SUBJECT: Application for Approval of a Draft Plan of Subdivision, “Summerlea West”, and Amendments to the Glanbrook Official Plan and Zoning By-law No. 464, for Lands Located Within Lot 3, Concession 4, and Known as 3385 Binbrook Road, Former Township of Glanbrook (Binbrook) (PED07148) (Ward 11)

RECOMMENDATION:

(a) That approval be given to **Draft Plan of Subdivision Application 25T-200605 by Empire Communities (Binbrook) Ltd., owners**, to establish a Draft Plan of Subdivision known as “Summerlea West”, on lands located within Lot 3, Concession 4, 3385 Binbrook Road, (Binbrook), as shown on Appendix “A” to Report PED07148, subject to the following conditions:

(i) That this approval apply to “Summerlea West”, prepared by Armstrong Hunter and Associates, and certified by Bryan Jacobs, OLS, dated February 16, 2006, as red-line revised, showing 92 lots (Lots 1-92) for single detached dwellings, 24 lot-less blocks (Blocks A1 to A24) for a maximum of 340 single detached dwellings, one block (Block D) for mixed residential/commercial uses (approximately 140 dwelling units), two blocks (Blocks E and J) for a maximum of 190 townhouse dwelling units, one block (Block F) for an Elementary School, one block (Block G) for a Neighbourhood Park, one block (Block H) for a stormwater management pond, one block (Block I) for open space and public access, one block (Block K) for a stormwater management channel, and one block (Block B) for a road widening from Binbrook Road, the extension of four existing streets (Gowland Drive, Whitwell Way, Winwood Drive, and Voyager
SUBJECT: Application for Approval of a Draft Plan of Subdivision, “Summerlea West”, and Amendments to the Glanbrook Official Plan and Zoning By-law No. 464, for Lands Located Within Lot 3, Concession 4, and Known as 3385 Binbrook Road, Former Township of Glanbrook (Binbrook) (PED07148) (Ward 11) - Page 2 of 14

Pass), and the creation of nine new streets (Streets “A” to “I”), attached as Appendix “C” to Report PED07148, 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”.

(ii) Acknowledgement by the City of Hamilton of its responsibility for cost-sharing with respect to this development for the following items:

(1) That the City will cost share 50% for the equivalent of a 1.5m high galvanized fence that abuts City parkland (Block G), to be paid from the Development Charge Reserve.

(2) That there will be a City Development Charge contribution for the land component and construction costs of the Stormwater Management Pond, as identified in the Development Charges Background Study to the pre-determined upset limit amount.

(3) Any pavement widths greater than 8.0 metres within the subdivision limits.

(4) Any municipal works adjacent to the frontage of the park.

(5) Any watermain oversizing greater than 300 millimetres.

(b) That approval be given to Official Plan Amendment Application OPA-06-05, by Empire Communities (Binbrook) Ltd., owners, for Official Plan Amendment No., to amend Schedule “B”, Binbrook Village Secondary Plan Land Use Plan, from “Low Density Residential” to “Drainage Channel/Public Walkway”, from “Medium Density Residential” to “Low Density Residential”, from “Corner Retail” to “Low Density Residential”, and from “Low Density Residential” to “Stormwater Management Facility”, of the Official Plan for the Township of Glanbrook, on lands located within Lot 3, Concession 4, (Binbrook), on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix “F” to Report PED07148, be adopted by City Council.

(c) That approval be given to Zoning Application ZAC-06-20, by Empire Communities (Binbrook) Ltd., owners, for changes in zoning from the Restricted Agricultural “A2” Zone to the Institutional “I” Zone, (Block 1), to the Public Open Space “OS2” Zone (Block 2), to the Open Space-Conservation “OS3” Zone, (Block 3), to the Residential “R4-220” Zone (Block 4), to the Residential Multiple “RM3-219” Zone (Block 5), to the Residential Multiple “RM4-217” Zone (Block 6), and to the Residential “R4-218” Zone (Block 7), to permit
single detached dwellings, townhouse dwellings, mixed use residential/commercial, a neighbourhood park, an elementary school, and storm water management facility and channel, on lands located within Lot 3, Concession 4, 3385 Binbrook Road, as shown on Schedule “A” of Appendix “D” to Report PED07148, on the following basis:

(i) That the draft By-law, attached as Appendix “D” to Report PED07148, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(ii) That the amending By-law be added to Schedule “H”, of Zoning By-law No. 464.

(iii) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan, and will be in conformity with the Official Plan for the Township of Glanbrook upon finalization of Official Plan Amendment No.__.

EXECUTIVE SUMMARY:

The purpose of the applications is to amend the Official Plan and Zoning By-law, and for approval of a draft plan of subdivision known as “Summerlea West” (see Appendix “B”), to permit the development of the lands for approximately 426 single detached dwellings, 190 townhouse dwellings, a mixed use residential/commercial block (approximately 140 dwelling units), neighbourhood park, a stormwater management facility and channel, an elementary school block, and open space.

The proposal has merit and can be supported since the Official Plan Amendment, changes in zoning and draft plan of subdivision are consistent with the Provincial Policy Statement, and conform with the Hamilton-Wentworth Official Plan. The proposed development is considered to be compatible with and complementary to the existing and planned development in the immediate area.
BACKGROUND:

Proposal

The purpose of these applications is for the approval of a draft plan of subdivision, as red-line revised (see Appendix “C”), and amendments to the Official Plan and Zoning By-law in order to permit the following:

- Lot-less blocks for a maximum of 340 single detached dwelling units, (Blocks A1 to A24).
- Single detached dwelling units (Lots 1 to 92).
- Road widening on Binbrook Road (Block B).
- Mixed Use, residential/commercial (approximately 140 dwelling units) (Block D).
- Approximately 190 Townhouse dwelling units (Blocks E and J).
- Institutional (Block F).
- Neighbourhood Park (Block G).
- Stormwater Management Facility (Block H).
- Open Space (Block I).
- Stormwater Management Channel (Block K).

The proposed lots for single detached dwellings range in size from a minimum lot frontage of 9.2 metres, to a maximum lot frontage of 16.0 metres. Lot areas range from a minimum of 241 square metres to a maximum area of 420 square metres.

The zoning requested by the applicant is primarily the same that was previously approved for their subdivision to the immediate east with the addition of permitting a reduced interior garage parking stall size, encroachment of stairs into the garage parking space, flexibility in side yards, and by amending the definition of “Daylight Triangle” to permit encroachment into the triangle subject to meeting the minimum required side and front yards.

The site-specific zoning will also address the proposed mixed use (residential/commercial) development, and amendments to permit common element condominium development for townhouse blocks.

Finally, the applicant has requested an amendment to the Official Plan (Binbrook Village Secondary Plan) (see Appendix “F”) to redesignate a portion of the lands to implement the proposed subdivision. The local road pattern is also required to be amended. The OPA also proposes to permit the mixed use (residential/commercial) development with ground floor related commercial uses and “live/work” units, within the “High Density Residential” designation.
SUBJECT: Application for Approval of a Draft Plan of Subdivision, “Summerlea West”, and Amendments to the Glanbrook Official Plan and Zoning By-law No. 464, for Lands Located Within Lot 3, Concession 4, and Known as 3385 Binbrook Road, Former Township of Glanbrook (Binbrook) (PED07148) (Ward 11) - Page 5 of 14

Location: Lot 3, Concession 4, 3385 Binbrook Road, Binbrook
Owners: Empire Communities (Binbrook) Ltd.
Agent: Armstrong Hunter & Associates Ltd. (Stephen Armstrong)

Property Size:
- Area: 33.26 hectares
- Frontage: 301.73 metres (Binbrook Road)
- Depth: 838.15 metres

Servicing: Full Municipal Servicing

Existing Land Use and Zoning:

<table>
<thead>
<tr>
<th>Subject Land:</th>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
</tr>
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<tr>
<td>Subject Land:</td>
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<tr>
<td>West:</td>
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<td>Restricted Agricultural “A2” Zone</td>
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<tr>
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<td>East:</td>
<td>Residential</td>
<td>Residential “R4-192”, and Residential “R4-193” Zones, and Residential Multiple “RM3-195” Zone</td>
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</tbody>
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ANALYSIS/RATIONALE:

1. The proposed official plan amendment, changes in zoning, and draft plan of subdivision have merit and can be supported for the following reasons:

   (i) They are consistent with the Provincial Policy Statement, as they represent an opportunity for growth in settlement areas.

   (ii) They conform to the Hamilton-Wentworth Official Plan.

   (iii) The proposed development is considered to be compatible with the existing and planned development in the immediate area.
SUBJECT: Application for Approval of a Draft Plan of Subdivision, “Summerlea West”, and Amendments to the Glanbrook Official Plan and Zoning By-law No. 464, for Lands Located Within Lot 3, Concession 4, and Known as 3385 Binbrook Road, Former Township of Glanbrook (Binbrook) (PED07148) (Ward 11) - Page 6 of 14

(iv) The proposed development represents good planning by providing a compact urban form.

2. The applicant has applied for an amendment to the Binbrook Village Secondary Plan in order to change the land use designations on part of the subject lands as follows:

- Change from “Medium Density Residential” to “Low Density Residential” on Lots 1 to 6, and part of Blocks A19 and A20, as shown on Appendix “C”.

- Change from “Low Density Residential” to “Drainage Channel/Public Walkway” on Block K, as shown on Appendix “C”.

- Change from “Corner Retail” to “Low Density Residential” on part of blocks A15 and A16, as shown on Appendix “C”.

- Change from “Low Density Residential” to “Stormwater Management Facility” on a portion of the lands shown as Block H on the attached Appendix “C”.

- To permit ground floor commercial uses within the “High Density Residential” designation on Block D, as shown on Appendix “C”.

- To reorganize the local road pattern, as shown on Appendix “C”.

As part of the review of these applications it was determined that the net residential density for single detached dwellings was 31 units per net residential hectare. The Secondary Plan currently permits a maximum net residential density of 25 units per hectare. This policy will also be required to be amended in order to permit this development.

3. The applicant has requested amendments to the Township of Glanbrook Zoning By-law No. 464 in order to implement the draft plan of subdivision known as “Summerlea West”. The requested zoning for the single detached dwellings in this subdivision is the same as that previously approved on the lands to the immediate east, also developed by the applicant. In developing the lands to the east, it was determined that additional amendments to the Zoning By-law were required for this proposal. These amendments include reducing the size of the parking stall (interior garage) dimension from 3.0 metres by 6.0 metres, to 2.6 metres by 5.5 metres, which is the current City standard, and to allow for an encroachment of the stairs into this parking space to a maximum of three risers.
Recognizing this modification will eliminate the need for future variances as experienced in the applicant’s adjacent development.

Also, the applicant has requested that the minimum side yard for a single detached dwelling be amended in order to provide the builder flexibility in siting their dwellings. Currently, the Zoning By-law requires a minimum side yard of 1.2 metres, and 0.6 metres on the side with the garage. The applicant would like to modify this by not tying one of the side yards to the side of the dwelling with the garage. The zoning would require a minimum side yard of 1.2 metres on one side and 0.6 metres on the other side. Adequate distance will still be provided along one side of the dwelling to access the rear yard. Furthermore, distance separation between dwellings is regulated by the Ontario Building Code.

A request to modify the definition of “Daylight Triangle” has also been made by the applicant. In locating their dwellings on corner lots in their adjacent development, the applicant has had to seek variances since the dwelling encroached into the daylight triangle. The Zoning By-law requires that the flankage yard be applied against the hypotenuse of the daylight triangle. The applicant has requested that for the purposes of the By-law, the daylight triangle not exist as long as the minimum front and side yards are maintained. This modification will allow for an appropriate form of development to occur on narrower lots.

In order to address common element condominium developments, staff has created a zoning that would permit townhouses on a common element condominium road as-of-right, subject to compliance with the regulations for typical block townhouses. Since the form of development does not change, only the ownership, when the applicant applies for a common element condominium, it is appropriate that the block townhouse zoning remain in force rather than reviewing them against the regulations of a street townhouse.

Finally, it is noted that the mixed use residential/commercial building proposed for Block D (see Appendix “C”) requires site-specific zoning. Staff is recommending that the Residential Multiple “RM4” Zone be modified to permit limited ground floor related General Commercial uses, and residential uses above them to a maximum of 6 storeys. Also, “live/work” units will be permitted on the ground floor as long as the floor space of each unit has a 50% commercial component and 50% residential component. Additional modifications are required for the number of loading spaces, parking space size, and reduced yards.
4. It is noted that the draft plan of subdivision has been red-line revised (see Appendix “C”) to delete the westerly extension of Street “D”, as this street would not be able to continue westerly as it would intersect with the stormwater channel. An additional 2 lots could be added with the removal of this small portion of Street “D”. Also, Block A24 (single detached dwellings) has been added, as well as Street “I”. Finally, only one block for the road widening on Binbrook Road is required (Block “B”).

5. In accordance with the City’s Parkland Dedication and Cash-in-Lieu of Parkland By-law, the proposed development is subject to a partial land dedication and Cash-in-Lieu of parkland dedication payment for the remaining required contribution. The development includes a parkland dedication of 1.92 hectares (Block “G” on Appendix “C”). Since the proposed development includes lot-less blocks, the remaining contribution shall be required prior to the proposed registration of the plan and the calculation of the payment will be based on the final unit count, as provided by the applicant (see Conditions Nos. 2 and 3 of Appendix “E”).

The proposed development may be subject to the alternate dedication rate of 1ha per 300 dwelling units if the net density of development is between 20 and 75 dwelling units per hectare inclusive. As proposed the density is 47.4 units per net residential hectare, and the resulting land dedication rate is higher than if calculated using the 5% of land area calculation.

At the rate of 5% of the total area, 1.66 hectares of land would be required to be dedicated. At the rate of 1 hectare per 300 dwelling units, 2.53 hectares are required to be dedicated.

6. The Traffic Department has requested that as a draft plan condition (Condition No. 10 on Appendix “E”), the plan not be registered until such time as the intersection of Fall Fair Way and Highway No. 56 is completed and operational. The applicant is aware of this condition and has no objections. This intersection is planned to be developed with a roundabout and the designs are currently being reviewed.

7. Finally, it is noted that special servicing conditions have been included (Condition Nos. 17 and 40 on Appendix “E”) in the draft plan approval requiring that the final plan of subdivision not be registered until sanitary sewers, storm sewers, watermains and road access are available to service the lands of the draft plan to the satisfaction of the Manager of Development Engineering, and that the owner agrees that the final plan of subdivision will not proceed to registration until it is demonstrated that there is sufficient sanitary capacity at the Sewage Treatment Plant, all to the satisfaction of the Manager of Development Engineering.
If these applications are denied, the subject lands are zoned for agricultural uses, a single detached dwelling and uses and buildings accessory thereto.

It is noted that based upon previous discussions with staff, the applicant has agreed to develop Block “D” on Appendix “C” as a mixed use residential/commercial site.

Financial - The City’s financial share of this development is identified in Recommendation (a) (ii).

Staffing - N/A.

Legal - As required by the Planning Act, Council shall hold at least one (1) Public Meeting to consider applications for Amendments to the Official Plan, and Zoning By-law, and approval of a Draft Plan of Subdivision.

Provincial Policy Statement:

These applications have been reviewed with respect to the Provincial Policy Statement (PPS). Staff recognizes that the application is consistent with policies that focus growth in Settlement Areas 1.1.3.1.

Policy 2.6.2 outlines that development and site alteration may be permitted on lands containing archaeological resources or areas of archaeological potential if significant archaeological resources have been conserved by removal and documentation, or preservation on site. Where significant archaeological resource must be preserved on site, only development and site alteration which maintain the heritage integrity of the site may be permitted. The applicant will be required to submit an archaeological assessment for the entire property as required in the New Standard Form Subdivision Agreement (Addressed in Standard Form Subdivision Agreement).

Policy 1.7.1 (e) outlines that long term economic prosperity will be supported by planning so that major facilities (such as transportation corridors) and sensitive land uses are appropriately designed, buffered and separated from each other to prevent adverse effects from odour, noise and other contaminants, and minimize risk to public health and safety. Due to the proximity of the subject lands to Binbrook Road, a noise assessment is required to address this concern. The applicant will be required to submit a Noise Study as required in the New Standard Form Subdivision Agreement.
SUBJECT: Application for Approval of a Draft Plan of Subdivision, “Summerlea West”, and Amendments to the Glanbrook Official Plan and Zoning By-law No. 464, for Lands Located Within Lot 3, Concession 4, and Known as 3385 Binbrook Road, Former Township of Glanbrook (Binbrook) (PED07148) (Ward 11) - Page 10 of 14

Hamilton-Wentworth Official Plan:

The subject property is designated as “Urban Area” in the Hamilton-Wentworth Official Plan. Policy C-3.1 outlines that a wide range of urban uses, defined through Area Municipal Official Plans and based on full municipal services, will be concentrated in the Urban Areas.

Policy B-9.2 requires that the City consider protection and preservation of regionally significant historical and cultural resources, including recognized archaeological sites, in the review of proposals for development and redevelopment. Where possible these attributes are to be incorporated into the overall design in a manner which minimizes adverse impacts and encourages maintenance and protection.

Therefore, as the nature of the applications is for amendments to the Official Plan and Zoning By-law to permit the development of a draft plan of subdivision, the proposal conforms to the general intent of the Hamilton-Wentworth Official Plan.

Township of Glanbrook Official Plan:


The applicant has applied to change some of the land use designations as previously noted in this report, and to reconfigure the local road pattern. It was also determined that the maximum density for “Low Density Residential” is required to be increased from 25 units per net residential hectare to 31 units per net residential hectare. Finally, it is noted that ground floor commercial uses will be permitted in the “High Density Residential” lands in order to permit a mixed use building.

The proposed amendments will still maintain the general intent of the Secondary Plan and will permit a form of development that it is consistent with and complimentary to the planned and existing development in the immediate area.

RELEVANT CONSULTATION:

Agencies/Departments Having no Concern or Objections

- Public Works Department (Forestry and Horticulture Section, and Capital Planning and Implementation Division).
Corporate Services Department, Budgets, Taxation & Policy Section.
Corporate Services Department (Budgets Section).
Hydro One.
Horizon Utilities.
Bell Canada.

**Hamilton Street Railway**

HSR does not provide service to this area with no current plans to do so. These lands are not located within the urban transit area. If in the future, Council decides to include Binbrook in the UTA, and tax property owners for transit service, the inclusion of sidewalks on both sides of all streets to highway #56 and Binbrook Road West would serve to ensure access to transit for future residents.

**Public Works Department (Open Space Development and Park Planning Section)**

The owner agrees to provide and implement, at their own expense, a Streetscape Plan detailing any enhanced boulevard landscaping treatment, fencing and street lighting for the required streets, prepared by a full member of the Ontario Landscape Architects Association (OALA) and to the satisfaction of the Director of Capital Planning and Implementation. (Addressed in the New Standard Form Subdivision Agreement).

If the owner is conveying to the City naturalized open space blocks, tableland for parkland uses and any other lands for public usage, then the owner shall submit a signed record of site condition (RSC) to the city of Hamilton and to the Ministry of Environment (MOE). This RSC must be to the satisfaction of the City of Hamilton, including an acknowledgment of receipt of the RSC by the MOE. (Addressed in the New Standard Form Subdivision Agreement).

In addition to their primary function, stormwater management ponds should be attractive, community features that, where possible, are incorporated into the design of the community ‘gateway’ and/or contribute to overall neighbourhood character and can connect to street frontage. They should be designed safety in mind. Slopes should be between 4:1 and 7:1 to be non-hazardous to the public. Adjacent to the waterline, plantings of thickets should be included to prohibit access, except at designated look-out areas. Stormwater management ponds should be designed to eliminate the need for fencing (except on the common walkways around the facility with linkages to parks and trails).

As of December 2005, the City has finalized a new policy for design, construction and maintenance of Wet Pond Facilities. These guidelines have been closely modelled with Ontario’s Ministry of the Environment ‘preferred criteria’ for wet ponds, which is available online. In particular for the City of Hamilton, are the side slope of 5:1 and a minimum
length slope of 3m. This width is to limit the potential for public access to the pool. (Addressed in the New Standard Form Subdivision Agreement).

Public Works Department (Traffic Engineering and Operations Section)

Zoning Application ZAC-06-20:

Lot frontages adjacent to Street “G” at Whitwell Way and at Windwood Drive must be large enough to provide sufficient driveway area after the required road allowance has been dedicated to the city for the construction of neighbourhood roundabouts. A minimum 12.0m x 12.0 metre daylight triangle dedication will be necessary from all corner lots at these two intersections. It is noted that the revised draft plan of subdivision, attached as Appendix B reflects these comments, and Draft Plan Condition No. 13 of Appendix “E” also addresses this issue.

Draft Plan of Subdivision 25T-200605:

The Binbrook Village Transportation Master Plan recommends that prior to completion of 50% of Phase 1 development that the community collector road (Fall Fair Way), and the intersection of Fall Fair Way at RR 56 be constructed and operational. We, therefore, recommend that additional development beyond Phase 1 not be permitted until the construction of Fall Fair Way and the intersection of Fall Fair Way at RR 56 has been completed. It is noted that Draft Plan Condition No. 10 of Appendix “E” addresses this comment by not permitting registration of the draft plan until this traffic issue is satisfied.

As a condition of draft plan approval, the applicant must provide a centreline profile of Binbrook Road throughout the frontage of the property and extending as far to the west, as required, to ensure the required sightline standards have been met. This is addressed through Draft Plan Condition No. 14 in Appendix “E”.

As a condition of draft plan approval, the applicant must construct a westbound left turn lane on Binbrook road at Street “G”, minimum storage length 15m. A storage length of 15 metres must also be provided on eastbound approach to this intersection for the future north leg collector road. This is addressed through Draft Plan Condition No. 11 of Appendix “E”.

As a condition of draft plan approval, we recommend the construction of neighbourhood roundabouts at the intersection of Street “G” and Whitwell Way, and at Street “G” and Windwood Drive. The applicant must submit engineering drawings prior to the finalization of the frontage requirements and driveway locations of adjacent lots. This is addressed through Draft Plan Condition No. 12 of Appendix “E”.
SUBJECT: Application for Approval of a Draft Plan of Subdivision, “Summerlea West”, and Amendments to the Glanbrook Official Plan and Zoning By-law No. 464, for Lands Located Within Lot 3, Concession 4, and Known as 3385 Binbrook Road, Former Township of Glanbrook (Binbrook) (PED07148) (Ward 11) - Page 13 of 14

As a condition of draft plan approval we recommend that the applicant dedicate to the City minimum 12m x 12m daylight triangle dedications from the intersections of Street “G” and Whitwell Way, and at the Street “G” and Windwood Drive to facilitate roundabout construction. This is addressed through Draft Plan Condition No. 13 of Appendix “E”.

Hamilton-Wentworth District School Board

The Hamilton-Wentworth District School Board has no objection to the Official Plan, Rezoning and Draft Plan of subdivision applications as submitted. However, the Board has the following recommendations concerning the Draft Plan of Subdivision:

Schools within the surrounding area are at or exceed current enrolment capacity. As a result, should the City of Hamilton proceed with such a development, the Hamilton-Wentworth District School Board requires that the developer agree to having included as conditions of draft approval:

Condition 1 The Developer, at their expense, place adequate signage on the site, based on Board specifications, advising that “Students from this development are likely to be directed to schools outside of the area with available capacity and that students may be transported as governed by the Board Transportation Policy.” (Special Condition No. 6 – Appendix “E”)

Condition 2 The Developer is required to include, in all agreements of purchase and sale, notice to purchasers advising that “Students from this development are likely to be directed to schools outside of the area with available capacity and that students may be transported as governed by the Board Transportation Policy.” (Special Condition No. 7 – Appendix “E”)

Condition 3 That any rental or lease agreement required for occupancy include, in all agreements to renters or leasers, a clause advising that “Students from this development are likely to be directed to schools outside of the area with available capacity and that students may be transported as governed by the Board Transportation Policy.” (Special Condition No. 8 – Appendix “E”)

PUBLIC CONSULTATION

In accordance with the Public Participation Policy that was approved by Council on May 29, 2003, this application was pre-circulated to all property owners within 120 metres of the subject property. A total of 19 notices were circulated and one additional notice was requested by a landowner outside of the 120 metres. A Public Notice Sign was also posted on the subject lands and Notice of the Public Meeting was given in accordance
with the requirements of the Planning Act. As a result of this notice, staff did not receive any correspondence from the public on these applications.

CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑ Yes ☐ No
Shelter, care and satisfying employment are accessible to all Hamiltonians.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
Consumption of all natural resources is reduced.

Economic Well-Being is enhanced. ☑ Yes ☐ No
Hamilton's high-quality environmental amenities are maintained and enhanced.

Does the option you are recommending create value across all three bottom lines? ☑ Yes ☐ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☐ Yes ☑ No

:PM
Attaches. (6)
CITY OF HAMILTON

BY-LAW NO. _________

To Amend Zoning By-law No. 464 (Glanbrook)
Respecting Lands Located within Lot 3, Concession 4, Binbrook Road

WHEREAS the City of Hamilton Act. 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Township of Glanbrook" and is the successor to the former Regional Municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 464 (Glanbrook) was enacted on the 16th day of March, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

AND WHEREAS the Council of the City of Hamilton in adopting Section ______ of Report of the Economic Development and Planning Committee at its meeting held on the day of _______, 2007, recommended that Zoning By-law No. 464 (Glanbrook), be amended as hereinafter provided;

AND WHEREAS this by-law will be in conformity with the Official Plan of the City of Hamilton (formerly the Township of Glanbrook Official Plan), upon approval of Official Plan Amendment No. ______.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:
1. That Schedule “H”, appended to and forming part of By-law No. 464 (Glanbrook) is hereby amended as follows:

   (a) by changing from the Restricted Agricultural “A2” Zone to the Institutional “I” Zone, the lands comprised of Block 1;
   (b) by changing from the Restricted Agricultural “A2” Zone to the Public Open Space “OS2” Zone, the lands comprised of Block 2;
   (c) by changing from the Restricted Agricultural “A2” Zone to the Open Space – Conservation “OS3” Zone, the lands comprised of Block 3;
   (d) by changing from the Restricted Agricultural “A2” Zone to the Residential “R4-220” Zone, the lands comprised of Block 4;
   (e) by changing from the Restricted Agricultural “A2” Zone to the Residential Multiple “RM3-219” Zone, the lands comprised of Block 5;
   (f) by changing from the Restricted Agricultural “A2” Zone to the Residential Multiple “RM4-217” Zone, the lands comprised of Block 6; and,
   (g) by changing from the Restricted Agricultural “A2” Zone to the Residential “R4-218” Zone, the lands comprised of Block 7;

the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.

2. That Section 44, "Exceptions to the Provisions of this By-law", of Zoning By-law No. 464, be amended by adding the following new special provisions:

   “RM4-217

   In addition to the regulations of Subsection 20.1 PERMITTED USES of SECTION 20: RESIDENTIAL MULTIPLE “RM4” ZONE, the following uses shall be permitted only on the ground floor of a mixed use building for those lands zoned “RM4-217”:

   Banks and Financial Institutions;
   Day Nurseries;
   Professional and Business Offices;
   Personal Service Shops;
   Retail Stores;
   Restaurants; and,
Residential units on the ground floor having 50% of the floor area combined with a permitted commercial use having 50% of the floor area.

Notwithstanding the regulations of paragraphs (a), (b), (c), (d), (e), (f), (g), (h) and (i) of Subsection 20.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) and (b) OF SUBSECTION 20.1 (APARTMENT BUILDING) of SECTION 20: RESIDENTIAL MULTIPLE “RM4” ZONE, for those lands zoned “RM4-217”, the following regulations shall apply:

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<th>Requirement</th>
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<td>Minimum Lot Frontage</td>
<td>30 metres</td>
</tr>
<tr>
<td>(b)</td>
<td>Minimum Lot Area</td>
<td>700 square metres</td>
</tr>
<tr>
<td>(c)</td>
<td>Maximum Lot Area</td>
<td>N/A</td>
</tr>
<tr>
<td>(d)</td>
<td>Maximum Lot Coverage</td>
<td>N/A</td>
</tr>
<tr>
<td>(e)</td>
<td>Maximum Density</td>
<td>N/A</td>
</tr>
<tr>
<td>(f)</td>
<td>Minimum Front Yard</td>
<td>3.0 metres</td>
</tr>
<tr>
<td>(g)</td>
<td>Minimum Side Yard</td>
<td>3.0 metres, except:</td>
</tr>
<tr>
<td></td>
<td>(i) 7.5 metres abutting a side lot line which is the boundary of any Residential or Institutional Zone, or where a ground floor residential use or an institutional use is located on the adjoining lands; and,</td>
<td></td>
</tr>
<tr>
<td>(h)</td>
<td>Minimum Rear Yard</td>
<td>3.0 metres</td>
</tr>
<tr>
<td>(i)</td>
<td>Maximum Height</td>
<td>6 storeys</td>
</tr>
</tbody>
</table>

In addition to the regulations of paragraph (l) of Subsection 20.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) and (b) OF SUBSECTION 20.1 (APARTMENT BUILDING) of SECTION 20: RESIDENTIAL MULTIPLE “RM4” ZONE, for those lands zoned “RM4-217”, the following regulations shall apply:

(i) A landscaped strip having a minimum width of 3.0 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street, and such landscaped area shall be continuous except for the driveway(s).

Outside Storage and Display and Accessory Outdoor Patio Restaurants shall be permitted in accordance the provisions of paragraphs (m) and (o) of Section 25, General Commercial “C3” Zone for those lands zoned “RM4-217”.
Notwithstanding the regulations of paragraph (m) of Subsection 20.2
REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) and (b) OF
SUBSECTION 20.1 (APARTMENT BUILDING) of SECTION 20: RESIDENTIAL
MULTIPLE “RM4” ZONE, for those lands zoned “RM4-217”, the following
regulations shall apply:

(i) The parking space size shall have a minimum width of 2.6 metres and have
a minimum length of 5.5 metres;

(ii) Parking spaces shall be provided at a rate of 1 space per residential dwelling
unit, and 1 space per every 30 square metres of gross floor area for
commercial uses;

(iii) 1 loading space shall be required and shared for the residential and
commercial uses;

(iv) Visitor parking shall be shared with the commercial parking spaces; and,

(v) All other requirements shall be pursuant to the provisions of Subsections
7.35, 11.5 and 11.6 of this By-law”.

“R4-218

Notwithstanding the regulations of Subsection 16.2 REGULATIONS FOR USES
PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED
DWELLING) of SECTION 16: RESIDENTIAL “R4” ZONE, for those lands zoned
“R4-218”, the following regulations shall apply:

(a) Minimum Lot Frontage 9 metres, except
11 metres for a corner lot

(b) Minimum Lot Area 235 square metres, except
290 square metres for a corner lot

(c) Minimum Front Yard 4.5 metres to the dwelling, except 6.0
metres to the attached garage

(d) Minimum Side Yard 1.2 metres on one side
and 0.6 metres on the
other side, except:
(i) On a corner lot the minimum side yard abutting the flankage street shall be 2.4 metres, except that an attached garage which fronts on the flankage street shall not be located within 6.0 metres of the flankage street line.

(e) Minimum Rear Yard
7 metres

(f) Maximum Height
10.7 metres

(g) Minimum Parking Requirements
Pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law. In addition, the parking space size located within a garage shall have a minimum width of 2.6 metres and have a minimum length of 5.5 metres. Stairs, to a maximum of 3 risers, shall be permitted to encroach into this parking space.

In addition to the provisions of paragraphs (a) and (b) of Subsection 7.26 ENCROACHMENT INTO YARDS, on those lands zoned “R4-218”, the following regulations shall apply:

(i) Covered porches may project into any required front yard a distance of not more than 3.0 metres.
(ii) Bay windows either with or without foundations may project into any required front, rear, or flankage yards a distance of not more than 0.9 metres.
(iii) Stairs may project into any required front yard a distance of not more than 4.5 metres.
(iv) A covered porch may encroach into a required flankage yard a distance of not more than 1.8 metres.

In addition to the definition of “Daylight Triangle” in Section 4 DEFINITIONS, the following shall apply:

For the purposes of determining FRONT LOT LINE, and EXTERIOR SIDE LOT LINE abutting a street, a daylight triangle is deemed not to exist, provided that the minimum distance of the prescribed setbacks, in the By-law, is maintained“.

“RM3-219”
In addition to the Uses Permitted in Subsection 19.1 **PERMITTED USES** of **SECTION 19: RESIDENTIAL MULTIPLE “RM3” ZONE**, for those lands zoned “RM3-219”, Townhouses on a Common Elements Condominium Road shall be permitted in accordance with Section 19, Residential Multiple “RM3” Zone.

Notwithstanding the regulations of paragraphs (c), (d), (e), (f), (h), and (n) of Subsection 19.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) and (b) OF SUBSECTION 19.1 (BLOCK TOWNHOUSE DWELLINGS)** of **SECTION 19: RESIDENTIAL MULTIPLE “RM3” ZONE**, for those lands zoned “RM3-195”, the following regulations shall apply:

(a) Maximum Lot Coverage N/A
(b) Maximum Density N/A
(c) Minimum Side Yard 1.2 metres, except
   (i) On a corner lot the minimum side yard abutting the flankage street shall be 2.4 metres, except that an attached garage which fronts on the flankage street shall not be located within 6.0 metres of the flankage street line.
(d) Minimum Rear Yard 7.0 metres
(e) Minimum Floor Area per Dwelling Unit N/A
(f) Minimum Parking Space Size 2.6 metres by 5.5 metres
   All other requirements shall be pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law.

Notwithstanding the definition of STREET in Section 4, DEFINITIONS, a common elements condominium road shall be deemed to be a public street for the purposes of creating freehold lots”.

“**R4-220**

Notwithstanding the regulations of Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING)** of **SECTION 16: RESIDENTIAL “R4” ZONE**, for those lands zoned “R4-220”, the following regulations shall apply:

(a) Minimum Lot Frontage 11 metres, except
13 metres for a corner lot

(b) Minimum Lot Area  280 square metres, except  
335 square metres for a corner lot

(c) All other regulations of the Residential “R4-218” Zone shall be applicable to 
those lands zoned Residential “R4-220”.

3. The Clerk is hereby authorized and directed to proceed with the giving of notice of 
the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this day of , 2007.

__________________________________________  ________________________________
MAYOR                                      CLERK
Fred Eisenberger                            Kevin Christenson

ZAC-06-20
Schedule "A"

Map Forming Part of By-Law No. 07-____

to Amend By-law No.464

Subject Property
Summerlea West

Block 1 - Change from the Restricted Agricultural "A2" Zone to the Institutional "I" Zone.
Block 2 - Change from the Restricted Agricultural "A2" Zone to the Public Open Space "OS2" Zone.
Block 3 - Change from the Restricted Agricultural "A2" Zone to the Open Space - Conservation "OS3" Zone.
Block 4 - Change from the Restricted Agricultural "A2" Zone to the Residential "R4-220" Zone.
Block 5 - Change from the Restricted Agricultural "A2" Zone to the Residential Multiple "RM3-219" Zone.
Block 6 - Change from the Restricted Agricultural "A2" Zone to the Residential Multiple "RM4-217" Zone.
Block 7 - Change from the Restricted Agricultural "A2" Zone to the Residential "R4-218" Zone.

This is Schedule "A" to By-Law No. 07-
Passed the .......... day of .................., 2007

Clerk

Mayor
Special Conditions of Draft Plan of Subdivisions Approval for “Summerlea West”

1. That the final plan of subdivision include a final lotting design for all blocks within the draft plan in which single detached lots are permitted by the City’s Zoning By-law at a density not to exceed the maximum density approved by the City for this draft plan;

2. That the Owner agrees to convey Block “G” to the City of Hamilton, as provided for under Section 51 of the Planning Act as partial contribution toward the parkland dedication requirement;

3. That in accordance with the City’s Parkland Dedication By-law No. 03-199, a dedication of land for municipal park purposes is required as a condition of approval of the proposed development. In this instance 1.92 hectares of land is needed for the park, which is less than the total land are required to be dedicated. Consequently, the remainder of the land dedication is to be satisfied by payment of Cash-in-Lieu of parkland dedication. The Cash-in-Lieu payment shall be required prior to the registration of the plan and the calculation of the payment is based upon the unit count, as shown on the Final M Plan. The development may be subject to the alternate dedication rate of 1 hectare per 300 dwelling units if the density of development is between 20 and 75 dwelling units per hectare inclusive.

4. That the owner agree that prior to the registration of the draft plan of subdivision, that Urban Design/Architectural Guidelines be approved for the draft plan and included as an Appendix to the Subdivision Agreement, to the satisfaction of the Director of Development and Real Estate;

5. That the owner agrees to retain a qualified Urban Designer/Architect, to administer architectural development standards for those lots subject to architectural control prior to the issuance of building permits to the satisfaction of the Director of Development and Real Estate. Furthermore, the owner agree to adhere to those lots identified in the Urban Design/Architectural Guidelines and submit building plans for the lots to the City’s Urban Designer/Architect for review and approval prior to the issuance of a building permit;

6. That the owner, at their expense, place adequate signage on site based on Hamilton-Wentworth District School Board specifications advising that students from this development are likely to be redirected to schools outside of the area with available capacity and that students may be transported as governed by the Board’s Transportation Policy, unless granted exception;
7. That the Subdivision/Condominium Agreement include a Notice to purchasers advising that students are likely to be redirected to schools outside of the area with available capacity as governed by the Board’s Transportation Policy;

8. That any rental or lease agreement required for occupancy include in all agreements to renters or leasers, a clause advising that students from this development are likely to be redirected to schools outside of the area with available capacity;

9. That a warning clause be included in the subdivision/condominium agreement advising purchasers that students of the Hamilton-Wentworth District Public School Board System are likely to be redirected to schools outside the area with available capacity as governed by the Board’s Transportation Policy;

10. That the owner agree that the draft plan of subdivision not be registered until such time as the intersection of Fall Fair Way and Highway No. 56 has been constructed, and is operational, to the satisfaction of the Manager of Traffic Engineering and Operations, Public Works Department;

11. That the owner agree to construct a westbound left turn lane on Binbrook Road at Street “G” with a minimum length of 15 metres. A storage length of 15 metres must also be provided on the eastbound approach to this intersection for the future north leg collector road to the satisfaction of the Manager of Traffic Engineering and Operations, Public Works Department;

12. That the owner agree to construct neighbourhood roundabouts at the intersections of Street “G” and Whitwell Way, and at Street “G” and Windwood Drive. The applicant must submit engineering drawings prior to the finalization of the frontage requirements and driveway locations of adjacent lots. The drawings must demonstrate that the proposed roundabout designs accommodate all road users and provide the necessary road allowance area for utilities, pedestrian crossings and access locations, all to the satisfaction of the Manager of Traffic Engineering and Operations, Public Works Department and to the satisfaction of the Manager of Development Engineering;

13. That the owner agree to dedicate a minimum of 12 metre by 12 metre daylight triangle from the intersections of Street “G” and Whitwell Way, and Street “G” and Windwood Drive to facilitate roundabout construction, all to the satisfaction of the Manager of Traffic Engineering and Operations, Public works Department;
14. That the applicant must provide a centreline profile of Binbrook Road throughout the frontage of the property and extending as far to the west as required to ensure the required sightline standards have been met, to the satisfaction of the manager of Traffic Engineering and Operations, Public Works Department;

15. That the owner agree to participate, in conjunction with the City, in the development and implementation, and to the satisfaction of the City, of a multi-use pathway trail system as prepared by a full member, in good standing, of the Ontario Association of Landscape Architects (OALA). The trail system will be developed both off and on road along the proposed residential streets, with linkages through the Hydro One easement, stormwater management ponds, schools and park blocks;

16. In conjunction with the above condition, the Owner agrees to provide pedestrian easements for user access and to accommodate City emergency and service vehicles. The width of the pedestrian easements shall be a minimum of 4.5 metres with a maximum slope of 8%. The owner agrees to provide hard surfaced treatment, sodding, pathway lighting, 1.5 metre high chainlink fence and removal bollards, all to the satisfaction of the City;

17. That the final plan of subdivision not be registered until sanitary sewers, storm sewers, watermain and road access are available to service the lands of the draft plan to the satisfaction of the Manager of Development Engineering.

18. That the owner agrees to install a 1.8 metre high galvanized chain link fence along the east limit of the Stormwater Management Pond identified as Block “H” which abuts the residential lots. That the owner agrees in writing to install a 1.5 metre high galvanized chain link fence along the rear yards and side yards of lots 31, lots 44 to 51 inclusive, lot 52 and lot 68 which rear yards and side yards abut the north and south limits of City parkland identified as Block “G”. That the Owner agrees in writing to install a minimum 1.5 metre high galvanized chain link fence along the east and west limits of the City public walkway identified as Block “I”. That the owner agrees to install a 1.5 metre high galvanized chain link along the north limit identified as Block “I Open Space Corridor” which abuts the rear of the residential lots to the north.

19. That the owner agrees that all dead or diseased trees shall be removed from the road allowances and that the removal and replacement of street trees, as required by the reconstruction of the roads, will be at the sole expense of the owner.
20. That the owner submits a servicing report to the Manager of Development Engineering for review and approval. This report will also confirm that there are adequate domestic pressure and fire flows to support the development in absence of watermain looping.

21. That the owner shall prepare a groundwater study which shall assess the impact that the proposed development would have on the water supply and the sewage disposal systems on the adjacent properties. Pending the outcome of the study, the owner shall propose appropriate mitigative measures to address the concerns to the satisfaction of the Manager of Development Engineering.

22. That 15.0 metre by 15.0 metre daylight triangles be established on the final plan of the subdivision at the widened limits of Street “G” and Binbrook Road West.

23. That 12.0 metre by 12.0 metre daylight triangles be established on the final plan of subdivision at the intersection of Windwood Drive and Street “G”; and at the intersection of Windwood Drive and Whitwell Way.

24. That 7.0 metre by 7.0 metre daylight triangles be established on the final plan of subdivision at the intersections of Windwood Drive and Street “A”, Windwood Drive and Voyager Pass, Windwood Drive and Street “E”, Windwood Drive and Street “H”, Street “G” and Street “B”, Street “G” and Street “C”, Street “G” and Street “D”, Street “G” and Street “E” and Street “G” and Gowland Drive.

25. That 4.5 metre by 4.5 metre daylight triangles be established on the final plan of subdivision at the intersections of: Voyager Pass and Street “E”, Street “A” and Street “C”, Street “A” and Street “D”, Street “B” and Gowland Drive, Street “B” and Whitwell Way, Street “B” and Street “F”, Street “E” and Street “H”, Street “F” and Street “C”, and Street “F” and Whitwell Way;

26. That 4.5 metre by 4.5 metre daylight triangles be established on the final plan of subdivision at the “L” shaped bends on Voyager Pass, Street “B” and Street “E”; 

27. That the owner agrees to pay for the urbanization, including sanitary sewers, storm sewers, sidewalks and lighting of Binbrook Road West adjacent to the plan of subdivision;

28. That the owner pay to the City any outstanding commutation charges assessed against the lands in the draft plan, which represents the Owner’s share of the Binbrook Village Stormwater Management Pond in
accordance with a sewer rate established by the City for the Binbrook Village Urban Drainage Area under By-law No. 607-00;

29. That the owner installs 2.0 metre wide sidewalks in accordance with City policy on both sides of Windwood Drive and 2.0 metre wide sidewalks on both sides of Street “G”. That the owner install 1.5 metre wide sidewalks in accordance with City policy on the outer loops of Street “B”, Street “E” and Voyager Pass. That the owner installs 1.5 metre wide sidewalks in accordance with City policy on the north sides of Gowland Drive and Street “D”. That the owner installs 1.5 metre wide sidewalks in accordance with City policy on the south sides of Whitwell Way and Street “C”. That the owner installs 1.5 metre wide sidewalks in accordance with City policy on the east side of Street “A”. All of the above installations shall be done at the owner’s expense;

30. That the owner, through a soil consultant or other qualified consultant, shall: check existing wells which provide potable water supply to other properties located within a reasonable distance of the subject lands to establish the existing depth of water within wells prior to the commencement of construction; monitor these wells during construction; and check wells for a period of one year after the completion of construction. If any problems arise, they must be appropriately addressed by the owner to the satisfaction of the Manager of Development Engineering;

31. The owner agree in writing that in the event groundwater is encountered during any construction within the subdivision, including but not limited to house construction, the owner will submit a Hydrogeological report to the City, prepared by a qualified professional, to assess impacts, to identify any significant recharge and discharge zone, to provide recommendations to mitigate the groundwater impacts and to undertake the works as recommended including monitoring, all to the satisfaction on the Manager of Development Engineering;

32. That the owner agrees to convey sufficient lands (Block “H”) to the City Of Hamilton for the purposes of an adequately sized Stormwater Management (SWM) Facility and agrees to pay all associated construction costs;

33. That the owner agrees to convey sufficient lands (Block “K”) to the City Of Hamilton for the purposes of constructing a storm water management channel abutting the west limit of the subdivision and agrees to pay all associated costs;

34. That the owner prepare a storm water management report that addresses the requirements for storm water management for the area in
accordance with the criteria and requirements of the approved Binbrook Urban Settlement Area Master Storm Water Management Report;

35. The owner agrees to monitor drainage across the lands adjacent to the south limit of the development including the Hydro One Easement to ensure the existing lands are not negatively impacted by the development. In the event that a problem arises the Owner agrees to take the necessary action all to the satisfaction of the Manager of Development Engineering;

36. The owner agrees to operate, maintain and monitor in an acceptable manner, storm water management facilities through the construction of the subdivision until all lots/blocks within the draft approved plan are fully developed or until a time to be established by the Manager of Development Engineering. An operation manual, prepared by the owner’s engineer, shall be provided to the Manager of Development Engineering at the point of assumption of the stormwater management facilities by the City, the timing of which is to be established by the Manager of Development Engineering. This manual should provide guidance for future inspection, monitoring and maintenance of the pond;

37. That the owner prepares a geotechnical report to the satisfaction of the Manager of Development Engineering;

38. That the owner agrees the City will only pay its proportionate share of costs for works adjacent to future parkland based on the originally approved Binbrook Village Secondary Plan dated February 2, 2000;

39. That the owner agrees that the final plan of subdivision will not be registered until such time as there is sufficient sanitary sewer capacity available including, but not limited to, upgrades to the Binbrook Sanitary Sewer Pumping Station, forcemain twining etc. all to the satisfaction of the Manager of Development Engineering;

40. That the owner agrees that the final plan of subdivision will not proceed to registration until it is demonstrated, all to the satisfaction of the Manager of Development Engineering, that there is sufficient sanitary capacity at the Sewage Treatment Plant;

41. That the owner agrees to provide a street design plan which provides “on street parking” for approximately 30 to 50 vehicles, all to the satisfaction of the Manager of Development Engineering and the Manager of Traffic Engineering & Operations;

42. That the final plan not be registered until the driveway locations for Lots 43 to 46 inclusive have been indicated on the engineering drawings and
approved by the Manager of Development Engineering and the Manager of Traffic Engineering & Operations; and,

43. That each stage of the plan of subdivision not be registered until the owner submits an “M” Plan showing the final lot layout for all lots and lot-less blocks, to the satisfaction of the Director of Development and Real Estate.