



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	July 5, 2016
SUBJECT/REPORT NO:	Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12)
WARD(S) AFFECTED:	Ward 12
PREPARED BY:	Robert Clackett Planner (905) 546 - 2424 Ext. 7856 Steve Robichaud Director of Planning and Chief Planner
SUBMITTED BY:	Jason Thorne General Manager Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That approval be given to amended **Zoning Application ZAC-15-017 by Kaizen Properties and Developments Inc. and 21783868 Ontario Inc., Owners**, for changes in zoning from the Agricultural “A-348” Zone, Modified to the Residential “R4-562” Zone, Modified (Block 1); from the Agricultural “A” Zone to the Residential “R4-562” Zone, Modified (Block 2); from the Agricultural “A-348” Zone, Modified to the Residential “R4-563” Zone, Modified (Block 3); and from the Agricultural “A” Zone to the Residential “R4-563” Zone, Modified (Block 4) for the lands known as 296, 304, and 312 Springbrook Avenue, as shown on Appendix “A” to Report PED16153, on the following basis:
 - (i) That the draft By-law, attached as Appendix “B” to Report PED16153, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 2 of 31

- (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2014), conform to the Growth Plan for the Greater Golden Horseshoe (Places to Grow), and comply with the Urban Hamilton Official Plan.

- (b) That approval be given to **Draft Plan of Subdivision Application 25T-201504 by Kaizen Properties and Developments Inc. and 21783868 Ontario Inc., Owners**, to establish a Draft Plan of Subdivision known as the “Springbrook Meadows West Extension”, on lands known as 296, 304, and 312 Springbrook Avenue (Ancaster), as shown on Appendix “A” to Report PED16153, subject to the following conditions:
 - (i) That this approval apply to the Draft Plan of Subdivision “Springbrook Meadows West Extension”, 25T-201504, prepared by Urbex Engineering Limited, and certified by Dan McLaren, O.L.S., dated December 19, 2014, showing a maximum of 42 lots comprised of single detached dwelling lots (two existing and 40 proposed) (Lots 1 – 42), two blocks for 0.30 m reserves (Blocks 43 and 44), and the extension of a public road, shown as “Klein Circle”, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions attached as Appendix “D” to Report PED16153.

 - (ii) Acknowledgement by the City of Hamilton of its responsibility for cost-sharing with respect to this development for the following items:
 - (1) the City shall share of the proportionate amount of the actual cost for the design and construction of Springbrook Avenue, including but not limited to, storm and sanitary sewers from the north limits of 296 Springbrook Ave to the south limits of 312 Springbrook Ave, to the Satisfaction of the Senior Director of Growth Management;

 - (2) the City shall share the proportionate amount of the costs of the Traffic Study required for the Garner Road and Springbrook Avenue intersection; and the proportionate share of the necessary Garner Road and Springbrook Avenue intersection improvement costs, based on its proportionate share between Meadowlands Phase 8, Meadowlands Phase 10, and Springbrook Meadows East and West;

 - (3) the City shall share the proportionate amount of the costs for the urbanization of Springbrook Avenue, in accordance with the financial policies for development; and,

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 3 of 31

- (4) the City will be participating in the cost of sewers on Springbrook Avenue for the existing residents, in accordance with OMB decision No. 1493.
- (iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the *Planning Act*, prior to the building permit stage. The calculation for the Cash-in-Lieu payment shall be based on the value of the lands at the time of issuance of the Building Permit.

EXECUTIVE SUMMARY

The purpose of the subject applications is to amend the City of Ancaster Zoning By-law and for approval of a Draft Plan of Subdivision known as the “Springbrook Meadows West Extension” to permit the development of lands situated between Stonehenge Drive and Garner Road East, on Springbrook Avenue, for residential purposes. The applicant is proposing a maximum of 42 single detached dwellings (40 lots are proposed for single detached dwellings and two lots are for the existing single detached dwelling units shown as Lots 41 and 42) and the extension of Klein Circle.

The proposal has merit and can be supported since the applications are consistent with the Provincial Policy Statement (PPS), conform to the Growth Plan for the Greater Golden Horseshoe, and comply with the Urban Hamilton Official Plan (UHOP). The proposed development is considered to be compatible with, and complementary to, the existing and planned development in the immediate area and in keeping with the intent of the Meadowlands IV Secondary Plan.

Alternatives for Consideration – See Page 31

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Cost sharing will be required for: the City shall share of the proportionate amount of the actual cost for the design and construction of Springbrook Avenue, including but not limited to, storm and sanitary sewers from the north limits of 296 Springbrook Ave to the south limits of 312 Springbrook Ave, to the Satisfaction of the Senior Director of Growth Management; the City shall share the proportionate amount of the costs of the Traffic Study required for the Garner Road and Springbrook Avenue intersection; and the proportionate share of the necessary Garner Road and Springbrook Avenue intersection improvement costs, based on its proportionate share between Meadowlands Phase 8, Meadowlands Phase 10, and Springbrook Meadows East and West; the City shall share the proportionate amount of the costs for the urbanization of Springbrook Avenue, in accordance with the financial policies for development; and,

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 4 of 31

the City will be participating in the cost of sewers on Springbrook Avenue for the existing residents, in accordance with OMB decision No. 1493.

Staffing: N/A

Legal: As required by the *Planning Act*, Council shall hold at least one Public Meeting to consider applications for an Amendment to the Zoning By-law and for approval of a Draft Plan of Subdivision.

HISTORICAL BACKGROUND

Proposal:

The subject lands are located between Stonehenge Drive and Garner Road East, west of Springbrook Avenue. The lands are legally described as Part of Lot 50, Concession 3 (Geographic Township of Ancaster), and municipally known as 296, 304, and 312 Springbrook Avenue (see location map attached as Appendix “A” to Report PED16153).

The submission includes a Zoning By-law Amendment and Draft Plan of Subdivision, comprised of 42 lots for single detached dwellings (40 proposed single detached dwelling lots and two lots for the existing single detached dwellings), two blocks for 0.30 m reserves (Blocks 43 and 44), and the extension of Klein Circle.

Zoning By-law Amendment:

An application was submitted to rezone the lands, as shown on Appendix “C” to Report PED16153 from the Agricultural “A-348” Zone, Modified to the Residential “R4-562” Zone, Modified (Block 1); from the Agricultural “A” Zone to the Residential “R4-562” Zone, Modified (Block 2); from the Agricultural “A-348” Zone, Modified to the Residential “R4-563” Zone, Modified (Block 3); and from the Agricultural “A” Zone to the Residential “R4-563” Zone, Modified (Block 4) in Ancaster Zoning By-law No. 87-57.

Each of the residential zones contain site specific provisions to implement the proposed development and are described in greater detail in the Analysis and Rationale Section of this Report. These site specific zoning regulations have already been established for the lands on the east and west sides of Springbrook Avenue as well as to the south of the subject lands. This amendment would establish consistent zoning regulations with the zoning of the surrounding lands.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 5 of 31

Revised Plan of Subdivision:

The proposed revised Draft Plan of Subdivision (see Appendix “C” to Report PED16153) is intended to create:

- 42 single detached dwelling lots (Lots 1 – 42 and the two existing single detached lots at 296 Springbrook Avenue and 312 Springbrook Avenue);
- Two blocks for 0.30 m reserves (Blocks 43 and 44); and,
- The extension of Klein Circle.

Access to the proposed development will be via the extension of Klein Circle from subdivisions located to the east and west. The total unit yield for this Draft Plan of Subdivision would be a maximum of 42 lots (40 proposed single detached dwelling units and two existing single detached dwellings).

Chronology:

December 22, 2014: Applications received.

February 12, 2015: Applications deemed to be complete.

March 2, 2015: Notice of Complete Application and Preliminary Circulation mailed to 48 property owners within 120 m of the subject lands.

March 13, 2015: Public Notice Sign posted on site.

June 8, 2016: Public Notice Sign updated to include date of Public Meeting.

June 17, 2016: Circulation of Notice of Public Meeting to 48 property owners within 120 m of the subject lands and all residents who provided written comments.

DETAILS OF SUBMITTED APPLICATIONS:

Location: Part of Lot 50, Concession 3 (Geographic Township of Ancaster), municipally known as 296, 304, and 312 Springbrook Avenue, in the Town of Ancaster (see Appendix “A” to Report PED16153)

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 6 of 31

Owners/Applicant: Kaizen Properties and Developments Inc.
2178368 Ontario Ltd.

Agent: Urbex Engineering Limited
c/o Angelo Cameracci

Property Size: Lot Area: 2.2 ha
Frontage: 114.3 m (Springbrook Avenue)
Depth: 194.4 m

Existing Land Use and Zoning:

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
Subject Lands:	Single Detached Dwellings	Agricultural “A” Zone Agricultural “A-348” Zone, Modified

Surrounding Land:

North:	Single Detached Dwellings	Agricultural “A” Zone, Residential – Holding “H- R4-598” Zone, Modified Residential – Holding “H- R4-599” Zone, Modified
South:	Single Detached Dwellings	Agricultural “A” Zone Residential “R4-563” Zone, Modified
	Redeemer University	Major Institutional “I3” Zone
East:	Single Detached Dwellings	Holding - Residential “H-

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 7 of 31

		R4-619” Zone, Modified
		Residential “R4-549” Zone, Modified
West:	Redeemer University	Institutional “I” Zone

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Planning Policy Framework

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 Official Plan analysis below.

As the application for a modification in zoning complies with the Official Plan, it is staff’s opinion that the application is:

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

Urban Hamilton Official Plan (UHOP)

The subject lands are identified as “Neighbourhoods” on Schedule “E” – Urban Structure, designated as “Neighbourhoods” on Schedule “E-1” – Urban Land Use Designations in the UHOP and shown outside of the Built Boundary on Appendix “G” to Report PED16153. The following policies, amongst others, are applicable to the subject applications.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 8 of 31

Built Form and Compatibility:

Areas designated “Neighbourhoods” shall function as complete communities that are compact, mixed-use, transit-supportive and include a full range of residential dwelling types and densities that are intended to serve local residents.

Also, as per Section E.3.2.3, uses permitted within the “Neighbourhoods” Designation shall include: residential dwellings, open space and parks, local community facilities / services, and local commercial uses.

“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;
- b) open space and parks;
- c) local community facilities / services; and,
- d) local commercial uses.”

The proposed layout and form of development complies with the “Residential Uses – General Policies”, as well as the “Low Density” policies of Section E.3.3, being:

“E.3.3 Residential Uses – General Policies

E.3.3.1 Lower density residential uses and building forms shall generally be located in the interiors of neighbourhood areas with higher density dwelling forms and supporting uses located on the periphery of neighbourhoods on or in close proximity to major or minor arterial roads.”

The proposed development is for single detached dwellings located within the interior of the neighbourhood, thereby complying with the above noted policies. This built form is considered to be low density.

The following goals of the Neighbourhoods designation apply to the proposed applications:

“E.3.1.1 Develop compact, mixed use, transit-supportive, and active transportation friendly neighbourhoods.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 9 of 31

E.3.1.4 Promote and support design which enhances and respects the character of existing neighbourhoods while at the same time allowing their ongoing evolution.

E.3.1.5 Promote and support residential intensification of appropriate scale and in appropriate locations throughout the neighbourhoods.”

Staff are of the opinion that the proposed development, in conjunction with recently approved developments to the east of the subject lands (Springbrook Meadows – Phase 2 and Meadowlands – Phase 10) and pending abutting development applications, will function as a complete community in the Meadowlands Neighbourhood IV. The proposed residential use and building form is in keeping with density policy direction in the UHOP, and is compatible with the existing approved development (Springbrook Meadows – Phase 2 and Meadowlands – Phase 10) and future uses in the surrounding area.

“E.3.4.1 The preferred location for low density residential uses is within the interior of neighbourhoods.

E.3.4.2 Low density residential areas are characterized by lower profile, grade-oriented built forms that generally have direct access to each unit at grade.”

In this regard, single detached dwellings are proposed and are located within the interior of the Meadowlands IV Neighbourhood. This proposal is consistent with the policies noted above.

Noise

The UHOP contains relevant policies with respect to noise. Section 3.6.3 indicates:

“B.3.6.3 Noise, vibration, and other emissions such as dust and odours from roads, airports, railway lines and stationary sources have the potential to negatively impact the quality of life of residents. The objective of the following policies is to protect residents from unacceptable levels of noise, vibration, and other emissions and to protect the operations of transportation facilities, commercial, and employment (industrial) uses.

B.3.6.3.1 Development of noise sensitive land uses, in the vicinity of provincial highways, parkways, minor or major arterial roads, collector roads, truck routes, railway lines, railway yards, airports, or other uses considered to be noise generators shall comply with all applicable provincial and municipal guidelines and standards.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 10 of 31

B.3.6.3.2 Any required noise or vibration study shall be prepared by a qualified professional, preferably a professional engineer with experience in environmental acoustics, in accordance with recognized noise and vibration measurement and prediction techniques, to the satisfaction of the City, and in accordance with all applicable guidelines and standards.”

In regard to the above applicable policies, staff are satisfied that they will be addressed through the preparation and implementation of a noise study (Condition No. 1 in Appendix “D” to Report PED16153).

Archaeology

With respect to archaeological concern, the UHOP identifies applicable policy under Section B.3.4.4.2:

“B.3.4.4.2 In areas of archaeological potential identified on Appendix F-4 – Archaeological Potential, an archaeological assessment shall be required and submitted prior to or at the time of application submission for the following planning matters under the *Planning Act*.

- b) zoning by-law amendments unless the development proposed in the application in question or other applications on the same property does not involve any site alteration or soil disturbance; and,
- c) plans of subdivision.

B.3.4.4.4 Archaeological assessments shall be prepared in accordance with any applicable guidelines and Policy F.3.2.4 - Archaeological Assessments.”

The subject property meets three of the ten criteria used by the City of Hamilton and Ministry of Tourism, Culture and Sport for determining archaeological potential:

- 1) Within 250 m of known archaeological sites;
- 2) Within 300 m of a primary watercourse or permanent waterbody, 200 m of a secondary watercourse or seasonal waterbody, or 300 m of a prehistoric watercourse or permanent waterbody; and
- 3) In an area of sandy soil in areas of clay or stone

A Stage 1 - 2 archaeological assessment (P384-0149-2014) was submitted to the City of Hamilton and Ministry of Tourism, Culture and Sport. While at the time of preparation

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 11 of 31

of this Report, the Ministry of Tourism, Culture and Sport had yet to provide a clearance letter regarding the Stage 1 - 2 archaeological assessment, staff concur with the recommendations made in the report and have no further concerns with respect to the archaeological assessment. Furthermore, the City’s Standard Form Subdivision Agreement (Condition No. 3.04) requires the completion of an archaeological assessment if any significant archaeological resources are found prior to the preliminary grading of the subject lands.

The archaeological conditions set out in the assessment are to the satisfaction of staff.

Natural Heritage - Linkage

A Linkage has been identified along the western portion of the subject properties. Linkages are connections between natural areas that provide opportunities for plant and animal movement, hydrological and nutrient cycling and maintain ecological health and integrity of the overall Natural Heritage System.

“C.2.7.3 The City shall require the incorporation of Linkages into a design of new development requiring approval by this Plan to retain and enhance the cultural, aesthetic, and environmental qualities of the landscape, wherever possible and deemed feasible to the satisfaction of the City.”

“C.2.7.5 Where new development or site alteration is proposed within a Linkage in the Natural Heritage System as identified in Schedule B – Natural Heritage System, the applicant shall prepare a Linkage Assessment. On sites where an Environmental Impact Statement (EIS) is being prepared, the Linkage Assessment can be included as part of the EIS report. Any required Linkage Assessment shall be completed in accordance with Policy F.3.2.1.11 - Linkage Assessments.

C.2.7.6 Linkage Assessments shall include the following information:

- a) identify and assess the Linkage including its vegetative, wildlife, and/or landscape features or functions;
- b) assess the potential impacts on the viability and integrity of the Linkage as a result of the development proposal; and,
- c) make recommendations on how to protect, enhance or mitigate impacts on the Linkage(s) and its functions through planning, design and construction practices.”

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 12 of 31

In response to comments on the Linkage Assessment initially submitted, a revised Linkage Assessment, again prepared by LGL Limited and dated October 23, 2015 was submitted to address staff’s previous concerns.

The Assessment concluded that this Linkage provides the function of a “stepping stone” for the movement of birds across the landscape, wildlife foraging and habitat for breeding birds. The Linkage is also comprised of a variety of habitats. The Linkage Assessment noted, based on the Tree Protection Plan and General Vegetation Inventory submitted, and the form of development envisioned in the approved Secondary Plan, these habitats are to be removed (including 285 trees).

In this regard, the timing of any removal must occur outside of local breeding seasons as per the following proposed condition of draft plan approval: “That, **prior to any grading or servicing**, the owner / applicant is aware of the Migratory Birds Convention Act, 1994 and agrees that removal of any vegetation on the subject lands is to occur outside of the breeding bird season (which is March 31st to August 31st). However, in the event that vegetation removal is proposed during the restricted breeding period, the owner / applicant shall have a qualified biologist conduct a nest search of the vegetated area with City Natural Heritage Planning staff, prior to any work commencing. Accordingly, removal may occur if it is determined that active nests are not present in the proximity to the removal area, to the satisfaction of the Director of Planning and Chief Planner.” (Condition No. 5 in Appendix “D” to Report PED16153).

While planting trees as part of the subdivision was identified in the Assessment as a mitigation measure for the wholesale removal of this Linkage, Natural Heritage Planning staff was concerned that the intent of the Linkage policies within the UHOP have not been satisfied. Staff was of the opinion that the mitigation measures were not robust enough to justify the removal of the entire Linkage and other mitigation measures should be explored. Furthermore, staff were not satisfied that the October 23, 2015 Linkage Assessment addressed the intent of the UHOP policies and further clarification was required.

As a result, both staff and the applicant agreed to maintain existing tree cover, the City will require 1 for 1 compensation for any tree that is to be removed that has a diameter-at-breast-height (DBH) of 10 cm or greater. As per the Tree Protection Plan submitted in October 9, 2015, 23 trees located on Lots 41 and 42 and within the municipal Right of Way are to be retained. Compensation will be required for the remaining 285 trees located on the subject lands that are to be removed. While not all compensation trees will be able to be planted within the proposed development, it is expected that as many trees as possible will be planted on site. This should include the doubling of street trees, where possible. Cash-in-lieu would be required for the remaining trees.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 13 of 31

On January 28, 2016, the applicant submitted an updated Linkage Mitigation/Tree Compensation Response Letter, prepared by LGL Limited which spoke to staff's outstanding concerns.

In order to ensure the protection of the Linkage, both staff and the applicant have agreed to the following Conditions:

- That, **prior to any grading and / or servicing**, the owner shall submit a Tree Protection Plan, which shall address Natural Heritage Planning staff concerns outlined in comments dated Dec. 3, 2015, to the satisfaction of the Director of Planning and Chief Planner. Removal of trees is not to occur until this condition has been satisfied. A total of 285 trees (representing 1 for 1 replacement) will be required for compensation.
- That, **prior to registration**, the owner shall provide cash-in-lieu to the City for the remaining trees that could not be compensated for within the development, to the satisfaction of the Director of Planning and Chief Planner.

(See Conditions No. 2 and 3 in Appendix “D” of Report PED16153)

Natural Heritage - Trees

As noted in the October 9, 2015 Tree Protection Plan, 285 trees have been identified on the subject lands, that will be required to be removed to facilitate this development. There are 23 trees, located on Lots 41 and 42 as well as the municipal Right of Way that will be retained. As per Policy C.2.11.1 of the UHOP, “the City recognizes the importance of trees and woodlands to the health and quality of life in the community and encourages the protection and restoration of trees and forests”.

In addition, the trees within the subject properties may be subject to the Town of Ancaster Tree Protection By-law (By-law No. 2000-118) which prohibits the injury or destruction of trees on public and private property in the Town of Ancaster.

A Tree Protection Plan (TPP) was prepared by LGL Limited in December 2014. After reviewing the TPP, staff expressed concerns and revisions were required and addressed in a new submission dated October 9, 2015. After reviewing the TPP, staff was concerned with the loss of a large number of mature native species and questioned if there were any areas where the fill could be reduced to allow for more tree saving opportunities. Furthermore, there were questions as to what opportunities existed to consolidate lots to allow for more tree saving opportunities.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 14 of 31

Staff and the applicant have agreed to the following conditions in order to ensure compensation for the identified 285 trees that are to be removed:

- That, **prior to registration**, the owner / applicant shall provide a Landscape Plan that has been prepared by a Landscape Architect showing the placement of compensation trees for any tree removals completed in accordance with the approved Tree Protection Plan to the satisfaction of the Director of Planning and Chief Planner. Due to the large number of trees that will be removed from the site, the planting rate will be two street trees for the front yard (where possible). These trees are to have a minimum caliper size of 50 mm DBH. The Landscape Plan is to comprise of at least 60% native species.
- That, **prior to grading and / or servicing**, the owner / applicant is to erect tree protection fencing, to the satisfaction of the Director of Planning and Chief Planner, around those trees that are to be protected as outlined within the approved Tree Protection Plan.
- That, **prior to any grading and / or servicing**, the owner/applicant is to provide a Verification of Tree Protection Letter completed by a tree management professional (i.e. certified arborist, registered professional forester or landscape architect) to the satisfaction of the Director of Planning and Chief Planner to confirm that all tree protection measures have been installed according to the approved Tree Protection Plan.

The above noted Conditions have been incorporated as Conditions No. 4, 6, and 7 in Appendix “D” to Report PED16153.

Based on the foregoing, the proposal meets the overall intent of the UHOP policies and, therefore, complies with the UHOP.

Meadowlands Neighbourhood IV Secondary Plan:

The subject lands are designated as “Low Density Residential 2b” on Map B.2.6-1 – Meadowlands Neighbourhood IV Secondary Plan Land Use Plan.

The proposed Draft Plan of Subdivision proposes 42 lots for single detached dwellings (40 proposed single detached dwelling lots and two existing single detached dwelling lots), all of which comply with the General Residential policies of the Secondary Plan:

“2.6.1.3 General Residential Policies

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 15 of 31

- 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) Development within the Meadowlands Neighbourhood IV is intended to provide a mix and diversity of housing opportunities in terms of lot size, unit size, style and tenure that are suitable for different age levels, income groups, lifestyles, and household structures.”

The amending Zoning By-law will not be modifying the maximum height of 10.5 m for the proposed development, thereby respecting the height requirements set out in the Secondary Plan. The proposed single detached dwellings will contribute to the mix and diversity of housing opportunities in the Secondary Plan area by providing a specific housing type serving general housing needs within this area of the Secondary Plan.

Furthermore, the “Low Density Residential 2b” policies of Section 2.6.1.4 of Volume 2 apply:

“2.6.1.4 Low Density Residential Designations

Notwithstanding Section 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.2.6-1 – Meadowlands Neighbourhood IV – Land Use Plan:

- a) In the Low Density Residential 2b designation:
 - i) the density shall be approximately 1 to 30 units per net residential hectare;
 - ii) predominantly single detached dwellings, duplex and semi-detached dwellings shall be permitted; and,
 - iii) generally located at the interior of residential neighbourhoods adjacent to local and / or collector roads.”

The “Low Density Residential 2b” designation in the Secondary Plan identifies a density range of 1 to 30 units per net residential hectare (uph), which permits single detached dwellings, duplex and semi-detached dwelling units. In regard to this development, the proposed Draft Plan of Subdivision for units in this designation are calculated at 23 uph, which complies with Policy 2.6.1.4 a) i).

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 16 of 31

Additionally, these units will be single detached dwellings, two and a half storeys in height and located towards the interior of the subdivision, on Springbrook Avenue, which is a local road, thereby complying with the requirements of Policy 2.6.1.4.

The proposal also complies with the Urban Design policies found within the Secondary Plan, which are as follows:

“2.6.5.1 In addition to Section B.3.3 – Urban Design Policies of Volume 1, the following principles and policies should be addressed during the processing of a development application:

- a) A local road pattern consisting of a generalized grid style local road pattern, which promotes pedestrian movements, friendlier streetscapes and neighbourhood connectivity.
- e) Existing trees, significant vegetation and distinctive site views should be protected and preserved through sensitive subdivision design.
- f) Building and site design, setbacks, landscaping, screening and buffering techniques shall be applied to minimise potential conflicts between new and existing uses.
- i) Where appropriate, alternative *development* standards (i.e. 18 m wide road allowances for local roads) shall be implemented in an effort to maximise the use of urban land and municipal services.”

The proposed street layout will be grid oriented within the proposed draft plan area and implements the land use and road pattern in the approved Secondary Plan. Also, preparation and implementation of the Tree Protection Plan (TPP) will be required as per Condition 5.10 of the City’s Standard Subdivision agreement, thereby ensuring that adequate measures have been taken to preserve the natural environment on site as 285 trees are proposed to be removed and 23 trees can be retained. The requirements of the Zoning By-law will ensure that building and site design, setbacks, and screening are adequately provided to ensure compatibility and integration with the surrounding neighbourhood. The integration will be easily achieved as the proposal will be located in an area already intended for low density residential development.

The proposal complies with the policies of the Meadowlands Neighbourhood IV Secondary Plan.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 17 of 31

City of Hamilton Staging of Development

Policy F.1.14.1.21 of Volume 1 identifies that: “Council shall approve only those plans of subdivision that meet the following criteria:

- a) the plan of subdivision conforms to the policies and land use designations of this Plan.
- b) the plan of subdivision implements the City’s staging of development program;
- c) the plan of subdivision can be supplied with adequate services and community facilities;
- d) the plan of subdivision shall not adversely impact upon the transportation system and the natural environment;
- e) the plan of subdivision can be integrated with adjacent lands and roadways;
- f) the plan of subdivision shall not adversely impact municipal finances; and,
- g) the plan of subdivision meets all requirements of the *Planning Act*.”

This plan has been identified in the City of Hamilton’s Staging of Development Plan. The proposal is consistent with the Criteria for Staging of Development in that utilities and services are available. This proposal supports a healthy growing economy, provides for additional assessment and Development Charges revenue, provides housing opportunities, and complies with the UHOP, will not adversely impact upon the transportation system; respects the natural environment and is well integrated into the existing development in the area, being Springbrook Meadows – Phase 2 and Meadowlands – Phase 10.

Ancaster Zoning By-law No. 87-57

The subject lands are currently zoned Agricultural “A” Zone and Agricultural “A-348” Zone, Modified in Ancaster Zoning By-law No. 87-57 as shown on Appendix “A” to Report PED16153.

The Agricultural “A” Zone allows for agricultural uses, buildings and structures and uses accessory thereto including one detached dwelling, and uses, buildings and structures accessory to the dwelling; home occupations existing at the date of passing of the Ancaster Zoning By-law; kennels existing at the date of passing of the Ancaster Zoning

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 18 of 31

By-law; and, the making or establishment of wayside pits and buildings and structures accessory thereto.

The Agricultural “A-348” Zone, Modified also permits agricultural uses, buildings and structures and uses accessory thereto including one detached dwelling, and uses, buildings and structures accessory to the dwelling; home occupations existing at the date of passing of the Ancaster Zoning By-law; kennels existing at the date of passing of the Ancaster Zoning By-law; and, the making or establishment of wayside pits and buildings and structures accessory thereto; and sets specific requirements related to maximum lot coverage, accessory buildings, and maximum floor area.

The effect of this Zoning By-law Amendment will be to allow for the development of single detached dwellings and to recognize the two existing single detached dwellings found on the subject lands. The proposed zoning and the site specific modifications are discussed in greater detail in the Analysis and Rationale Section of this Report.

RELEVANT CONSULTATION

The following Departments / Agencies had no comments or objections:

- Capital Budgets Section, Financial Planning and Policy Division, Corporate Services Department;
- Operations Support, Business Programs, Operations Division, Public Works Department;
- Corridor Management, Public Works Department;
- Recreation Planning Division, Community and Emergency Services Department; and,
- Hydro One.

Transportation Planning, Strategic Planning Division, Public Works Department recommend that Section C.4.5.1 of the UHOP as it pertains to Functional Classification of Roads should be considered. As such, Local Roads should be 20.117 m wide all subject to the relevant policies found within the UHOP.

They also advised that at the detailed design stage of development, the Hamilton Pedestrian Mobility Plan must be considered. Specifically, the needs of Pedestrians with disabilities (i.e. AODA regulations and barrier free designs) must be taken into consideration. Also, built environmental standards and regulations must be considered, including the provision of sidewalks along both sides of the right-of-way and through the site, which must be a minimum of 1.5 m wide; and the provision for trees in the boulevard (Condition No. 2.08 of the City’s Standard Form Subdivision Agreement).

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 19 of 31

The **Forestry and Horticulture Section, Public Works Department** advised that there are several Municipal Tree Assets located along the road allowance that would be impacted by the proposed construction and therefore a Tree Management Plan will be required.

Furthermore, a detailed Landscape Planting Plan, prepared by a Certified Landscape Architect, must be submitted showing the placement of trees on internal and external City property.

Forestry staff note that the Landscape Planting Plan should specifically outline full planting details including the size and species of trees to be planted as well as hard surface and soft surface area percentages on the site as trees can define and humanize a thoroughfare.

The Tree Management Plan and Landscape Planting Plan will be a condition of draft plan approval (included as Item 5.10 in the Standard Form Subdivision Agreement). These plans must be submitted for review and comment by the Forestry and Horticulture Section.

Tree species selection should take into account cultural requirements, cultivars, salt & heat tolerance, mature tree size, public visibility & private daylight triangles, potential pest concerns as well as the exposure.

Trees planted on the road allowance should have a minimum caliper of 50 mm. Soil depth in Planting or Landscape Strips should be an absolute minimum of 36 cm as this is the depth of a 70 cm root ball on an average 50 mm caliper tree and soil volume is a key component of new tree survival.

The clearance of a Street Tree Planting condition will be provided upon receipt of a plan depicting new trees and a cash payment as shown in Item 2.8 in the Standard Form Subdivision Agreement. The remittance is to be made payable directly to the Forestry & Horticulture Section.

The **Hamilton Conservation Authority** advised that a headwater tributary flows within an open watercourse through two downstream on-line man-made farm ponds located within the Dussin Estates subdivision (25T-200710) prior to discharging into the municipal sewer system and ultimately into Hamilton Harbour. In accordance with the recommendations of the Hamilton Harbour Remedial Action Plan, new development within the Tiffany Creek subwatershed area, and others areas draining to the Harbour, must satisfy the stormwater management and sediment and erosion control parameters which have been established. In this regard, the proposed new development on the subject lands will require the implementation of Enhanced (Level 1) quality control, quantity control, and sediment and erosion control.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 20 of 31

That HCA notes that the Servicing Report, *Springbrook Meadows West Extension*, prepared by Urbex Engineering dated December 2014 and the *Springbrook Meadows West Extension Storm Water Management Brief* prepared by Lamarre Consulting Group Inc. dated December 18, 2014 both indicate that the proposed stormwater management facility to be constructed within the Dussin Estates subdivision (known as the Dussin Pond), has been designed to accommodate not only the residential development within the Dussin Estates but also the residential development on the subject lands. They understand that this is based on an impervious target of 60 % that was identified in the *Dussin Property, Meadowlands Neighbourhood Storm Water Management Report* prepared by Lamarre Consulting Group Inc., dated May 2013.

The HCA advises that the west half of the subject property is traversed by a headwater tributary of Tiffany Creek. According to the proposed layout of the proposed Draft Plan of Subdivision, as illustrated in Appendix “C” to Report PED16153 and the Preliminary Grading Plan, prepared by Urbex Engineering Limited, dated December 2014, it appears that a portion of the future Klein Circle and several of the new lots (Lots 14-32) will be located within an area regulated by the Hamilton Conservation Authority (HCA). In this regard, the HCA wishes to advise that any new development, including watercourse alterations, and construction and grading activities within the HCA regulated area will require a Permit from HCA pursuant to their *Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation 161/06*.

In addition to HCA's noted Permit requirements, any watercourse alteration will also require approval from the Department of Fisheries and Oceans Canada (DFO). Due to federal amendments to the *Canada Fisheries Act* on November 25, 2013, associated Applications for Authorization (under Paragraph 35(2) (b) of the Fisheries Act Regulations), all Agreements between the Department of Fisheries and Oceans (DFO) and all Conservation Authorities in Ontario (including the HCA) became null and void. Consequently, the HCA is no longer responsible for issuing Letters of Advice on behalf of the DFO for in-water works that could impact fisheries. It is now the proponent's responsibility to undertake self-assessments.

In light of the above noted concerns, the HCA has requested the following Conditions for the revised Draft Plan of Subdivision:

1. That the applicant obtain a permit from the HCA under its *Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation 161/06 under Ontario Regulation 97/04* prior to any construction and / or grading activities associated with the construction of the stormwater management facility and any watercourse alteration within the HCA's regulated area.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 21 of 31

2. That the applicant prepares and implements an erosion and sediment control plan for the subject property to the satisfaction of the Hamilton Conservation Authority. The approved plan should include the following notes:
 - a) All erosion and sediment control measures shall be installed prior to development and maintained throughout the construction process, until all disturbed areas have been revegetated;
 - b) All erosion and sediment control measures shall be inspected after each rainfall to the satisfaction of Authority staff;
 - c) Any disturbed area not scheduled for further construction within 45 days will be provided with a suitable temporary mulch and seed cover within seven days of the completion of that particular phase of construction; and,
 - d) All disturbed areas shall be revegetated with permanent cover immediately following completion of construction.

3. That the applicant prepares and implements a lot grading plan to the satisfaction of the HCA.

The above noted conditions have been addressed as Conditions 8 - 10 in Appendix “D” to Report PED16153.

PUBLIC CONSULTATION

In accordance with the provisions of the *Planning Act* and the Council approved Public Participation Policy, Notice of Complete Application and Preliminary Circulation of the original proposal was sent to 48 property owners within 120 m of the subject lands on March 2, 2015 and a Public Notice sign was posted on the property on March 13, 2015, and updated with the Public Meeting date on June 8, 2016. One letter was received from the public through this circulation and raised issues with respect to: traffic access; road quality of Springbrook Avenue; public green space; stormwater management control measures; community connections (pathways); community mailboxes; timetable for road construction and utility service installation; lot sizes; sidewalk on Regan Drive; dust mitigation; and staging areas of construction equipment. The letter is attached to this Report as Appendix “E” and summarized in the Analysis and Rationale for Recommendation section of this Report. The Notice of the Public Meeting was given in accordance with the provisions of the *Planning Act*.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 22 of 31

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposal has merit and can be supported for the following reasons:
 - (i) It is consistent with the PPS and conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow).
 - (ii) It complies with the UHOP and the Meadowlands Neighbourhood IV Secondary Plan.
 - (iii) The proposed development is compatible with existing residential land uses in the immediate area and represents good planning by, among other things, providing for the development of a complete community, while making efficient use of a vacant parcel of land and existing infrastructure within the urban boundary.
2. The applicant has requested amendments to Town of Ancaster Zoning By-law No. 87-57 and for approval of a Draft Plan of Subdivision known as “Fields of Springbrook”. By way of these applications, the applicant is seeking to permit the development of part of the lands on the west side of Springbrook Avenue, between Stonehenge Drive and Garner Road East, for a maximum of 42 single detached dwellings (including two lots for existing residential purposes).

The requested amendments to the Ancaster Zoning By-law No. 87-57 will rezone the subject lands from the Agricultural “A-348” Zone, Modified to the Residential “R4-562” Zone, Modified; from the Agricultural “A” Zone to the Residential “R4-562” Zone, Modified; from the Agricultural “A-348” Zone, Modified to the Residential “R4-563” Zone, Modified; and from the Agricultural “A” Zone to the Residential “R4-563” Zone, Modified for the lands known as 296, 304, and 312 Springbrook Avenue.

The applicants have proposed to rezone the subject lands to modified “R4” Residential Zones (“R4-562” Zone and “R4-563” Zone). The “R4-562” and “R4-563” zoning regulations are applied to the lands on the east and west sides of Springbrook Avenue as well as to the north of the subject lands. Utilizing these existing zones would establish consistent zoning regulations within the neighbourhood. The lands fronting Springbrook Avenue are proposed to be zoned “R4-562” Zone with the remainder of the property being zoned “R4-563” Zone (see Appendix “A” to Report PED16153). The “R4-562” and “R4-563” zones establish the following performance standards:

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 23 of 31

Residential “R4-562” Zone:

- Minimum lot area of 415 sq m;
- Minimum lot frontage of 12 m, except on a corner lot the minimum lot frontage shall be 15 m;
- Maximum lot coverage of 45%;
- Minimum front yard of 6.0 m;
- Minimum side yard on a corner lot, abutting a street, shall be 3.0 m; and,
- An alcove and similar architectural features shall be permitted to project into any minimum yard a distance of not more than 60 cm.

Residential “R4-563” Zone:

- Minimum lot area of 375 sq m;
- Minimum lot frontage of 12 m, except on a corner lot the minimum lot frontage shall be 15 m;
- Maximum lot coverage of 45%;
- Minimum Front Yard of 3.0 m to the dwelling and 6.0 m to a garage;
- Minimum exterior side yard, abutting a street, shall be 3.0 m; and,
- An alcove and similar architectural features shall be permitted to project into any minimum yard a distance of not more than 60 cm.

The above noted zoning for the subject lands can be supported as the zones are the same as the zoning on lands on the east and west sides of Springbrook Avenue, and on lands north of the subject lands. The provisions in both the “R4-562” and “R4-563” Zones are also consistent with approved zoning elsewhere within the Meadowlands Neighbourhood IV Secondary Plan area.

3. The proposed Plan of Subdivision will consist of a total of 42 lots for single detached dwellings (40 proposed single detached dwelling units and two existing single detached dwelling units) and the extension of a public road.

In review of Sub-section 51(24) of the *Planning Act*, to assess the appropriateness of the proposed subdivision, staff advise that:

- (a) It is consistent with the PPS;
- (b) Through the phasing of development within the Meadowlands Neighbourhood IV Secondary Plan, the proposal represents a logical and timely extension of existing development and services, and is in the public interest;
- (c) It complies with the applicable policies of the Official Plan;

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 24 of 31

- (d) The lands can be appropriately used for the use for which it is to be subdivided;
- (e) The proposed roads will adequately service the proposed subdivision and can connect with the current road system;
- (f) The dimensions and shape of the lots are appropriate;
- (g) Restrictions and regulations for the development of the subdivision are included in the implementing Zoning By-law Amendment, conditions of draft plan approval and Subdivision Agreement;
- (h) No substantial natural resources are evident on site, and flood control will be addressed through stormwater management plans that will be required as standard conditions of draft plan approval;
- (i) Adequate municipal services will be available, the particulars of which will be determined as part of the conditions of draft plan approval and Subdivision Agreement; and,
- (k) Public land will be conveyed to create road rights-of-way, the particulars of which will be determined as part of the Standard Subdivision Agreement and final registration of the Plan of Subdivision.

4. Engineering Details:

Sanitary Sewer Servicing

Staff have advised that there is adequate sanitary sewer servicing capacity between the intersection of Meadowlands Boulevard and Stonehenge Drive and the subject lands. Furthermore, the designated outlet at Springbrook Drive will require the extension of a sanitary sewer system to extend southerly on Springbrook Drive from Stonehenge Drive to the subject lands.

Engineering staff also advise that the servicing for the proposed development cannot commence until such time that Springbrook Avenue has been fully urbanized from Stonehenge Drive to Regan Drive; and until Springbrook Meadows West has been approved. These requirements will be addressed through the applicable proposed Special Conditions of Draft Plan approval (Conditions 14 and 15 of Appendix “D” to Report PED16153).

Stormwater Management

No suitable outlet for the development’s storm drainage exists as the development is dependent on the completion of the following three downstream components:

- the Dussin Stormwater Management Facility;
- the urbanization of Springbrook Avenue between Regan Drive and Stonehenge Drive; and,
- the development of the Springbrook Meadows West proposal.

These requirements will be addressed through the applicable Special Conditions of Draft Plan approval (Conditions 14 and 15 of Appendix “D” to Report PED16153).

Prior to registration of the plan of subdivision, the Owner shall also contribute a proportionate share for maintenance responsibilities of the receiving stormwater management facility in Dussin Estates Subdivision including the removal of deposited solids (Condition No. 20 of Appendix “D” to Report PED16153).

In order to address concerns related to overland flow and ponding related to 100 year storm events, building envelopes and 100 year ponding areas are required to be added to the grading plan to properly assess the overland flow routes in the final engineering design. This will be addressed through Condition No. 19 of Appendix “D” to Report PED16153.

Lot Grading / Drainage

A Condition of Draft Plan approval will be required in order to ensure that there is suitable transitional grading provided when matching the proposed grade with existing properties. In the process of matching the grades, the use of retaining walls shall be avoided (Condition No. 18 of Appendix “D” to Report PED16153).

As per Section 2.5.2 of the City of Hamilton’s *Lot Grading Policy, Criteria and Standards*, catchbasins in rear yard swales shall drain not more than:

- a) a maximum 50 m of a swale measured along the rear property line;
- b) a maximum of four lots on either side of a catchbasin on any side of the catch basin. Collection from both sides of the rear lot line is acceptable; and,
- c) A maximum residential area of 3600 sq m.

Furthermore, stormwater shall be contained within the proposed development as per the City’s Engineering Guidelines. The Owner will be required to revise the

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 26 of 31

grading plan to ensure that the above noted requirements are addressed and that all stormwater is contained on the subject lands and shall not outlet to adjacent properties (Condition 19 of Appendix “D” to Report PED16153).

The Owner will be required to provide information outlining how external drainage will be handled now and in the future. A municipal easement will need to be established to convey any external flows. The grading plan shall also show external drainage. The grading plan will be required to outline the drainage on the Redeemer University lands and show that no drainage from the Redeemer lands will outlet to the proposed draft plan lands, as per City Standards (Condition 19 of Appendix “D” to Report PED16153). An easement will be required to convey any external flows / drainage Condition No. 17 of Appendix “D” to Report PED16153).

Water Distribution

Prior to final approval of the draft plan of subdivision the Owner shall submit a water distribution analysis of the water system to determine whether the existing water system can adequately service the proposed development. The Report shall focus on the following issues:

- 1) Tabularize the expected occupancy;
- 2) Generate residential and institutional water demand and fire flow, and the necessary calculation for this development;
- 3) Demonstrate how the proposal fits with GRIDS numbers;
- 4) Confirm the water servicing layout based on field information, as well as hydraulic models; and,
- 5) Provide the new hydrant locations on the Water Distribution Plan.

(Condition No. 21 of Appendix “D” to PED16153)

The Watermain Hydraulic Analysis submitted by Genivar, dated February 17 2012, provides information regarding watermain looping in a fully built out scenario. Further analysis is required to show how acceptable water quality will be maintained following the construction of the proposed development. (Condition No. 21 to Report PED16153).

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 27 of 31

Public Roads

In the event that a temporary turning circle is proposed, then the temporary turning circle shall be constructed to meet City standards (Condition No. 25 of Appendix “D” to Report PED16153).

The Owner shall also include in the engineering design and cost schedule, concrete sidewalks in the following locations:

- a) “Springbrook Avenue”: West side from the north limit to the south limit of Development on Springbrook Avenue;
- b) “East” Klein Circle: west side only, full length; and,
- c) “West” Klein Circle: east side only, full Length.

(Condition No. 26 of Appendix “D” to Report PED16153).

The Owner will be required to dedicate 0.3 m reserves across the frontage of 296 Springbrook Avenue, Lots 1 to 4, 41, and 42; the reserves shall remain until such time as Springbrook Avenue has been fully urbanized. (Condition No. 12 of Appendix “D” to Report PED16153).

Groundwater

A Hydrogeological report will need to be submitted to the City in order to assess any impacts, identify any recharge and discharge zones, and to provide recommendations to mitigate any groundwater impacts during any construction within the subdivision (Condition No. 23 of Appendix “D” to Report PED16153).

Also, a Groundwater Study shall be prepared to assess the impact that the proposed development may have on the water supply and the sewage disposal systems on the adjacent properties. This study shall propose appropriate mitigation measures that could be implemented by the Owner (Condition No. 24 of Appendix “D” to Report PED16153).

The Owner shall include in the engineering design and cost estimate schedules, the provision for a detailed sump pump design which shall include a secondary relief / overflow on surface and back-up power unit. The pump design shall consider the weeping tile inflow based on both the groundwater and severe wet weather conditions (Condition No. 27 of Appendix “D” to Report PED16153).

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 28 of 31

Cost Sharing

Cost sharing will be required between the City and the Owner. In particular, cost sharing agreements will be required to address the following:

- the maintenance responsibilities of the receiving stormwater management facility in Dussin Estates Subdivision (including the removal of deposited solids). (Condition No. 20 of Appendix “D” to Report PED16153).
- the actual cost for the design and construction of Springbrook Avenue, including but not limited to, storm and sanitary sewers from the north limits of 296 Springbrook Avenue to the south limits of 312 Springbrook Avenue (Condition No. 11 of Appendix “D” to Report PED16153).
- the costs of the Traffic Study required for the Garner Road and Springbrook Avenue intersection and will provide the City sufficient securities for its proportionate share of the necessary Garner Road and Springbrook Avenue intersection improvement costs, based on its proportionate share between Meadowlands Phase 8, Meadowlands Phase 10, and Springbrook Meadows East and West (Condition No. 16 of Appendix “D” to Report PED16153).
- along with the existing residents at 296, 304 and 312 Springbrook Avenue the owner will share the costs for a substantial portion of the sanitary sewer cost and sanitary sewer private drain connections for urbanization of Springbrook Avenue as per Ontario Municipal Board (OMB) Decision No. 1493. (Condition No. 9 of Appendix “D” to Report PED16153).

Sanitary sewers, storm sewers and road access are available to service the lands of the draft plan or alternatively, the Owner must acquire the necessary land or easements and pay the full cost, less over-sizing, to construct sanitary sewers, storm sewers or road access to service the lands of the draft plan (Condition No. 17 of Appendix “D” to Report PED16153).

The Owner shall also include in the engineering design and cost estimate installation a minimum 1.5 m high chainlink fence along the rear and / or side yards of lots 65 to 79 inclusive, lots 82 to 89 inclusive, and Blocks 90 – 92 inclusive, which rear and / or side yards abut Redeemer University Lands (Condition No. 22 of Appendix “D” to Report PED16153).

5. In order to ensure that onsite parking spaces and garages are suitably dimensioned, without encumbrances, and that adequate parking is provided onsite, an on-street parking showing that 40 % of the required parking can be

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 29 of 31

accommodated on site will be required (Condition No. 28 of Appendix “D” to Report PED16153).

6. To date, one public submission have been received identifying concerns with respect to: traffic access; road quality of Springbrook Avenue; public green space; stormwater management control measures; community connections (pathways); community mailboxes; timetable for road construction and utility service installation; lot sizes; sidewalk on Regan Drive; dust mitigation; staging areas of construction equipment (see Appendix “E” to Report PED16153).

Traffic Access

Construction traffic access is addressed by through the Construction Management Plan that will be required as a component of the detailed Engineering submissions once Draft Plan approval has been provided. With respect to residential traffic, the proposed subdivision will connect to Springbrook Meadows West to the south and Dussin Estates to the north, which will provide sufficient access to Springbrook Avenue.

Road Quality of Springbrook Avenue

Concern has been raised related to the current condition of Springbrook Avenue. The City acknowledges that further improvements are required, which will be addressed through the urbanization of the road, which is a special condition of Draft Plan approval, addressed in Appendix “D” to Report PED16153.

Public Green Space

A request has been made for the display of public green space on the proposed draft plan. The Meadowlands IV Secondary Plan shows that no open space has been planned for this area of land along Springbrook Avenue. A large Neighbourhood Park is situated to the east of the subject lands, off of Regan Drive, which will sufficiently service the community.

Stormwater Management Control Measures

A request has been made for the draft plan to show stormwater management control measures during construction and post development. These details are typically not shown on a draft plan but will be shown in the required stormwater management plan as required in Condition No. 4.01 of the City’s Standard Form Subdivision Agreement.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 30 of 31

Community Connections (Pathways)

No pathways have been proposed to connect Redeemer University and the subject lands nor have they been envisioned for the subject lands within the Meadowlands Neighbourhood IV Secondary Plan area. Within the Secondary Plan, connectivity to the trail network is proposed to be provided to the south of the subject lands. In order to do so, an agreement would have to be reached between the two landowners, and neither one has expressed interest in doing so.

Community Mailboxes

Community mailboxes are addressed through Condition No. 1.22 of the City's Standard Form Subdivision Agreement. These locations have not been determined at this point in time.

Timetable for Road Construction and Utility Service Installation

The timetable for road construction and utility service installation has not been determine at this point in time. The timelines for this work is addressed through the Engineering approval process of development, after Draft Approval has been provided.

Lot Sizes

Concerns have been raised with respect to lot widths. The proposed lot widths within the proposal will range from between 12.16 m (40 feet) and 14.65 m in width (48 feet). These widths meeting the requirements of both the Zoning By-law and UHOP. As such, there are no outstanding issues with respect to lot widths.

Sidewalk on Regan Drive

Regan Drive is not subject to this development proposal. As such, sidewalk requirements/functions cannot be addressed or revised at this point in time.

Dust Mitigation

A Street Maintenance / Cleaning Plan is required as per Condition No. 3.06 of the City's Standard Form Subdivision Agreement, thereby minimizing the impact of dust and mud during construction.

SUBJECT: Applications for a Zoning By-law Amendment and for Approval of a Draft Plan of Subdivision known as “Springbrook Meadows West Extension”, for Lands Located at 296, 304, and 312 Springbrook Avenue (Ancaster) (PED16153) (Ward 12) - Page 31 of 31

Staging Areas of Construction Equipment

Staging areas for construction equipment will be required as a component of the detailed Engineering submissions once Draft Plan approval has been provided. The location will be reviewed and approved by staff prior to the commencement of any construction activity occurring on site.

ALTERNATIVES FOR CONSIDERATION

Should the applications be denied, the lands could not be developed for the proposed residential draft plan of subdivision. The lands could be developed in accordance with the Agricultural “A” Zone and the Agricultural “A-348” Zone, Modified provisions, which permit limited agricultural uses.

ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN

Strategic Priority #1

A Prosperous and 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

- 1.1 Continue to grow the non-residential tax base.
- 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”:	Zoning By-law No. 87-57 Amendment
Appendix “C”:	Draft Plan of Subdivision
Appendix “D”:	Special Conditions for Draft Plan of Subdivision
Appendix “E”:	Public Submissions