SUBJECT: Applications to Amend the Ancaster Official Plan and Zoning By-law No. 87-57, for Lands Located at 894 Golf Links Road (Ancaster) (PED08070) (Ward 12)

RECOMMENDATION:

(a) That approval be given to Official Plan Amendment Application OPA-07-20, Elona and Gunther Schneider, applicants, to add a Specific Policy Area to the “Residential” designation, on Schedule “B”, Land Use – Urban Area, of the Ancaster Official Plan, to permit General Business/Professional Offices in the existing building on the lands located at 894 Golf Links Road (Ancaster), as shown on Appendix “A” to Report PED08070, on the following basis:

(i) That the subject lands be identified as Specific Policy Area ___ on Schedule “F”, Specific Policy Areas.

(ii) That the draft Official Plan Amendment, attached as Appendix “D” to Report PED08070, be adopted by Council.

(iii) 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-07-078, Elona and Gunther Schneider, applicants, for a further modification to the Multiple Residential “RM4-534” Zone to permit General Business/Professional Offices in the existing single detached dwelling for lands located at 894 Golf Links Road (Ancaster), as shown on Appendix “A” of to Report PED08070, on the following basis:
(i) That the draft By-law, attached as Appendix “E” to Report PED08070, 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 of Schedule “B” of Zoning By-law No. 87-57.

(iii) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan, and will be in conformity with the Town of Ancaster Official Plan upon finalization of proposed Official Plan Amendment No. ___.

EXECUTIVE SUMMARY:

The purpose of the Official Plan Amendment and Zoning By-law Amendment Applications is to facilitate the conversion of the existing single detached dwelling for General Business/Professional Offices, and to provide ten parking spaces and one barrier free parking space (as shown on Appendices “B” and “C”) on the lands located at 894 Golf Links Road. The applicant proposes to renovate the existing single detached dwelling, including an addition to the second storey.

The proposal has merit and can be supported since the proposed Official Plan Amendment and change in zoning are consistent with the Provincial Policy Statement, and conform with the Hamilton-Wentworth Official Plan. The proposed use is compatible with existing and planned development in the area.

BACKGROUND:

Proposal

The application proposes to convert the existing single detached dwelling, with a second storey addition (refer to Appendices “B” and “C”), for General Business/Professional Offices. The proposed development includes a total of ten parking spaces and one barrier free parking space. The applicant is providing two additional parking spaces above the minimum nine required spaces.
Details of Submitted Application

Location: 894 Golf Links Road (Ancaster) (see Appendix “A”)
Owner: Elona and Gunther Schneider
Applicant: GAM Consulting Inc.
Agent: Steve Spicer

Property Description:
- Frontage: 25.9m
- Depth: 40.9m
- Total Land Area: 1,059m² (0.26 acres)

Existing Land Use and Zoning:

<table>
<thead>
<tr>
<th>Subject Land:</th>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Single Detached Dwelling</td>
<td>Residential Multiple</td>
</tr>
<tr>
<td></td>
<td></td>
<td>“RM4-534” Zone</td>
</tr>
</tbody>
</table>

Surrounding Land:

<table>
<thead>
<tr>
<th>North</th>
<th>West</th>
<th>South</th>
<th>East</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial</td>
<td>Single Detached Dwelling</td>
<td>Vacant</td>
<td>Child Care Centre</td>
</tr>
<tr>
<td>“M2-334” Zone</td>
<td>Residential Multiple “RM4-512” Zone</td>
<td>Residential Multiple “RM4-535” Zone</td>
<td>Residential Multiple “RM3-185” 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.
   (ii) It conforms to the Hamilton-Wentworth Official Plan.
   (iii) It is compatible with the existing and planned development in the area.
   (iv) It does not preclude the subject lands from being developed for planned “Medium Density Residential” uses in the future.
2. **Official Plan Amendment**

The purpose of the Amendment is to add a Site-Specific Policy to permit a General Business/Professional Office within the existing detached dwelling. The basis for permitting the additional uses is as follows:

- The proposal is consistent with the Provincial Policy Statement and conforms to the former Region of Hamilton-Wentworth Official Plan.

- The property is located on a major arterial road, abutting a child care centre and adjacent to a commercial shopping area. The General Business/Professional Office use is compatible with these existing uses.

- In order for the lands to be developed for the planned “Medium Density Residential” use, they would need to be consolidated with abutting parcels due to the size of the existing parcel. The proposal does not preclude these lands from being developed for the planned “Medium Density Residential” uses in the future.

3. The proposed office development is to be regulated by amending the existing site-specific Residential Multiple “RM4-534” Zone to permit the General Business/Professional Offices, subject to the following two special zoning provisions:

   (i) **Minimum Side Yard Setbacks**

   The applicant is proposing a reduction in the required minimum side yard setback from 7.5 metres to 3.5 metres. This is supportable as it recognizes the existing side yard setbacks of the detached dwelling which the applicant proposes to convert to offices. As well, the side yard setbacks include a 3 metre planting strip that will provide adequate buffering to the abutting properties.

   (ii) **Minimum Planting Strip along the Street Frontage**

   The applicant is proposing a reduction to the minimum required 3 metre planting strip along the street frontage to 2 metres. This is supportable as it will permit the applicant to add two additional parking spaces, while still providing sufficient lands for landscaping and signage.

4. Conversion of the dwelling will be subject to Site Plan Approval, at which stage matters such as conformity with the proposed Zoning By-law, dedication of required road widenings, landscaping, parking, grading, drainage, etc., will be addressed.
ALTERNATIVES FOR CONSIDERATION:

If this application is denied, then the existing use of a single detached dwelling and Block Townhouse Dwellings are permitted in accordance with the current Residential Multiple “RM4-534” 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 an Official Plan Amendment and Zoning By-law Amendment.

POLICIES AFFECTING PROPOSAL:

Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction of provincial interest related to land use planning and development. The Planning Act requires that, in exercising any authority that affects planning matters, planning authorities shall be consistent with policy statements issued under the Act. The application is consistent with the PPS, since Policy 1.1.3.1 states that settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted.

Hamilton-Wentworth Official Plan

The subject property is designated as “Urban Area” within the Hamilton-Wentworth Official Plan. Policy C-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”. “Urban Areas” are intended to accommodate approximately 96% of new residential housing units in the Region to the year 2020.

Policy C-3.1.1 states that a compact higher density urban form with mixed use development in identified Regional and Municipal Centres, and along corridors, best meets the environmental, social and economic principles of sustainable development. To ensure this, Policy C-3.1.1.6 promotes a mix of uses along each corridor that are appropriate for its size and function, and can be easily accessible by public transit.

On the basis of the foregoing, the proposal conforms to the Hamilton-Wentworth Official Plan.
Town of Ancaster Official Plan

The subject property is designated as “Residential” in the Town of Ancaster Official Plan.

“Policy 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 watermains). Other uses which are considered necessary to serve the needs of the residents may also be permitted such as schools, parks, community centres, churches, day nurseries, and public utilities.”

The subject property is located along an arterial road (Golf Links Road), abutting a child care centre and adjacent to a commercial shopping area. Although the General Business/Professional Offices will serve the commercial service needs of the area residents, an Official Plan Amendment is required as the intent of Policy 4.4.1 is to permit civic and community uses that serve the area residents, in addition to residential uses.

Meadowlands Secondary Plan Neighbourhood V

The subject lands are designated as “Medium Density Residential” in the Secondary Plan. The designation is defined as including single detached dwellings with a minimum frontage of 9.1 metres, semi-detached dwellings, row houses, block townhouses, stacked townhouses (multi-plex units) and innovative attached housing compatible with other housing forms permitted in this category with a maximum density of 29 units per gross/net residential hectare (Policy 6.7.6).

The applicant has requested that notwithstanding the Official Plan and Secondary Plan Policies, General Business/Professional Offices be permitted within the existing building, therefore, an Official Plan Amendment is required.

A detailed discussion of the appropriateness of the request is included in the Analysis/Rationale Section of this report.

RELEVANT CONSULTATION:

Agencies/Departments Having No Concern or Objections:

- Hamilton Municipal Parking Services, Parking Services.
- Corporate Services Department, Budgets, Taxation & Policy Section.
- Culture and Recreation Department, Community Services Division.
- Public Works Department, Capital Planning and Implementation Division.
- Public Works Department, Traffic Engineering and Operations Section.
- Public Works Department, Forestry and Horticulture Section.
- Horizon Utilities.
- Hamilton Conservation Authority.
Public Consultation

In accordance with Council’s Public Participation Policy, the application was pre-circulated to all property owners within 120 metres of the subject property and a sign was posted on the site. A total of 62 notices were circulated on December 3, 2007. To date, no responses have been received.

Notice of the Public Meeting will be given in accordance with the requirements of the Planning Act through 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, 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
Human health and safety 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
Location Map

Subject Property
894 Golf Links Road

To add a Specific Policy Area to the "Medium Density Residential" designation and to further modify the Residential Multiple "RM4-534" Zone to permit General Business / Professional Offices within the existing building, including additions and modifications.
Current and Proposed Elevations for 894 Golf Links Road (Ancaster)
Draft Amendment No. [ ]

to the

Official Plan of the Former Town of Ancaster


Purpose:

The purpose of this Amendment is to add a site-specific policy in order to permit General Business/Professional Offices within the existing building at 894 Golf Links Road, in the former town of Ancaster.

Location:

The lands affected by this Amendment are located at 894 Golf Links Road, near the intersection of Meadowlands Boulevard and Golf Links Road, in the former Town of Ancaster.

Basis:

The basis for permitting the proposal is as follows:

- The proposal is consistent with the Provincial Policy Statement and conforms to the former Region of Hamilton-Wentworth Official Plan.

- The property is located on a major arterial road, abutting a child care centre and adjacent to a commercial shopping area. The General Business/Professional Office use is compatible with these existing uses.

- In order for the lands to be developed for the planned “Medium Density Residential” use, they would need to be consolidated with abutting parcels due to the size of the existing parcel. The proposal does not preclude these lands from being developed for the planned “Medium Density Residential” in the future.
Actual Changes:

Text Changes:

1. Subsection 6.7.10 be amended by adding an additional policy as follows:
   • “Specific Policy Area ___

   “Notwithstanding the Medium Density Residential 1 designation detailed in 6.7.6 (d), General Business/Professional Offices shall be permitted in the existing building on the lands at 894 Golf Links Road and identified as Specific Policy Area ___.”

Schedule Changes:

1. Schedule “F” – Special Policy Area - be revised by adding the subject lands as Specific Policy Area ___, as shown on the attached schedule “A” of this amendment.

2. Map “2” – Special Policy Areas, Meadowlands Secondary Plan Neighbourhood V – be revised by adding the subject lands as Specific Policy Area ___, as shown on the attached Schedule “B” of this amendment.

Implementation:

A Zoning By-law Amendment and Site Plan Agreement will give effect to this Amendment.

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

The City of Hamilton

_______________________                               __________________________
Kevin Christenson, Clerk              Fred Eisenberger, Mayor
CITY OF HAMILTON

BY-LAW NO. __________

To Amend Zoning By-law No. 87-57 (Ancaster), respecting lands located at 894 Golf Links Road, 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. Section 34: Exceptions of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by adding the following subsection to the Residential Multiple “RM4-534” Zone:

“RM4-534”

In addition to the uses permitted in Subsection 17.1 “Permitted Uses” of Section 17: Residential Multiple “RM4” Zone, General Business/Professional Offices shall also be permitted only within the building existing on the date of the passing of this By-law, being the ___ day of ______, 2008, including additions and modifications thereto.

Notwithstanding the provisions of Paragraphs (g) and (j) of Subsection 17.2 Regulations” of Section 17, the following special provisions shall apply to General Business/Professional Offices on those lands zoned “RM4-534”

Development Regulations:

<table>
<thead>
<tr>
<th>Minimum Side and Rear Yards</th>
<th>3.5 metres for side yards, and 7.5 metres for rear yard.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planting Strip</td>
<td>A planting strip having a minimum width of 3 metres shall be provided and maintained along all lot lines, except a minimum width of 2 metres shall be provided and maintained along the front lot line.</td>
</tr>
</tbody>
</table>

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                        Kevin C. Christenson
Mayor                                 Clerk

OPA-07-20 & ZAC-07-078
Appendix “E” to Report PED08070 (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.87-57

Subject Property
864 Golf Links Road

Further modification to the Residential Multiple "RM4-534" Zone.

Scale: N.T.S.  File Name/Number: OPA-07-20 & ZAC-07-076
Date: November 27, 2007  Planner/Technician: KWILC

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT