



PLANNING COMMITTEE

REPORT 11-017

Tuesday, October 4, 2011

9:30 am

Council Chambers

City Hall

71 Main Street West

Hamilton, Ontario

Present: Councillors R. Pasuta (Chair), B. Clark (1st Vice Chair), J. Farr (2nd Vice Chair), C. Collins, L. Ferguson, B. Johnson, J. Partridge, M. Pearson and T. Whitehead

Also Present: T. McCabe, GM, Planning & Economic Development
M. Hazell, Senior Director, Parking & By-Law Services
T. Sergi, Senior Director, Growth Management
P. Mallard, Director, Planning
B. Janssen, Director, Strategic Services
G. Wide, Manager, Enforcement
S. Robichaud, Manager, Development Planning
C. Bell, Senior Planner
M. Sergi, Manager, Community Planning and Design
S. Dickson, City Solicitor
S. Yong-Lee, Acting Manager, Infrastructure Planning
V. Robicheau, A. Grozelle, Office of the City Clerk

PLANNING COMMITTEE PRESENTS REPORT 11-017 AND RESPECTFULLY RECOMMENDS:

- 1. Hamilton Community Heritage Fund Loan Program Application (HCHF2011-003) for Property Located at 316 James Street South (Hamilton) (“Ballinahinch”) (PED11163) (Ward 2) (Item 5.1)**
 - (a) That approval be given to Hamilton Community Heritage Fund Loan Program Application (HCHF2011-003), for property located at 316

James Street South (Hamilton) ("Ballinahinch"), as shown on Appendix "A" to Report PED11163, subject to the following:

- (i) That a loan commitment of up to \$100,000.00 be approved, in accordance with the terms and conditions of the Hamilton Community Heritage Fund Loan Program, for the repair and painting of the exterior woodwork and dormers, and the repair of the slate roofing on the building;
 - (ii) That the applicant and the City shall enter into a Heritage Conservation Easement Agreement;
 - (iii) That the Mayor and Clerk be authorized and directed to execute the loan agreement and security documentation with respect to Recommendation (a) above, in a form satisfactory to the City Solicitor;
 - (iv) That the General Manager of the Planning and Economic Development Department be authorized to amend the loan agreement provided that the terms and conditions of the Hamilton Community Heritage Fund Loan Program are maintained;
 - (v) That the applicant shall obtain an approved Heritage Permit prior to the commencement of any of the proposed improvements.
- (b) That Report PED11163 be forwarded to the Hamilton Municipal Heritage Committee for information.

2. Hamilton Community Heritage Fund Loan Program Application (HCHF2011-004) for Property Located at 10 Markland Street (Hamilton) (PED11166) (Ward 2) (Item 5.2)

- (a) That approval be given to Hamilton Community Heritage Fund Loan Program Application (HCHF2011-004), for property located at 10 Markland Street (Hamilton), as shown on Appendix "A" to Report PED11166, subject to the following:
 - (i) That a loan commitment of up to \$50,000.00 be approved, in accordance with the terms and conditions of the Hamilton Community Heritage Fund Loan Program, for the replacement of the existing windows of the house;

- (ii) That the property owner and the City shall enter into a Heritage Conservation Easement Agreement;
 - (iii) That the Mayor and Clerk be authorized and directed to execute the Loan Agreement and security documentation with respect to Recommendation (a) above, in a form satisfactory to the City Solicitor;
 - (iv) That the General Manager of the Planning and Economic Development Department be authorized to amend the Loan Agreement provided that the terms and conditions of the Hamilton Community Heritage Fund Loan Program are maintained.
- (b) That Report PED11166 be forwarded to the Hamilton Municipal Heritage Committee for information.

3. Request to Designate 7 Ravenscliffe Avenue (Hamilton) Under Part IV of the Ontario Heritage Act (PED11164) (Ward 2) (Item 5.3)

- (a) That staff be directed to carry out a Cultural Heritage Assessment of 7 Ravenscliffe Avenue (Hamilton) to determine whether the property is of cultural heritage value, and worthy of designation under Part IV of the Ontario Heritage Act;
- (b) That 7 Ravenscliffe Avenue (Hamilton) be included in the Register of Property of Cultural Heritage Value or Interest following consultation with the Hamilton Municipal Heritage Committee, as per the provisions of the Ontario Heritage Act and Recommendation (e) of Report PED11164; and that staff make appropriate amendments to the Register of Property of Cultural Heritage Value or Interest;
- (c) That if 7 Ravenscliffe Avenue (Hamilton) is determined to be of cultural heritage value or interest, a Statement of Cultural Heritage Value and Description of Heritage Attributes be prepared by staff for Council's consideration for designation under Part IV of the Ontario Heritage Act;
- (d) That the Cultural Heritage Assessment work be assigned a low priority, and be added to staff's workplan for completion in 2015, as per Appendix "G" to Report PED11164;
- (e) That Report PED11164 be forwarded to the Hamilton Municipal Heritage Committee for information and consultation prior to the

Council approved inclusion of 7 Ravenscliffe Avenue (Hamilton) in the Register of Property of Cultural Heritage Value or Interest;

- (f) That Report PED11164 be forwarded to the owner of 7 Ravenscliffe Avenue (Hamilton) for information.

4. Request to Designate 4-12 John Street North (Treble Hall) (Hamilton), and 85 King Street East (Pagoda) (Hamilton), Under Part IV of the Ontario Heritage Act (PED11165) (Ward 2) (Item 5.4)

- (a) That staff be directed to carry out a Cultural Heritage Assessment of 4-12 John Street North (Treble Hall) (Hamilton), and 85 King Street East (Pagoda) (Hamilton), to determine whether the property is of cultural heritage value, and worthy of designation under Part IV of the Ontario Heritage Act;
- (b) That 4-12 John Street North (Treble Hall) (Hamilton) be included, and 85 King Street East (Pagoda) (Hamilton), in the Register of Property of Cultural Heritage Value or Interest following consultation with the Hamilton Municipal Heritage Committee, as per the provisions of the Ontario Heritage Act and Recommendation (e) to Report PED11165, and that staff makes appropriate amendments to the Register of Property of Cultural Heritage Value or Interest;
- (c) That if 4-12 John Street North (Treble Hall) (Hamilton), and 85 King Street East (Pagoda) (Hamilton), is determined to be of cultural heritage value or interest, a Statement of Cultural Heritage Value and Description of Heritage Attributes be prepared by staff for Council's consideration for designation under Part IV of the Ontario Heritage Act;
- (d) That the Cultural Heritage Assessment work be assigned a low priority, and be added to staff's workplan for completion in 2015, as per the attached Appendix "G" to Report PED11165;
- (e) That Report PED11165 be forwarded to the Hamilton Municipal Heritage Committee for information and consultation prior to the Council-approved inclusion of 4-12 John Street North (Treble Hall) (Hamilton), and 85 King Street East (Pagoda) (Hamilton), in the Register of Property of Cultural Heritage Value or Interest;
- (f) That Report PED11165 be forwarded to the owner of 4-12 John Street North (Treble Hall) (Hamilton), and 85 King Street East (Pagoda) (Hamilton), for information.

5. **Applications for Approval of a Draft Plan of Subdivision, “Greenhill Glen”, and for an Amendment to Hamilton Zoning By-law No. 6593 for the Property Located at 12 Ambrose Avenue (Hamilton) (PED11175) (Ward 5) (Item 6.2)**
- (a) That approval be given to **Zoning Application ZAC-11-027, by Losani Homes Ltd., Owner**, for changes in zoning to Hamilton Zoning By-law No. 6593 from the “C” (Urban Protected Residential, Etc.) District to the “D”/S-1620 (Urban Protected Residential - One and Two Family Dwellings, Etc.) District, with a Special Exception (Blocks 1, 2, and 3), and the “RT-30/S-1620” (Street - Townhouse) District, with a Special Exception (Block 4), and to the Conservation/Hazard Land (P5) Zone, in Hamilton Zoning By-law No. 05-200 (Blocks 5 and 6), in order to permit 6 single detached dwellings, 8 semi-detached dwellings (16 dwelling units), 7 townhouse dwellings, and open space, as shown on Appendix “A” to Report PED11175, on the following basis:
- (i) That the draft By-laws, attached as Appendices “B” and “C” to Report PED11175, which have been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the amending By-law, attached as Appendix “C” to Report PED11175 be added to Schedule “A”, Map No. 1352, of Zoning By-law No. 05-200;
- (iii) That the changes in zoning conform to the Hamilton-Wentworth Official Plan and the Hamilton Official Plan;
- (iv) That upon finalization of the implementing By-law, the Vincent Neighbourhood Plan be amended by re-designating the subject lands from “Civic and Institutional” to “Single and Double Residential” (Blocks 1, 2, and 3 on Appendix “A”), “Attached Housing” (Block 4 on Appendix “A”), and “Open Space” (Blocks 5 and 6 on Appendix “A”).
- (b) That approval be given to **Draft Plan of Subdivision Application 25T-201104, by Losani Homes Ltd., Owner**, to establish a draft plan of subdivision, known as “Greenhill Glen”, on lands located at 12 Ambrose Avenue (Hamilton), as shown on Appendix “A” to Report PED11175, subject to the following conditions:
- (i) That this approval apply to “Greenhill Glen”, 25T-201104, prepared by Losani Homes Ltd., and certified by S. D. McLaren, O.L.S., dated March 16, 2011, showing 9 lots, consisting of 3 single detached dwellings (Lots 1, 2, and 9)

and 6 semi-detached dwellings (12 dwelling units) (Lots 3-8) having frontage on a public road, 2 blocks for "Open Space" (Blocks 10 and 11), and 1 block for 2 single detached dwellings, 2 semi-detached dwellings (4 dwelling units) and 7 street townhouses having frontage on a private (condominium) road (Block 12), attached as Appendix "D" to Report PED11175, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions attached as Appendix "E" to Report PED11175.

- (ii) Acknowledgement that there will be no City share for any municipal works associated with this development.
- (iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 42 of the Planning Act, prior to the issuance of each building permit. The calculation for the Cash-in-Lieu payment shall be based on the value of the land on the day prior to the issuance of the first building permit for each said Lot or Block;

With regard to Lots 1 to 9 (single and semi-detached dwellings on a public road), a parkland dedication, in the amount of five percent (5%) of the Net land area to be developed or re-developed will be required;

With regard to Block 12 (single detached dwellings, semi-detached dwellings and street townhouse dwellings on a condominium road), a parkland dedication, at a ratio of 5% of the Net land area to be developed or re-developed for the single detached dwellings and semi-detached dwellings will be required, and a parkland dedication, at a rate of 0.6 ha per 300 dwelling units for the street townhouse dwellings, will be required;

Furthermore, with regard to Blocks 10 and 11, as per the definition of "Net Land Area" in Parkland Dedication By-law No. 09-124, Environmental Lands are not to be included in the calculation and are, therefore, not subject to any Parkland Dedication. However, the owner/applicant is advised that as per Section 7 of the By-law, any conveyance or dedication of said Environmental Lands shall not be considered a conveyance for park or other recreational purpose pursuant to Sections 3 to 6 of the By-law.

All in accordance with the Financial Policies for Development and the City's Parkland Dedication By-law, as approved by Council.

- (c) That the revised Appendix regarding, Special Conditions of Draft Plan of Subdivision Approval for "Greenhill Glen", hereto attached as Appendix "A" to Planning Report 11-017, be received.

6. Correspondence from John Koren respecting Applications for 12 Ambrose Avenue (PED11175)

That the correspondence from John Koren respecting, Applications for 12 Ambrose Avenue, attached as Appendix "B" to Planning Report 11-017, be received.

7. Sanitary and Storm Sewer Issues in New Development in Stoney Creek and Glanbrook (PED11155) (Wards 6, 9, and 11) (Item 7.1)

That Report PED11155 respecting, Sanitary and Storm Sewer Issues in New Development in Stoney Creek and Glanbrook, be received.

8. Report 11-003 – Hamilton Municipal Heritage Committee (Item 8.2)

That Hamilton Municipal Heritage Committee Report 11-003, be received.

FOR THE INFORMATION OF COUNCIL:

(a) CEREMONIAL ACTIVITIES

Mr. McCabe, General Manager, Planning & Economic Development, gave a short presentation to the Planning Committee regarding the Ontario Tourism Summit's Welcome Reception which was hosted by Tourism Hamilton at the Art Gallery of Hamilton on Monday, October 3, 2011.

(b) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes to the Agenda:

ADDED PUBLIC HEARINGS AND DELEGATIONS

- 6.1(i) Correspondence from Donna Marcaccio respecting the delegation by Donna Marcaccio, Executive Director, Rygiel Homes Housing Corporation, respecting non-profit agency building experiences and recommendations
- 6.2(i) Correspondence from John Koren respecting the applications for Approval of a Draft Plan of Subdivision, “Greenhill Glen”, and for an Amendment to Hamilton Zoning By-law No. 6593 for the Property Located at 12 Ambrose Avenue (Hamilton) (PED11175)

PRESENTATIONS

- 7.1 Sanitary and Storm Sewer Issues in New Development in Stoney Creek and Glanbrook (Moved to be heard prior to the Public Hearings and Delegations)

ADDED MOTIONS

- 9.2 Sign By-law (Notice of Motion added, Motion from September 20, 2011 meeting of the Planning Committee)

Item 7.1, Sanitary and Storm Sewer Issues in New Development in Stoney Creek and Glanbrook, was moved to be dealt with prior to the Public Hearing and Delegations Section.

The Agenda for the October 4, 2011 meeting of the Planning Committee was approved, as amended.

(c) DECLARATIONS OF INTEREST (Item 2)

None.

(d) APPROVAL OF MINUTES (Item 3)

The Minutes of the September 20, 2011 Planning Committee meeting were approved.

(e) DELEGATION REQUESTS (Item 4)

None.

(f) PUBLIC HEARINGS AND DELEGATIONS (Item 6)

- (i) Delegation by Donna Marcaccio, Executive Director, Rygiel Homes Housing Corporation, respecting non-profit agency building experiences and recommendations (Item 6.1)**

The delegation by Donna Marcaccio, Executive Director, Rygiel Homes Housing Corporation, respecting non-profit agency building experiences and recommendations, was deferred to the October 18, 2011 meeting of the Planning Committee.

- (ii) Applications for Approval of a Draft Plan of Subdivision, "Greenhill Glen", and for an Amendment to Hamilton Zoning By-law No. 6593 for the Property Located at 12 Ambrose Avenue (Hamilton) (PED11175) (Ward 5) (Item 6.2)**

In accordance with the provision of the Planning Act, Chair Pasuta advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the Zoning By-law amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

- (1) Greg Macdonald, Senior Planning, addressed the Committee with the aid of a PowerPoint presentation. A copy of this presentation has been included in the official record. Mr. Macdonald provided a summary of the report with additional photographs of the site. Additionally, Mr. Macdonald provided background on the previous application's plan that was appealed and how the new application's plan addresses the issues raised by residents, the City and the Ontario Municipal Board.

The staff presentation respecting, Report PED11175, Applications for Approval of a Draft Plan of Subdivision, "Greenhill Glen", and for an Amendment to Hamilton Zoning By-law No. 6593 for the Property Located at 12 Ambrose Avenue (Hamilton), was received.

- (2) Stephen Armstrong, representing Losani Homes addressed the Committee with the aid of a PowerPoint Presentation. A

copy of his presentation has been included in the official record. Highlights included, but were not limited to:

- Addressing the setbacks, flood planes and the conservation of hazard lands,
 - Grading with respect to height restrictions and set backs to Help mitigate privacy issues with existing homes, and
 - addressing the styles of the homes intending to be built.
- Further information addressing the changes to the proposal are included in the PowerPoint Presentation.

The presentation from Stephen Armstrong, representative of Losani Homes, with respect to, Report PED11175, Applications for Approval of a Draft Plan of Subdivision, "Greenhill Glen", and for an Amendment to Hamilton Zoning By-law No. 6593 for the Property Located at 12 Ambrose Avenue (Hamilton), was received.

(3) Mr. L. H. Kroese - 1191 Pinegrove Rd, Oakville, ON L6L2W8

Mr. Kroese opposed the application and expressed concerns over flooding, tree preservation and privacy. Highlights included, but were not limited to:

- Flooding – Mr. Kroese was concerned over: the unpredictability of the climate in the future; the large difference in the elevations of the properties; and the current plans not being sufficient to prevent flooding. He provided some examples related to his concerns in the low-lying area.
- Privacy – Mr. Kroese expressed concern that those on the elevation would be able to view the backyards of those on Veevers Dr. and he questioned if there would be trees on the land and asked about deck height restrictions.

The presentation from Mr. L. H. Kroese with respect to, Report PED11175, Applications for Approval of a Draft Plan of Subdivision, "Greenhill Glen", and for an Amendment to Hamilton Zoning By-law No. 6593 for the Property Located at 12 Ambrose Avenue (Hamilton), was received for information.

The public meeting respecting, Report PED11175, Applications for Approval of a Draft Plan of Subdivision, "Greenhill Glen", and for an Amendment to Hamilton Zoning By-law No. 6593 for the Property Located at 12 Ambrose Avenue (Hamilton), was closed.

Report PED11175, Applications for Approval of a Draft Plan of Subdivision, "Greenhill Glen", and for an Amendment to Hamilton Zoning By-law No. 6593 for the Property Located at 12 Ambrose Avenue (Hamilton), was approved.

The staff recommendations were amended by the addition of a subsection (c) to read, as follows:

- (c) And further that:
 - (i) the Stormwater Management Report must address requirements for stormwater quantity and quality control, including drainage for Lot 1 and Parcels 1, 2 and 3, Block 12 such that both minor and major flows are directed away from the existing homes to the north.
 - (ii) any catch basins installed on the site be assumed by the Condominium Corporation and maintained on a regular basis.
 - (iii) approvals of the application be conditional upon revising the application to reflect 3 single-detached homes on Block 12, parcels 1-4.

For disposition on this Item, refer to item 5.

(g) PRESENTATIONS

(i) Sanitary and Storm Sewer Issues in New Development in Stoney Creek and Glanbrook (PED11155) (Wards 6, 9, and 11) (Item 7.1)

Sally Yong-Lee and Ron Scheckenberger, addressed the Committee with the aid of a PowerPoint presentation. A copy of this presentation has been included in the official record. Ms. Yong-Lee and Mr. Scheckenberger provided a detailed presentation of the report.

Staff are to report back to the Planning Committee on the Battlefield Creek watershed and the cross-over from the Davis Creek Subwatershed.

The presentation respecting, Report PED11155, Sanitary and Storm Sewer Issues in New Development in Stoney Creek and Glanbrook, was received.

For disposition on this item, refer to item 7.

(h) DISCUSSION ITEMS (Item 8)**(ii) Pilot Project – Ward 1 – 12 Hour Parking By-law (PED11079(a)) (Ward 1) (Item 8.1)**

Information Report PED11079(a) respecting, Sanitary and Storm Sewer Issues in New Development in Stoney Creek and Glanbrook, was tabled.

(i) MOTIONS (Item 9)**(iii) Tree Encroachment By-law Review (Item 9.1)**

- (a) That staff be directed to review By-laws respecting the encroachment of trees and hedges upon private neighbouring properties.
- (b) That staff be directed to review By-laws and enforcement respecting trees encroachment on City property.

The motion was DEFEATED on the following Standing Recorded Vote:

YEAS: J. Farr, T. Whitehead

TOTAL: 2

NAYS: B. Clark, L. Ferguson, B. Johnson, J. Partridge, M. Pearson

TOTAL: 5

ABSENT: R. Pasuta, C. Collins

TOTAL: 2

(iv) Sign By-law (Item 9.2)

The following motion was Withdrawn:

That staff be directed to report on the impact of the "grandparenting" and variance provisions of the City's Sign By-Law.

(j) NOTICES OF MOTION (Item 10)

Councillor Partridge introduced the following Notice of Motion:

Fence By-law (Item 10.1)

That staff be directed to investigate, including consulting with the Agricultural & Rural Affairs Advisory Committee, and to report back on extending the Fence By-law's prohibition on sheet metal or corrugated metal panels in residential zones abutting to lots in rural or agricultural zones.

(k) GENERAL INFORMATION (Item 11)**(i) Demolition Permit – 245 Catherine Street North, Hamilton (PED11136) (Ward 2) (Verbal Update) (Item 11.1)**

Staff provided Committee members with an update respecting Report PED11136, Demolition Permit – 245 Catherine Street North, Hamilton. Highlights included but were not limited to the following:

- Constant monitoring of the premises is underway by City and Provincial staff.
- The Ministry of Environment's order has been extended to March 25, 2012.
- The owner has been served a requirement notice as the City wants the schedule/plan on what the owner's steps are and information on the contractor that is managing the work, and
- Owner is asking for a 60-day extension for deadline.

The staff update respecting, Report PED11136, Demolition Permit – 245 Catherine Street North, Hamilton, was received.

(ii) Outstanding Business List Amendments (Item 11.2)**Items assigned revised Due Dates**

The due dates of the following outstanding business list Items were amended, as outlined below:

- (a) Item V(i): Mineral Springs Road
Current Due Date: October 4, 2011
Proposed New Due Date: **March 20, 2012**
- (b) Item V(ii): Monster Homes
Current Due Date: November 22, 2011
Proposed New Due Date: **December 6, 2011**

- (c) Item Z: Report PED11138, 1620 Upper Wentworth and 401 Rymal Road East, application by Schlegel Villages
Current Due Date: October 4, 2011
Proposed New Due Date: **November 8, 2011**

Items removed

Item "R", St. Joseph's Drive, on the Outstanding Business List, was removed.

Item "P", Sanitary and Storm Sewer Issues in new development in Stoney Creek and Glanbrook, on the Outstanding Business List, was removed

(iii) News from the General Manager (item 11.3)

None

(I) PRIVATE AND CONFIDENTIAL (Item 12)

The Planning Committee move into Closed Session at 12:40 p.m.

At 12:40 p.m., Committee moved into Closed Session respecting Verbal Update, Setting Sail – Ontario Municipal Board Hearing, pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law and Section 239, Sub-sections (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, the receiving of advice that is subject to solicitor-client privilege including communications necessary for that purpose.

The Planning Committee reconvened in Open Session at 1:50 p.m.

**(i) Setting Sail – Ontario Municipal Board Hearing (Verbal Update)
(Item 12.1)**

The verbal update, Setting Sail – Ontario Municipal Board Hearing, as presented in Closed Session, was received and is to remain confidential and restricted from public disclosure, in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

(m) ADJOURNMENT (Item 13)

There being no further business, the Planning Committee adjourned at 2:59 p.m.

Respectfully submitted,

Councillor R. Pasuta
Chair, Planning Committee

Vanessa Robicheau
Legislative Assistant
Office of the City Clerk
October 4, 2011

Special Conditions of Draft Plan of Subdivision Approval for "Greenhill Glen"

Engineering

1. That, ***prior to registration of the draft plan of subdivision***, a 7 metre by 7 metre daylight triangle shall be established on the final plan of subdivision, at the widened intersection of Ambrose Avenue and Greenhill Avenue, to the satisfaction of the Senior Director, Growth Management Division.
2. That, ***prior to registration of the draft plan of subdivision***, the owner shall include a warning clause in all Purchase and Sale Agreements advising prospective purchasers of the no parking restrictions on both Greenhill Avenue and Ambrose Avenue, to the satisfaction of the Senior Director, Growth Management Division.
3. That, ***prior to servicing***, the owner shall submit a detailed Stormwater Management Report, to the satisfaction of the Senior Director, Growth Management Division. The Report must address requirements for stormwater quantity and quality control. In addition, the Report must address the fact that in the absence of an overland flow route, the 100 year storm shall be controlled to the capacity of the pipe to which the system outlets. In the absence of actual capacity analysis, the allowable release rate of flows from the proposed development is to be determined by the original design criteria of the existing system. **More specifically, the report must also address drainage for Lot 1 and the single detached dwellings and semi-detached dwellings within Block 12 such that minor and major flows are directed away from the existing dwellings to the north.**
4. That, ***prior to servicing***, the engineering design and cost schedules shall include provision for reconstruction of both Ambrose Avenue and Greenhill Avenue due to the number of private service installations required on these streets. The owner is required to reconstruct the full width pavement, concrete curb and sidewalk adjacent to the subject lands, at their expense, on Ambrose Avenue from the north limit of Lot 1 to Greenhill Avenue, and on Greenhill Avenue from Ambrose Avenue to the east limit of Lot 9, to the satisfaction of the Senior Director, Growth Management Division.
5. That, ***prior to servicing***, the owner shall indicate the driveway locations on the engineering drawings for Lots 1 to 9, inclusive, and that no driveway be located within any daylight triangles, and that the driveway for Lot 1 must have direct access to Ambrose Avenue, to the satisfaction of the Senior Director, Growth Management Division.

6. That, ***prior to servicing***, the owner shall agree to provide, in writing, to the satisfaction of the Senior Director, Growth Management Division, a plan or procedure for dealing with issues concerning dust control and street cleaning (external roads included) throughout construction within the subdivision, including homes. This document will also include, first point of contact, a schedule for regular cleaning of streets that is specific to the methods to be used, the source of water, and the contractor or agent to be used to undertake the works, as well as the contractor/agent contact information so that the City can direct works be completed, as necessary.
7. That, ***prior to servicing***, the owner shall prepare an on-street parking plan based on the premise of achieving on-street parking for 40% of the total number of single and semi-detached units, to the satisfaction of the Senior Director, Growth Management Division.
8. That, ***prior to servicing***, the owner shall initiate a petition to have the City rescind the existing "No Parking" By-law on Ambrose Avenue, at the owner's expense, all to the satisfaction of the Senior Director, Growth Management Division.
9. That, ***prior to servicing***, the owner shall be required to relocate, as required, all affected utility poles, hydrants, pedestals, hydro vaults, etc., to the satisfaction of the Senior Director, Growth Management Division.
10. That, ***prior to servicing***, the owner shall be required to direct the roof leaders for Lot 1 and Parcels 1, 2, and 3 on Block 12 to the front yards, to the satisfaction of the Senior Director, Growth Management Division.
11. That the owner shall **agree, in writing**, that any catch basins installed within Block 12 shall be maintained by the future Condominium Corporation, to the satisfaction of the Senior Director, Growth Management Division.
12. That, ***prior to servicing***, the Owner agrees that the development of Block 12 shall not proceed until such time as the Stormwater Management Report and engineering design drawings establish an appropriate minor and major system outlet for the proposed catch basin(s) located along the north limit of the subdivision, adjacent to the existing properties on Veevers Drive. The owner shall also demonstrate that there will be no surcharging on the receiving system, all to the satisfaction of the Senior Director, Growth Management Division.

Development Planning

13. That, ***prior to registration of the draft plan of subdivision***, the following warning clauses shall be included in the Subdivision Agreement, to the satisfaction of the Director of Planning, and that the applicant agrees to include

the same warning clauses in all offers of purchase and sale or lease, rental agreements, and future condominium declaration, site plan undertaking agreements, and development agreements. The warning clauses would apply to Lot 1, Lot 9, and Block 12:

"Purchasers of Lot 9, and any future lot within Block 12, are advised that the easterly 7.5m of Block 12 and Lot 9 constitute a 7.5m wide buffer adjacent to the valley bank, and this 7.5m buffer shall not be used for any buildings, structures, or swimming pools, and no changes to grading shall be permitted".

14. That, **prior to servicing**, the owner shall indicate the driveway locations on the engineering drawings for Lots 3 to 8, inclusive, to show driveway locations for the pair of semi-detached dwellings on each lot that are located adjacent to each other in order to maximize potential future on-street parking, to the satisfaction of the Manager of Development Planning and the Senior Director, Growth Management Division.
15. That the owner shall **agree, in writing**, that Block 10 and Block 11 be registered under the same name and title, to the satisfaction of the Director of Planning.

Public Works Department (Environmental Services Section)

16. That, prior to preliminary grading or servicing, the owner shall submit a Tree Management Plan, prepared by a certified arborist or landscape architect, for review and approval by the Manager of Environmental Services, Public Works Department, and provide written certification from the owner's landscape architect/arborist to the Director of Planning that all measures for the protection of isolated trees, tree clusters, and woodlands, in accordance with the detailed Tree Management Plan, approved by the City, have been implemented and inspected, prior to any clearing or grubbing of the lands within the draft plan.

Public Works Department (Traffic Engineering Section)

17. That, **prior to servicing**, the owner shall indicate the driveway locations for Lot 5 to show driveway locations on the easterly side of the lot, to the satisfaction of the Manager of Traffic Engineering.

Canada Post

18. That the owner shall **agree, in writing**, to include the following statements in all offers of purchase and sale:
 - (a) That the home/business mail delivery will be from a designated Centralized Mail Box.

- (b) That the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
19. That the owner shall ***agree, in writing,*** to:
- (a) Work with Canada Post, and the Senior Director of Growth Management, to determine and provide temporary suitable Centralized mail Box locations, which may be utilized by Canada Post, until the curbs, boulevards, and sidewalks are in place in the remainder of the subdivision.
 - (b) Install a concrete pad in accordance with the requirements of, and in locations to be approved by Canada Post and the Senior Director of Growth Management, to facilitate the placement of Community Mail Boxes.
 - (c) Identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.
 - (d) Determine the location of all centralized mail receiving facilities in co-operation with Canada Post and the Senior Director of Growth Management, and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.

John Koren
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Hamilton, Ont.
L8K 5N8
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Jkoren@mountaincable.net

Re: Notice of Public Meeting for a Zoning By-law Amendment and Proposed Draft Plan of Subdivision by Losani Homes Ltd. For lands located at 12 Ambrose Avenue, Hamilton

My family and I have lived at this location, 23 Ambrose Ave, directly opposite the subject property since March 1981 (30 years). I am disappointed by this proposal that will turn this small lot into a very high density housing development. This will have a very negative impact on my property value and will impede the use and enjoyment of my own property due to a significant increase in traffic noise and exhaust pollution coupled with the noise that those individuals who will be so unfortunate as to buy these units and their pets, children, etc., will most certainly be generating. My fear is that the erection of this development will culminate in severe and diverse instances of nuisance for both myself and my neighbours.

In my opinion, the existing streets have not been designed to accommodate the increased traffic load including the parking space for all of these new residences combined with the fact that the proposed property will have very limited street space (from what I can see). Currently, Ambrose Ave. is filled with cars to capacity on most days mainly due to the Green Venture operation (next door to my property). I particularly object to the townhomes being squeezed onto the property with what looks like an ally way access, which makes me wonder where the incoming inhabitants will park their cars.

I hope that city planning will also share my concerns and will ask for changes.

Sincerely



John Koren