## **COMMITTEE OF ADJUSTMENT**



City Hall, 5<sup>th</sup> floor, 71 Main Street West, Hamilton, ON L8P 4Y5
Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202

E-mail: cofa@hamilton.ca

# NOTICE OF PUBLIC HEARING Minor Variance

## You are receiving this notice because you are either:

· Assessed owner of a property located within 60 metres of the subject property

• Applicant/agent on file, or

• Person likely to be interested in this application

APPLICATION NO.: A

AN/A-20:142

**APPLICANTS:** 

Ancaster-Rose Homes Inc. c/o Joe Laronga

SUBJECT PROPERTY:

Municipal address 1049-1109 Garner Rd. E., Ancaster

**ZONING BY-LAW:** 

Zoning By-law 87-57, as Amended

**ZONING:** 

"RM2-616" (Multiple Residential) district

PROPOSAL:

To permit the construction of four (4) street townhouse buildings

containing a total of thirty-one (31) dwelling units fronting onto a

window road notwithstanding that:

- 1. A side yard of 1.2m shall be provided abutting each end unit whereas the by-law requires a minimum 2.5m side yard for each end unit which does not abut a flankage street.
- 2. A building height of 12.3m shall be provided instead of the maximum permitted building height of 10.5m.
- 3. A concrete pad and/or concrete pavers shall be permitted within a required landscape strip.

#### NOTE:

- These variances are necessary to facilitate Site Plan Control Application No. DA-20-019.
- ii. The municipal address for this development is 1049 through to 1109 Garner Road East, Ancaster.
- iii. The owner shall ensure building height is provided as defined in Ancaster Zoning Bylaw 87-57. Should building height maximum exceed 11.2 metres, further variances will be required.
- iv. The concrete pad/pavers referenced in variance #3 are proposed in order to provide a stable surface at each dedicated garbage pickup location along Garner Road East.

This application will be heard by the Committee as shown below:

DATE:

Thursday, August 27th, 2020

TIME:

3:05 p.m.

PLACE:

Via video link or call in (see attached sheet for

details)

To be streamed at www.hamilton.ca/committeeofadjustment

for viewing purposes only

#### **PUBLIC INPUT**

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, including deadlines for submitting to be seen by the Committee.

Orally: If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

### MORE INFORMATION

For more information on this matter, including access to drawings illustrating this request:

- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: August 11th, 2020.

Jamila Sheffield) Secretary-Treasurer

Committee of Adjustment

Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.

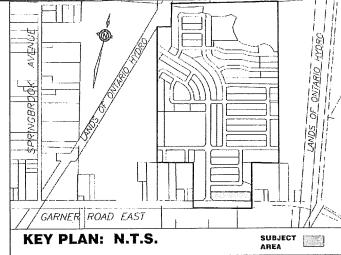
## MUNICIPAL ADDRESS: 1049 to 1109 GARNER ROAD EAST, ANCASTER, ONT.

**TOWNHOUSE BLOCKS: 207 TO 210, RP 62M-1237** 

**SITE PLAN APPLICATION FILE # DA-20-019** 

LOT (POTL) STATISTICS								
UNIT	FRONTAGE (m)	LOT AREA (m2)	BUILDING AREA (m2)	COVERAGE (%)	FRONT YARD AREA (m2)	FRONT YARD OPEN LANDSCAPED AREA (%)	BUILDING HEIGHT (m)	PARKING AREA (m2)
BLOCK 207								
94	9.82	309.38	94.46	30.5 %	59.3	61.9		38.6
95	6.00	191.09	84.53	44.2 %	41.2	41.5		39.2
96	6.00	191.09	84.53	44.2 %	41.3	41.6	]	39.3
97	6.00	191.09	79.00	41.3 %	41.1	40.1	11.64	41.3
98	6.00	191.09	84.42	44.2 %	36.4	42.0		38.9
99	6.00	191.09	84.42	44.2 %	36.4	42.0		38.9
100	7.19	229.22	94.46	41.2%	43.7	47.8		38.6
BLOCK 208								
101	7.19	228.91	94.46	41.3%	43.5	48.0		38.6
102	6.00	191.09	84.42	44.2 %	36.3	42.1		38.8
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123	6.00	191.09	79.03	41.4%	43.8	40.2		42.5
124	12.86	409.16	96.30	23.5 %	77.7	70.7		38.8

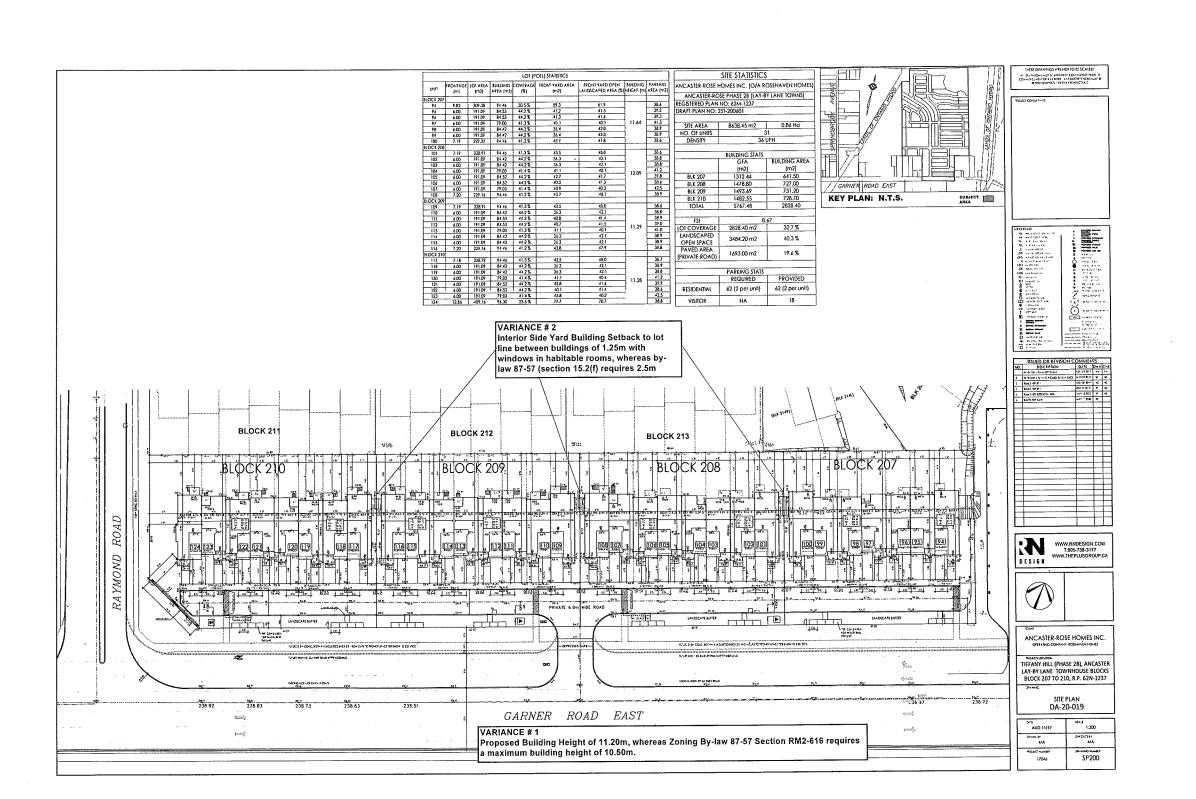
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ANCASTER-ROSE PHASE 2B (LAY-BY LANE TOWNS)									
REGISTERED PLAN NO: 62M-1237									
DRAFT PLAN NO: 2									
SITE AREA	8638.45 m2	0.86 Ha							
NO. OF UNITS		31							
DENSITY	36	UPH							
	BUILDING STATS								
	GFA	BUILDING AREA							
	(m2)	(m2)							
BLK 207	1312.44	641.50							
BLK 208	1478.80	727.00							
BLK 209	1493.69	731.20							
BLK 210	1482.55	728.70							
TOTAL	5767.48	2828.40							
FSI	0	.67							
LOT COVERAGE	2828.40 m2	32.7 %							
LANDSCAPED OPEN SPACE	3484.20 m2	40.3 %							
PAVED AREA (PRIVATE ROAD)	1693.00 m2	19.6 %							
	PARKING STATS								
	REQUIRED	PROVIDED							
RESIDENTIAL	62 (2 per unit)	62 (2 per unit)							
VISITOR	NA	18							

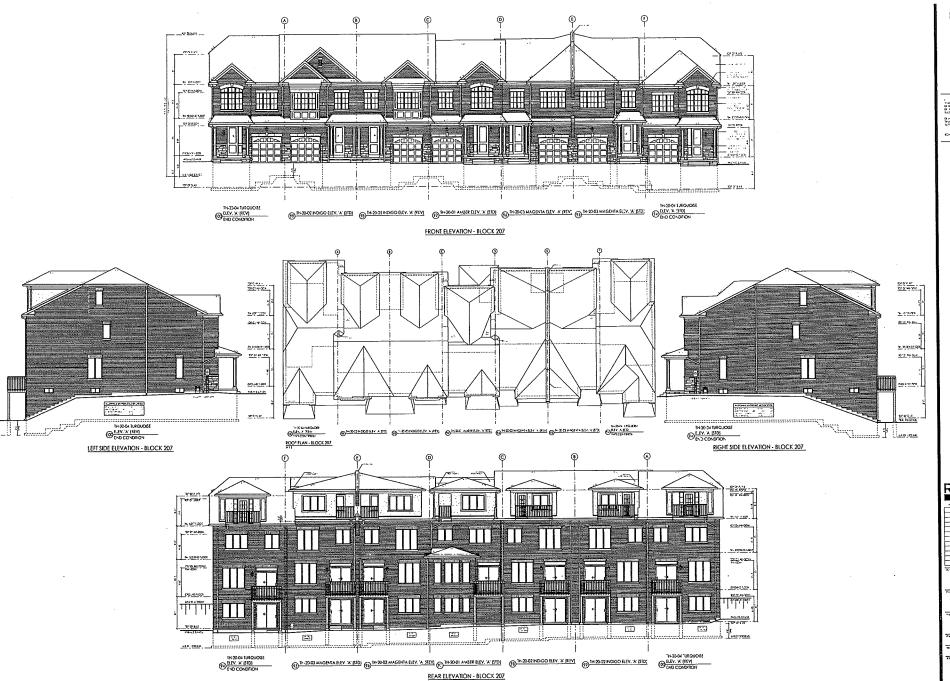


## **MINOR VARIANCE NATURE OF RELIEF:**

- Proposed Building Height of 12.20m, whereas Zoning By-law 87-57 Section RM2-616 requires a maximum building height of 10.50m.

  Proposed Interior Side Yard Building Setback to lot line between buildings of 1.25 m with windows in habitable rooms, whereas Zoning By-law 87-57 Section 15.2 (f) requires 2.5 m.









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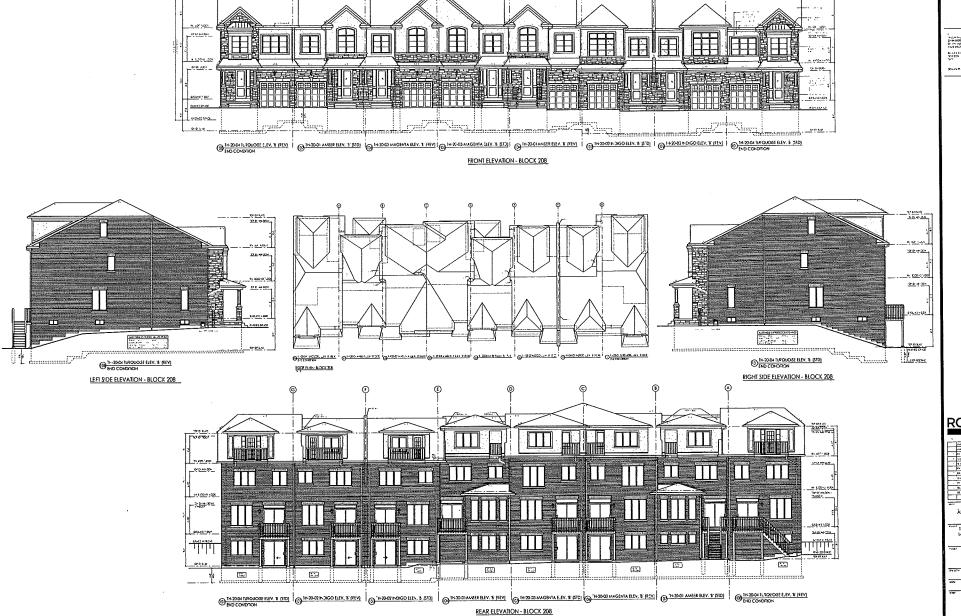
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BLOCK 207 ELEVATIONS

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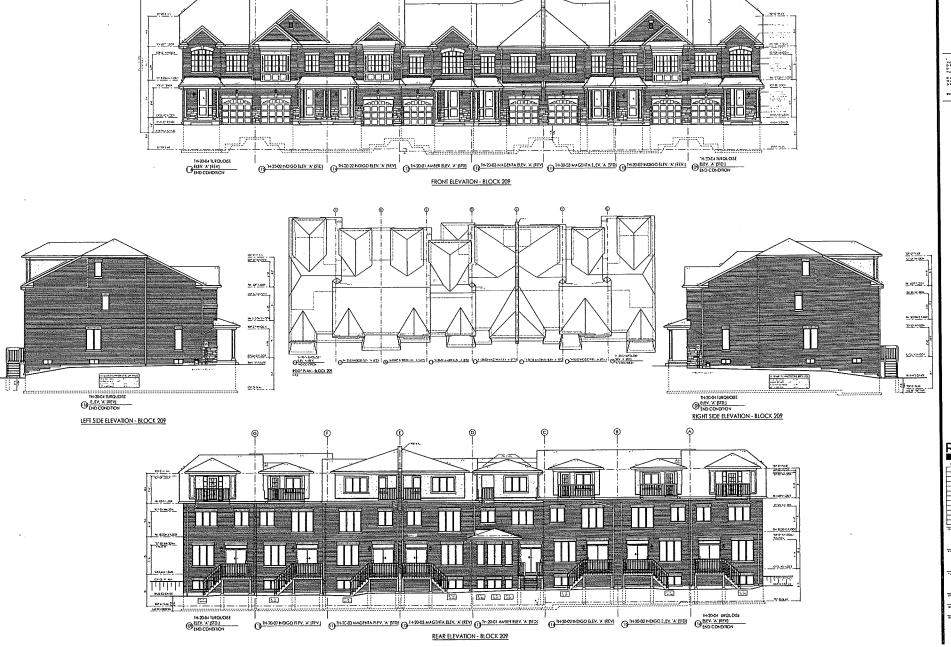
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ANCASTER-ROSE HOMES INC.

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BLOCK 208 ELEVATIONS







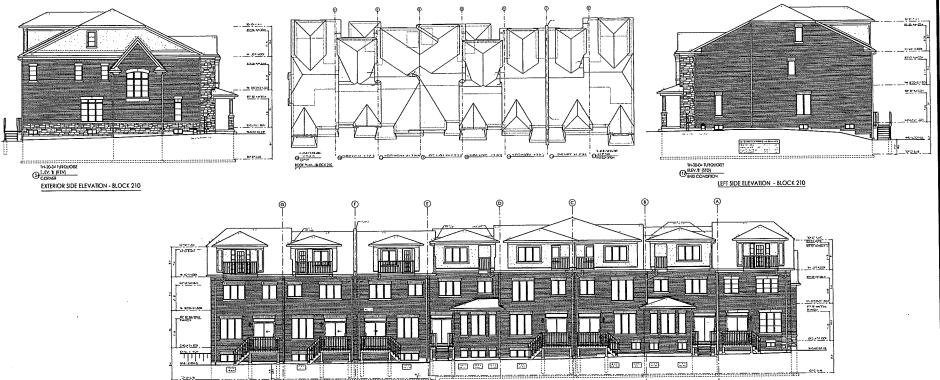
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ANCASTER-ROSE HOMES INC.

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BLOCK 210 ELEVATIONS

170+6 1/8" = 1-0

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APPLICATION NO.: A

AN/A-20:142

**APPLICANTS:** 

Ancaster-Rose Homes Inc. c/o Joe Laronga

SUBJECT PROPERTY:

Municipal address 1049-1109 Garner Rd. E., Ancaster

**ZONING BY-LAW:** 

Zoning By-law 87-57, as Amended

**ZONING:** 

"RM2-616" (Multiple Residential) district

PROPOSAL:

To permit the construction of four (4) street townhouse buildings

containing a total of thirty-one (31) dwelling units fronting onto a

window road notwithstanding that:

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#### NOTE:

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- ii. The municipal address for this development is 1049 through to 1109 Garner Road East, Ancaster.
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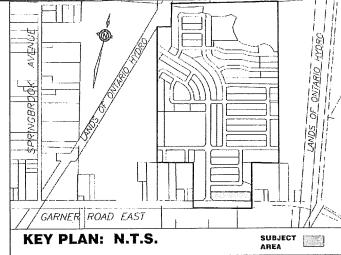
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**TOWNHOUSE BLOCKS: 207 TO 210, RP 62M-1237** 

**SITE PLAN APPLICATION FILE # DA-20-019** 

LOT (POTL) STATISTICS								
UNIT	FRONTAGE (m)	LOT AREA (m2)	BUILDING AREA (m2)	COVERAGE (%)	FRONT YARD AREA (m2)	FRONT YARD OPEN LANDSCAPED AREA (%)	BUILDING HEIGHT (m)	PARKING AREA (m2)
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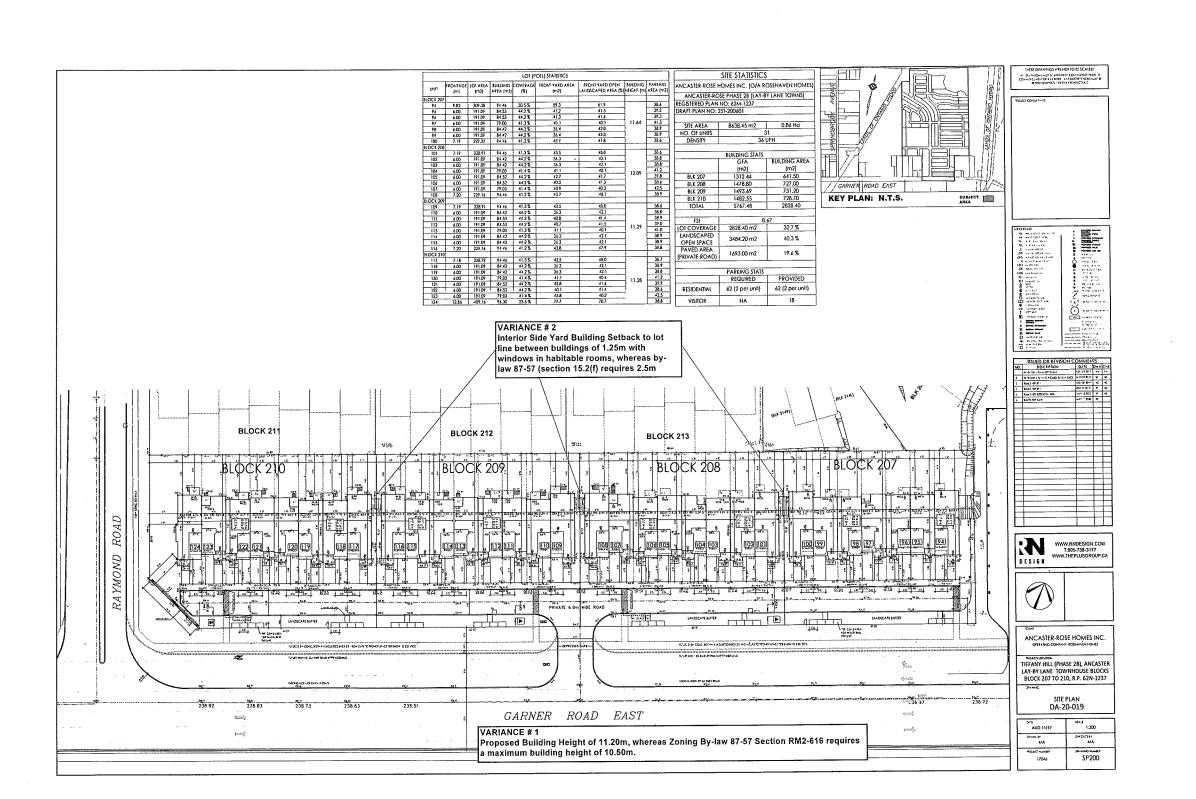
	SITE STATISTIC	S							
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	REQUIRED	PROVIDED							
RESIDENTIAL	62 (2 per unit)	62 (2 per unit)							
VISITOR	NA	18							

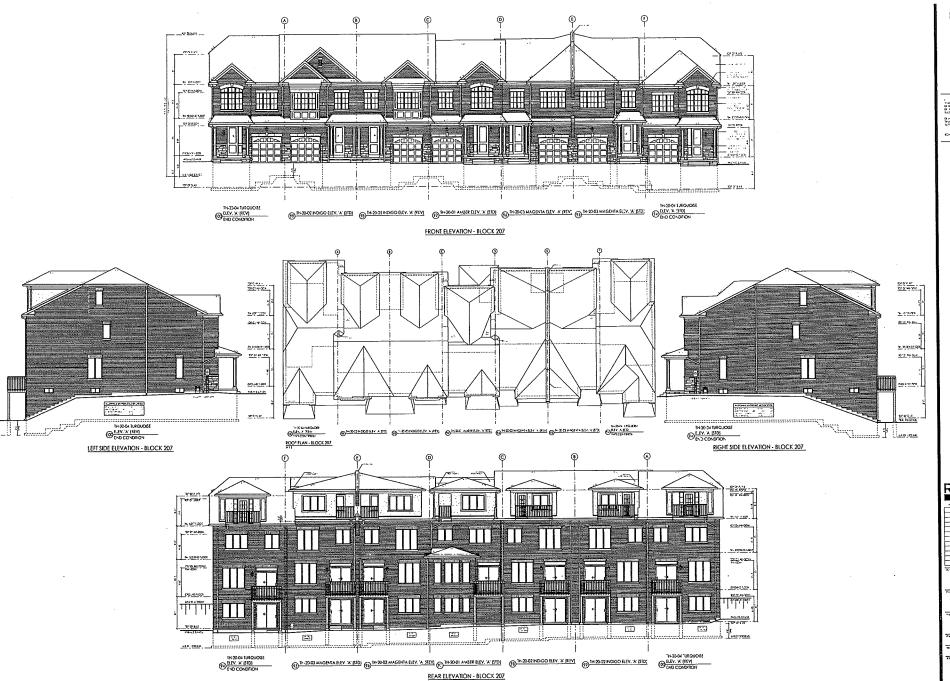


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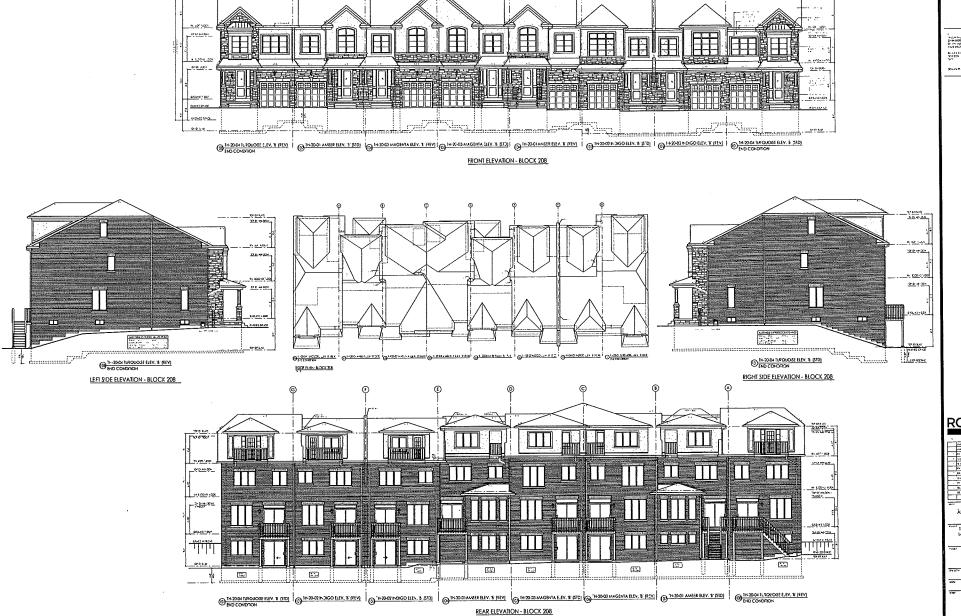
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TEFANT HELL (PHASE 28; ANCASTER LAY-BY-LANC TOWNNOLSC BLOCKS BLOCK 207 TO 21DRP-62W-1737

BLOCK 207 ELEVATIONS

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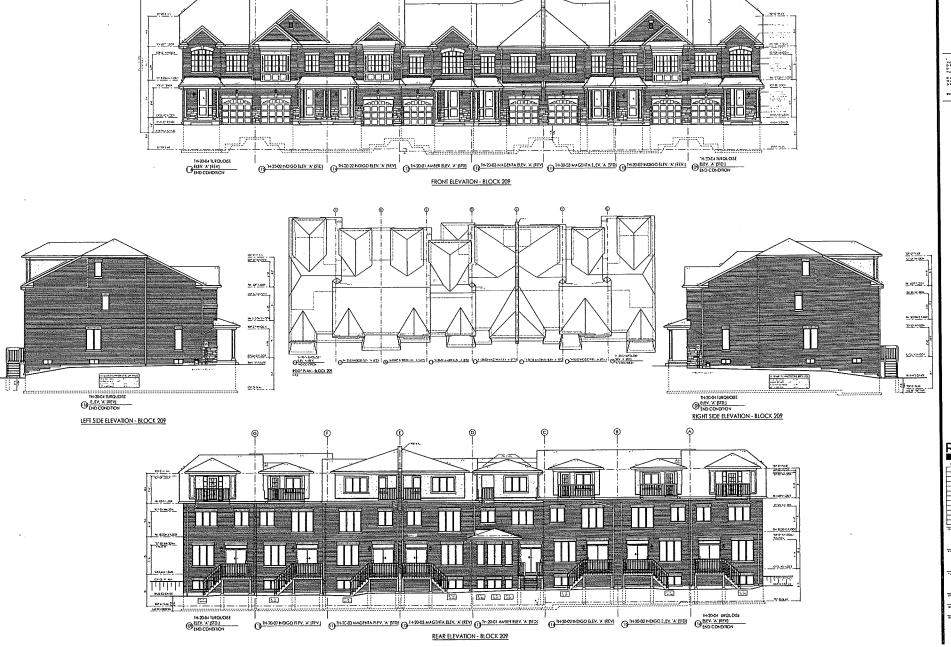
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ANCASTER-ROSE HOMES INC.

TEFANY HELL (PHASE 25), ANCASTER LA 1-8Y-LANE TOWN KLASE BLOCKS BLOCK 207 TO 210 RP 424-1737

BLOCK 208 ELEVATIONS







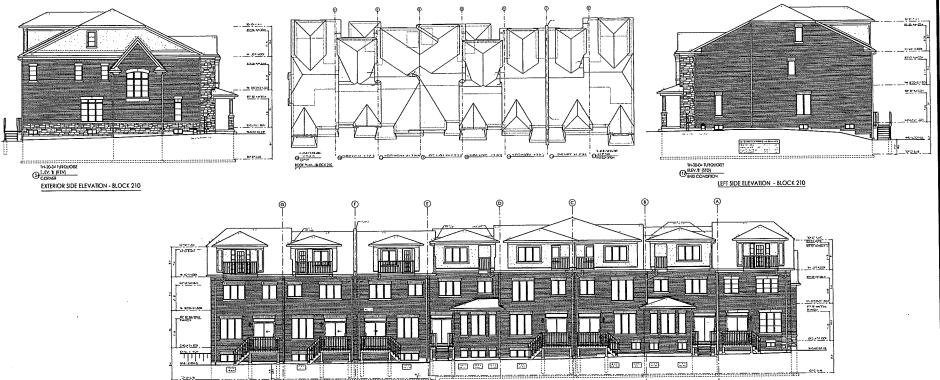
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REAR ELEVATION - BLOCK 210





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ANCASTER-ROSE HOMES INC.

THE ANY HELL PHASE 28; ANCAS'ER LATES-LANC HOWNHOUSE BLOCKS BLOCK 207 TO 210 R PAZA-1237

BLOCK 210 ELEVATIONS

170+6 1/8" = 1-0

A12



## Committee of Adjustment

City Hall 5<sup>th</sup> floor 71 Main Street West Hamilton, Ontario L8P 4Y5

Planning and Economic Development Department Planning Division

Phone (905) 546-2424 ext.4221 Fax (905) 546-4202

PLEASE FILL OUT THE FOLLOWING PAGES AND RETURN TO THE CITY OF HAMILTON PLANNING DEPARTMENT.

FOE	
FOR	OFFICE USE ONLY.
APPI	LICATION NO DATE APPLICATION RECEIVED
PAID	DATE APPLICATION DEEMED COMPLETE
SEC	RETARY'S
SIGN	ATURE
<u></u>	
V <del>anada da</del>	CITY OF HAMILTON COMMITTEE OF ADJUSTMENT HAMILTON, ONTARIO
	The Planning Act
under	Application for Minor Variance or for Permission  BLOCK 207 to 210, RP 62M-1237  ADDRESS 1049 to 1109 GARRIER RD. 6457  Indersigned hereby applies to the Committee of Adjustment for the City of Hamilton Section 45 of the Planning Act, R.S.O. 1990, Chapter P.13 for relief, as described in opplication, from the Zoning By-law.
1.	Name of Owner
	FAX NO.
2.	Address _
•	
3.	Name of .
4	FAX NO.
4.	Address _
Note:	Unless otherwise requested all communications will be sent to the agent, if any.
5,,	Names and addresses of any mortgagees, holders of charges or other encumbrances:  NOT APPLICABLE
14	Postal Code
58 58	Postal Code

6.	Nature and extent of relief applied for:
	1) Proposed Building Height of 12.20 m, whereas Zoning By-law 87-57 Section RM2-616
	requires a maximum building height of 10.50m.
	2) Proposed Interior Side Yard Building Setback to lot line between buildings of 1.25 m with
	windows in habitable rooms, whereas Zoning By-law 87-57 Section 15.2 (f) requires 2.5 m.
	(// / / / / / / / / / / / / / / / / / /
7.	Why it is not possible to comply with the provisions of the By-law?  The method in which Building Height is calculated (i.e the average ground level along the perimeter of
	all exterior walls) does not consider that sites are not always flat . As such, if the Grade is lower than
	normal in the front yard (for rear to front draining lots) or in the rear yard for (Walk-out basement or Deck
	Lots), Building Height is exceeded. For Side Yard Setback variance, language has been omitted in the by-law for side yard setback with windows; by-law only identifies side yard without windows as 1.15m.
8.	Legal description of subject lands (registered plan number and lot number or other legal description and where applicable, street and street number):
	Blocks 207 to 210 inclusive in R.P. 62m-1237
	Addressed as 1049 to 1109 Garner Road East, in Ancaster, Ontario
9,	PREVIOUS USE OF PROPERTY
	Residential Industrial Commercial
	Agricultural Vacant X
	Other
9.1	If Industrial or Commercial, specify use  Not Applicable
9.2	Has the grading of the subject land been changed by adding earth or other material, i.e. has filling occurred?
	Yes No X Unknown
9.3	Has a gas station been located on the subject land or adjacent lands at any time?
	Yes No X Unknown
9.4	Has there been petroleum or other fuel stored on the subject land or adjacent lands?
	Yes No X Unknown
9.5	Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
	Yes No X Unknown
9.6	Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been used as pesticides and/or sewage sludge was applied to the lands?
	Yes No_X Unknown
9.7	Have the lands or adjacent lands ever been used as a weapon firing range?
	Yes No X Unknown
9.8	Is the nearest boundary line of the application within 500 metres (1,640 feet) of the fill area of an operational/non-operational landfill or dump?
	Yes No X Unknown
9.9	If there are existing or previously existing buildings, are there any building materials remaining on site which are potentially hazardous to public health (eg. asbestos, PCB's)?
	Yes No X Unknown

9.10	former uses on the	to believe the subject site or adjacent sites?  Io X Unknown		en contami	nated by					
9.11		d you use to determine		.1 to 9.10 a	bove?					
		use Blocks are Vacant R	esidential Building	Blocks withi	in a					
		Subdivision (i.e. R.P. 62r		DIOCKS WIGH	11 4					
9.12	If previous use of property is industrial or commercial or if YES to any of 9.2 to 9.10 a previous use inventory showing all former uses of the subject land, or if appropriate, the land adjacent to the subject land, is needed.									
	Is the previous use	inventory attached?	Yes	_ No _	X					
I ackn remed reason	NOWLEDGEMENT ( owledge that the City diation of contamination of its approval to the	y of Hamilton is not res on on the property whi is Application.	ponsible for the id ch is the subject o	f this Appli	and ation – bv					
					_					
10.	Dimensions of lands affected:									
	Frontage (m)	Blk 207= 47.01m ; Blk 208=	= 50.39m ; Blk 209= 50.	.39m ; Blk 210=	= 56.04m					
	Depth (m)	Blk 207= 31.85m ; Blk 208=	= 31.85m ; Blk 209= 31.	85m ; Blk 210=	= 31.85m					
	Area (m2)	Blk 207= 1494.05 ; Blk 208= 1604.61 ; Blk 209= 1604.61 ; Blk 210= 1								
	Width of street (m)	Width of street (m) Garner Road East = 20m; Private Common Element Condo Road = 6.0m								
11,	Particulars of all buildings and structures on or proposed for the subject lands: (Specify ground floor area, gross floor area, number of stories, width, length, height, etc.)									
	Existing: Vacant Land for Residential Townhouse Blocks									
	Proposed: Total Site Area (Blocks 207 to 210) = 0.86 ha; Density = 36 UPH									
	Number of Units = 31 units; Average Unit GFA = 188.11 m2; # Storeys = 2 (with loft in roof)									
	Lot Coverage = 32.7% (2828.40 m2)  Unit Width = 6.0 m; Unit Length = 15.88 m; Building Height = 12.20 m									
	Unit Width = 6.0 m; l	Jnit Length = 15.88 m ; l	Building Height = 1	2.20 m	s					
12.	Location of all buildings and structures on or proposed for the subject lands; (Specify distance from side, rear and front lot lines)									
	Existing: Vacant La	and for Residential Town	house Blocks							
		Side Yard Setback = 6.	10111	nt. Side Yar	rd = 1.25m					
		d Setback (Townhouse)								
		d Setback (Garage) = 6.	0m							
	Rear Yar	d Setback = 9.88 m								

3.	Date of acquisition of subject lands: August 2019
4.	Date of construction of all buildings and structures on subject lands:  Not Applicable - Vacant Land for Residential Townhouse Blocks
5.	Existing uses of the subject property: Not Applicable - Vacant Land for Residential Townhouse Blocks
6.	Existing uses of abutting properties: North= Residential Townhouses; South= Garner Road East  East= Raymond Road; West= Proposed 9 Storey Apartment Building
7.	Length of time the existing uses of the subject property have continued:  Vacant Residential Townhouse Blocks Since February 2017 (i.e. 3 Years)
8.	Municipal services available: (check the appropriate space or spaces)  Water X
9.	Present Official Plan/Secondary Plan provisions applying to the land:  Residential - Single Family
0. 1.	Present Restricted Area By-law (Zoning By-law) provisions applying to the land:  Zoning By-law 87-57, Zoning Section RM2-616 (With Special Provisions 10-303)  Has the owner previously applied for relief in respect of the subject property?  Yes  If the answer is yes, describe briefly.
2.	Is the subject property the subject of a current application for consent under Section
	Yes  NOTE: Subject Property is Subject to Site Plan Approval File # DA-20-019  No
3.	The applicant shall attach to each copy of this application a plan showing the dimensions of the subject lands and of all abutting lands and showing the location, size and type of all buildings and structures on the subject and abutting lands, and where required by the Committee of Adjustment such plan shall be signed by an Ontario Land Surveyor.
	NOTE: It is required that two copies of this application be filed with the secretary-treasurer of the Committee of Adjustment together with the maps referred to in Section 5 and be accompanied by the appropriate fee in cash or by cheque made payable to the City of Hamilton.

## PART 24 AFFIDAVIT OR SWORN DECLARATION solemnly declare that: All of the above statements are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath. Declared before me at the Province of Ontario, for Rowhedge A Commissioner, etc. Construction Limited. Expires March 6, 2022. **PART 25** OWNERS AUTHORIZATION As of the date of this application, I (NAME) am the registered Owner of the lands described in this application, and I have examined the contents of this application and hereby certify that the information submitted with the to act as my agent in this matter and to provide any of my personal information that will be included in this application or collected during the processing of the application. SIGNED PART 26 CONSENT OF THE OWNER Complete the consent of the owner concerning personal information set out below. Consent of Owner to the Disclosure of Application Information and Supporting Documentation Application information is collected under the authority of the Planning Act, R.S.O. 1990, c. P.13. In accordance with that Act, it is the policy of the City of Hamilton to provide public access to all Planning Act applications and supporting documentation submitted to the City. the Owner, hereby agree and acknowledge that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56, I hereby consent to the City of Hamilton making this application and its supporting documentation available to the general public, including copying and discipsing the application and its supporting documentation to

Date

## PART 27 PERMISSION TO ENTER

Date: JULY 13/20

Secretary/Treasurer Committee of Adjustment City of Hamilton, City Hall

Dear Secretary/Treasurer;

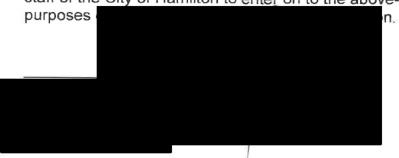
Re:

Application to Committee of Adjustment (Blocks 207 to 210, RP 62m-1237)

Location of Land: 1049 to 1109 Raymond Road, Ancaster, Ont.

(Municipal address)

I hereby authorize the members of the Committee of Adjustment and members of the staff of the City of Hamilton to enter on to the above-noted property for the limited



Note: The Committee of Adjustment requires that all properties be identified with the municipal address clearly visible from the street. Where there is no municipal address or the property is vacant then the property shall be identified in accordance with the Committee's policy included on the back of the Application Form. Failure to properly identify the subject property may result in the deferral of the application.

#### PART 28 COLLECTION OF INFORMATION

The personal information contained on this form is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P.13, and will be used for the purpose of processing the application. This information will become part of the public record and will be made available to the general public. Questions about the collection of this information should be directed to the Coordinator of Business Facilitation, Planning and Economic Development Department, City of Hamilton, 1st floor, 71 Main Street West, City Hall, Hamilton, Ontario, Telephone: 905-546-2424, ext.1284.

# CITY OF HAMILTON COST ACKNOWLEDGEMENT AGREEMENT

This Agreement made this	13 day of July , 20 20	_
BETWEEN:		
<u>,</u>	hereinafter referred to as the "Developer"	
	-and-	
City of Hamilton	hereinafter referred to as the "City"	

WHEREAS the Developer represents that he/she is the registered owner of the lands described in Schedule "A" attached hereto, and which lands are hereinafter referred to as the "lands";

AND WHEREAS the Developer has filed for an application for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval/minor variance.

AND WHEREAS it is a policy of the City that any City costs associated with an appeal to the Local Planning Appeal Tribunal, by a party other than the Developer, of an approval of a consent, rezoning, official plan amendment, plan of subdivision, and/or minor variance, such as, but not limited to, legal counsel costs, professional consultant costs and City staff costs, shall be paid by the Developer.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of two dollars (\$2.00) now paid by the City to the Developer, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

## 1. In this Agreement:

- (a) "application" means the application(s) for a (circle applicable) consent/rezoning/official plan amendment/subdivision approval or minor variance dated with respect to the lands described in Schedule "A" hereto.
- (b) "Expenses" means all expenses incurred by the City if the application is: (a) approved by the City; (b) appealed to the Local Planning Appeal Tribunal by a party other than the developer; and (c) the City appears before the Local Planning Appeal Tribunal or any other tribunal or Court in support of the application, including but not limited to: City staff time, City staff travel expenses and meals, City disbursements, legal counsel fees and disbursements and all consultant fees and disbursements including, without limiting the generality of the foregoing planning, engineering or other professional expenses
- 2. The City agrees to process the application and, where the application is approved by the City but appealed to the Local Planning Appeal Tribunal by a party other than the Developer, the Developer shall file an initial deposit, in the form of certified cheque or cash with the General Manager, Finance & Corporate Services within fifteen days of the date of the appeal of the application by a third party in the amount of 50% of the estimated expenses associated with the appeal as estimated by the City Solicitor in his sole discretion which shall be credited against the Expenses.
- It is hereby acknowledged that if the deposit required pursuant to section 2 of this Agreement is not paid by the Developer the City shall have the option, at its sole discretion, of taking no further steps in supporting the Developer's application before the Local Planning Appeal Tribunal.

- It is hereby acknowledged that all expenses shall be paid for by the Developer. The
  Developer shall reimburse the City for all expenses the City may be put to in
  respect of the application upon demand.
- It is hereby acknowledged and agreed that all expenses shall be payable by the Developer whether or not the Developer is successful before the Local Planning Appeal Tribunal or any other tribunal or Court in obtaining approval for their application.
- The City shall provide the Developer with copies of all invoices of external legal counsel or consultants included in the expenses claimed by the City.
- The City shall provide the Developer with an accounting of all staff costs and City disbursements included in the expenses claimed by the City.
- The City may, at any time, draw upon the funds deposited in accordance with sections 2 and 9 of this Agreement to satisfy expenses incurred pursuant to the appeal of the application.
- In the event that the amount deposited pursuant to section 2 of this Agreement is reduced to less than 10% of the initial deposit, the City may halt all work in respect of the appeal of the application until the Developer deposits with the City a sum sufficient to increase the deposit to an amount which is equal to 100% of the expenses estimated pursuant to paragraph 2 of this Agreement and still to be incurred by the City.
- 10. Within 60 days of: (a) a decision being rendering in respect of the appeal or any legal proceedings resulting from the decision, whichever is later; or (b) the termination of all legal proceedings in respect of the application, the City shall prepare and submit a final account to the Developer. If there are any deposit funds remaining with the City they shall be applied against the account. Any amount owing in respect of the final account in excess of deposit funds shall be paid by the Developer within 30 days of the date of the final account. If any deposit funds are remaining after the final account has been paid they shall be returned to the developer within 30 days of the date of the final account.
- 11. This Agreement shall not be construed as acceptance of the application and nothing herein shall require or be deemed to require the City to approve the application.
- 12. This Agreement shall not stand in lieu of or prejudice the rights of the City to require such further and other agreements in respect of the application that the City may deem necessary.
- 13. Every term, covenant, obligation and condition in this Agreement ensures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors, trustees and assigns.
- 14. When the context so requires or permits, the singular number is to be read as if the plural were expressed, and the masculine gender as if the feminine, as the case may be, were expressed; and,
- 15. This Agreement and the schedules hereto constitute the entire agreement between the parties in respect of the subject matter contained herein and is not subject to, or in addition to, any other agreements, warranties or understandings, whether written, oral or implied. This Agreement may not be modified or amended except by instrument in writing signed by the Developer and the City, and,
- 16. The waiver or acquiescence by the City of any default by the Developer under any obligation to comply with this Agreement shall not be deemed to be a waiver of that obligation or any subsequent or other default under this Agreement.
- 17. The Developer covenants and agrees to be bound by the terms and conditions of this Agreement and not to seek a release from the provisions thereof until such time as the Developer's obligations hereunder have been assumed by its successor,

assignee or transferee by way of written agreement in the form set out in Schedule "B" to this Agreement.

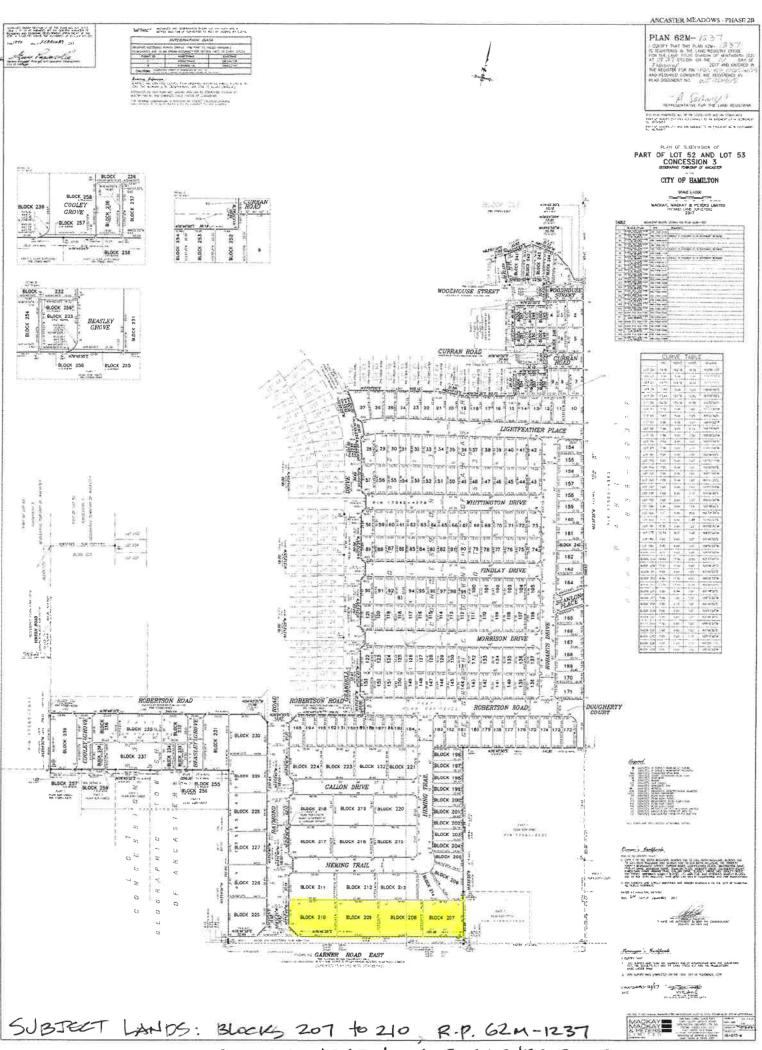
IN WITNESS WHEREOF the parties hereto have set their corporate seals under the hands of their duly authorized officers.

DATED at ORKNILL t	his <u>(2</u>	3_day of, 20 <u>2</u>	0
WITNESS		n.	
WITNESS		Per: I have authority to bind the corporation	
DATED at Hamilton, Ontario this	3da	ay of, 20	
	City o	of Hamilton	
	Per:	Mayor	-
	Per:	Clerk	

## Schedule "A" Description of Lands

MUNICIPAL ADDRESS: 1049 to 1109 GARNER ROAD EAST, ANCASTER, ONT. TOWNHOUSE BLOCKS: 207 TO 210, RP 62M-1237

SITE PLAN APPLICATION FILE # DA-20-019 (See attached Highlighted Subdivision M-Plan)



ADDRESS: 1049 to 1109 GARHER RD. EAST SITE PLAN APPLICATION FILE DA-20-019

## SCHEDULE "B" FORM OF ASSUMPTION AGREEMENT

THIS AGREEMENT dated the	day of	20
BETWEEN		
(here	einafter called the "Owner)	
	-and-	OF THE FIRST PART
(herei	nafter called the "Assignee")	
	-and-	OF THE SECOND PART
	CITY OF HAMILTON after called the "Municipality")	
		OF THE THIRD PART
WHEREAS the owner and the Mu Acknowledgement Agreement da	unicipality entered into and exe	ecuted a Cost
AND WHEREAS Assignee has in liabilities and responsibilities as se	dicated that it will assume all e	of the Owner's duties, ement Agreement.
AND WHEREAS Council for the Market from its duties, liabilities and responsible from the Assigned Agreement subject to the Assigned	onsibilities under said Cost Ac	knowledgement

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the parties hereto agree as follows.

liabilities and responsibilities and subject to the Assignee the Owner and the

Municipality entering into and executing an Assumption Agreement.

- The Assignee covenants and agrees to accept, assume and to carry out the Owner's duties, liabilities and responsibilities under the Cost Acknowledgement Agreement and in all respects to be bound under said Cost Acknowledgement Agreement as if the Assignee had been the original party to the agreement in place of the Owner.
- The Municipality hereby releases the Owner from all claims and demands of any nature whatsoever against the Owner in respect of the Cost Acknowledgement Agreement. The Municipality hereby accepts the Assignee as a party to the Cost Acknowledge Agreement in substitution of the Owner, and agrees with the Assignee that the Assignee will be bound by all the terms and conditions of the Cost Acknowledgement Agreement as if the Assignee had been the original executing party in place of the Owner.
- 3. All of the terms, covenants, provisos and stipulations in the said Cost Acknowledgement Agreement are hereby confirmed in full force save and except for such modifications as are necessary to make said clauses applicable to the Assignee.

**IN WITNESS WHEREOF** the Parties have hereunto affixed their corporate seals duly attested to by their proper signing officers in that behalf.

## SIGNED, SEALED AND DELIVERED

	c/s
Owner:	
Title:	
I have authority to bind the corporation	
	c/s
Assignee:	
Title:	
I have authority to bind the corporation	
CITY OF HAMILTON	
Mayor	
Clerk	

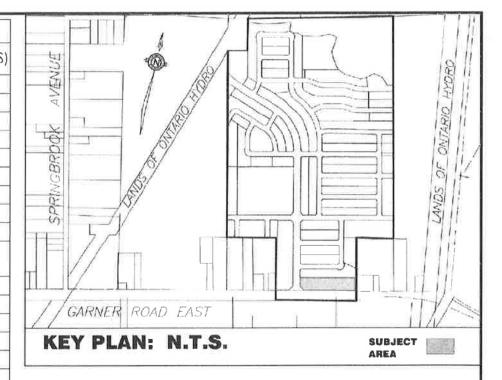
## MUNICIPAL ADDRESS: 1049 to 1109 GARNER ROAD EAST, ANCASTER, ONT.

**TOWNHOUSE BLOCKS: 207 TO 210, RP 62M-1237** 

SITE PLAN APPLICATION FILE # DA-20-019

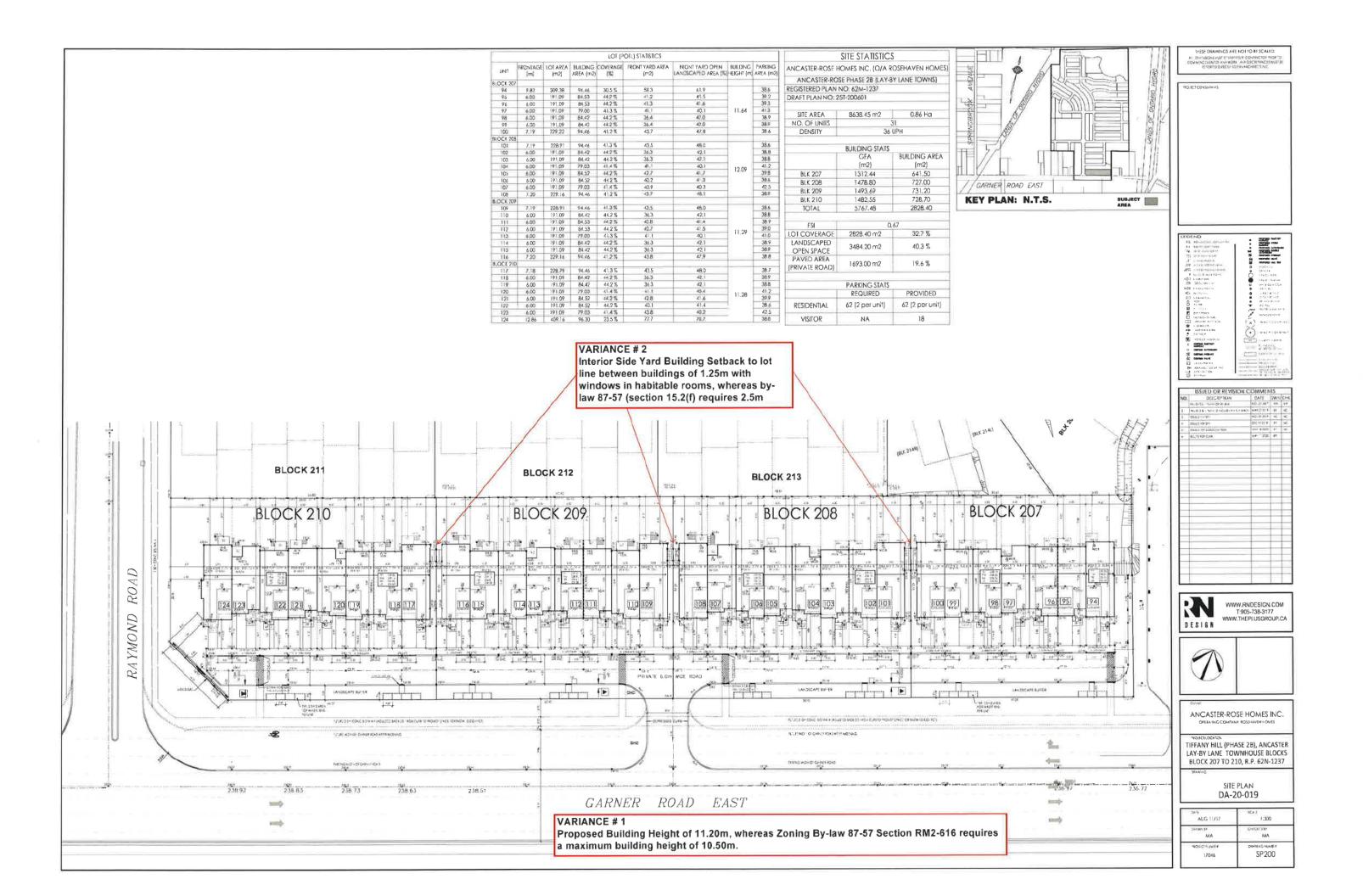
				LOT (P	otl) statistics			
UNIT	FRONTAGE (m)	LOT AREA (m2)	BUILDING AREA (m2)	COVERAGE (%)	FRONT YARD AREA (m2)	FRONT YARD OPEN LANDSCAPED AREA (%)	BUILDING HEIGHT (m)	PARKING AREA (m:
BLOCK 207								
94	9.82	309.38	94,46	30.5 %	59.3	61.9		38.6
95	6.00	191.09	84.53	44.2 %	41.2	41.5		39.2
96	6.00	191.09	84.53	44.2 %	41,3	41.6		39.3
97	6.00	191.09	79.00	41.3 %	41.1	40.1	11.64	41.3
98	6.00	191.09	84.42	44.2 %	36.4	42.0		38.9
99	6.00	191.09	84.42	44.2 %	36.4	42.0		38.9
100	7,19	229.22	94.46	41.2 %	43.7	47.8		38.6
BLOCK 208								
101	7.19	228.91	94.46	41.3 %	43.5	48.0		38.6
102	6.00	191.09	84.42	44.2 %	36.3	42.1	12.09	38.8
103	6.00	191,09	84.42	44.2 %	36.3	42.1		38.8
104	6.00	191.09	79.03	41.4 %	41.1	40.1		41.2
105	6.00	191.09	84.52	44.2 %	42.7	41.7		39.8
106	6.00	191.09	84.52	44.2 %	40.2	41.3		38.6
107	6.00	191.09	79.03	41.4 %	43.9	40.3		42.5
108	7.20	229.16	94.46	41.2 %	43.7	48.1		38.9
BLOCK 209								
109	7.19	228.91	94.46	41.3 %	43.5	48.0		38.6
110	6.00	191.09	84.42	44.2 %	36.3	42,1		38.8
111	6.00	191.09	84.53	44.2 %	40.8	41.4	İ	38.9
112	6.00	191.09	84.53	44.2 %	40.7	41.5	11.29	39.0
113	6.00	191.09	79.00	41.3 %	41.1	40.1	11.29	41.0
114	6.00	191.09	84.42	44.2 %	36.3	42.1		38.9
115	6.00	191,09	84.42	44.2 %	36.3	42.1		38.9
116	7.20	229.16	94.46	41.2 %	43.8	47.9		38.8
BLOCK 210								
117	7.18	228.79	94.46	41.3 %	43.5	48.0		38.7
118	6.00	191.09	84.42	44.2 %	36.3	42.1	]	38.9
119	6.00	191.09	84.42	44.2 %	36.3	42.1		38.8
120	6.00	191.09	79.03	41.4%	41.1	40.4	1120	41.2
121	6.00	191.09	84.52	44.2 %	42.8	41.6	11.28	39.9
122	6.00	191.09	84.52	44.2 %	40.1	41.4		38.6
123	6.00	191.09	79.03	41.4%	43.8	40.2		42.5
124	12.86	409.16	96.30	23.5 %	77.7	70.7		38.8

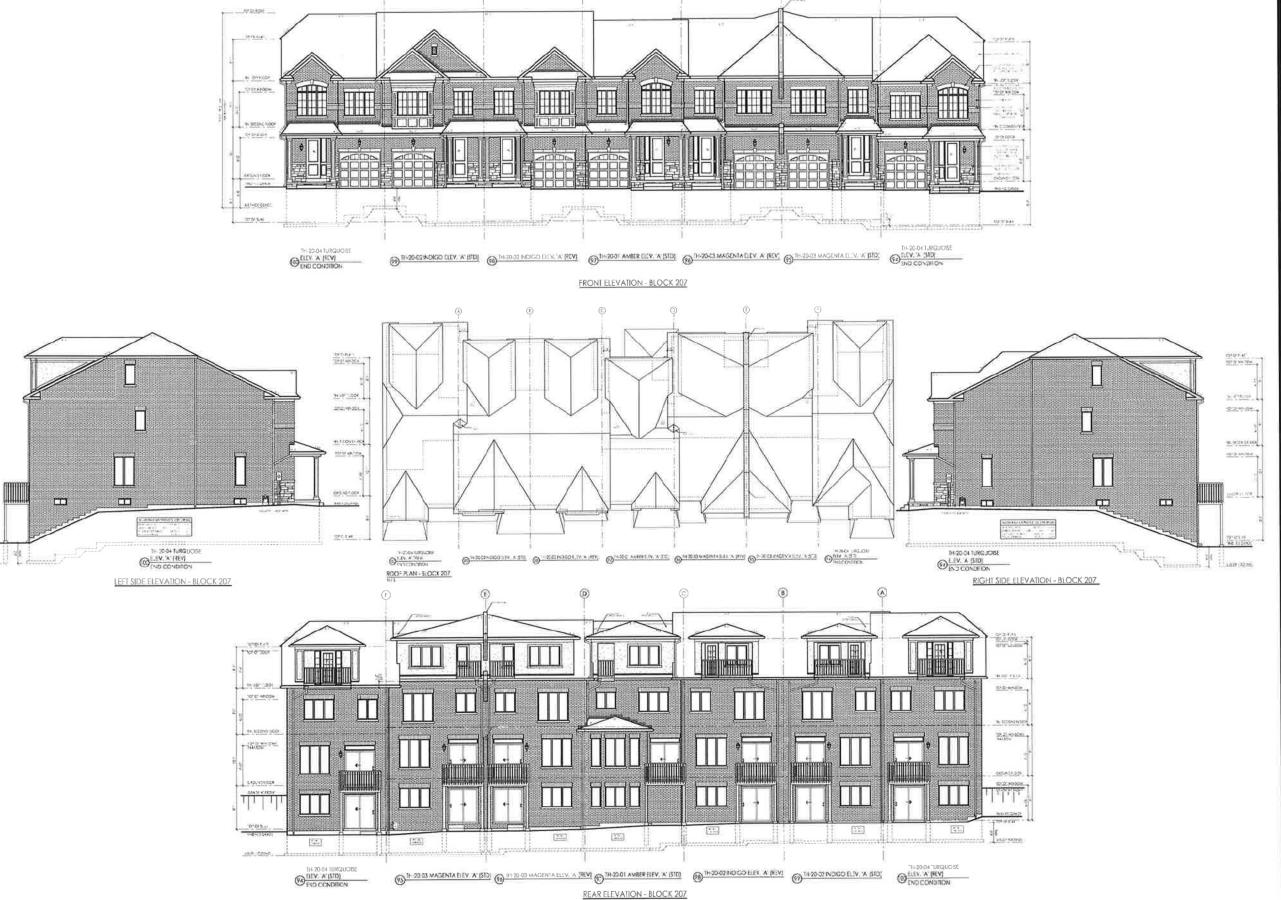
	SITE STATISTIC	S
ancaster-rose h	HOMES INC. (O/A F	ROSEHAVEN HOMES
ANCASTER-RO	SE PHASE 2B (LAY-	BY LANE TOWNS)
REGISTERED PLAN	NO: 62M-1237	
DRAFT PLAN NO: 2	25T-200601	
SITE AREA	8638.45 m2	0.86 Ha
NO. OF UNITS		31
DENSITY	36	UPH
	BUILDING STATS	
	GFA	BUILDING AREA
	(m2)	(m2)
BLK 207	1312.44	641.50
BLK 208	1478.80	727.00
BLK 209	1493.69	731.20
BLK 210	1482.55	728.70
TOTAL	5767.48	2828.40
FSI	0	.67
LOT COVERAGE	2828.40 m2	32.7 %
LANDSCAPED OPEN SPACE	3484.20 m2	40.3 %
PAVED AREA (PRIVATE ROAD)	1693.00 m2	19.6 %
	PARKING STATS	
	REQUIRED	PROVIDED
RESIDENTIAL	62 (2 per unit)	62 (2 per unit)
VISITOR	NA	18



## MINOR VARIANCE NATURE OF RELIEF:

- 1) Proposed Building Height of 12.20m, whereas Zoning By-law 87-57 Section RM2-616 requires a maximum building height of 10.50m.
- 2) Proposed Interior Side Yard Building Setback to lot line between buildings of 1.25 m with windows in habitable rooms, whereas Zoning By-law 87-57 Section 15.2 (f) requires 2.5 m.





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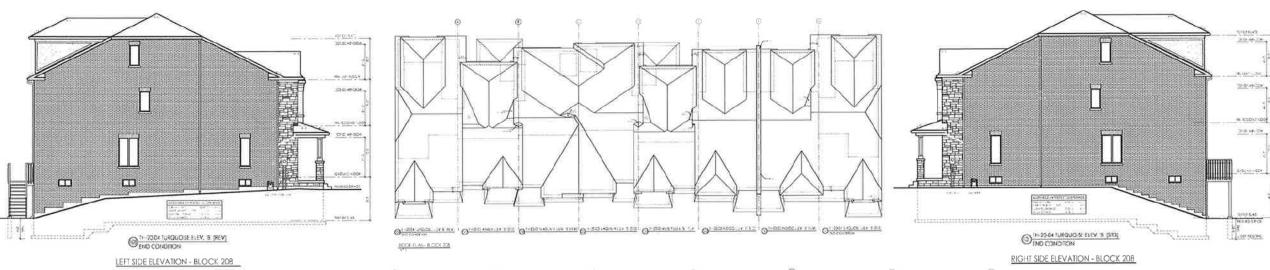
ANCASTER-ROSE HOMES INC.

TIFFANY HILL (PHASE 28;,ANC ASTER LAY-8Y-LAND TOWNHOUSE BLOCKS BLOCK 207 TO 210,R.P.62W-1237

BLOCK 207 ELEVATIONS

17046 1/8"=150







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BONATURE



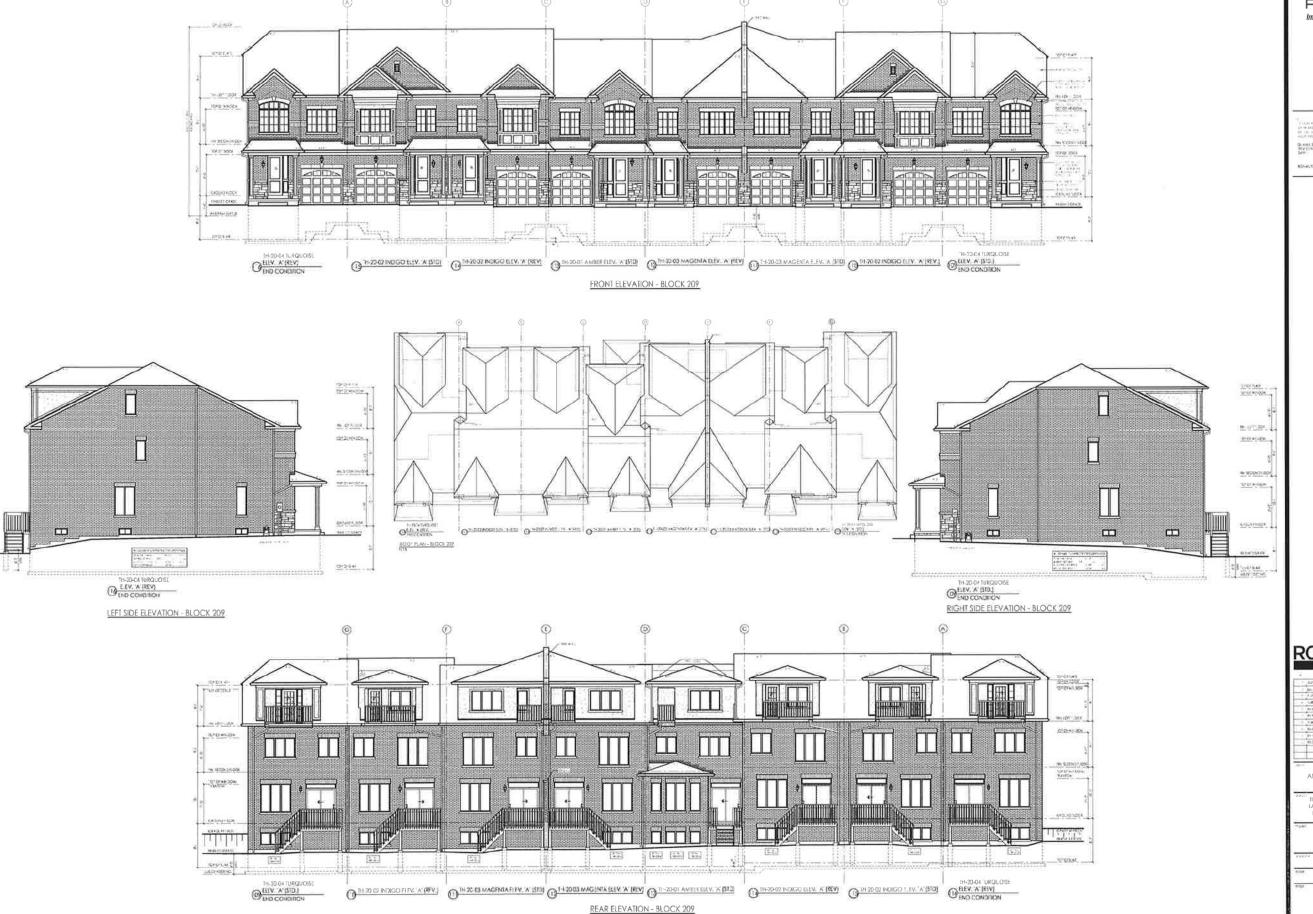
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ANCASTER-ROSE HOMES INC.

LAY-BY-LANC TOWN KOUSE BLOCK 207 TO 210 R.P. 42W-12

BLOCK 208 ELEVATIONS

17046 1/8 = 150



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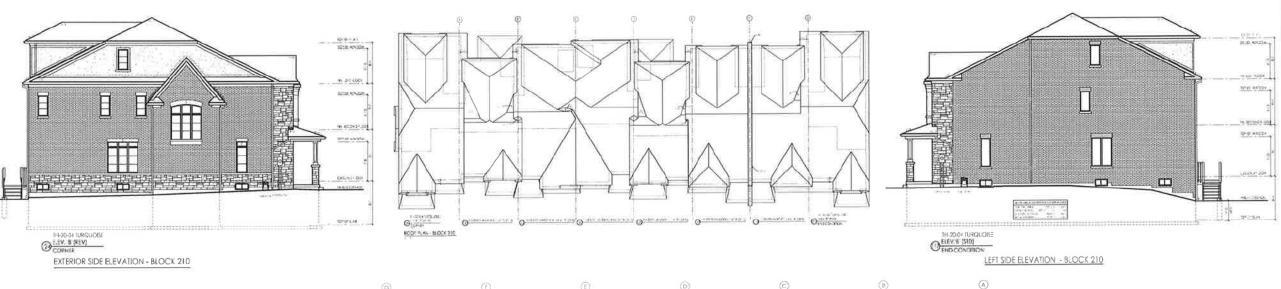
ANCASTER-ROSE HOMES INC.

TIFFANY HILL (PHASE 28), ANCASTER LAY-8Y- LANE TOWNIDJSE BLOCKS BLOCK 207 TO 210 R-P-62N-1237

BLOCK 209 **ELEVATIONS** 

1/8 = 150











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ANCASTER-ROSE HOMES INC.

TIFFANY HILL [PHASE 28], ANCASTER LAY-BY- LANE TOWNHOUSE BLOCKS BLOCK 207 TO 213,R.P.67M-1237

> BLOCK 210 ELEVATIONS

17044 1/8 = 11-0

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