

December 9, 2020

Ms. Yvette Rybensky, MCIP, RPP
Senior Project Manager – Suburban
Development Planning, Heritage & Design Section, Planning Division
Planning & Economic Development Department
City of Hamilton
Planning Division
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

Dear Ms. Rybensky:

**Re: Planning Justification Addendum
Revised Applications for Official Plan and Zoning By-law Amendments and
for Draft Plan of Subdivision
Springbrook Corners
Springbrook West Developments Inc. and 2299453 Ontario Inc.
491 Springbrook Avenue and 851 & 857 Garner Road East
City of Hamilton (Ancaster)
Our File No. 2012/32
City File Nos.: OPA-12-023; ZAC-12-065; and 25T-201206**

We are Planning Consultants for Springbrook West Developments Inc. and 2299453 Ontario Inc. (“Springbrook”). The purpose of this Planning Justification Addendum (“the Addendum”) is to provide additional planning justification in support of revised applications by Springbrook to amend the Official Plan and Zoning By-law and for Draft Plan of Subdivision.

Background

On December 21, 2012, we filed applications on behalf of Springbrook to amend the Official Plan and Zoning By-law and for Draft Plan of Subdivision to facilitate the development of 35 condominium townhouses on the west portion of the subject lands and commercial development on the east portion of the site. The commercial development proposed direct access from Garner Road East while the townhouses would have direct access from Springbrook Avenue.

A detailed Planning Justification Report (PJR) prepared by Wellings Planning Consultants dated February 13, 2013 was filed in support of the applications. While the recommendations and conclusions of the PJR remain relevant and valid, there have been changes to the Provincial Policy regime which require further review and planning

assessment. It is my opinion that the updated policy regime lends additional and stronger support to the applications.

Revised Proposal

The revised proposal involves the development of the subject lands for 80 condominium townhouses on parcels of land bisected by a hydro corridor. Commercial development is no longer proposed. A copy of the latest development concept is appended as **Schedule 1**. The townhouses would have access from both Springbrook Avenue and Garner Road East. The proposed density of development would equate to approximately 33 units per hectare based on the definition of “Net Residential Density” in the Urban Hamilton Official Plan (“UHOP”). The lands considered net residential include the development blocks and the portion of the hydro lands owned by Springbrook. The stormwater management and future road widening blocks were excluded from the net residential calculation.

In addition to the 80 townhouses, amenity areas and visitor parking are provided serving each parcel. The townhouses would be developed through a common element plan of condominium with exclusive front and rear yards. Each townhouse would be within a Parcel of Tied Land (POTL) similar to a lot within a plan of subdivision. Common elements such as the aforementioned amenity areas and visitor parking and the internal private road would be managed by a future condominium corporation.

The following sections will largely address policy regime changes since the 2012 applications. The Addendum will also address the various updates to the technical studies/reports and provide my planning opinion/recommendations with respect to the revised proposal.

Growth Plan - A Place to Grow, 2019

The 2006 Growth Plan was in effect at the time of the initial applications in 2012. My opinion at that time was that the applications conformed to the Growth Plan. The Growth Plan has since been updated on two occasions, in 2017 and again in 2019. The 2019 Growth Plan now applies.

The recently updated Growth Plan came into effect on May 16, 2019. The Plan continues to provide policies for the management of population and employment growth and to guide municipal decisions on a variety of issues such as transportation, infrastructure planning, land-use planning, urban form, housing, natural heritage and resource protection. The updated document acknowledges that since the Growth Plan was first introduced, development has shifted to a more compact development pattern, with a greater variety of housing options, while acknowledging that “there is still more work to do”.

In its Vision Statement, the Growth Plan speaks to the Greater Golden Horseshoe (GGH) as having sufficient housing supply that reflects market demand, and a healthy natural environment, with open spaces providing people with a sense of place. These elements of the Growth Plan's vision are important considerations in the current proposal.

Section 1.2.1 (Guiding Principles) identifies several guiding principles including:

- support of complete communities designed to support healthy and active living.
- efficient use of land and infrastructure.
- support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.
- protect and enhance natural heritage, hydrologic, and landform systems, features, and functions.

These guiding principles underlie the policy framework of the Growth Plan.

The Growth Plan includes policies that encourage development within settlement areas, establishment of complete communities, and making more efficient use of vacant, underutilized lands and available infrastructure. As the Plan notes:

“Building more compact greenfield communities reduces the rate at which land is consumed. ... This Plan’s emphasis on optimizing the use of the existing urban land supply represents an intensification first approach to development and city-building, one which focuses on making better use of our existing infrastructure and public service facilities, and less on continuously expanding the urban area.”

The subject lands are located within the urban settlement area and would be considered greenfield development as the subject lands are shown outside of the “Built Boundary” and “Built-up Area” according to Appendix G (Boundaries Map) of the UHOP. The revised development concept provides for reasonable intensification for the subject lands based on the surrounding context and would serve to complete the community. Adequate infrastructure including roads and municipal services are available for the development.

Section 2.2.1.2 c) of the Growth Plan indicates that within settlement areas, growth will be focussed in areas with existing and planned transit. Appendix B (Major Transportation Facilities and Routes) of the UHOP identifies Garner Road East/West as a “Potential Rapid Transit Line” (B.L.A.S.T.) with planned interconnections throughout the City and to the John C. Munro Hamilton International Airport. Garner Road is presently serviced by HSR Route 44 (Rymal). A road widening of approximately 8 metres is being requested along the entire Garner Road East frontage to facilitate future transportation/transit improvements.

The revised proposal makes efficient use of existing urban serviced land, consistent with “Compact Built Form” communities, defined in the Growth Plan as:

“A land use pattern that encourages the efficient use of land, walkable neighbourhoods, mixed land uses (residential, retail, workplace, and institutional) all within one neighbourhood, proximity to transit and reduced need for infrastructure. Compact built form can include detached and semi-detached houses on small lots (underline added) as well as townhouses and walk-up apartments, multi-storey commercial developments, and apartments or offices above retail. Walkable neighbourhoods can be characterized by roads laid out in a well-connected network, destinations that are easily accessible by transit and active transportation, sidewalks with minimal interruptions for vehicle access, and a pedestrian-friendly environment along roads to encourage active transportation.”

It is my opinion that the revised applications conform to the 2019 Growth Plan. The development will add to a complete community by contributing to the housing mix and providing intensification that is compact, transit supportive and will take advantage of existing and available infrastructure. There will be no adverse impact on natural heritage features as a result of the proposal.

Provincial Policy Statement, 2020

The initial planning applications filed in 2012 were assessed in accordance with the policies of the 2005 Provincial Policy Statement (PPS). It was my opinion that the applications were consistent with the 2005 PPS. The applications would contribute to a range of housing types and promote efficient development and intensification. Further, the proposal would not negatively impact significant natural heritage features, there were no findings of Species at Risk, and there were no identified archaeological resources on the property.

The current PPS came into effect on May 1, 2020. It remains a key provincial planning document that lays the foundation for many of the Province’s policies and, as required under the Section 3 of the Ontario Planning Act, all land use decisions must “be consistent with” the PPS. The PPS sets a framework for development and the use of land that makes efficient use of land and infrastructure, while avoiding sensitive or significant resources. The 2020 PPS contains subtle changes from the 2005 PPS. A review of these changes, with an emphasis on the Part V: Policies is as follows.

Managing and Directing Land Use

Policies contained in Section 1.1 set out provincial policies for managing and directing land use. Policies of note include:

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;**
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;**
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;**
- d) avoiding development and land use patterns that would prevent the efficient expansion of *settlement areas* in those areas which are adjacent or close to *settlement areas*;**
- e) promoting the integration of land use planning, growth management, *transit-supportive* development, *intensification* and *infrastructure* planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;**
- f) improving accessibility for persons with disabilities and older persons by identifying land use barriers which restrict their full participation in society;**
- g) ensuring that necessary *infrastructure* and *public service facilities* are or will be available to meet current and projected needs;**
- h) promoting development and land use patterns that conserve biodiversity; and**
- i) preparing for the regional and local impacts of a changing climate.**

It is noted that Policy 1.1.1 b) includes multi-unit housing (townhouses) within the range and mix of residential types. In my opinion, the proposed development represents an efficient land use pattern. As previously noted, the revised proposal promotes intensification, is transit supportive and represents efficient and cost-effective development that takes advantage of existing infrastructure.

Settlement Areas

Section 1.1.3 of the PPS deals with Settlement Areas, which include urban areas and rural settlement areas, which are considered “built up areas where development is concentrated and which have a mix of land uses” and are designated in a local official plan for long term development. The subject lands are within a settlement area as defined by the PPS.

Section 1.1.3.2 addresses land use patterns within settlement areas.

1.1.3.2 Land use patterns within *settlement areas* shall be based on densities and a mix of land uses which:

- a) **efficiently use land and resources;**
- b) **are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;**
- c) **minimize negative impacts to air quality and climate change, and promote energy efficiency;**
- d) **prepare for the *impacts of a changing climate*;**
- e) **support *active transportation*;**
- f) **are *transit-supportive*, where transit is planned, exists or may be developed; and**
- g) **are *freight-supportive*.**

Land use patterns within *settlement areas* shall also be based on a range of uses and opportunities for *intensification* and *redevelopment* in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

Policy 1.1.3.3 requires planning authorities to identify appropriate areas for intensification and redevelopment and directs that “*Intensification* and *redevelopment* shall be directed in accordance with the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety. Policy 1.1.3.3 reads as follows:

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for *transit-supportive* development, accommodating a significant supply and range of *housing options* through *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas, including *brownfield sites*, and the availability of suitable existing or planned

infrastructure and public service facilities required to accommodate projected needs.

In reviewing the policies of Section 1.1 in their entirety, the proposal is consistent with these policies in that the proposal represents an efficient use of land and available infrastructure, promotes intensification, contributes to the range and mix of housing options, and is transit supportive. The proposal is also consistent with the housing policies of Section 1.4 of the PPS by providing a housing mix and options to meet the social, health, economic and well-being requirements of current and future residents.

Natural Heritage

Section 2.1 Natural Heritage includes policies related to ensuring the protection of natural features and areas. A Linkage Assessment was prepared by LGL Limited (LGL) dated October 2020. The Linkage Assessment addresses the linkage within the north portion of the hydro corridor as identified on Schedule B (Natural Heritage System) of the UHOP. LGL also provides an opinion regarding consistency with Section 2.1 of the PPS.

LGL provided an assessment of the potential impacts of vegetation removal, grading, the installation of services/utilities and building construction and recommendations for appropriate mitigation measures. LGL identified opportunities for linkage enhancement/expansion within the proposed SWM facility to improve the diversity of habitat within the linkage corridor. LGL concludes “conformance” with the PPS policies (i.e. Section 2.1) in that the natural features will be protected for the long term, and the diversity and connectivity and ecological function and biodiversity of natural systems will be maintained, restored and improved by adding the SWM facility to the linkage.

Conclusions

Based on my review of the PPS and the work undertaken by LGL, it is my opinion that the revised proposal is consistent with the 2020 PPS.

Urban Hamilton Official Plan (UHOP)

The February 13, 2013 PJR provides a detailed analysis of the UHOP and the Meadowlands Neighbourhood IV Secondary Plan. At that time, the UHOP was not yet approved. On August 16, 2013, the UHOP was approved by the Ontario Municipal Board. As such, the previously referenced Hamilton-Wentworth Official Plan and Town of Ancaster Official Plan in the February 2013 PJR are no longer in effect.

Given that the subject property continues to be designated “Low Density Residential 2b” by the Meadowlands Neighbourhood IV Secondary Plan, an Official Plan Amendment is still required for a townhouse built form. The Low Density Residential 2b designation permits single-detached, semi-detached, and duplex dwellings at a maximum density of

30 units per net residential hectare. As noted earlier in the Addendum, the density of development is approximately 33 units per net hectare which is only marginally above the 30 unit per net residential hectare figure. Garner Road East is classified as a “Major Arterial” and Springbrook Avenue serves a collector function. These roads can accommodate higher densities being at the periphery of the neighbourhood.

Ancaster Zoning By-law 87-57

The subject lands remained zoned Agricultural “A” Zone by Ancaster Zoning By-law 87-57. The current “A” Zone is not in conformity with the UHOP/Secondary Plan. An amendment to the Zoning By-law is required for revised proposal.

Updated Technical Reports/Studies

In support of the revised submission, the various studies/reports were updated to address the revised townhouse proposal. A brief overview of the updated studies/reports is as follows.

Linkage Assessment

As previously noted in the PPS section of the Addendum, LGL prepared an updated Linkage Assessment dated October 2020 based on the revised proposal. A summary of the LGL findings was previously provided.

Environmental Noise Impact Study

dBA Acoustical Consultants Inc. (dBA) prepared an updated Environmental Noise Impact Study dated August 2020. dBA recommends a wrap around 2.43 metre high noise barrier at the southeast corner of the site adjacent to Garner Road. In addition, dBA provides recommendations for central air conditioning, appropriate warning clauses in all agreements of purchase and sale/lease and window, door, and wall construction.

Archaeological Assessment

A Stage 1-2 Archaeological Assessment was conducted by Amick Consultants Limited dated August 2, 2011. The Assessment, filed with the original applications, concluded that no archaeological resources were encountered and that the site be considered cleared of any further requirement for archaeological filed work.

Since the initial Assessment and 2012 applications, the Ministry of Tourism, Culture and Sport issued a letter dated March 31, 2014 entering the Assessment into the Ontario Public Register of Archaeological Reports.

Environmental Site Assessments (ESA)

A Phase One ESA was prepared by Soil-Mat Engineer & Consultants Ltd. (Soil-Mat) dated September 25, 2014. The ESA confirmed that the potential for site contamination is considered low and that additional investigations are not required at this time. Soil-Mat however did recommend a “non-intrusive designated substance survey” be undertaken.

A Phase Two ESA report was prepared by Soil-Mat dated May 21, 2015. The Phase Two ESA was undertaken based on the results of a Geotechnical Investigation which revealed fill material of an unknown origin that was found to exceed the applicable Site Condition Standards. The results of the Phase Two ESA analysis confirmed that the site is suitable for residential use.

Soil-Mat issued a further letter dated April 6, 2016 addressing the construction debris over the southwest portion of the site. Soil-Mat undertook further sampling and testing and has provided recommendations regarding the construction debris.

Geotechnical Assessment

Soil-Mat prepared a Geotechnical Site Investigation dated October 3, 2012 and a Supplementary Geotechnical Assessment recently dated August 18, 2020. The geotechnical work provides several recommendations for house and building construction as well as for the SWM pond design.

Watermain Hydraulic Analysis

A Watermain Hydraulic Analysis was prepared by WSP dated June 23, 2020. WSP provides information regarding expected service pressures and confirms that all required fire flows can be achieved under Maximum Day Demand conditions.

Preliminary Servicing Report

A Preliminary Servicing Report was prepared by Urbex Engineering Limited (Urbex) dated August 2020. Urbex confirms that municipal servicing for the subject lands will be provided as follows:

1. The southerly extension of the existing Springbrook Avenue sanitary sewer system towards the Garner Road East intersection.
2. Installation of private and municipal local storm sewer systems that will outlet to the proposed municipal SWM facility on the subject lands.
3. A private looped watermain system that will include connections to the existing local watermains on Springbrook Avenue and Garner Road East.

The requirements for the proposed development are consistent with the previously allocated servicing capacities for the subject lands and the surrounding neighbourhood.

Stormwater Management Report

An updated Stormwater Management Report was prepared by S. Llewellyn & Associates Limited (SLA) dated September 2020 to address the revised proposal. SLA concludes that the implementation of a stormwater management wet pond facility can provide the required quantity and quality control to service the upstream private and public lands without adversely affecting the existing downstream stormwater conveyance system. SLA recommends the following:

- A wet pond stormwater management facility be constructed in accordance with MECP and City guidelines to provide quantity and quality control, complete with an impermeable liner.
- Oil/grit units be installed to provide pre-treatment of storm water in lieu of forebay features due to pond block size limits.
- On-site LID requirements be confirmed with the City and Conservation Authority prior to detailed design of individual Site Plans.

Traffic Impact Assessment

Paradigm Transportation Solutions Limited (Paradigm) prepared an updated Traffic Impact Assessment dated September 2020. Paradigm advises that the proposed development is expected to generate approximately 39 trips in the weekday AM peak period and 48 trips in the PM peak hour. The study area intersections are presently operating well with no specific problems identified. The site generated traffic volumes show minimal increases in delay at the study intersections. Paradigm concludes that a traffic signal is not warranted at the intersection of Garner Road East and Springbrook Avenue. An east bound left-turn lane with 40 metres of storage is warranted on Garner Road East at Springbrook Avenue with the existing lane configuration and planned widening and road improvements expected by 2031.

Paradigm provides the following recommendations:

- The City permit the development to proceed as planned;
- The City monitor the traffic volumes at the intersection of Garner Road at Springbrook Avenue to provide a traffic signal if one is warranted in the near future;

- The signalized intersections along the Garner Road Corridor be monitored by the local road authorities to provide optimized signal timings for future traffic conditions; and,
- The City implement the expansion of Garner Road as outlined in the Garner Road/Rymal Road and Garth Street Improvements Municipal Class Environmental Assessment Study.

Tree Protection Plan

Adesso Design Inc. (Adesso) prepared a Tree Protection Report dated November 23, 2020 in support of a Tree Protection Plan dated June 26, 2020. Adesso inventoried a total of 55 trees on or adjacent to the subject property and groupings of trees along the west property line. A total of 15 trees are proposed for retention along the west property line (Springbrook Avenue frontage) and north property line. The trees to be removed conflict with the proposed development or have been previously removed due health (e.g. age, structural integrity) and storm damage. Adesso provides recommendations regarding tree protection fencing in their November 23, 2020 report.

Updated Draft Documents

In support of the revised applications, updated draft amendments to the Official Plan (OPA) and Zoning By-law (ZBL) have been prepared and are appended as **Schedules 2 and 3**.

The draft OPA proposes to redesignate the subject lands from “Low Density Residential 2b” to “Low Density Residential 3b”. The Low Density Residential 3b designation provides for townhouses at a density not to exceed 55 dwelling units. The existing “Utility” designation identifies the existing hydro corridor and location of the Stormwater Management facility (SWM). The OPA also addresses the current size and westward shift in the location of the SWM facility.

The draft ZBL proposes to rezone the subject lands from Agricultural (A) Zone to Residential Multiple (RM2-xx) Zone and Public (P) Zone. The RM2-xx Zone covers the location of the townhouse blocks including private roads, amenity areas and visitor parking. The density of development is shown in the draft ZBL as 50 units per net hectare based on the potential that the hydro lands may be excluded from the calculation in the future. The P Zone will cover the proposed SWM facility. The hydro corridor would remain within the A Zone.

It is anticipated that the draft documents will be reviewed and discussed further with City Planning staff prior to finalization.

Planning Opinion/Recommendations

In response to the concerns previously raised by City Planning staff, the commercial component of the applications has now been removed from the proposal. Our client has opted to revise the development proposal to consist entirely of residential development comprising 80 condominium townhouse units.

In addressing the key components of provincial policy, the revised proposal makes efficient use of urban serviced land within a designated settlement area, promotes intensification in a compact form of development that is transit supportive and will take advantage of existing and available infrastructure. The revised proposal will contribute to a range and mix of housing and support a complete community. It is my opinion that the revised proposal is consistent with the PPS (2020) and in conformity with the Growth Plan (2019).

The UHOP designates the subject lands Neighbourhoods which provides for a range and mix of housing types including townhouses. The UHOP incorporates the Meadowlands Neighbourhood IV Secondary. The Secondary Plan predates the UHOP and was approved on February 25, 2004. The Secondary Plan also predates the current PPS and Growth Plan which certainly draws into question whether the Secondary Plan policies are consistent with and in conformity with current provincial policy. It appears that the Secondary Plan was simply incorporated into the UHOP and not updated. Nevertheless, an amendment to the Official Plan is required.

The Secondary Plan policies provide for a maximum height of 3 storeys and a mix and diversity of housing opportunities in terms of lot size, unit size, style, and tenure. The policies also encourage the best use of land and higher densities located at external locations within the neighbourhood. The revised proposal for townhouses and the location of the subject lands satisfactorily addresses these policies.

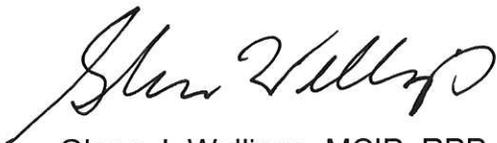
In assessing built form and land use compatibility, it is my opinion that a ground related townhouse format is appropriate given the surrounding context. The awkward configuration of the property with the hydro corridor bisecting the subject lands make the property challenging to develop and not conducive for single or semi-detached product. A low density development would in my opinion result in an inefficient development pattern. A low or mid-rise built form is possible especially at the periphery of the neighbourhood along a Major Arterial Road/future transit corridor. However, Springbrook prefers a ground related built form. In either case, an efficient, intensified development will result. A ground related development will be perceived as being more compatible with the surrounding community in comparison to a low or mid-rise development.

It is my opinion that the revised proposal represents good planning in the public interest and an appropriate and compatible form of development in the surrounding context. The revised proposal is consistent with the PPS and in conformity with the Growth Plan and

satisfies many policies of the UHOP particularly with respect to intensification. There are no technical issues arising from the various studies/reports submitted with the revised applications.

In conclusion, it is my opinion that the revised proposal should be approved subject to the draft OPA and ZBL attached as **Schedules 2 and 3** to this Addendum.

Yours truly,
WELLINGS PLANNING CONSULTANTS INC.



Glenn J. Wellings, MCIP, RPP.



- c. Angelo Cameracci/Chris Ridd, Urbex Engineering Ltd.

DEVELOPMENT STATISTICS			
MUNICIPAL ADDRESS	851 GARNER ROAD EAST, AND 491 SPRINGBROOK AVENUE		
LEGAL DESCRIPTION	PART OF LOT 50, CONCESSION 3, GEOGRAPHIC TOWNSHIP OF ANCASTER IN THE CITY OF HAMILTON		
LOT AREA	1.977ha		
BUILDING COVERAGE	4934.40m ² (25.00%)		
RW2 (ZONING REGULATION)	PROPOSED	COMPLIANCE	
PERMITTED USES	TOWNHOUSE	TOWNHOUSE	YES
MINIMUM LOT AREA			
TOTAL PARCEL AREA PER DWELLING	1850.00m ²	N/A	XXX
AREA PER DWELLING UNIT	280.00m ²		XXX
MINIMUM LOT FRONTAGE			
TOTAL PARCEL FRONTAGE PER DWELLING	50.00m	N/A	XXX
DWELLING UNIT (INTERIOR)	9.00m	5.30m	XXX
DWELLING END UNIT ADJACENT TO A FLANKING STREET	17.00m	6.50m	XXX
DWELLING END UNIT ADJACENT TO THE FLANKING STREET SPRINGBROOK AVENUE / GARNER ROAD	17.00m	8.30m	XXX
DWELLING END UNIT NOT ABUTTING A FLANKING SYREET	11.50m	6.50m	XXX
MINIMUM LOT DEPTH	30.00m	23.00m	XXX
MAXIMUM LOT COVERAGE	35.00%	55.00%	XXX
MINIMUM FRONT YARD			
SETBACK TO DWELLING	7.50m	4.50m	XXX
SETBACK TO AN ATTACHED GARAGE	7.50m	6.00m	XXX
MINIMUM SIDE YARD			
DWELLING END UNIT NOT ABUTTING A FLANKING STREET	2.50m	1.20m	XXX
DWELLING UNIT ON A CORNER LOT ABUTTING A FLANKING CORNER/INTERSECTION ROADWAY, MINIMUM	7.50m	1.20m	XXX
END DWELLING UNIT OF A CORNER LOT WITH FLANKAGE ON FLANKAGE STREET, GARNER ROAD EAST	7.50m	3.00m	XXX
END DWELLING UNIT OF A CORNER LOT WITH FLANKAGE ON FLANKAGE STREET, SPRINGBROOK AVENUE	7.50m	3.00m	XXX
MINIMUM REAR YARD	7.50m	6.00m	XXX
HEIGHT, MAXIMUM	10.50m	12.60m	XXX
MINIMUM LANDSCAPE AREA, INDIVIDUAL LOTS	30%	30.0%	XXX
PLANTING STRIP/FENCING			
WHERE THE BOUNDARY OF A RESIDENTIAL MULTIPLE "RW2" ZONE ADJACENS LANDS ZONED EXISTING RESIDENTIAL "R1" OR RESIDENTIAL "R1", "R2", "R3" OR "R4", PLANTING STRIP, MINIMUM WIDTH	3.00m	N/A	XXX
SURFACE PARKING SPACE RATIO			
2 SPACES FOR EACH DWELLING UNIT			
PARKING SPACES FOR EACH DWELLING UNIT	160 SPACES	160	XXX
80 UNITS X 2 (SPACES)			
80 UNITS X 0.66 (VISITOR - NOT REQUIRED)	53 SPACES (0.66)	40 SPACES (0.50)	XXX
UNENCLOSED PORCH, MAXIMUM ENCRoACHMENT INTO ANY REQUIRED FRONT OR SIDE YARD	1.50m	1.50m	XXX

UNDERLYING
 RE: 851 CORNER ROAD EAST, AND 491 SPRINGBROOK AVENUE. (CITY FILE#251-2012-06)

1. (WE) SPRINGBROOK WEST SCARLETT INC. THE OWNER(S) OF THE LAND, HEREBY UNDERTAKE AND AGREE WITHOUT RESERVATION

(A) TO COMPLY WITH ALL THE CONTENT OF THIS PLAN AND DRAWING AND NOT TO VARY THEREFROM.

(B) TO PERFORM THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(A) OF THE PLANNING ACT SHOWN ON THIS PLAN AND DRAWING(S) IN ACCORDANCE WITH THE CONDITIONS OF APPROVAL, AS SET OUT IN THE LETTER OF APPROVAL, DATED _____.

(C) TO MAINTAIN TO THE SATISFACTION OF THE CITY AND AT MY (OUR) SOLE RISK AND EXPENSE, ALL OF THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(B) OF THE SAID ACT, SHOWN IN THIS PLAN AND DRAWING, INCLUDING REMOVAL OF SNOW FROM ACCESS RAMPS AND DRIVEWAYS, PARKING AND LOADING AREAS AND WALKWAYS; AND

(D) IN THE EVENT THAT THE OWNER DOES NOT COMPLY WITH THE PLAN DATED _____ THE OWNER AGREES THAT THE CITY MAY ENTER THE LAND AND DO THE REQUIRED WORKS, AND FURTHER THE OWNER AUTHORIZES THE CITY TO USE THE SECURITY FILED TO OBTAIN COMPLIANCE WITH THIS PLAN.

(E) THAT THE OWNER AGREES TO AFFIX THE PHYSICAL MUNICIPAL NUMBER TO THE BUILDING IN A MANNER THAT IS VISIBLE FROM THE STREET, OR A SIGN AT THE FRONT ENTRANCE WITH EITHER THE MUNICIPAL NUMBER OR FULL ADDRESS.

(F) THAT THE OWNER SUBMIT TO THE LEGISLATIVE APPROVALS SECTION OF GROWTH MANAGEMENT, A FINAL UNIT NUMBERING LIST INDICATING THE UNIT NUMBERS THAT WILL BE ASSIGNED TO EACH UNIT ON EACH FLOOR OF THE BUILDING.

(G) THAT THE OWNER AGREES TO INCLUDE ON ALL OFFERS OF PURCHASE AND SALE, A STATEMENT THAT ADVISES THE PROSPECTIVE PURCHASERS

i) THAT THE HOME/BUSINESS MAIL DELIVERY WILL BE FROM A DESIGNATED CENTRALIZED MAIL BOX.

ii) THAT THE DEVELOPERS/OWNERS BE RESPONSIBLE FOR OFFICIALLY NOTIFYING THE PURCHASERS OF THE EXACT CENTRALIZED MAILBOX LOCATIONS PRIOR TO THE CLOSING OF ANY HOME SALES.

iii) PURCHASERS/TENANTS ARE ADVISED THAT MAINTENANCE/ACCESS EASEMENTS WILL BE REQUIRED THROUGHOUT THE APPROVED DEVELOPMENT AND CONTAINED WITHIN THE APPROVED CONDOMINIUM AGREEMENT.

iv) PURCHASERS/TENANTS ARE ADVISED THAT SOUND LEVELS DUE TO INCREASING ROAD TRAFFIC MAY OCCASIONALLY INTERFERE WITH SOME ACTIVITIES OF THE DWELLING OCCUPANTS AS THE SOUND LEVELS MAY EXCEED THE MUNICIPALITY'S AND THE MINISTRY OF THE ENVIRONMENT'S NOISE CRITERIA EXCEED THE MUNICIPALITY'S AND THE MINISTRY OF THE ENVIRONMENT'S

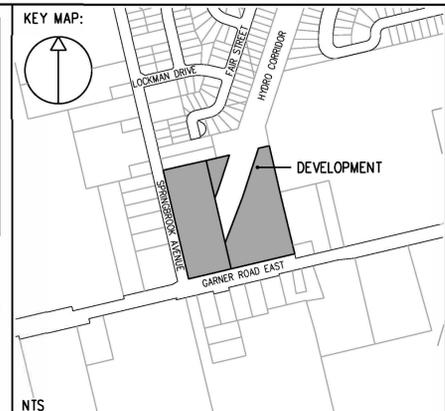
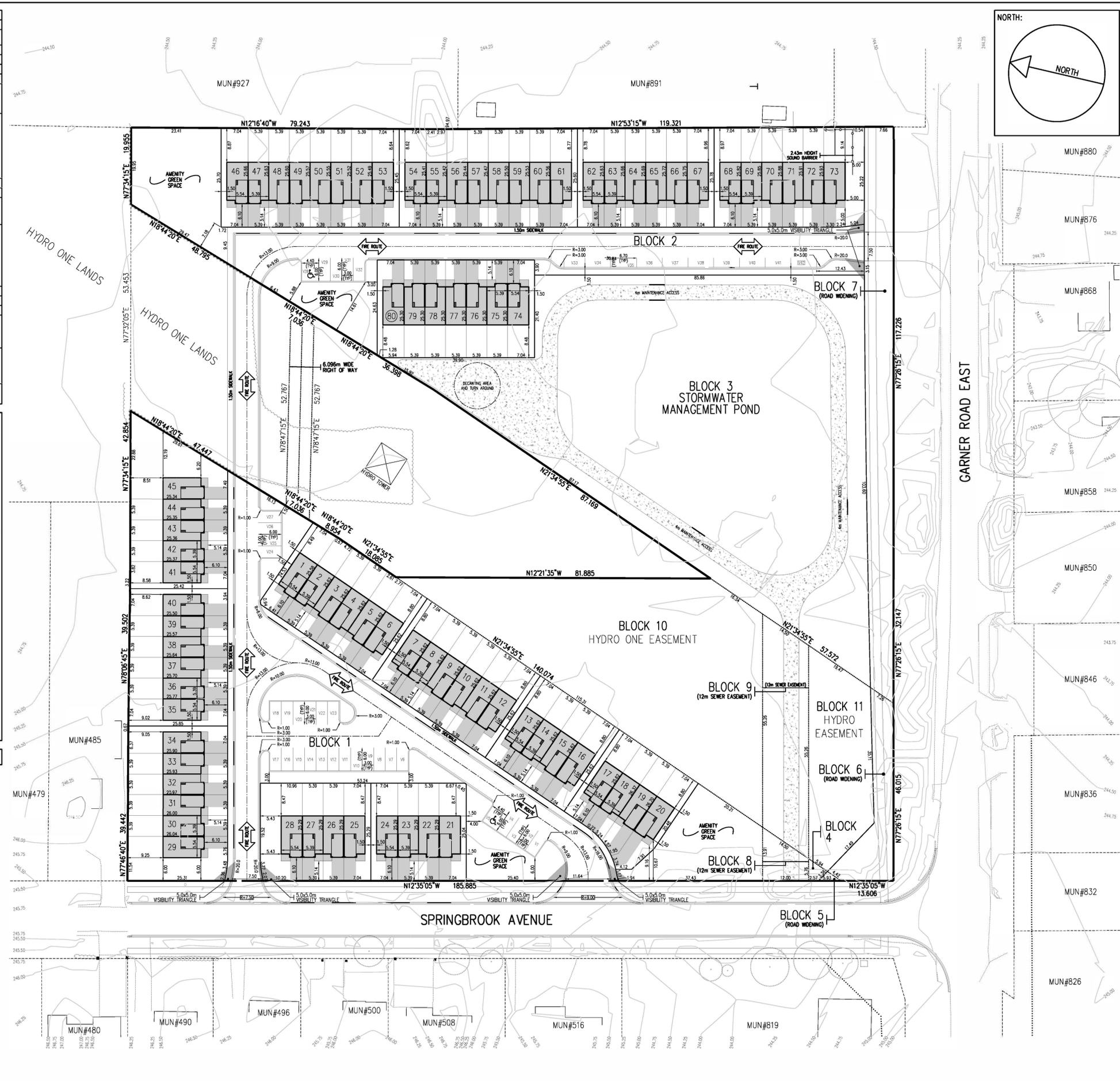
v) PURCHASERS/TENANTS ARE ADVISED THAT THERE SHALL BE NO STREET PARKING ALLOWED WITHIN THE DEVELOPMENT.

DATED THIS _____ DAY OF _____ 20____

WITNESS (SIGNATURE) _____ A. DI SILVESTRO, PRESIDENT

ADDRESS OF WITNESS _____

ALL DRIVEWAYS TO BE ASPHALT



No.	DATE	BY	REVISION
1	2020-12-09	HK	DRAFT PLAN - RESUBMISSION

FOR APPROVALS

BENCHMARK:
 75U075 DEEP BENCH MARK IN MANHOLE AT GARNERS CEMETERY, ALONG SOUTHCOTE ROAD 0.2km NORTH OF INTERSECTION OF HWY#53, 11.6m WEST OF CENTERLINE OF SOUTHCOTE RD, 21.9m NORTHWEST OF HYDRO POLE ON EASTSIDE OF ROADWAY, 1.8m SOUTH OF FENCE, AT ROAD LEVEL.

ELEVATION 1978 ADJUSTMENT - 246.851

CONSULTANT:
URBEX ENGINEERING LIMITED
 161 REBECCA STREET
 HAMILTON ON. L8R 1B9
 TEL 905-522-3328
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MUNICIPALITY:
 THE CITY OF HAMILTON
 SPRINGBROOK CORNERS
 CITY OF HAMILTON (ANCASTER), ONTARIO
 25T-2012-06

SITE PLAN

FILE NAME:
 01-SBC-SITE-2020-05-26.dwg

LAST SAVED BY:
 HARRY KANDILAS

SCALE:
 1:500

LAST SAVED DATE:
 12/9/2020 10:37 AM

SHEET No.:
 01

Authority: Item __, Planning Committee
Report 20-xxx (PED xxxxx)
CM: _____, 2020

CITY OF HAMILTON

BY-LAW NO. 20-XXX

To Adopt:

Official Plan Amendment No. XX to the

Urban Hamilton Official Plan

Respecting

**491 Springbrook Avenue, 851 and 857 Garner Road East
(Former Town of Ancaster)**

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

- i) Amendment No. XX to the Urban Hamilton Official Plan consisting of Schedule “1”, hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this ____ day of _____, 2020

F. Eisenberger – Mayor

A. Holland – City Clerk

Amendment No. XX to

Urban Hamilton Official Plan

The following text attached hereto, constitutes Official Plan Amendment No. XX to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to re-designate a portion of the lands known as 491 Springbrook Avenue and 851 and 857 Garner Road East from “Low Density Residential 2b” to “Low Density Residential 3b” to facilitate the development of eighty (80) townhouse dwellings units. The purpose and effect of this Amendment is also to re-designate a portion of the lands to “Utility” (SWM) to reflect the location and size of a new storm water management facility.

2.0 Location:

The lands affected by this Amendment, known municipally as 491 Springbrook Avenue and 851 and 857 Garner Road East, are located northeast of the intersection of Garner Road East and Springbrook Avenue, in the former Town of Ancaster.

3.0 Basis:

The basis for permitting the proposal is as follows:

- The proposal is consistent with the 2020 Provincial Policy Statement.
- The proposal conforms to A Place to Grow, Growth Plan for the Greater Golden Horseshoe (2019).
- The proposal satisfies many policies of the Urban Hamilton Official Plan and Meadowlands Neighbourhood IV Secondary Plan.

- The proposed townhouse development is an appropriate and reasonable form of development and is compatible with the existing and planned residential development located both east and west of the hydro corridor in the subject location.

4.0 Actual Changes:

Map Change:

1. That lands known as 491 Springbrook Avenue and 851 and 857 Garner Road East be re-designated from “Low Density Residential 2b” to “Low Density Residential 3b” and “Utility” on Map B.2.6-1 Meadowlands Neighbourhood IV Secondary Plan – Land Use Plan.

5.0 Implementation

An implementing Zoning By-law Amendment and Site Plan will give effect to this Amendment.

This is Schedule “1” to By-law No. _____ passed on the _____ day of _____, 2020.

The

City of Hamilton

F. Eisenberger – Mayor

A. Holland – City Clerk

OPA-12-023
ZAC-12-065
25T-201206

Schedule 3

Authority: Item __, Planning Committee
Report: 20-xxx (PED13xxx)
CM:

Bill No. xxx

CITY OF HAMILTON

BY-LAW NO. 20-xxx

To Amend Zoning By-law No. 87-57 (Ancaster), as amended, respecting lands located at 491 Springbrook Avenue and 851 and 857 Garner Road East

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 Item xxx of Report 20-xxx of the Planning Committee, at its meeting held on the _____ day of _____, 2020, recommended that Zoning By-law No. 87-57 (Ancaster) be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with Official Plan Amendments No. XXX approved by the City of Hamilton in accordance with the provisions of the *Planning Act*.

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

1. That Map 1 to Schedule "B" appended to and forming part of By-law No. 87-57 (Ancaster), as amended, is amended by changing from the Agricultural "A" Zone to the following:

- a) Residential Multiple "RM2-xxx" Zone, Modified, for lands subject to townhouse development, the extent, and boundaries of which are shown on Schedule "A" annexed hereto and forming part of this by-law; and,
 - b) Public "P" Zone, for lands comprising the proposed stormwater management facility, the extent, and boundaries of which are shown in Schedule "A" annexed hereto and forming part of this by-law.
2. That Section 34, Exceptions of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by adding the following subsections:

"RM2-xxx"

That notwithstanding the provisions of Sub-sections 3.49 and 3.132, Sub-section 7.14 (a)(i), (ii), (vi), (vii), (viii), (ix), (xv), and (xvii), Sub-section 9.5, Sub-section 9.3(b), Sub-section 15.1, and Sub-section 15.2 (a), (b), (c), (d), (e), (f), (g), (h), (k), and (m), the following special provisions shall apply to the lands zoned "RM2-xxx":

1. PERMITTED USES

- (a) Street townhouses.
- (b) Street townhouses fronting onto a condominium road.
- (c) Condominium Road with Parking and Landscaping.
- (d) Use, buildings, and structures accessory to the uses described in the above Sub-sections (a) or (b).

2. REGULATIONS

- | | | |
|-----|---|---|
| (a) | <u>Minimum Lot Area:</u> | 120 sq. m. per dwelling unit. |
| (b) | <u>Minimum Lot Frontage:</u> | 5.3 metres. |
| (c) | <u>Minimum Lot Depth:</u> | 23.0 metres. |
| (d) | <u>Maximum Lot Coverage:</u> | 55 percent. |
| (e) | <u>Minimum Setback from a Private Internal Roadway:</u> | 4.5 metres to a front wall, and 6.0 metres to an attached garage. |
| (f) | <u>Minimum Side yard:</u> | 1.2 metres for a dwelling end unit. |

- (g) Minimum Yard Abutting a Public Road: 3.0 metres.
- (h) Minimum Rear Yard: 6.0 metres.
- (i) Maximum Building Height: 12.6 metres.
- (j) Minimum Planting Strip: Not Required.
- (k) Minimum Setbacks from Dwellings: 1.5 metres from the rear and side lot line of a dwelling to parking spaces, dwelling units, and accessory buildings.
- (l) Minimum Roadway Width: 6.0 metres.
- (m) Notwithstanding any provisions or definitions to the contrary, legal frontage for a street townhouse shall be permitted on a common element condominium road.
- (n) The lot line fronting onto a common element condominium road shall be considered the front lot line. In the case where two lot lines abut a common element condominium road, the shorter of the two shall be considered the front lot line.
- (o) For the purposes of this By-law, the definition of "Street" shall include private condominium roads.
- (p) A minimum of 0.5 visitor parking spaces per unit within a condominium driveway shall be provided and maintained.
- (q) The provisions of Paragraph (b), Sub-section 9.3, "Air Conditioning Units and Heat Pumps", shall not apply.
- (r) The provisions of Sub-section 9.5, "Privacy Screens", shall not apply.
- (s) Sub-section 15.2, Paragraph (k), "Dwelling Unit Placement", shall not apply.
- (t) Maximum Density: 50 units per hectare
- (u) That for lands zoned Residential Multiple "RM2-XXX" Zone, Subsection 7.12 (d) "Yard Encroachments" of Section 7 "General Provisions", shall not apply and be replaced with the following:
 - i. Unenclosed porches, balconies, and/or open stairways may project into any minimum required front yard and/or flankage side yard by a distance of not more than 1.50 metres.

3. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, or shall any land be used, except in

accordance with the Residential Multiple “RM2” Zone provisions, subject to the special requirements referred to in Section 2 of this By-law.

4. That the amending By-law be added to Map 1 of Schedule “B” of Ancaster Zoning By-law 87-57.
5. 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 this _____ day of _____, 2020.

MAYOR

CLERK

OPA-12-023
ZAC-12-065
25T-201206