



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Consent/Land Severance

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.:	B-24:54	SUBJECT PROPERTY:	455 Springbrook Crescent, Ancaster
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APPLICANTS: Owner: Rotuka Development Inc. c/o Parth Patel
Agent: NPG Planning Solutions c/o Jesse Auspitz

PURPOSE & EFFECT: To permit the conveyance of a parcel of land to create a new residential building lot. The existing dwelling will be demolished to facilitate this application.

	Frontage	Depth	Area
SEVERED LANDS:	8.4 m [±]	40 m [±]	992.25 m ² [±]
RETAINED LANDS:	35.56 m [±]	35.96 m [±]	1281.7 m ² [±]

Associated Planning Act File(s): AN/B-21:114

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

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

DATE:	Tuesday, October 8, 2024
TIME:	2:05 p.m.
PLACE:	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

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

- Visit www.hamilton.ca/committeeofadjustment

B-24:54

- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

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, written comments must be received no later than noon **October 4, 2024**

Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon **October 7, 2024**

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding B-24:54, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided the Notice of Decision of the proposed consent, you must make a written request to the Secretary-Treasurer of The City of Hamilton Committee of Adjustment by email at cofa@hamilton.ca or by mail through City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5.



Hamilton

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PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon on the date listed on the Notice of Public Hearing.**

Comments are available the Friday prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing** to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

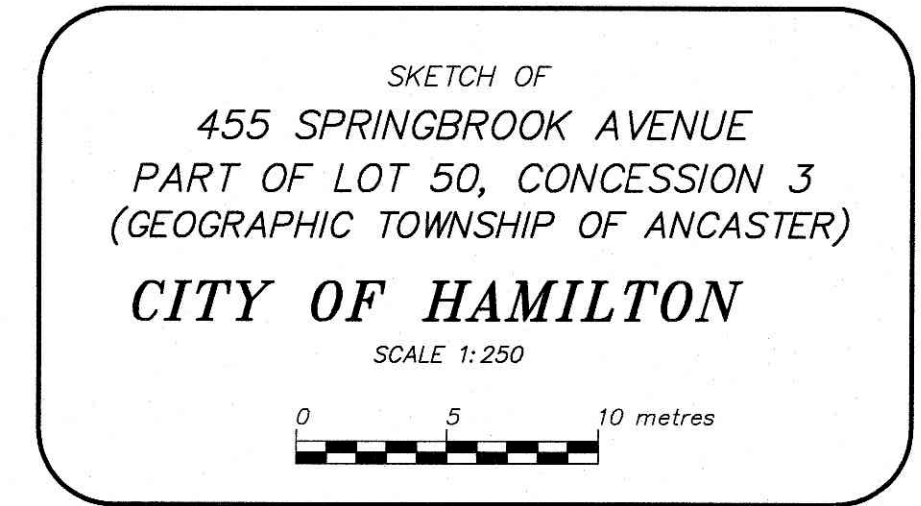
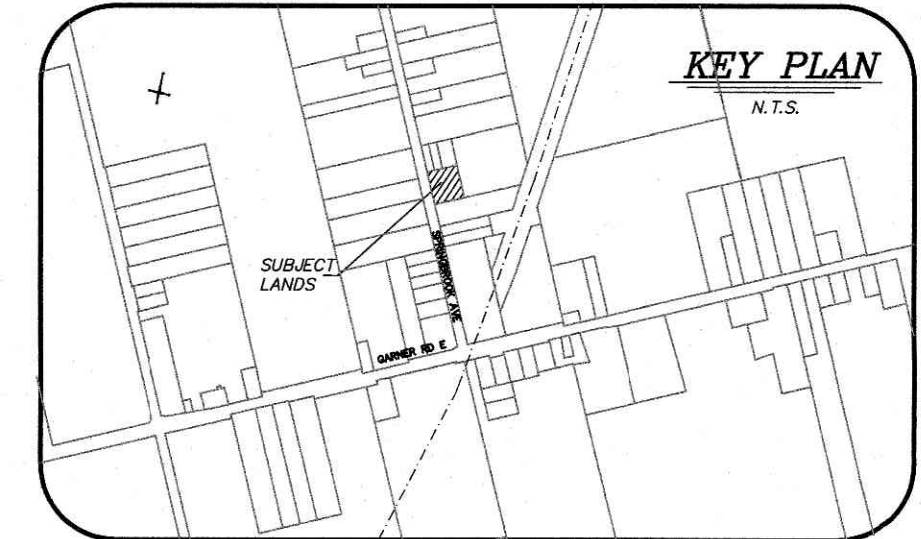
2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than 10 minutes** before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

R-4610



METRIC:
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

NOTE:
THIS PLAN IS COMPILED FROM PLANS AND RECORDS ON FILE IN THIS OFFICE AND IS NOT BASED ON AN ACTUAL FIELD SURVEY.

THIS PLAN IS PREPARED TO ACCOMPANY AN APPLICATION TO THE LAND DIVISION COMMITTEE REQUESTING A GRANT OF SEVERANCE AND IS NOT INTENDED FOR REGISTRATION.

CAUTION:
THIS IS NOT A PLAN OF SUBDIVISION AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.

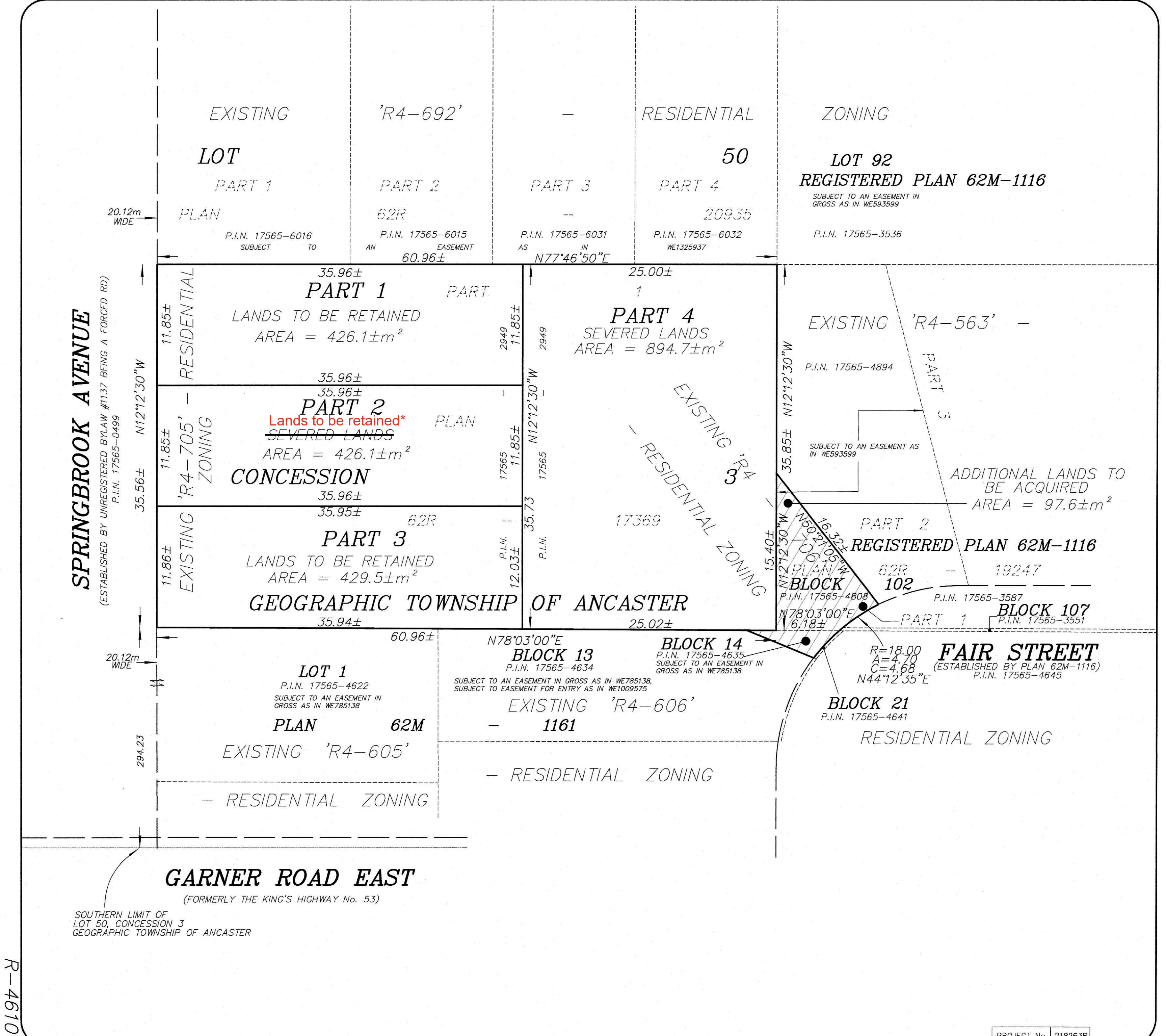
ADDITIONAL LANDS
ADDITIONAL LANDS PERTAINING TO PIN 17565-4808 & PIN 17565-4635 WILL NEED TO BE OBTAINED FROM THE CITY OF HAMILTON.

***Edit made by NPG to represent the revised consent application**



NOVEMBER 5, 2021
DATE

A. J. Clarke and Associates Ltd.
SURVEYORS • ENGINEERS • PLANNERS
25 MAIN STREET WEST, SUITE 300
HAMILTON, ONTARIO, L8P 1H1
TEL. 905-528-8761 FAX 905-528-2289
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R-4610

August 27, 2024

Jamila Sheffield
Secretary Treasurer
Committee of Adjustment
Hamilton City Hall
71 Main Street West, 2nd Floor
Hamilton, Ontario
L8P 4Y5

RE: 455 Springbrook Drive, Town of Ancaster –Consent Application

Dear Ms. Jamila Sheffield,

We are pleased to submit the enclosed Consent Application associated with the property municipally known as 455 Springbrook Drive in the Town of Ancaster, City of Hamilton.

As part of our submission, please find enclosed the following:

- One (1) copy of the completed and signed Consent Application – Digital;
- Consent Sketch prepared by A. J. Clarke and Associates Ltd. Dated November 5, 2021, and edited by NPG Planning Solutions Inc.;
- Planning Justification Report dated August 2024;
- Total fees in the amount of \$3,360 will be paid separately by the owner, Parth Patel, using the credit card payment option. Please contact him at 647-702-9343 to arrange the payment.

Should you require anything further or have any questions, please do not hesitate to contact the undersigned.

Yours Truly,



Jesse Auspitz, MCIP, RPP
Senior Planner
NPG Planning Solutions



Planning Justification Report

Consent Application

455 Springbrook Avenue, Hamilton

For: Rotuka Development Inc.

By: NPG Planning Solutions Inc.
4999 Victoria Avenue
Niagara Falls, ON L2E 4C9
T: 905 321 6743

Date: August 2024

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1.0 Introduction

NPG Planning Solutions Inc. are planning consultants to Rotuka Development Inc., “Owners” of approximately 2,273.85 square metres of land in the City of Hamilton, municipally known as 455 Springbrook Avenue, 253 Fair Street and 255 Fair Street, Ancaster (the “Subject Lands”).

Applications AN/B-20:20 and AN/B-20:21 were provisionally approved by the Committee of Adjustment on July 9th, 2020, to facilitate the development of (2) new lots and two (2) retained lots for the construction of four (4) single-detached dwellings on the Subject Lands subject to conditions. The conditions of consents were not fulfilled within the required time frame. Therefore, the consents lapsed, and new applications were required.

Applications for consent were refiled, and AN/B.21.114 and AN/B.21.115 were provisionally approved by the Committee of Adjustment on January 27th, 2022. The conditions of consents were not fulfilled within two (2) years as technical constraints regarding servicing along Springbrook Avenue were unable to be resolved within the statutory time frame. Therefore, the consents lapsed, and a new application is required.

Due to servicing constraints regarding that have impacted the ability of the Applicant to fulfil conditions regarding the previous consent Application AN/B.21.115, the Applicant has decided to only proceed with the first consent application to create a new lot fronting onto Fair Street. NPG has been retained to provide professional planning advice on the resubmission of a revised planning application proposing the new lot for the construction of two (2) single-detached dwellings (one on the severed and one on the retained) on the Subject Lands.

This Planning Justification Report (“PJR”) provides an analysis of the proposed development and evaluates the appropriateness of the application for consent when assessed against provisions of the *Planning Act* and policies in the Provincial Policy Statement (“PPS”), A Place to Grow: Growth plan for the Greater Golden Horseshoe, the Urban Hamilton Official Plan (“OP”) and the Town of Ancaster Zoning By-Law No. 87-57. The 2020 PPS and 2020 Growth Plan were considered because it is anticipated that a decision will be made on the Application prior to October 20, 2024, the date that the new Provincial Planning Statement comes into effect.

The proposed development is an example of Greenfield Development within an Urban Area. The Application would facilitate development in accordance with the policies of the Meadowlands Neighbourhood IV Secondary Plan.

2.0 Description of Subject Lands and Surrounding Area

As shown in **Figure 1-Aerial Context**, the Subject Lands are located in the Urban Community of Ancaster on the east side of Springbrook Avenue and northwest side of Fair Street.

The original lot, Part A had frontage of approximately 36 metres on Springbrook Avenue and a total area of approximately 2,176.4 m².

The owners have recently purchased two parcels of land known municipally as 253 Fair Street (Part Block 102, Plan 62M-1116, in the City of Hamilton with an area of 85.2 m², designated as Part 1, Plan 62R-19274) and 255 Fair Street (Block 14, Plan 62M-1161) with an area of 12.25 m². These parcels abut Part A to the southeast and provide the Subject Lands with required frontage onto Fair Street. These are shown as Part B and Part C on the Aerial Context Map below.

Lastly, there was a 0.3 metre reserve along Part C which was lifted while clearing the conditions of the previous consent application.

By-law No. 23-133 was passed in 2023 to deem Block 14 of Registered Plan 62M-1161 not be part of a Registered Plan of Subdivision for the purposes of Subsection 50(3) of the *Planning Act*. It is understood that all the parts have merged as a consequence of the passage of the Deeming By-law.

Together, the Subject Lands have a total area of approximately 2,273.85 m².



Figure 1-Aerial Context

The Subject Lands are generally flat in nature and rectangular in shape as shown in the following photos, and **Appendix A – Survey Sketch**. There is also a one-storey single-detached dwelling located on the property.

Surrounding lands are either vacant or used for low density residential purposes.

The following are photos of the Subject Lands and surrounding context:



Photo 1: Subject Lands Facing East from Springbrook Avenue



Photo 2: Subject Lands Facing Northwest from Fair Street

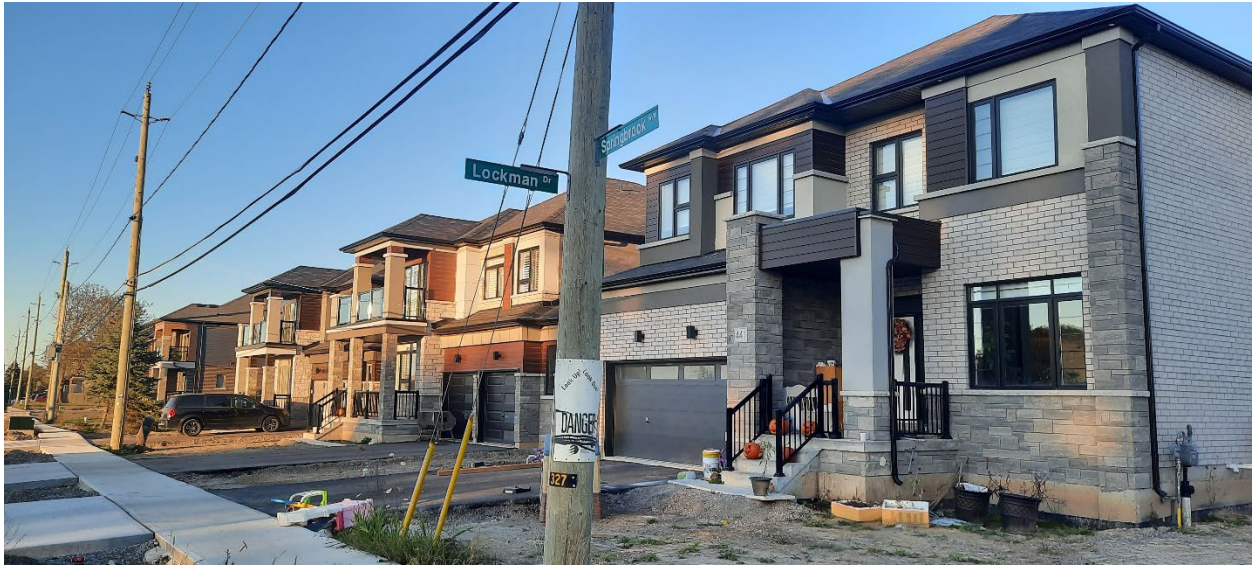


Photo 3: Dwellings along Springbrook Avenue, north side of Lockman Drive



Photo 4: Westside of Springbrook Avenue (452 Springbrook Avenue)



Photo 5: Abutting vacant lands to the south (465, 469 & 473 Springbrook Avenue)



Photo 6: Abutting lands to the north along Lockman Drive

3.0 Proposed Development

The severance application would facilitate the development of one new lot as depicted in Figure 2 below. The severed lot being Part 4 together with Block 14 and Part Block 102 have a total lot area of 992.15 m² and lot frontage of approximate 12 metres along Fair Street.

The retained lot shown as Parts 1, 2 and 3 will have an area of 1281.7 m² and frontage of approximately 36 metres along Springbrook Avenue.

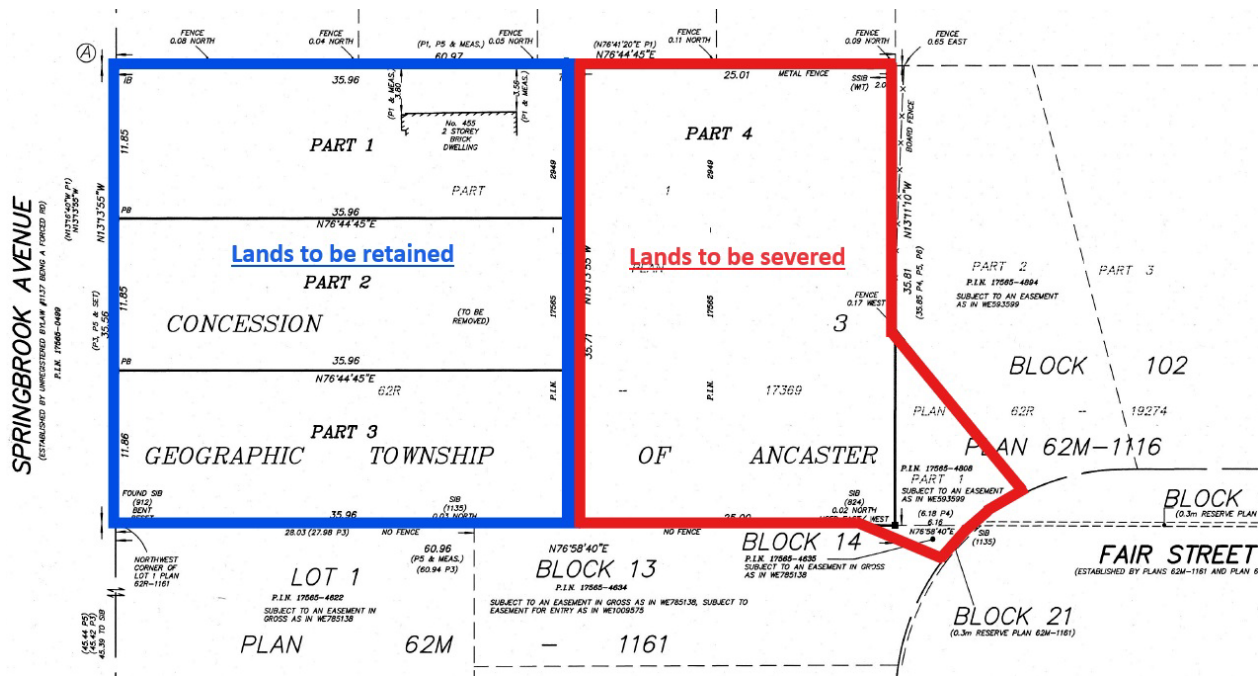


Figure 2- Proposed Development

4.0 Planning Policies and Legislation

4.1 Planning Act, R.S.O. 1990

The *Planning Act* provides criteria for considering a Consent Applications. The following provisions are relevant to the Application:

LEGISLATION

Section 2 of the *Planning Act* requires that the Minister, the council of a municipality, a local board, a planning board, and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,

- (h) the orderly development of safe and healthy communities;
- (j) the adequate provision of a full range of housing, including affordable housing;
- (p) the appropriate location of growth and development;

Subsection 51 (24) and 53(12) of the *Planning Act* requires that in their consideration of a consent application the approval authority has regard to among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,

- (a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;
- (b) whether the proposed subdivision is premature or in the public interest;
- (c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

- (d) the suitability of the land for the purposes for which it is to be subdivided;*
- (d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;*
- (e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;*
- (f) the dimensions and shapes of the proposed lots;*
- (g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;*
- (h) conservation of natural resources and flood control;*
- (i) the adequacy of utilities and municipal services;*
- (j) the adequacy of school sites;*
- (k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;*
- (l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and*
- (m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006.*

ANALYSIS

The Application would contribute to the development of orderly and safe communities and the provision of a full range of housing types, in accordance with matters of Provincial Interest identified in Section 2 of the *Planning Act*. Additionally, the proposed lot is similar in dimensions and shapes to those surrounding the Subject Lands and would optimize the use of existing utilities and municipal services. As discussed in the following sections of this Planning Justification Report, the proposed lot also conform with the general policy direction of the Urban Hamilton Official Plan (OP), which permits the development of low-density residential uses. For these reasons, the Applications also comply with subsection 51 (24) and 53(12) of the *Planning Act*.

4.2 Provincial Policy Statement (2020)

The PPS (2020) sets the policy foundation for regulating land use in Ontario. It requires that developments make efficient use of land and services and support opportunities for long-term economic prosperity.

POLICY

- 1.1.1** *Healthy, liveable and safe communities are sustained by:*
- a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
 - b) *accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- 1.1.3.1** *Settlement areas shall be the focus of growth and development*
- 1.1.3.2** *Land use patterns within settlement areas shall be based on densities and a mix of land uses which:*
- a) *efficiently use land and resources;*
 - b) *are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- 1.4.3** *Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:*
- d) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;*

ANALYSIS

The Subject Lands are located within an existing Settlement Area. The proposed development provides for the efficient use of land, within an existing settlement area which is also compatible with the surrounding building stock. The Application would also facilitate residential development of an underutilized lot, utilizing existing infrastructure, including water and sanitary services. For these reasons, the Application is considered to be consistent with the Settlement Area and Housing policies of the PPS. Based on the foregoing, the proposal is consistent with the PPS (2020).

4.3 A Place to Grow - Growth Plan for the Greater Golden Horseshoe (“Growth Plan”) (2019)

The Growth Plan for the Greater Golden Horseshoe (“the Growth Plan”) provides a policy framework for growth and development that is supportive of economic prosperity, protection of the environment and a high quality of life. The proposed development

conforms with Section 2.2.1 (Managing Growth) and 2.2.2 (Delineated Built-up Areas) of the Growth Plan (excerpts below).

POLICY

2.2.1.2 *Forecasted growth to the horizon of this Plan will be allocated based on the following:*

- a) the vast majority of growth will be directed to settlement areas that:
 - i. have a delineated built boundary;*
 - ii. have existing or planned municipal water and wastewater systems; and*
 - iii. can support the achievement of complete communities;**
- c) within settlement areas, growth will be focused in:
 - i. delineated built-up areas;*
 - ii. strategic growth areas;*
 - iii. locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and*
 - iv. areas with existing or planned public service facilities;**

2.2.7.1 *New development taking place in designated greenfield areas will be planned, designated, zoned and designed in a manner that:*

- a) supports the achievement of complete communities;*
- b) supports active transportation; and*
- c) encourages the integration and sustained viability of transit services.*

2.2.7.2 *The minimum density target applicable to the designated greenfield area of each upper- and single-tier municipality is as follows:*

- a) The Cities of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the Regions of Durham, Halton, Niagara, Peel, Waterloo and York will plan to achieve within the horizon of this Plan a minimum density target that is not less than 50 residents and jobs combined per hectare;*

5.2.5.5 *For each applicable delineated area, the minimum density targets in this Plan are to be implemented through:*

- b) single-tier official plan policies that identify the minimum density targets and, through secondary planning or other initiatives, establish permitted uses within the delineated area and identify densities, heights, and other elements of site design;*
- c) zoning all lands in a manner that would implement the official plan policies;*

ANALYSIS

The Subject Lands are located within a Greenfield Area. As per policy 5.2.5 5. of the Growth Plan, the primary mechanism to implement policies of the Growth Plan is through official plans and secondary plans, and zoning that is required to implement official plan

policies. The existing Official Plan, which includes the Meadowlands Neighbourhood IV Secondary Plan was approved by the Ministry of Municipal Affairs and Housing on March 16, 2011 and became effective August 16, 2013. At the time, the Official Plan including the Meadowlands Neighbourhood IV Secondary Plan were considered to be in conformity with the 2006 Growth Plan. The policies of the 2020 Growth Plan, particularly those pertaining to densities are the provision of complete communities are similar to those of the 2006 Growth Plan. For these reasons, subject to being in conformity with the Urban Hamilton Official Plan including the Meadowlands Neighbourhood IV Secondary Plan and Zoning By-law, the Application is considered to be in conformity with the policies of the 2020 Growth Plan.

4.4 Urban Hamilton Official Plan

The Urban Hamilton Official Plan (UHOP) designates the lands “Neighbourhood” on Schedule E – Urban Structure and Schedule E-1 – Urban Land Use Designations, and “Low Density Residential 2b” on Meadowlands Neighbourhood IV Secondary Plan Land Use Plan Map B.2.6-1.

4.4.1 Housing Policies

The following section addresses the housing policies stated in the UHOP that are relevant to the proposed development:

POLICY

3.2.4.1 *The City shall plan for the full continuum of housing to ensure that an appropriate range and mix of housing forms, types, and densities to meet market-based and affordable housing needs of current and future residents through residential intensification, new development, and redevelopment is available. The full continuum of housing includes built form, tenure and affordability including single detached dwellings, semi-detached dwellings, duplexes, townhouses of various types (street, block, stacked), apartments and other forms of multiple dwellings, and lodging houses, built at a range of densities and ownership and rental tenures. (OPA 167)*

ANALYSIS

The proposed development would facilitate the development of two single-detached dwellings, contributing to the range of housing forms that are available within the City of Hamilton. The Application is considered to conform to the housing policies of the UHOP.

4.4.2 Neighbourhoods

The Subject Lands are designated as ‘Neighbourhoods’ in schedule E of the UHOP. The following section addresses policies related to the Neighbourhood designation that are applicable to the proposed development:

POLICY

- 2.7.2** *Neighbourhoods shall primarily consist of residential uses and complementary facilities and services intended to serve the residents. These facilities and services may include parks, schools, trails, recreation centres, places of worship, small retail stores, offices, restaurants, and personal and government services.*
- 2.7.4** *The Neighbourhoods element of the urban structure shall permit and provide the opportunity for a full range of housing forms, types and tenure, including affordable housing and housing with supports.*
- 2.7.7** *Neighbourhoods shall generally be regarded as physically stable areas with each neighbourhood having a unique scale and character. Changes compatible with the existing character or function of the neighbourhood shall be permitted. Applications for development and residential intensification within Neighbourhoods shall be reviewed in consideration of the local context and shall be permitted in accordance with Sections B.2.4 – Residential Intensification, E.3.0 – Neighbourhoods Designation, E.4.0 – Commercial and Mixed Use Designations, and, E.6.0 – Institutional Designation.*
- 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;*
- 3.2.4** *The existing character of established Neighbourhoods designated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood in accordance with Section B.2.4 – Residential Intensification and other applicable policies of this Plan.*

ANALYSIS

The proposed development is considered Greenfield Development. However, abutting lands have undergone land division processes. As per UHOP policies, Applications for development and residential intensification within Neighbourhoods shall be reviewed in consideration of the local context. The developed lots in proximity are all used for single-detached dwelling purposes. The abutting lots also have lot frontages and areas that are similar to that which is proposed with this Application. For these reasons, the Application is considered to conform to the Neighbourhoods policies of the UHOP.

4.4.3 Low Density Residential

The following section addresses the policies related to low density residential uses stated in the UHOP that are relevant to the proposed development:

POLICY

- 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.*

- 3.4.3** *Uses permitted in low density residential areas: a) shall include single-detached, semi-detached, duplex, triplex, fourplex, and street townhouse dwellings; and, (OPA 167)*

ANALYSIS

The proposed application would facilitate the development of two (2) single-detached dwellings units, as permitted in the UHOP. Therefore, the proposed application is considered to conform to the Low-Density Residential policies of the UHOP.

4.4.4 Lot Creation

Section 1.14.3 in Chapter F of the UHOP provides requirements for the creation of new lots. These requirements are analysed below.

POLICY & ANALYSIS

1.14.3.1 *Consents for new lot creation, for both the severed and retained lands, for residential uses in the Neighbourhoods designation shown on Map E-1 – Urban Land Use Designation, shall be permitted provided the following conditions are met:*

- a) *The lots comply with the policies of this Plan, including secondary plans, where one exists***

As discussed in subsections 4.4.1 through 4.4.3 of this Report, the proposed lot complies with the parent policies of the UHOP. Subsection 4.4.5 also concludes that the proposed lot complies with the Meadowlands Neighbourhood IV Secondary Plan.

- b) *The lots comply with existing Neighbourhood Plans***

No Neighbourhood Plan exists for this location.

- c) *The lots are in conformity with the Zoning By-law or a minor variance is approved***

As discussed in Section 4.5 of this report, the proposed lots comply with the Town of Ancaster Zoning By-law 87-57.

- d) *The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview***

Table 1 below, provides an approximate overview of lot frontages and areas for surrounding lands. The location of the referenced lots in relation to the Subject Lands is shown on **Figure 3**. While the proposed lot would have an area of 992.15 m², which is slightly larger than the surrounding context, due to the irregular parcel configuration, there are limited opportunities to create a

smaller lot on Fair Street. Regardless, the proposed lot reflects the general low-density scale and character of the established development pattern in the area.

Table 1: Surrounding Context Frontages and Areas

Address	Frontage	Area
4 Lockman Drive	19 m	566 m ²
8 Lockman Drive	14 m	427 m ²
12 Lockman Drive	14 m	426 m ²
16 Lockman Drive	14 m	427 m ²
465 Springbrook Avenue	15.1 m	418 m ²
469 Springbrook Avenue	15.1 m	418 m ²
473 Springbrook Avenue	15.2 m	421 m ²
235 Fair Street	12.3 m	399 m ²
241 Fair Street	12 m	399 m ²
247 Fair Street	9.1 m	424 m ²
257 Fair Street	9 m	375 m ²
261 Fair Street	11.4	385 m ²
265 Fair Street	11.4	374 m ²
269 Fair Street	11.4	375 m ²

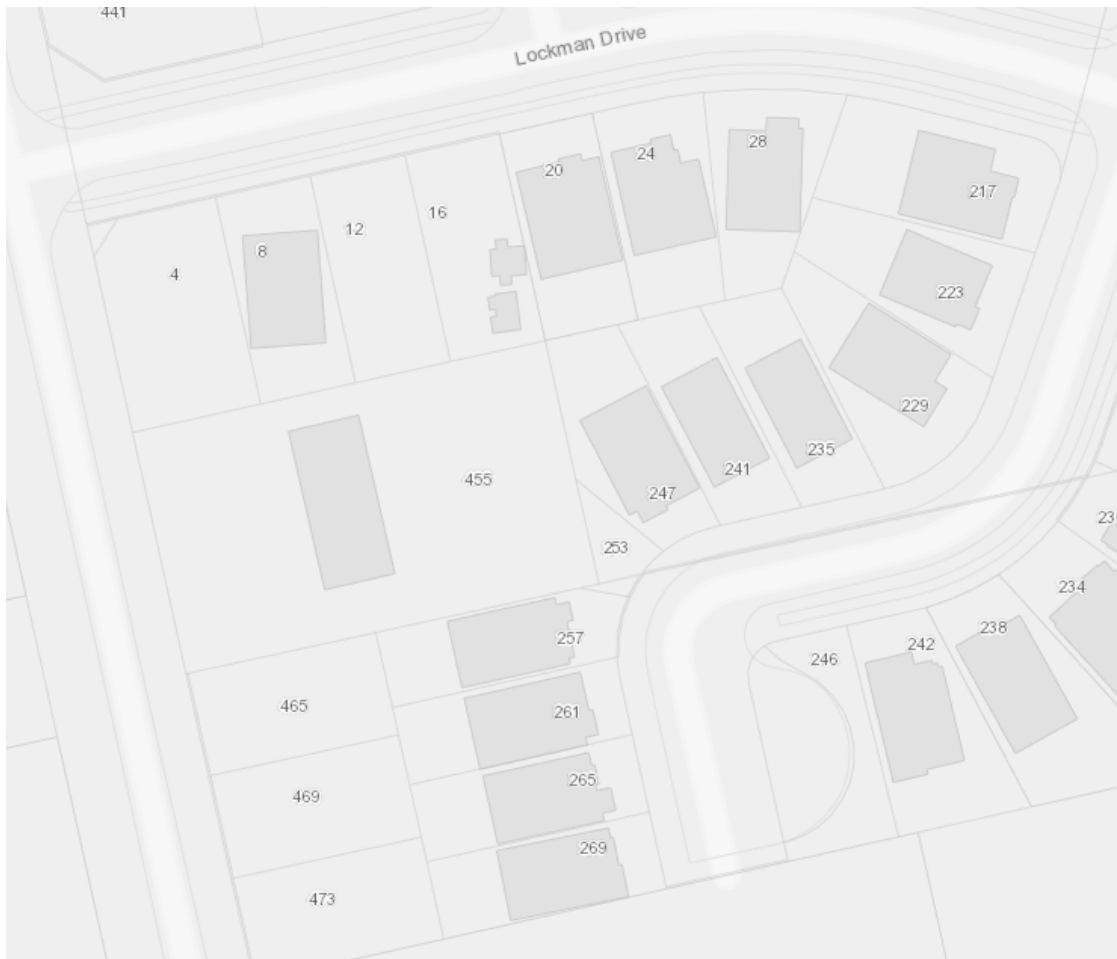


Figure 3: Subject Lands in relation to immediate neighbourhood context

e) The lots are fully serviced by municipal water and wastewater systems

The existing dwelling is serviced via septic system and a municipal water service connection from Springbrook Avenue. Full municipal services are available for the proposed severed lot. There are municipal water services and drainage ditch along Springbrook Avenue; however, sanitary services do not presently front Springbrook Avenue. It is understood that municipal sanitary services will be extended along Springbrook Avenue in the future to service a plan of subdivision on the westside of Springbrook Avenue named Fields of Springbrook Phase 3.

f) The lots have frontage on a public road

The retained lot has frontage along Springbrook Avenue and the severed lot has frontage along Fair Street.

4.4.5 Meadowlands Neighbourhood IV Secondary Plan

As indicated, the Subject Lands are designated “Low Density Residential 2b” on Meadowlands Neighbourhood IV Secondary Plan. The following policies apply:

POLICY

2.6.1.3 General Residential Policies

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.

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.

ANALYSIS

The application would facilitate the development of single-detached dwellings with a density of 9.19 units per hectare. The application is considered to be in conformity with the Meadowlands Neighbourhood IV Secondary Plan.

4.5 Zoning By-law

Town of Ancaster Zoning By-law 87-57 zones the Subject Lands “Residential (R4-705) – Site-Specific Zone” and “Residential (R4-705) – Site-Specific Zone” (as shown on Figure 3: Zoning Map). The intent of the proposed development is to create parcels for future single-detached dwellings on each lot. As per Section 12.1 of the by-law, one single detached dwelling on one lot is a permitted use.

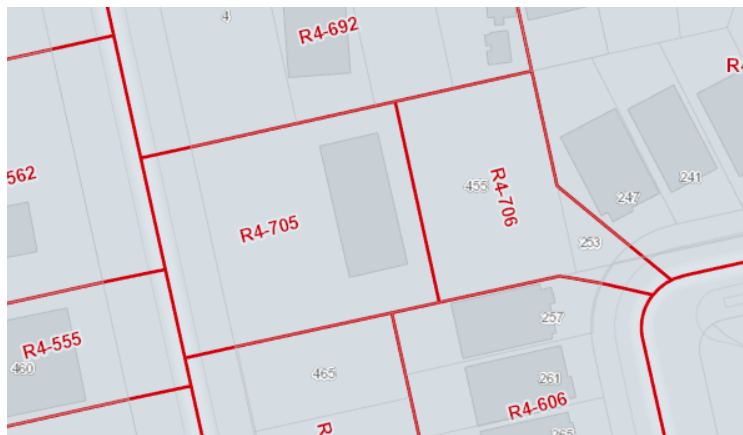


Figure 4: Zoning Map

The R4-705 provisions apply to the proposed to front onto Springbrook Avenue. The R4-706 provisions apply to the lot proposed to front onto Fair Street. **Tables 2** and **3** below provide zoning comparison tables for the proposed lots. As shown, the proposed lots comply with the provisions of the Zoning By-law.

Table 2: Zoning Comparison Table for proposed lot fronting onto Springbrook Avenue:

Regulation		Proposed Retained Lot (Part 1, 2 and 3)
Minimum Lot Area	400 m ²	1,281.7 m ²
Minimum Lot Frontage	11.8 m	35.56 m

Table 3: Zoning Comparison Table for proposed lots fronting onto Fair Street:

Regulation		Proposed Part 4
Minimum Lot Area	400 m ²	992.15 m ²
Minimum Lot Frontage	12 m	12 m

5.0 Summary and Conclusion

It is our opinion the proposed consent application represent good land use planning, are in the public interest and should be approved for the following reasons:

- The application complies with *Planning Act* requirements, and is consistent with the PPS and conform with A Place to Grow: Growth Plan for the Greater Golden Horseshoe, and the Urban Hamilton Official Plan;

- The application provides an opportunity for residential growth within a designed greenfield area in and area identified as being the Meadowlands Neighbourhood IV Secondary Plan; and
- The proposed development will be compatible with the surrounding residential neighbourhood and are reflective of the general development pattern in the area.

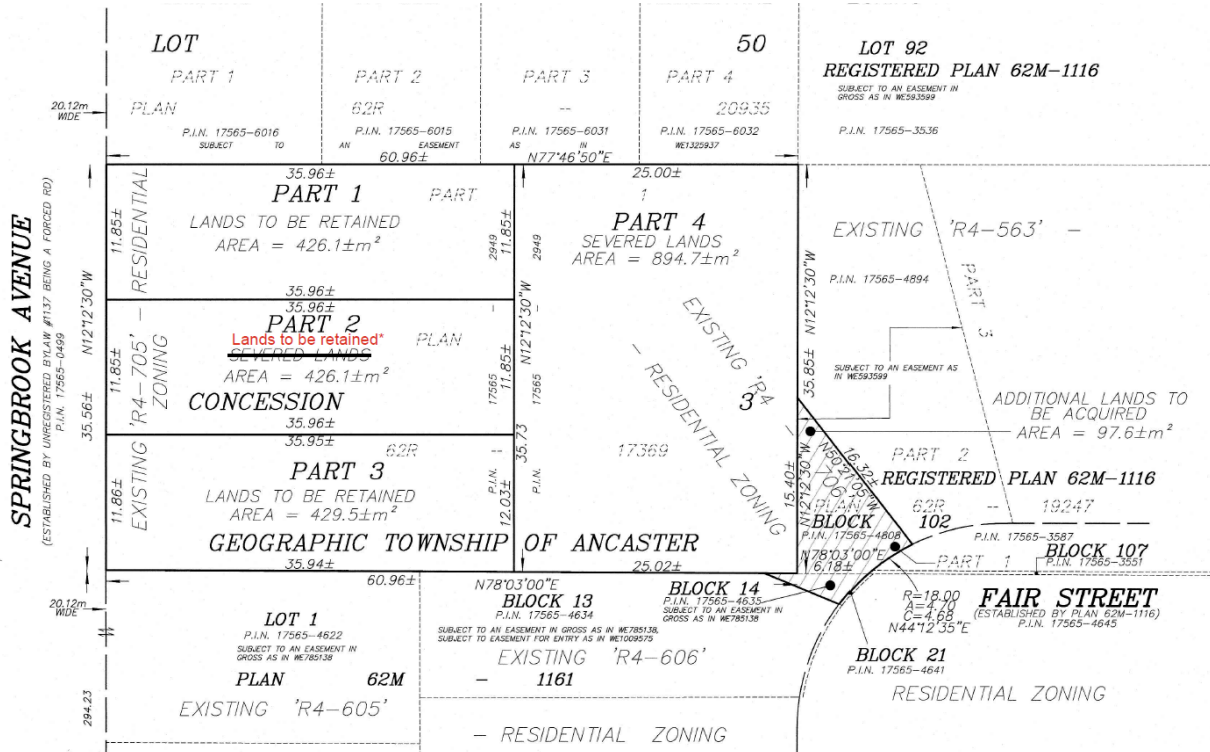
Report prepared and submitted by:



Jesse Auspitz, MCIP, RPP
Principal Planner, Toronto
NPG Planning Solutions Inc.

6.0 Appendices

6.1 Appendix A: Consent Sketch





**APPLICATION FOR CONSENT TO SEVER LAND
and VALIDATION OF TITLE
UNDER SECTION 53 & 57 OF THE PLANNING ACT**

Please see additional information regarding how to submit an application, requirements for the required sketch and general information in the Submission Requirements and Information.

1. APPLICANT INFORMATION

	NAME		
Purchaser*	None		
Registered Owners(s)	Rotuka Development Inc. C/O Parth Patel		
Applicant(s)**	NPG Planning Solutions C/O Jesse Auspitz		
Agent or Solicitor		Phone:	
		E-mail:	

*Purchaser must provide a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of the application.

** Owner's authorisation required if the applicant is not the owner or purchaser.

1.2 Primary contact Purchaser Owner
 Applicant Agent/Solicitor

1.3 Sign should be sent to Purchaser Owner
 Applicant Agent/Solicitor

1.4 Request for digital copy of sign Yes* No

If YES, provide email address where sign is to be sent _____

1.5 All correspondence may be sent by email Yes* No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

1.6 Payment type

In person
 Cheque

Credit over phone*

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	455 Springbrook Avenue		
Assessment Roll Number	251814028019800		
Former Municipality			
Lot	Pt 50	Concession	3
Registered Plan Number	62R17369	Lot(s)	Pt 1
Reference Plan Number (s)		Part(s)	

2.2 Are there any easements or restrictive covenants affecting the subject land?

Yes No

If YES, describe the easement or covenant and its effect:

3 PURPOSE OF THE APPLICATION

3.1 Type and purpose of proposed transaction: (check appropriate box)

- | | |
|---|--|
| <input checked="" type="checkbox"/> creation of a new lot(s) | <input type="checkbox"/> concurrent new lot(s) |
| <input type="checkbox"/> addition to a lot | <input type="checkbox"/> a lease |
| <input type="checkbox"/> an easement | <input type="checkbox"/> a correction of title |
| <input type="checkbox"/> validation of title (must also complete section 8) | <input type="checkbox"/> a charge |
| <input type="checkbox"/> cancellation (must also complete section 9) | |
| <input type="checkbox"/> creation of a new non-farm parcel (must also complete section 10)
(i.e. a lot containing a surplus farm dwelling
resulting from a farm consolidation) | |

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

Unknown

3.3 If a lot addition, identify the lands to which the parcel will be added:

Not applicable

3.4 Certificate Request for Retained Lands: Yes*

* If yes, a statement from an Ontario solicitor in good standing that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the Act. (O. Reg. 786/21)

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of subject land:

All dimensions to be provided in metric (m, m² or ha), attach additional sheets as necessary.

	Retained (remainder)	Parcel 1	Parcel 2	Parcel 3*	Parcel 4*
Identified on Sketch as:	Part 1,2 & 3	Part 4, block 14 & part of block 102			
Type of Transfer	N/A	N/A			
Frontage	35.56 m	~8.4 m			
Depth	35.96 m	~40 m			
Area	1281.7 m ²	992.25 m ²			
Existing Use	Residential	Residential			
Proposed Use	Residential	Residential			
Existing Buildings/ Structures	1 Detached dwelling	None			
Proposed Buildings/ Structures	1 Detached dwelling	1 Detached dwelling			
Buildings/ Structures to be Removed	Detached dwelling				

* Additional fees apply.

4.2 Subject Land Servicing

a) Type of access: (check appropriate box)

- | | |
|---|--|
| <input type="checkbox"/> provincial highway | <input type="checkbox"/> right of way |
| <input type="checkbox"/> municipal road, seasonally maintained | <input type="checkbox"/> other public road |
| <input checked="" type="checkbox"/> municipal road, maintained all year | |

b) Type of water supply proposed: (check appropriate box)

- | | |
|--|---|
| <input checked="" type="checkbox"/> publicly owned and operated piped water system | <input type="checkbox"/> lake or other water body |
| <input type="checkbox"/> privately owned and operated individual well | <input type="checkbox"/> other means (specify) |

c) Type of sewage disposal proposed: (check appropriate box)

- | |
|--|
| <input checked="" type="checkbox"/> publicly owned and operated sanitary sewage system |
| <input type="checkbox"/> privately owned and operated individual septic system |
| <input type="checkbox"/> other means (specify) _____ |

4.3 Other Services: (check if the service is available)

- | | | | |
|---|---|---|--|
| <input checked="" type="checkbox"/> electricity | <input checked="" type="checkbox"/> telephone | <input type="checkbox"/> school bussing | <input checked="" type="checkbox"/> garbage collection |
|---|---|---|--|

5 CURRENT LAND USE

5.1 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Neighborhood & Low density residential 2b

Please provide an explanation of how the application conforms with a City of Hamilton Official Plan.

Please refer to the Planning Justification Report

5.2 Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval?

Yes No Unknown

If YES, and known, provide the appropriate file number and status of the application.

5.3 What is the existing zoning of the subject land? R4-705

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number?

5.4 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision?

Yes No Unknown

If YES, and known, provide the appropriate file number and status of the application.

5.5 Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.

Use or Feature	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard * Submit Minimum Distance Separation Formulae (MDS) if applicable	<input type="checkbox"/>	160 m
A land fill	<input type="checkbox"/>	
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	
A provincially significant wetland	<input type="checkbox"/>	
A provincially significant wetland within 120 metres	<input type="checkbox"/>	
A flood plain	<input type="checkbox"/>	
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	
An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	

6 HISTORY OF THE SUBJECT LAND

6.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the *Planning Act*?

Yes No Unknown

If YES, and known, provide the appropriate application file number and the decision made on the application.

AN/B-21:114 (lapsed) and AN/B-21:115 (lapsed)

6.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

Application only relates to AN/B-21:114 - Please refer to the Planning Justification Report

6.3 Has any land been severed or subdivided from the parcel originally acquired by the owner of the subject land?

Yes No

If YES, and if known, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

6.4 How long has the applicant owned the subject land?

455 Springbrook Avenue- 2018/05/15; 253 and 255 Fair Street - 2022/03/23

6.5 Does the applicant own any other land in the City? Yes No

If YES, describe the lands below or attach a separate page.

Unknown

7 PROVINCIAL POLICY

7.1 Is this application consistent with the Policy Statements issued under Section 3 of the *Planning Act*?

Yes No (Provide explanation)

Please refer to the Planning Justification Report

7.2 Is this application consistent with the Provincial Policy Statement (PPS)?

Yes No (Provide explanation)

Please refer to the Planning Justification Report

7.3 Does this application conform to the Growth Plan for the Greater Golden Horseshoe?

Yes No (Provide explanation)

Does not apply.

7.4 Are the subject lands subject to the Niagara Escarpment Plan?

Yes No (Provide explanation)

Not applicable

7.5 Are the subject lands subject to the Parkway Belt West Plan?
 Yes No (Provide explanation)

7.6 Are the subject lands subject to the Greenbelt Plan?
 Yes No (Provide explanation)

7.7 Are the subject lands within an area of land designated under any other provincial plan or plans?
 Yes No (Provide explanation)

8 ADDITIONAL INFORMATION - VALIDATION Not applicable

8.1 Did the previous owner retain any interest in the subject land?
 Yes No (Provide explanation)

8.2 Does the current owner have any interest in any abutting land?
 Yes No (Provide explanation and details on plan)

8.3 Why do you consider your title may require validation? (attach additional sheets as necessary)

9 ADDITIONAL INFORMATION - CANCELLATION Not applicable

9.1 Did the previous owner retain any interest in the subject land?
 Yes No (Provide explanation)

9.2 Does the current owner have any interest in any abutting land?
 Yes No (Provide explanation and details on plan)

9.3 Why do you require cancellation of a previous consent? (attach additional sheets as necessary)

10 ADDITIONAL INFORMATION - FARM CONSOLIDATION Not applicable

10.1 Purpose of the Application (Farm Consolidation)

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate if the consolidation is for:

- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation
- Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation

10.2 Location of farm consolidation property:

Municipal Address			
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

10.3 Rural Hamilton Official Plan Designation(s)

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm consolidation property.

10.4 Description of farm consolidation property:

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

Existing Land Use(s): _____ Proposed Land Use(s): _____

10.5 Description of abutting consolidated farm (excluding lands intended to be severed for the surplus dwelling)

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

10.6 Existing Land Use: _____ Proposed Land Use: _____

10.7 Description of surplus dwelling lands proposed to be severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
----------------------------------	---

Front yard set back: _____

a) Date of construction:

- Prior to December 16, 2004
- After December 16, 2004

b) Condition:

- Habitable
- Non-Habitable

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application Form
- Signatures Sheet

11.2 Validation of Title

- All information documents in Section 11.1
- Detailed history of why a Validation of Title is required
- All supporting materials indicating the contravention of the Planning Act, including PIN documents and other items deemed necessary.

11.3 Cancellation

- All information documents in Section 11.1
- Detailed history of when the previous consent took place.
- All supporting materials indicating the cancellation subject lands and any neighbouring lands owned in the same name, including PIN documents and other items deemed necessary.

11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
- Minimum Distance Separation Formulae (data sheet available upon request)
- Hydrogeological Assessment
- Septic Assessment
- Archeological Assessment
- Noise Study
- Parking Study
