

RIGHT OF WAY IMPACT ASSESSMENT

Prepared By: UrbanSolutions Planning & Land Development Consultants Inc.
Prepared For: Official Plan and Zoning By-Law Amendment Applications
Location: 392-412 Wilson Street East & 15 Lorne Avenue, Ancaster, Hamilton, Ontario
Owner: Wilson St. Ancaster Inc.
Date: December 9, 2021

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) has been retained as the authorized planning consultant acting on behalf of Wilson St. Ancaster Inc., the owner of 392-412 Wilson Street East & 15 Lorne Avenue, Ancaster in the City of Hamilton as shown on Figure 1 below.



Figure 1: Aerial of subject lands

On March 20, 2019, City staff held a Formal Consultation meeting in order to discuss the requirements of the Official Plan & Zoning By-Law Amendment application as well as the future Site Plan Control and Draft Plan of Condominium Applications for the development proposal. The Formal Consultation document was prepared and provided by City Staff on April 19, 2019 (FC-19-019). In this document, the following road widening, and daylight triangle requirements were identified:

- A required 1.0 metre widening for Wilson Street East;
- A required 2.0 metre widening for Academy Street; and,
- A required 12.19 metre by 12.19 metre daylight triangle to the right-of-way intersection of Wilson Street East and Academy Street.

Schedule C-2 – Future Right-of-Way Dedications of the Urban Hamilton Official Plan (UHOP) identifies a planned ultimate right-of-way width for Wilson Street East of 20.117 metres from Rousseaux Street to Halson Street. The segment of Wilson Street East for which the subject lands have frontage varies in width, however the narrowest section is approximately 19.1 metres in width. As a result, the City has requested a 1.0 metre dedication. A survey will determine the ultimate dimensions of the road widenings for the future. Academy Street is not identified on Schedule C-2 – Future Right-of-Way Dedications of the Urban Hamilton Official Plan. Section C.4.5.2 of the UHOP indicates that, where a right-of-way is not described in Schedule C-2, the City may request road widenings up to the basic maximum right-of-way width associated with the road classification. Academy Street is currently approximately 12.5 metres in width and it is the intent of the City to increase this right-of-way to a minimum of 15.24 metres instead of the required 20.117 metres, should a daylight triangle be provided.

Schedule C – Functional Road Classification of the UHOP identifies the portion of Wilson Street East for which the subject lands are located as a Major Arterial Road. Academy Street and Lorne Avenue are not outlined on the Functional Road Classification Map, therefore they are considered local roads, as shown in Figure 2. Accordingly, the City has requested the above-mentioned right-of-way dedication of 2.0 metres for Academy Street.

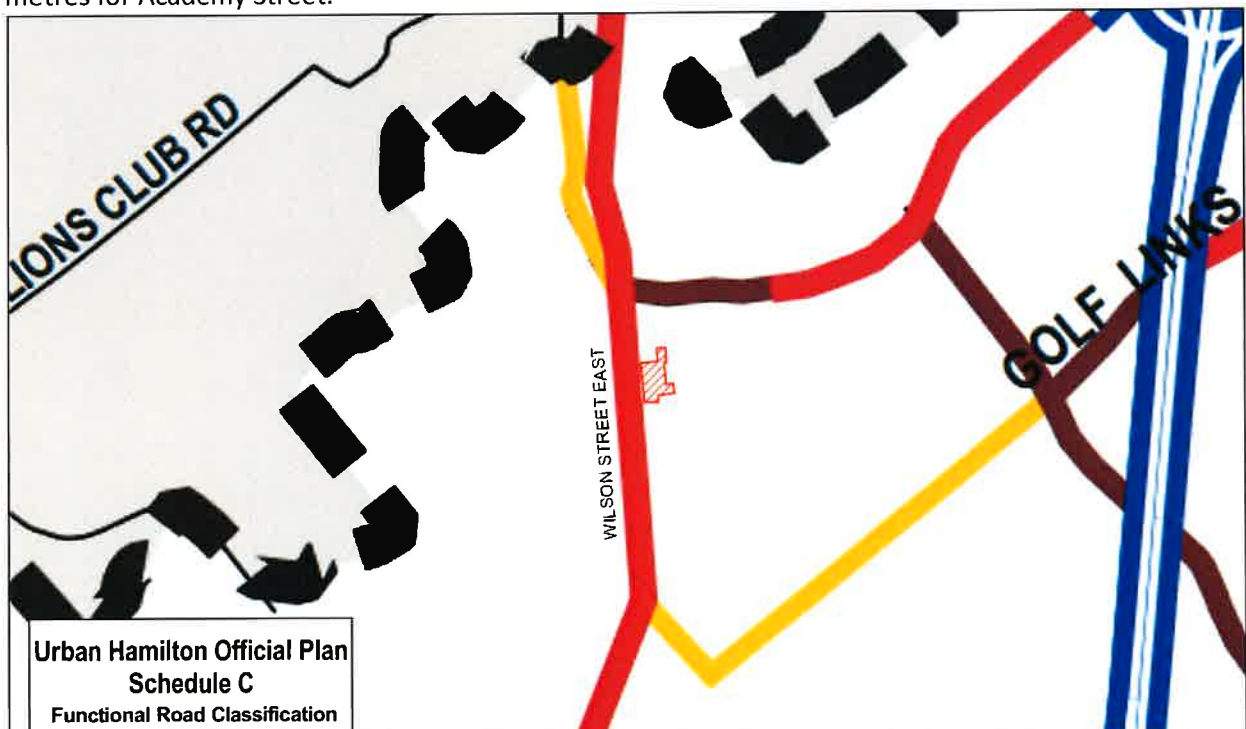


Figure 2: Urban Hamilton Official Plan Schedule C- Functional Road Classification

In response to the above, a Right-of-Way (ROW) Impact Assessment has been prepared, along with the enclosed Road Widening Plan, in conjunction with the Official Plan and Zoning By-Law Amendment application submission. The purpose of this submission is to request consideration that the required road widening along Wilson Street East, Academy Street and daylight triangle be waived.

This have been evaluated against the criteria contained in the City of Hamilton's Right-of-Way (ROW) Impact Assessment Guidelines. The Guidelines identify that a road widening dedication may not be appropriate if it would result in significant adverse impacts on an existing streetscape form, the existing built form, or on a cultural heritage resource. This analysis has been prepared to describe and evaluate the merits of the road widening requirements based these guidelines.

Background

In 2013, Wilson Street East underwent a substantial transformation that includes a two-lane right-of-way with urban brick sidewalks on both sides of the street together with pedestrian seating and planters. Additionally, a portion of the frontage of the subject lands contain on-street parking. Further, Academy Street is a two-lane street with a sidewalk along the northern side of the right-of-way abutting the subject lands and does not contain on-street parking.

Historically, portions of the Academy Street paved portion of the road and sidewalk actually encroached on the private lands located at 392 Wilson Street East. This was rectified in 2018 when the current owner conveyed these lands to the City of Hamilton.

Road Widening Impacts on the Existing Streetscape

Wilson Street East currently has a right-of-way width which varies across the frontage of the subject lands from 19.10 metres to 20.10 metres, which would require a road allowance widening dedication of +/-1.0 metre tapered across the frontage to satisfy the City's road widening requirement as identified during Formal Consultation FC-19-019.

The ROW Impact Guidelines indicate that a road widening may not be appropriate if it would result in significant adverse impacts on an existing streetscape form. The current built form along Wilson Street is predominantly comprised of a variety of built forms and land uses with no prominent front yard setback from the building to the front lot line. The proposed development intends to maintain the existing property line and have the building setback 3.34 metres to the front lot line. This allows the appearance and rhythm of the streetscape to be consistent and pedestrian friendly within the existing context.

The proposed development entails commercial, and retail uses along Wilson Street East to provide an animated, pedestrian friendly street within this historical Town of Ancaster. Should the proposed road widening be implemented, the new property line would be offset from the abutting properties and would result in a street wall that is inconsistent, unaesthetic, and incompatible with the character of the surrounding area. Additionally, the area that would be lost to the dedication is currently proposed to contain various vegetation features to enhance the urban design of the streetscape. As a result, implementing the road widening would be a detriment to the quality of the streetscape.

Furthermore, with the 2013 reconstruction of Wilson Street with urban brail sidewalks on both sides of the street together with pedestrian seating and planters, the Village Core needs of the streetscape have been realized and no further widenings are required.

Road Widening Impacts on the Existing Built Form

The ROW Impact Assessment Guidelines also identify that a road widening may not be appropriate if it would result in significant adverse impacts on the surrounding existing built form. Wilson Street is dominated by a variety of uses including residential, commercial and institution uses all of which are an established part of the community. Many buildings are located close if not, directly on the property line and are included as a designated, or inventoried heritage property as per the Ontario *Heritage Act* and serve cultural heritage value to the neighbourhood. The proposed development includes colours and façade materiality that is consistent with the neighbourhood including natural colours and masonry stonework. There is currently a heritage building that will be preserved and relocated to the rear of the subject lands. The land proposed to be dedicated is only useful to the municipality if it is also dedicated on properties surrounding the subject lands. The abutting properties are part of a stable and established neighbourhood.



Figure 3 – Surrounding Neighborhood Context

The subject lands are located within the Village Core area within the Urban Hamilton Official Plan Ancaster Wilson Street Secondary Plan: Character Areas and Heritage Features Appendix A Map. The Ancaster Wilson Street Secondary Plan designates the subject lands as Mixed Use- Medium Density – Pedestrian Focused designation, the surrounding land uses include a variety of residential, commercial and institutional uses as shown in Figure 3 above.

Several existing buildings along Wilson Street East and Academy Street are built on, or in close proximity to, the property line. As such, it is unlikely that the surrounding properties would be developed in the future. As a result, the City's ability to obtain road widening dedications from the abutting properties is unlikely. Therefore, if a widening was provided for this property, it would create inconsistencies with the surrounding built form and ultimately serve no purpose without also securing road widenings from the abutting properties.

Road Widening Implications on the Proposed Built Form

A 12.19 metre by 12.19 metre daylight triangle is required at the corner of Wilson Street East and Academy Street as per the Urban Hamilton Official Plan: Chapter C - City Wide Systems and Designations Road Network Functional Classification. A 12.19 metre by 12.19 metre daylight triangle is required at the intersection of arterial to collector roads or arterial to arterial roads. Although the stricter regulation is traditionally applied, the subject intersection is between a major arterial road and a local road which sees limited traffic. Imposing such a dedication would cause the proposed built form to be setback substantially from the balance of street, creating a built form inconsistent with the character of the area.

Moreover, providing a road widening on Wilson Street East and Academy Street with a 12.19 metre daylight triangle would limit the developable area and would eliminate approximately 4% of the total lot area. Prior to a road widening dedication being taken, the total lot area is **7,804.53m²**. After the required road widening along Wilson Street East, Academy Street and the required daylight triangle, this lot area is reduced to **7,547.22m²**. This area that would be lost is necessary to provide an adequate building and site layout design which contributes to the existing streetscape and landscaped features.

The requested road widening dedications are justified to be waived as they would result in reduced front yard setbacks which negatively impacts the streetscape, making the streetscape inconsistent with the established rhythm and pattern of the abutting properties. Further, the stable nature of the abutting properties fronting Academy Street and heritage designations of abutting properties on Wilson Street East affect the feasibility of acquiring the road widening dedications necessary to establish a wider right-of-way. As such, the dedications can be considered unnecessary and warranted to be waived. Additionally, the proposed 6.0 metre by 6.0 metre visibility triangle in lieu of the requested 12.19 metre by 12.19 metre ensures the intent of the daylighting triangle is maintained while not sacrificing space at the intersection of Wilson Street East and Academy Street that can instead be used for enhanced urban design features.

Further, the limit of the underground parking structure is proposed to be setback approximately 1.15 metres front Wilson Street East, having a pinch point at the intersection of Wilson Street East and Academy Street where the underground parking structure is built to the property line. If a road widening

was to be provided along Wilson Street East and Academy Street the property limit would encroach into the proposed underground parking, triggering the need for an Encroachment Agreement.

Proposal

In lieu of the standard required dedications, based on the 2018 land conveyance, the implication on the streetscape, existing and proposed built form, the concept plan is based on a 6m by 6m visibility triangle at the corner of Wilson and Academy and no other dedications are proposed.

We trust the enclosed is in order; however, please feel free to contact the undersigned with any questions.

Regards,
UrbanSolutions

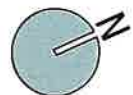


Matt Johnston, MCIP, RPP
Principal



Laura Drennan, CPT
Planning Technician

Encl. – Road Widening Plan



SCALE 1:500

Required 12.19 metre by 12.19 metre
Daylight Triangle from Initial Property Line

Proposed 6.0 metres by 6.0 metres
Visibility Triangle from
Current Property Line

Required 1.0 metre
Road Widening from Initial Property Line

Lands Transferred by
Owner to City in 2018

Required 2.0 metre
Road Widening
from Initial
Property Line

ACADEMY STREET

WILSON STREET EAST

LIMIT OF UNDERGROUND PARKING

LIMIT OF GROUND FLOOR

No. 392

No. 398

No. 400-402

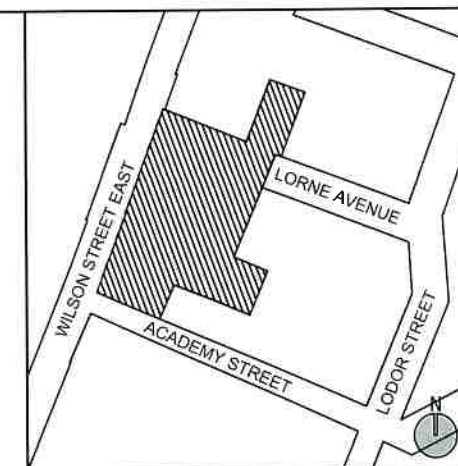
No. 406

No. 412

No. 11

No. 17

No. 15



KEY MAP - N.T.S.

SCALE: 1:500
METRES



LEGEND:

- SUBJECT LANDS
- REQUIRED ROW DEDICATION
- PROPOSED ROW DEDICATION
- EXISTING BUILDINGS
- LANDS PREVIOUSLY TRANSFERRED BY OWNER TO CITY

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

NOTES:
ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DESIGN BY: L. DRENNAN	CHECKED BY: M. JOHNSTON
DRAWN BY: L. DRENNAN	DATE: DECEMBER 8, 2021



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PROJECT:
392-412 WILSON STREET EAST &
15 LORNE AVENUE, ANCASTER
CITY OF HAMILTON

CLIENT:
WILSON ST.
ANCASTER INC.

TITLE:
ROAD WIDENING PLAN

U/S FILE NUMBER:
249-17

SHEET NUMBER:
1