density when the blocks are excluded is 24.8 units per net Residential Hectare, both of which conform to the policies of the “Low Density Residential” designation, in that a maximum net residential density of 25 units per net hectare is permitted. In addition, the predominantly large lots fronting onto Twenty Road West would be retained. Official Plan policies pertaining to the proximity of the Airport to the subject lands have been addressed through Site-Specific Condition No. 8.
RELEVANT CONSULTATION:

The following Departments and Agencies had no comments or objections:

Public Works Department (Forestry and Horticulture Section) has advised that there are numerous municipal trees located on Twenty Road West and that a Tree Management Plan must be submitted. A Tree Management Plan had been submitted but further review and revisions may be required. Final review and approval of a Tree Management Plan is a condition within the Standard Form Subdivision Agreement. This Tree Management Plan will also address on-site trees to determine if any trees can be incorporated into the design of the subdivision. The Tree Management Plan submitted does indicate that some mature trees abutting the Villages of Glancaster may be able to be retained depending on the ultimate design and servicing strategy of Block 29.

Corporate Services Department (Budgets Section) has advised that three of the properties subject to the draft plan of subdivision application have outstanding commutation payments for installation of water services. Payment of all commutation charges is a condition within the Standard Form Subdivision Agreement.

Niagara Peninsula Conservation Authority has recommended approval of the application subject to standard conditions which are included in the Standard Form Subdivision Agreement. A number of additional conditions would have to be met prior to the development of Block 29 which will be addressed through a future application for a draft plan of subdivision.

Public Works Department (Traffic Engineering and Operations Section) has advised that as a condition of draft plan approval the driveway locations on Lots 6, 7 and 11 be located to the satisfaction of the Supervisor of Traffic Planning and must be shown on the approved engineering drawings (Special Condition No. 9).

Bell Canada has advised that adequate telecommunication facilities exist within the area, and does not require any easement or lease, but that a paragraph is to be included as a condition of draft plan approval requiring the Owner to enter into an agreement with Bell Canada complying with any underground servicing conditions imposed by the municipality. This condition is included within the Standard Form Subdivision Agreement.

Public Consultation

In accordance with the Public Participation Policy, the application was circulated to 452 property owners within 120 metres of the subject property, and a Public Notice sign was erected on the property. One response was received from a neighbouring property owner on Silverbirch Boulevard within the Villages of Glancaster, to the rear of the subject lands (see Appendix “E”). The concerns are various and include the following:
Notification for “Kopper Meadow”

The neighbouring property owner was concerned that they were not circulated on another subdivision in the area. Draft Plan of Subdivision 25T-200409, “Kopper Meadow”, was approved in December 2004, to construct 19 lots for single detached dwellings on the properties located at 9906 and 9890 Twenty Road West. These properties are located close to Glancaster Road, approximately 380m away from the Villages of Glancaster. The Planning Act requires circulation of subdivision applications to property owners within 120m of the subject property. Therefore, “Kopper Meadow” would not have been circulated to the Villages of Glancaster condominium as it is over 120m away. However, a Public Meeting notice sign was erected as part of “Kopper Meadow” to provide details of the application and public meeting.

Stormwater Management and Flooding

The neighbouring property owner expressed concerns that approval of the development could result in flooding at the Villages of Glancaster due to modifications to existing drainage channels on the property. Since the application was submitted and circulated to the public, the plan was revised such that Block 29 is not proposed to be developed at this time. The existing drainage channel through this area would not be impacted by the application. When development is proposed on that portion of the property, the applicant will have to satisfy the City of Hamilton and the Niagara Peninsula Conservation Authority that stormwater management can be satisfactorily addressed. All of the new proposed lots within the draft plan of subdivision will be connected to municipal storm sewers. In addition, through the approval process, the City of Hamilton and the Niagara Peninsula Conservation Authority will be reviewing detailed engineering plans that include grading, erosion and sediment control, servicing, and storm water management. The Standard Form Subdivision Agreement requires all such matters to be fully addressed. The City of Hamilton must be satisfied that the development will not impact drainage and cause flooding prior to any development of the lands, and will be holding securities to ensure the works are completed as approved.

Changes to Road Alignment

The neighbouring property owner questioned the change in road alignment for the local roads within the plan of subdivision. This issue has been addressed in the Analysis Section of this report. The revised road pattern would not impact what development would be abutting the Villages of Glancaster. Lots for single detached dwellings would still back onto the Villages of Glancaster and the required minimum 7.5m rear yard must still be provided. The final location of future cul-de-sacs off of the extension of Street “B” to the east will be reviewed through a subsequent submission of a draft plan of subdivision, which will be circulated to all adjacent property owners for comments.
Tree Preservation

The abutting property owner expressed concern relating to tree removal on the subject lands. A preliminary tree review has indicated that there is the potential to save a number of the trees abutting the Villages of Glancaster. However, due to unknowns pertaining to how stormwater management and drainage will be addressed on Block 29, it would be difficult, at this time, to completely address the issue. Prior to any development of Block 29, a new subdivision application would be made and tree preservation for that area would be addressed at that time. In addition, final submission and approval of a tree management plan for the portion of the lands proposed to be developed at this time is a condition included in the Standard Form Subdivision Agreement. The existing large lots for single detached dwellings on Twenty Road West will remain and vegetation on these properties, except for any vegetation impacted by the extension of sewers, would be retained. In addition, the applicant will be required to submit a street tree planting plan for the proposed subdivision and pay monies for the planting of the approved trees. This is a condition within the Standard Form Subdivision Agreement.

Residential Design

The neighbouring property owner has requested that the height of any single detached dwelling constructed adjacent to the Villages of Glancaster should be limited to 1 storey bungalows. None of the other dwellings abutting the Villages of Glancaster to the west, which include small lot single detached dwellings, semi-detached dwellings, and townhouses, have a requirement for reduced heights, therefore, it would not be appropriate to require only bungalows on the south side of the Villages of Glancaster. Furthermore, with the potential relocation of the cul-de-sacs to the south side of the future extension of Street “B”, it is likely that the lots abutting the Villages of Glancaster could be quite deep with fairly extensive rear yards. This increased setback would mitigate any impact from height. In addition, one future option for stormwater management is to relocate a drainage channel along the south side of the Villages of Glancaster. This could result in an even further setback of dwellings.

Fencing

The neighbouring property owner has requested that a visual barrier be required between the properties. It is not a standard practice to require fencing between residential properties, as this is normally a matter for each property owner to address. No homes are currently proposed to be developed adjacent to this phase. A fence would not serve any practical purpose at this time. Through the review of a future application for a plan of subdivision over Block 29 this issue could be reviewed again and, if necessary, a future condition of draft plan approval could be applied.
CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, 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
Shelter, care and satisfying employment are accessible to all Hamiltonians.

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, mixed use 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

:GM
Attachs. (5)
Appendix “A” to Report PED07066

Location Map

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number: ZAC-05-95, 251-200522
Date: January 22, 2007

Appendix “A”

Subject Property
5760, 5768, 5770, 5772, 5774 and 5778 Twenty Road West, (Glanbrook)

- Block 1 - Change in zoning from the Existing Residential “ER” Zone to the Single Residential “R4-206” Zone.
- Block 2 - Change in zoning from the Existing Residential “ER” Zone to the Single Residential-Holding “H-R4-206” Zone.

Site of Application

Ward 11 key map

Hamilton

N.T.S.
CITY OF HAMILTON

BY-LAW NO. __________

To Amend Zoning By-law No. 464 (Glanbrook), Respecting Lands Located at 9796, 9788, 9778, 9772, 9754 and 9738 Twenty Road West

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

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the Township of Glanbrook” and is the successor to 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 of the City of Hamilton;

AND WHEREAS Zoning By-law No. 464 (Glanbrook) was enacted on the 16th day of March, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

AND WHEREAS the Council of the City of Hamilton, in adopting Section ___ of Report 07- of the Economic Development and Planning Committee at its meeting held on the ___ day of __ , 2007, recommended that Zoning By-law No. 464 (Glanbrook), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the Township of Glanbrook), in accordance with the requirements of the Planning Act;

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

1. Schedule “E”, appended to and forming part of By-law No. 464 (Glanbrook) is amended,
(a) by changing the zoning from the Existing Residential “ER” Zone to the Single Residential “R4-206” Zone, the lands comprised of Block “1”; and,

(b) by changing the zoning from the Existing Residential “ER” Zone to the Single Residential – Holding “H-R4-206” Zone, the lands comprised of Block “2”.

the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.

2. That Section 44, “Exceptions to the Provisions of this By-law” of Zoning By-law No. 464, be amended by adding a new special provision, “R4-206” and “H-R4-206”, to include the following:

“R4-206 and H-R4-206

Notwithstanding the minimum lot frontage, lot area, front yard and side yard setback regulations of Subsection 16.2 (a), (b), (d), and (e)(ii) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING), for those lands zoned “R4-206” and “H-R4-206”, the following regulations shall apply:

(a) Minimum Lot Frontage: 12 metres, except 15 metres for a corner lot

(b) Minimum Lot Area: 345 square metres, except 400 square metres for a corner lot

(d) Minimum Front Yard: 6 metres

(e)(ii) On a corner lot, the minimum side yard abutting the flanking street shall be 3.0 metres, except that an attached garage or attached carport which fronts on the flankage street shall not be located within 6 metres of the flanking street line.

The ‘H’ symbol, applicable to the lands zoned “H-R4-206”, may be removed by a further amendment to this By-law, at such time as the applicant applies for an receives approval of a draft plan of subdivision to the satisfaction of the Director of Development and Real Estate, and satisfies the Niagara Peninsula Conservation Authority that all issues pertaining to alteration to a watercourse and stormwater management have been adequately addressed.”

3. 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 "R4-206" Zone provisions.
4. 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 , 2007.

________________________________________  ______________________________________
MAYOR  CLERK

ZAC-05-95/25T-200522
Appendix “C” to Report PED07066 (Page 4 of 4)

This is Schedule "A" to By-Law No. 07-
Passed the ............ day of ......................, 2007

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 07-______
to Amend By-law No. 464

Subject Property
9766, 9768, 9778, 9772, 9754 and 9738 Twenty Road West, (Glanbrook)

Block 1 - Change in zoning from the Existing Residential
"ER" Zone to the Single Residential "R4-206" Zone.

Block 2 - Change in zoning from the Existing Residential
"ER" Zone to the Single Residential-Holding "H-R4-206"
Zone.

Scale: N.T.S.

File Name/Number: ZAC-05-80, 25T-200522

Date: Jan 23, 2007

Planner/Technician: GMIKA

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
EXECUTIVE SUMMARY OF COMMENTS REGARDING
FILE NO. ZAC-05-95-25T-200522

FROM: W.C.C. #282

1. We were not part of the planning process for Kopper Meadows Phase I. Why?

2. A further erosion of woodlands and wetlands for the sake of development?

3. A very serious concern about the storm water management system.

4. Requesting an impact study be conducted by the 'Niagara Peninsula Conservation Authority'.

5. Concern over future flooding and who is responsible.

6. Requesting a tree preservation study be conducted by an "independent" Consultant.

7. We would like to know why the cul-de-sacs are being reversed (north to south) from the Land Use Plan 2000?

8. Requesting that "bungalows only" be built along the property line backing onto our properties (north side of proposed plan).

9. Requesting input in determining a "visual barrier" between our properties and the proposed plan.

10. Requesting a correction to either the location map or the draft plan of subdivision showing amount of land severed from #9754 and #9738 Twenty Road.

COMMENTS

1. We were never notified of the plan of subdivision "Kopper Meadows Phase I. As Phase 2 is an extension of Phase 1, we should have been part of the approval process.

2. This subdivision is a further erosion of woodlands and wetlands at the expense of development. As a result what will happen to the multitude of wildlife that lives in this area?
3. This proposed subdivision is in the middle of a "Storm Water Management System" which extends from the Golf course along Twenty Road, through the Villages of Glancaster, to a Dry Pond and on to St. Elizabeth's Village at Garth Street and Rymal Road. **How will this be dealt with?**

4. We expect an impact study will be conducted by the "Niagara Peninsula Conservation Authority" to determine the impact of this proposed subdivision on the Storm Water System and the existing wetlands.

5. If the Storm Water Management System is modified, who has the responsibility of any future flooding? The City of Hamilton or the Developer of the subdivision?

6. We are also requesting a Tree Preservation Study be conducted by an independent Consultant. There are very old and very large Shag-Bark Hickory Trees (up to 100-150 years old) on the property along with many other varieties.

7. When we purchased our property the Land Use Plan (2000) showed two cul-de-sacs facing north. The proposed plan has been reversed the cul-de-sac to face south. **Why was this plan reversed?** Instead of pie-shaped lots backing on to our property (approximately 4 lots) the proposed plan shows 6 lots. **Again, why was this reversed?**

8. When the subdivision extending along Brookheath Lane was approved (previous Township of Glenbrook Planning Department) it was approved for 2.5 story homes on small lots. Because of the elevation, we presently have 2.5 storey homes looking down on single storey (bungalow) homes. The basements are the height of a 6 foot wood fence provided by the developer. As a result we live in a "fish bowl". We are requesting that any homes along the property line to the north be one storey bungalows and no basement above 3 feet.

9. In the event that this plan is approved, we want input as to what "visual barrier" will be provided by the developer.

10. On the Application for Approval, there is a discrepancy as to the amount of land that will be severed from #9754 and #9738 Twenty Road. We believe the Location Map is shown incorrectly.