



**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Planning Division**

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	June 14, 2016
<b>SUBJECT / REPORT NO:</b>	Application for Approval of a Draft Plan of Condominium (Common Elements), by WEBB Planning Consultants Inc., on behalf of Losani Homes (1998) Limited, for Lands known as 35 John Fredrick Drive (Ancaster) (PED16128) (Ward 12)
<b>WARD(S) AFFECTED:</b>	Ward 12
<b>PREPARED BY:</b>	Michael Fiorino Planner (905) 546-2424 Ext. 4424  Stephen Robichaud Director of Planning and Chief Planner
<b>SUBMITTED BY:</b>	Jason Thorne General Manager Planning and Economic Development Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

That approval be given to **Redline Revised Draft Plan of Condominium Application 25CDM-201514, by WEBB Planning Consultants Inc., on behalf of Losani Homes (1998) Limited,** to establish a Draft Plan of Condominium (Common Elements Condominium) to create a condominium road, sidewalks, landscaped areas, visitor parking areas and centralized mailboxes in favour of 70 townhouse dwelling units, on lands located at 35 John Fredrick Drive (Ancaster), as shown on Appendix "A" to Report PED16128, subject to the following conditions:

- (a) That this approval for Draft Plan of Condominium (Common Elements) Application 25CDM-201514 applies to the plan prepared by A.T. McLaren Limited, certified by S. D. McLaren, and dated April 23, 2015, consisting of a common element road, sidewalks, landscaped areas, visitor parking areas and centralized mailboxes, attached as Appendix "B" to Report PED16128; and,

**SUBJECT: Application for Approval of a Draft Plan of Condominium (Common Elements), by WEBB Planning Consultants Inc., on behalf of Losani Homes (1998) Limited, for Lands Known as 35 John Fredrick Drive (Ancaster) (PED16128) (Ward 12) – Page 2 of 14**

---

- (b) That the conditions of Draft Plan of Condominium Approval 25CDM-201514 attached as Appendix “D” to Report PED16128, be received and endorsed by City Council.

**EXECUTIVE SUMMARY**

The purpose of the application is to establish a Draft Plan of Condominium (Common Elements) to create the following common elements: a condominium road, sidewalks, landscaped areas, visitor parking areas, and centralized mailboxes, to facilitate the tenure of the development for the 70 townhouse dwelling units, as approved under final approved Site Plan Control Application DA-14-140. The condominium road will provide access to John Fredrick Drive. The proposed Draft Plan of Condominium is to facilitate tenure, in that the subject lands are to be developed as freehold townhouse units, fronting onto a private condominium road, by way of a future Part Lot Control Application PLC-15-033, which is currently being processed.

Staff have requested that five minor revisions be made to the Draft Plan of Condominium drawing to 1) update the key map, 2) revise the street name to Garner Road East, 3) list required services (storm and sanitary sewer) as per section 51(17)(k) of the *Planning Act*, 4) revise the Draft Plan of Condominium roadway extension and 5) the location and setbacks of Blocks B & C to reflect the revised final approved Site Plan Control application DA-14-140. These revisions are shown as notations on the Redlined Revised Draft Plan of Condominium drawing in Appendix “B” to Report PED16128.

The proposed Draft Plan of Condominium has merit and can be supported as it is consistent with the Provincial Policy Statement (PPS), conforms with the Growth Plan for the Greater Golden Horseshoe, and complies with the Urban Hamilton Official Plan (UHOP).

***Alternatives for Consideration – See Page 13***

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

Legal: As required under the *Planning Act*, Council shall hold at least one Public Meeting to consider an application for a Draft Plan of Condominium (Common Elements).

**SUBJECT: Application for Approval of a Draft Plan of Condominium (Common Elements), by WEBB Planning Consultants Inc., on behalf of Losani Homes (1998) Limited, for Lands Known as 35 John Fredrick Drive (Ancaster) (PED16128) (Ward 12) – Page 3 of 14**

---

**HISTORICAL BACKGROUND**

**Chronology:**

- July 30, 2015: Condominium Application 25CDM-201514 “Block 15 - Ancaster Glen – Phase 2” is received.
- August 13, 2015: Condominium Application 25CDM-201514 “Block 15 - Ancaster Glen – Phase 2” is deemed complete.
- October 6, 2015: Circulation of Notice of Complete Application and Preliminary Circulation for Condominium Application 25CDM-201514 sent to 14 property owners within 120 m of the subject lands.
- October 8, 2015: Public Notice Sign placed on the subject lands.
- May 19, 2016: Public Notice Sign updated to indicate Public Meeting date.
- May 27, 2016: Notice of Public Meeting circulated to 14 property owners within 120 m of the subject lands.

**Proposal:**

The purpose of the application is to establish a Draft Plan of Condominium (Common Elements) to create the following common elements: a condominium road; sidewalks; landscaped areas, visitor parking areas for 35 parking spaces; and centralized mailboxes to facilitate the development of 70 townhouse dwelling units, as approved under Site Plan Control Application DA-14-140. The private condominium road will provide access to John Fredrick Drive. It is noted that the Site Plan implemented the development concept that was approved by Council on July 11<sup>th</sup> 2014 under By-law Nos. 14-176 (OPA No. 25) and 14-177.

The proposed Draft Plan of Condominium is to facilitate tenure, in that the subject lands are to be developed as freehold townhouse units, fronting onto a condominium road, by way of a future Part Lot Control Application PLC-15-033 which is currently being processed.

**Details of Submitted Application:**

**Location:** 35 John Fredrick Drive (Ancaster)  
(See Location Map attached as Appendix “A”)

**SUBJECT: Application for Approval of a Draft Plan of Condominium (Common Elements), by WEBB Planning Consultants Inc., on behalf of Losani Homes (1998) Limited, for Lands Known as 35 John Fredrick Drive (Ancaster) (PED16128) (Ward 12) – Page 4 of 14**

---

**Owner / Applicant:** Losani Homes (1998) Limited, c/o: Fred Losani

**Agent:** WEBB Planning Consultants Inc., c/o: James Webb

**Property Description:** Lot Frontage: 98.56 m (Garner Road East)  
83.897 m (John Fredrick Drive)  
23.180 m (Dodman Crescent)

Lot Depth: 157.43 m (North to South)

Lot Area: 0.4624 ha

**Servicing:** Full Municipal Services

**EXISTING LAND USE AND ZONING**

	<b><u>Existing Land Use</u></b>	<b><u>Existing Zoning</u></b>
<b><u>Subject Lands:</u></b>	Vacant (townhouses under construction)	Residential Multiple “RM5-660” Zone, Modified
<b><u>Surrounding Lands:</u></b>		
<b>North</b>	Vacant Lands (under construction)	Institutional (I1) Zone; Residential Multiple “RM2-661” Zone, Modified
<b>South</b>	Single Detached Dwellings; and Vacant Lands	Airport Prestige Business (M11, H37) Zone – Holding, Modified
<b>East</b>	Vacant	Residential Multiple “H-RM6-603” Zone, Modified
<b>West</b>	Single Detached Dwelling	Agricultural “A-216” Zone, Modified

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

Staff note that the principal land use and corresponding zoning regulations were previously implemented through City of Hamilton By-law Nos. 14-176 (OPA No. 25) and

**SUBJECT: Application for Approval of a Draft Plan of Condominium (Common Elements), by WEBB Planning Consultants Inc., on behalf of Losani Homes (1998) Limited, for Lands Known as 35 John Fredrick Drive (Ancaster) (PED16128) (Ward 12) – Page 5 of 14**

---

14-177 and the Draft Approved “Ancaster Glen – Phase 2” Plan of Subdivision (25T-200725), which is currently in the process of final registration.

In addition, this development will implement final approved Site Plan Control Application DA-14-140.

**Provincial Policy Statement (PPS):**

The Provincial planning policy framework is established through the *Planning Act* (Section 3), the Provincial Policy Statement (PPS 2014), the Growth Plan for the Greater Golden Horseshoe (the Growth Plan) and the Greenbelt Plan. The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the PPS. The Places to Grow Act and the Greenbelt Act require that all municipal land use decisions made under the *Planning Act* conform to the Growth Plan and the Greenbelt Plan.

The mechanism for the implementation of the Provincial plans and policies is through the Official Plan. Through the preparation, adoption and subsequent Ontario Municipal Board approval of the City of Hamilton Official Plans, the City of Hamilton has established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of provincial interest (e.g. efficiency of land use, balanced growth and environmental protection) are reviewed and discussed in the Urban Hamilton Official Plan (UHOP) analysis below.

As the application for a Draft Plan of Condominium complies with the UHOP, it is staff's opinion that the application is:

- consistent with Section 3 of the *Planning Act*;
- consistent with the Provincial Policy Statement (2014);
- conforms to the Growth Plan for the Greater Golden Horseshoe.

**Urban Hamilton Official Plan (UHOP):**

The subject lands are designated “Neighbourhoods” on Schedule “E-1” – Urban Land Use Designations and as “Medium Density Residential 2b” on Map B.2.3-1 – Garner Neighbourhood Secondary Plan.

Of note, the subject lands are located within the Built-Up Area of the City of Hamilton as per Appendix “G” – Boundaries Map, of Volume 1.

Through the review and approval of the associated development applications, the proposal has demonstrated compliance with Policy Section B.2.4 “Residential Intensification” of Volume 1.

**SUBJECT: Application for Approval of a Draft Plan of Condominium (Common Elements), by WEBB Planning Consultants Inc., on behalf of Losani Homes (1998) Limited, for Lands Known as 35 John Fredrick Drive (Ancaster) (PED16128) (Ward 12) – Page 6 of 14**

---

In review of Policy Section E.3.0, Policy Section E.3.2.1 of Volume 1, prescribes that:

“E.3.2.1 Areas designated Neighbourhoods shall function as complete communities, including the full range of residential dwelling types and densities, as well as supporting uses intended to serve the local residents.

E.3.2.3 The following uses shall be permitted on lands designated Neighbourhoods on Schedule E-1 – Urban Land Use Designations:

a) residential dwellings, including second dwelling units and housing with supports.”

As reviewed through the previous associated development applications, the proposed development complies with the scale and design policies of the Neighbourhoods designation of Volume 1. Furthermore, the development also complies with the general policies for Residential Uses, being Policy Section E.3.3 of Volume 1.

Lastly, as mentioned above, there were no natural heritage features identified on the subject lands; however, there are several trees on the property. Forestry and Horticulture and Natural Heritage Planning Staff have requested a Tree Management / Protection Plan and a Landscape Plan. Staff note that these requirements have already been imposed as conditions of approval for the related Site Plan Control application DA-14-140 and therefore have been satisfied.

Based on the foregoing, staff are of the opinion that the proposal complies with Volume 1 of the Urban Hamilton Official Plan.

**Garner Neighbourhood Secondary Plan:**

The subject lands are designated “Low Density Residential Designation 2c” Site Specific Policy Area B on Map B.2.3-1 – Garner Neighbourhood Secondary Plan.

As mentioned above, the previous development application demonstrated conformity with the policies of the Garner Neighbourhood Secondary Plan. Notwithstanding, staff have highlighted the primary policies applicable to this development below:

“B.2.3.1.2 General Residential Policies

a) Residential buildings in the Low Density Residential and Medium Density Residential designations shall have no more than three occupied storeys entirely above grade.

B.2.3.1.3 Low Density Residential Designations

**SUBJECT: Application for Approval of a Draft Plan of Condominium (Common Elements), by WEBB Planning Consultants Inc., on behalf of Losani Homes (1998) Limited, for Lands Known as 35 John Fredrick Drive (Ancaster) (PED16128) (Ward 12) – Page 7 of 14**

---

Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the Low Density Residential designations identified on Map B.2.3-1 – Garner Neighbourhood – Land Use Plan.

- e) In the Low Density Residential 2c designation:
  - i) the permitted uses shall be street townhouses, block townhouses, courtyard townhouse and other innovative ground-oriented attached housing forms; and,
  - ii) the density shall not exceed 37 dwelling units per gross/net residential hectare.”

**Site Specific Policy – Area B (OPA 25)**

2.3.6.2 In addition to Section B.2.3.1.3(e), the following policy shall apply to the portion of the lands located at 435 Garner Road East and John Frederick Drive), and identified as Site Specific Policy – Area B on Map B.2.3-1 – Garner Neighbourhood Land Use Plan:

- a) Notwithstanding Policy 2.3.1.3(e)(ii) the density shall not exceed 57 dwelling units per gross/net residential hectare.”

Site Specific Policy Area B permits the block townhouse as listed above and Site Specific Policy Area B increased the permitted dwelling units per gross / net residential hectare to 57 dwelling units per gross / net residential hectare. The proposed development has a density of 53.43 dwelling units per gross / net residential hectare.

Based on the foregoing, the proposal complies with Volume 2 of the Urban Hamilton Official Plan and accordingly complies with the policies of the Urban Hamilton Official Plan.

**Town of Ancaster Zoning By-law No. 87-57**

On July 11, 2014, Council approved the respective Zoning By-law Amendments, as per By-law No. 14-177, which reflect the proposed form of development for the subject lands.

The subject lands are zoned Residential Multiple “RM5-660” Zone, Modified in the Town of Ancaster Zoning By-law 87-57, amended by City of Hamilton By-law No. 14-177. The parent Residential Multiple (RM5) Zone allows for triplex dwellings and multi-plex dwellings and accessory uses and structures. The site specific zoning added block townhouse dwellings as an additional permitted use.

**SUBJECT: Application for Approval of a Draft Plan of Condominium (Common Elements), by WEBB Planning Consultants Inc., on behalf of Losani Homes (1998) Limited, for Lands Known as 35 John Fredrick Drive (Ancaster) (PED16128) (Ward 12) – Page 8 of 14**

---

The proposal has been developed in accordance with approved Site Plan Control application DA-14-140, granted final approval on May 2, 2016, and conforms with the applicable provisions and requirements of By-law No. 87-57, as amended by By-law No. 14-177. Conditions 1) and 2) of Appendix “D” to Report PED16128 has been included to ensure the proposal is developed in accordance with these approvals.

**RELEVANT CONSULTATION**

The following departments and agencies had no comments or objections:

- Geomatics and Corridor Management Section (Public Works Department);
- Recreation Division, Community and Emergency Services Department; and,
- Hydro One Networks Inc.

The following departments and agencies submitted comments:

**Hamilton Conservation Authority (HCA)** has advised that the HCA’s concerns (stormwater management requirements) have been addressed through the approval of Site Plan Control application DA-14-140.

**Business Programs Section (Public Works Department)** have advised and request that the following note be added to the plan:

“This property is eligible for weekly collection of garbage, recycling, organics and leaf and yard waste through the City of Hamilton subject to compliance with specifications indicated by the Public Works Department and subject to compliance with the City’s Solid Waste Management By-law 09-067, as amended.”

Staff note that this notation was addressed through the approval of Site Plan Control Application DA-14-140.

**Forestry and Horticulture Section (Public Works Department)** have identified municipal tree assets on the subject lands which therefore requires the completion of a Tree Management Plan. In addition, a landscape plan has also been requested, including required street trees.

Staff note that final approved Site Plan Control application DA-14-140 includes conditions 2(b) “Tree Management”, and 3(e) “Landscape Plan”, which addressed the above requirements. In addition, as noted in the comments, Section 2.8 of the Registered Subdivision Agreement (Instrument WE1073279) would address the street tree requirement.



**SUBJECT: Application for Approval of a Draft Plan of Condominium (Common Elements), by WEBB Planning Consultants Inc., on behalf of Losani Homes (1998) Limited, for Lands Known as 35 John Fredrick Drive (Ancaster) (PED16128) (Ward 12) – Page 9 of 14**

---

**Strategic Planning Section (Public Works Department)** have identified potential road widening and daylight triangles along with recommendations for transportation demand management options and AODA regulations. Staff note that these matters were addressed through the final approved Site Plan Control application DA-14-140.

**Landscape Architectural Services Section (Public Works Department)** have identified that cash-in-lieu of parkland will be required. Staff note that this matter is addressed through Section 1.06 of the Registered Subdivision Agreement (Instrument WE1073279).

**Mobility Programs & Special Projects (Public Works Department)** have identified that due to the vicinity of the future Rapid Transit S-line, the development should be developed in accordance with the Transit Oriented Development (TOD) guidelines and contribute to a positive pedestrian environment. Staff note that the compact form of development provides higher densities in close proximity to the S-line in accordance with the TOD guidelines. As well, sidewalks are provided allowing for safe pedestrian movement throughout the development.

**Union Gas** has advised that the following condition be included:

“That the owner / developer provide to Union Gas the necessary easements and / or agreements required by Union Gas for the provision of gas services for this project, in a form satisfactory to Union Gas.”

Staff note that this requirement is addressed under Section 1.21 “Utility Installations” of the Registered Subdivision Agreement (Instrument WE1073279). Therefore, the above condition has been appropriately addressed through the previous development applications.

**Bell Canada** have advised that prior to commencing any work within the Plan, the Developer must confirm that sufficient wire-line communication / telecommunication infrastructure is currently available within the proposed development to provide communication / telecommunication service to the proposed development. Should the infrastructure not be provided the Developer may be required to pay for the infrastructure or demonstrate to the municipality that sufficient alternative communication / telecommunication facilities are available. As such, the following conditions have been included:

- “1. The Owner shall agree in the Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing

**SUBJECT: Application for Approval of a Draft Plan of Condominium (Common Elements), by WEBB Planning Consultants Inc., on behalf of Losani Homes (1998) Limited, for Lands Known as 35 John Fredrick Drive (Ancaster) (PED16128) (Ward 12) – Page 10 of 14**

---

Bell Canada facilities or easements, the owner / developer shall be responsible for the relocation of such facilities or easements.

2. Bell Canada requires one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and one or more conduits from the room(s) in which the telecommunication facilities are located to the street line.”

These have been included as Conditions 12) and 13) of Appendix “D” to Report PED16128.

## **PUBLIC CONSULTATION**

In accordance with the provisions of the *Planning Act* and Council’s Public Participation Policy, 14 Notices of Complete Application and Preliminary Circulation were sent to all property owners within 120 m of the subject property on October 6, 2015, requesting comments on the application.

Furthermore, a Public Notice Sign was posted on the property on October 8, 2015 and updated on May 29, 2016 with the Public Meeting date. Finally, Notice of the Public Meeting was given on May 19, 2016, in accordance with the requirements of the *Planning Act*. To date, no correspondence has been received.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

1. The proposal has merit and can be supported for the following reasons:
  - (i) It is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow);
  - (ii) It complies with the policies of the Urban Hamilton Official Plan; and,
  - (iii) The proposal implements condominium tenure for a form of development previously by Hamilton Council on July 11, 2014, and as approved under City of Hamilton By-law Nos. 14-176 and 14-177 and the Draft Approved “Ancaster Glen – Phase 2” Plan of Subdivision (25T-200725). In addition this development is also subject to, and will implement final approved Site Plan Control Application DA-14-140 which provides for a form of development that is compatible with surrounding land uses.
2. The proposed Draft Plan of Condominium (common elements) would be comprised of a condominium road network, sidewalks, landscaped areas, visitor parking areas for 35 parking spaces and centralized mailboxes in favour of 70

**SUBJECT: Application for Approval of a Draft Plan of Condominium (Common Elements), by WEBB Planning Consultants Inc., on behalf of Losani Homes (1998) Limited, for Lands Known as 35 John Fredrick Drive (Ancaster) (PED16128) (Ward 12) – Page 11 of 14**

---

- townhouse dwelling units. All of the common elements would be maintained by the future Condominium Corporation. All units will hold an interest in the Condominium Corporation to benefit from the common visitor parking spaces and amenity areas.
3. The applicant must ensure that the final Plan of Condominium complies with the final approved Site Plan Control application DA-14-140, final approved on May 2, 2016, to the satisfaction of the Director of Planning and Chief Planner (Condition 2 of Appendix “D” to Report PED16128).
  4. The lot boundaries proposed for the common elements and the POTLs on which the townhouse units will be situated on will be created through a future application for an exemption from Part Lot Control. Final approval and registration of the Draft Plan of Condominium cannot occur until such time that an application for an exemption from Part Lot Control has been submitted and approved and the By-law exempting the lands from Part Lot Control has been passed by Council and registered on title (Condition 3 of Appendix “D” to Report PED16128). The applicant has submitted a Part Lot Control application, PLC-15-033 which is currently under review.
  5. The applicant must also enter into a Development Agreement with the City of Hamilton as a condition of Draft Plan of Condominium approval. This Agreement would ensure that the tenure of the proposed POTLs (as shown on the Draft Plan of Condominium included in Appendix “B” to Report PED16128) becomes “tied” to the proposed Draft Plan of Condominium. This will have the effect of ensuring that individual townhouse lots are not sold until the condominium has been registered as a common elements condominium under the *Condominium Act* (Condition 4 of Appendix “D” to Report PED16128).
  6. The proposed condominium road will be privately owned and maintained. As a condition of approval, the applicant must include warning clauses in the Development Agreement and all purchase and sale agreements and rental leases to advise perspective purchasers that the City of Hamilton will not provide maintenance or snow removal and that the provided garages are for parking (including that on-street, overflow parking may not be available and cannot be guaranteed in perpetuity) (Conditions 5(i) and (ii) of Appendix “D” to Report PED16128). A condition is also included to advise purchasers of the Community Mail Boxes.
  7. Staff have requested that five minor revisions be made to the Draft Plan of Condominium drawing to 1) update the key map, 2) revise the street name to Garner Road East, 3) list required services (storm and sanitary sewer) as per section 51(17)(k) of the *Planning Act*, 4) revise the Draft Plan of Condominium

**SUBJECT: Application for Approval of a Draft Plan of Condominium (Common Elements), by WEBB Planning Consultants Inc., on behalf of Losani Homes (1998) Limited, for Lands Known as 35 John Fredrick Drive (Ancaster) (PED16128) (Ward 12) – Page 12 of 14**

---

roadway extension and 5) the location and setbacks of Blocks B & C to reflect the revised final approved Site Plan Control application DA-14-140. These revisions are shown as notations on the Draft Plan of Condominium drawing in Appendix “B” to Report PED16128.

8. The Public Works Section has no comments regarding water, sanitary or minor storm servicing with respect to this application as these matters were reviewed under Site Plan Control application DA-14-140. Condition 11 of Appendix “D” to Report PED16128) has been added to the conditions of final Draft Plan of Condominium approval, as per the request of Public Works staff, outlining the Condominium Corporation’s responsibilities with respect to maintenance of the common elements.
  
10. Development Engineering has advised that all issues pertaining to the grading, drainage and servicing have been reviewed as per Final Approved Site Plan DA-14-140 and are subject to the terms and conditions of therein. Development Engineering request the following condition to be included:

**“NOTICE REGARDING PERMEABLE PAVER MAINTENANCE**

The primary maintenance requirement for permeable pavers is to clean the surface drainage voids. Fine debris and dirt accumulate in the drainage openings and reduce the pavement's flow capacity. It is natural for clogging to occur over time, but routine maintenance can reduce this problem. A maintenance checklist follows:

- Inspection of the site should occur monthly for the first few months after construction. Then inspections can occur on an annual basis, preferably after rain events when clogging will be obvious.
  
- Conventional street sweepers equipped with vacuums, water, and brushes can be used to restore permeability. Vacuum sweep ideally four times a year, properly disposing of the removed material. Follow the sweeping with high-pressure hosing of the surface pores. If necessary, add additional aggregate fill material made up of clean gravel.
  
- Potholes and cracks can be filled with patching mixes, and spot clogging of porous concrete may be fixed by drilling approximately 0.5-inch holes every few feet. Damaged interlocking paving blocks can be replaced.
  
- An active street sweeping program in the site's drainage area will also help to prolong the functional life of the pavement.

**SUBJECT: Application for Approval of a Draft Plan of Condominium (Common Elements), by WEBB Planning Consultants Inc., on behalf of Losani Homes (1998) Limited, for Lands Known as 35 John Fredrick Drive (Ancaster) (PED16128) (Ward 12) – Page 13 of 14**

---

Even though some irreplaceable loss in permeability should be expected over the paver's lifetime, the longevity of the system can be increased by following the maintenance schedule for vacuum sweeping and high pressure washing, restricting the area's use by heavy vehicles, limiting the use of de-icing chemicals and sand, and implementing a stringent sediment control plan.”

This has been included as Condition 14) of Appendix “D” to Report PED16128.

11. Canada Post has reviewed the development through Official Plan Amendment OPA-12-23 and Zoning By-law Amendment ZAC-12-068 and advised that this development will receive mail service through a Centralized Community Mail Box (CMB).

Furthermore, the Developer / Owner shall consult with Canada Post for suitable permanent locations for the CMB and identify on appropriate servicing plans. In addition, prior to offering any units for sale, a map shall be displayed to potential homeowners indicating location of all CMBs and a warning clause shall be included noting these locations and any necessary easements.

Moreover, the Developer / Owner shall provide a suitable and safe temporary site for a CMB until curbs, sidewalks, and final grading are completed at the permanent locations. Mail delivery to new residents will be provided as soon as the homes are occupied. Of note, the servicing plans shall include concrete pad(s) and any required curb depressions for wheelchair access with an opening of at least 2 m (consult Canada Post for detailed specifications).

As such, the standard Canada Post conditions have been included as Conditions 5 iii), 6), 7), 8), 9) and 10).

## **ALTERNATIVES FOR CONSIDERATION**

Should the proposed Plan of Condominium (common elements condominium) not be approved, the applicant / owner could develop the lands as a standard block condominium development or as a rental development. A change in tenure from the proposed common element condominium to a standard form condominium would require a new Draft Plan of Condominium application.

## **ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN**

### **Strategic Priority #1**

A Prosperous & Healthy Community

*WE enhance our image, economy and well-being by demonstrating that Hamilton is a great place to live, work, play and learn.*

### **Strategic Objective**

1.5 Support the development and implementation of neighbourhood and City wide strategies that will improve the health and well-being of residents.

1.6 Enhance Overall Sustainability (financial, economic, social and environmental).

## **APPENDICES AND SCHEDULES ATTACHED**

- Appendix “A”: Location Map
- Appendix “B”: Proposed Draft Plan of Condominium
- Appendix “C”: “Ancaster Glen – Phase 2” Draft Plan of Subdivision (25T-200725)
- Appendix “D”: Recommended Conditions of Draft Plan Approval for Draft Plan of Condominium (Common Elements) 25CDM-201514

:mf/YR