RECOMMENDATION:

(a) That approval be given to **Amended Zoning Application ZAC-12-007, by Triple F Developments, Owner**, for a change in zoning from the “C/S-1505” (Urban Protected Residential, etc.) District, Modified, to the “R-4/S-1661” (Small Lot Single Family Dwelling) District, Modified, with a Special Exception, to permit the development of 20 lots for single detached dwellings, for lands located at 101 Nash Road North (Hamilton), as shown on Appendix “A” to Report PED12163, on the following basis:

(i) That the draft By-law, attached as Appendix “B” to Report PED12163, 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 “E-94” of City of Hamilton Zoning By-law No. 6593.

(iii) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan and the City of Hamilton Official Plan.
(b) That approval be given to **Amended Draft Plan of Subdivision Application 25T-201203, by Triple F Developments, Owner**, as red-line revised, to establish a draft plan of subdivision known as “101 Nash Road”, on lands located at 101 Nash Road North (Hamilton), as shown on Appendix “A” to Report PED12163, subject to the following conditions:

(i) That this approval apply to “101 Nash Road”, 25T-201203, as red-line revised, prepared by Urbex Engineering Limited, and certified by A.T. McLaren, O.L.S., dated July 20, 2012, showing 20 lots for single detached dwellings (Lots 1-20), and 2 blocks for daylight triangles (Blocks 21 and 22), attached as Appendix “C” to Report PED12163, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions attached as Appendix “D” to Report PED12163.

(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 each building permit for each said Lot or Block.

With regards to Lots 1 to 20, a parkland dedication, at a ratio of 5% of the net land area, will be required.

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

(c) That upon finalization of the implementing By-law, the subject lands within the Kentley Neighbourhood Plan be redesignated from “Civic and Institutional” to “Single and Double Residential”.

**EXECUTIVE SUMMARY**

The purpose of the application is to amend the City of Hamilton Zoning By-law to permit the development of the subject lands for 20 lots for small lot single detached dwellings. The applicant has also applied for approval of a Draft Plan of Subdivision (see Appendix “C”) to create 20 lots for single detached dwellings, and two blocks for daylight triangles. The applications have merit and can be supported because they are consistent with the Provincial Policy Statement and conform to the Places to Grow Plan, the Hamilton-Wentworth Official Plan, and the City of Hamilton Official Plan. Further, the development is considered to be compatible with the existing and planned development
in the immediate area, and represents an efficient redevelopment of a currently underutilized site in the Urban Area.

Alternatives for Consideration - See Page 21.

<table>
<thead>
<tr>
<th>FINANCIAL / STAFFING / LEGAL IMPLICATIONS (for Recommendation(s) only)</th>
</tr>
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<tbody>
<tr>
<td><strong>Financial:</strong></td>
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<td><strong>Staffing:</strong></td>
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<td><strong>Legal:</strong></td>
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<th>HISTORICAL BACKGROUND (Chronology of events)</th>
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**Proposal**

The applicant has applied to amend the City of Hamilton Zoning By-law by changing the zoning on the subject lands from the “C/S-1505” (Urban Protected Residential, etc.) District, Modified, to the “R-4” (Small Lot Single Family Dwelling) District, Modified, to permit the development of the subject lands for 20 small lot single detached dwellings. The Zoning application, as submitted, has been amended as a result of the technical review of the application with respect to lot widths, side yard setbacks, and front yard landscaping. Modifications have been included in the amending By-law (see Appendix “B”) to address increased lot width and increased side yard setbacks for certain lots, a minor reduction in front yard landscaping, and a restriction relating to the projection of attached garages into the front yard. The proposed modifications are discussed in greater detail in the Analysis/Rationale for Recommendation section of this Report.

The proposed plan of subdivision (see Appendix “C”) is intended to create 20 lots for small lot single detached dwellings, with frontages ranging from 10.0 metres to 13.6 metres, and 2 blocks for daylight triangles. The attached Draft Plan has been revised from a previous submission to accommodate an increased lot width for Lot 1 to allow for adequate driveway and manoeuvring access off Kentley Drive, increased lot widths for Lots 10 and 11 to provide a transition to the adjacent “C” District lots, and an increased lot width for Lot 5 to accommodate a greater side yard setback for drainage purposes. This is discussed further in the Analysis/Rationale for Recommendation section of the Report. Further, the Draft Plan, attached as Appendix “C”, has been red-line revised to indicate the two daylight triangles as Blocks 21 and 22 (rather than Parts), as these will be dedicated to the City of Hamilton. The applicant has agreed to these red-line revisions.
Previous Applications

Zoning By-law Amendment ZAR-04-11

Zoning By-law 04-162 was approved on June 30, 2004, which modified the existing “C” (Urban Protected Residential, etc.) District zoning on the subject lands to permit a retirement home for up to 120 residents. The intent was to convert the existing school building on the subject lands into a retirement home. The application was approved, but the proposed conversion of the school building into the retirement home was never undertaken due to changing financial and market conditions.

Chronology:

June 23, 2011: Submission of Formal Consultation Application FC-11-071 by 1125920 Ontario Ltd. proposing 20 lots for single detached dwellings.

January 16, 2012: Submission of Zoning By-law Amendment Application ZAC-12-007 and Draft Plan of Subdivision Application 25T-201203.

February 14, 2012: Applications ZAC-12-007 and 25T-201203 are deemed complete.

February 28, 2012: Circulation of Notice of Complete Application and Preliminary Circulation for Applications ZAC-12-007 and 25T-201203 to all residents within 120 metres of the subject lands.

June 20, 2012: Applicant submits revised Draft Plan of Subdivision and Urban Design Report to address concerns raised by staff.

July 20, 2012: Applicant submits revised Grading Plan and Draft Plan of Subdivision to address drainage issues.

August 17, 2012: Circulation of Notice of Public Meeting to all residents within 120 metres of the subject lands.

Details of Submitted Application:

Location: 101 Nash Road North (Hamilton)

Owner/Applicant: Triple F Developments

Agent: Liam Doherty Planning and Design

Vision: To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.

Values: Honest, Accountability, Innovation, Leadership, Respect, Excellence, Teamwork
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SUBJECT: Applications for Approval of a Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 101 Nash Road North Hamilton (PED12163) (Ward 5) - Page 5 of 21

**Property Description:**
- Lot Frontage: Nash Road North - 106.512 metres
  - Kentley Drive - 64.118 metres
  - Crawford Drive - 105.388 metres
- Lot Area: 0.678 hectares
- Servicing: Full Municipal Services

**EXISTING LAND USE AND ZONING:**

<table>
<thead>
<tr>
<th>Subject Lands:</th>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vacant</td>
<td>&quot;C/S-1505&quot; (Urban Protected Residential, etc.) District, Modified</td>
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</tbody>
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**Surrounding Land Uses:**

<table>
<thead>
<tr>
<th>North</th>
<th>Single Detached Dwellings</th>
<th>&quot;C&quot; (Urban Protected Residential, etc.) District</th>
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</thead>
<tbody>
<tr>
<td>South</td>
<td>Single Detached Dwellings</td>
<td>&quot;C&quot; (Urban Protected Residential, etc.) District</td>
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<tr>
<td>East</td>
<td>Semi-Detached Dwellings, Residential Care Facility</td>
<td>&quot;D&quot; (Urban Protected Residential - One and Two Family Dwellings, etc.) District and Open Space (P4) Zone</td>
</tr>
<tr>
<td>West</td>
<td>Single Detached Dwellings</td>
<td>&quot;C&quot; (Urban Protected Residential, etc.) District</td>
</tr>
</tbody>
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**POLICY IMPLICATIONS**

**Provincial Policy Statement**

The Provincial Policy Statement (PPS) provides policy direction of provincial interest related to land use planning and development. The Planning Act requires that, in exercising any authority that affects planning matters, planning authorities shall be consistent with policy statements issued under the Act. These applications are consistent with Policy 1.1.3.1 of the Provincial Policy Statement, which focuses growth in Settlement Areas.
Specifically, Policy 1.1.3.2 states that:

“1.1.3.2 Land use patterns within Settlement Areas shall be based on:

a) Densities and a mix of land uses which:

1. Efficiently use land and resources;

2. Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; and,

b) A range of uses and opportunities for intensification and redevelopment in accordance with the criteria in Policy 1.1.3.3.”

Further, Policy 1.4.3 states the following:

“1.4.3 Planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

b) Permitting and facilitating:

1. All forms of housing required to meet social, health, and well-being requirements of current and future residents, including special needs requirements; and,

2. All forms of residential intensification and redevelopment in accordance with Policy 1.1.3.3;

c) Directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs.

d) Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of alternative transportation modes and public transit in areas where it exists or is to be developed.”

The proposed development represents an opportunity for redevelopment of an underutilized site in a manner that is compatible with surrounding land uses and efficiently uses existing infrastructure and services. As such, the proposal is consistent with the policies of the PPS.
Growth Plan for the Greater Golden Horseshoe (Places to Grow)

The subject lands are located within a built-up area, as defined by Places to Grow. Policy 2.2.2.1 states that population growth will be accommodated by directing growth to the built-up area through intensification. Policy 2.2.3.1 states that by the year 2015, and for each year thereafter, a minimum of 40 percent of all residential development occurring annually within each upper and single tier municipality will be within the built-up area. The proposed development represents the efficient utilization of an underutilized site within the Urban Area and, as such, conforms with the policies of Places to Grow.

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. These areas are intended to accommodate approximately 96% of new residential housing units in the Region to the year 2020.

As the nature of the application is to permit residential redevelopment of the property, the proposal conforms to the policies of the Hamilton-Wentworth Official Plan.

City of Hamilton Official Plan

The subject property is designated “Major Institutional” in the City of Hamilton Official Plan. The following policies of the City of Hamilton Official Plan, among others, are applicable to the proposed development:

“A.2.6.1 The primary uses permitted in the areas exceeding 0.4 hectare in size designated on Schedule “A” as MAJOR INSTITUTIONAL, will consist of cultural facilities, health, welfare, educational, religious, and governmental activities and accessory uses.

A.2.6.5 Notwithstanding the policies set out above, in areas designated MAJOR INSTITUTIONAL, Residential uses may be permitted provided they are compatible with the surrounding area and are in keeping with the Residential policies set out in Sub-sections A.2.1 and C.7 of this Plan.

A.2.1.8 It is the intent of Council that a variety of housing styles, types, and densities be available in all RESIDENTIAL areas of the City, and further, that proposals for new development or redevelopment will contribute to the desired mix of housing, where practicable. In this regard, Council will be guided by the Housing Policies of Sub-section C.7 and the Neighbourhood Plan Policies of Sub-section D.2
A.2.1.13 Plans for redevelopment will, to the satisfaction of Council, ensure that the RESIDENTIAL character of the area will be maintained or enhanced, and that the redevelopment will not burden existing facilities and services.

C.7.3 Council will encourage a RESIDENTIAL ENVIRONMENT of an adequate physical condition that contains a variety of housing forms that will meet the needs of present and future residents. Accordingly, Council will:

iii) Support RESIDENTIAL development such as infilling, redevelopment, and the conversion of non-residential structures that makes more efficient use of the existing building stock and/or physical infrastructure that recognize and enhance the scale and character of the existing residential area by having regard to natural vegetation, lot frontages and areas, building height, coverage, mass, setbacks, privacy, and overview."

The City of Hamilton Official Plan permits residential uses within lands designated “Major Institutional” provided that the residential development is compatible with the surrounding area. The subject lands are surrounded to the north, south, and west by single detached dwellings. To the east of the subject lands, there are semi-detached dwellings and a residential care facility in the form of a 2-storey apartment building. As such, the redevelopment of the subject lands for 20 small lot single detached dwellings is compatible with surrounding uses, and provides an appropriate transition between the higher density uses to the east and the existing single detached dwellings in the neighbourhood. Further, larger lots, with a minimum width of 11 metres, will be provided adjacent to the existing dwellings on Nash Road and Crawford Drive, which are zoned “C” (Urban Protected Residential, etc.) District, to provide a transition between the existing “C” District zoning and the proposed site-specific “R-4” zoning. As such, the proposal conforms to the City of Hamilton Official Plan.

Kentley Neighbourhood Plan

The subject lands are designated “Civic and Institutional” in the approved Kentley Neighbourhood Plan. If this application is approved, a change in designation to “Single and Double Residential” will be required to implement the proposal.

New Urban Hamilton Official Plan

The proposal has been evaluated against the policies of the new Urban Hamilton Official Plan, which was adopted by Council on July 9, 2009. The Minister of Municipal Affairs and Housing issued its decision on March 10, 2011, but the decision has been appealed by a number of parties and, at this time, the new Urban Hamilton Official Plan is not in effect.
The subject lands are identified as “Neighbourhoods” on Schedule ‘E’ - Urban Structure, which are intended to provide a mix of low, medium, and high rise residential areas and various types of commercial areas. Further, the subject lands are designated “Neighbourhoods” on Schedule ‘E-1’ - Urban Land Use Designations, which permits residential dwellings, open space and parks, local community facilities/services, and local commercial uses. The following policies, among others, are applicable to the proposed development:

“E.3.2.1 Areas designated Neighbourhoods shall function as complete communities, including the full range of residential dwelling types and densities, as well as supporting uses intended to serve the local residents.

E.3.2.3 The following uses shall be permitted on lands designated Neighbourhoods on Schedule E-1 - Urban Land Use Designations:

a) Residential dwellings, including second dwelling units and housing with supports;

E.3.2.4 The existing character of established Neighbourhoods designated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood, in accordance with Section B.2.4 - Residential Intensification, and other applicable policies of this Plan.

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

E.3.4.3 Uses permitted in low density residential areas include single-detached, semi-detached, duplex, triplex, and street townhouse dwellings.

E.3.4.6 Development in areas dominated by low density residential uses shall be designed in accordance with the following criteria:

a) Direct access from lots to adjacent major and minor arterial roads shall be discouraged;

c) A mix of lot widths and sizes compatible with streetscape character; and a mix of dwelling unit types and sizes compatible in exterior design, including character, scale, appearance, and design features, shall be encouraged. Development shall be subject to the Zoning By-law regulations for appropriate minimum lot widths and areas, yards, heights, and other zoning regulations to ensure compatibility.”
The “Neighbourhoods” designation of the new Urban Hamilton Official Plan permits the proposed single detached dwellings. The Official Plan encourages compatibility of new developments within predominantly low density residential areas. The proposed single detached dwellings, while located on smaller lots, are compatible with the existing single detached dwellings to the north, south, and west of the subject lands, and maintain similar setbacks and heights that are already found in the neighbourhood. The Official Plan discourages direct access to minor arterial roads for low density uses. It is noted that Nash Road is identified as a Minor Arterial within Schedule “C” of the Urban Hamilton Official Plan, and that the Draft Plan proposes direct access to Nash Road for 9 of the 10 lots fronting onto Nash Road North. However, as will be further discussed below, Traffic staff has reviewed the proposed Draft Plan and is satisfied with the revised Plan (see Appendix “C”), which adequately addresses safety concerns at the intersection. As such, staff finds that the proposal would conform to the Urban Hamilton Official Plan.

**RELEVANT CONSULTATION**

The following Departments and Agencies were circulated, but did not provide comments:

- Infrastructure and Source Water Planning Section, Public Works Department.
- Health Protection Branch, Public Health Services.
- Hamilton Police Services.
- Emergency Services.
- Hamilton-Wentworth District School Board.
- Hamilton-Wentworth Separate School Board.
- French Catholic School Board.
- French Public School Board.
- Cogeco Cable Canada Inc.

The following Departments and Agencies submitted the following comments:

**Recreation Planning Section (Community Services Department)** advises that they have no concerns with the development, as proposed. Sam Manson Park is located in close proximity to serve the needs of residents, and serves both a neighbourhood and community park function. Further, the applicant is advised that cash-in-lieu of parkland dedication will be payable at the Building Permit stage.

**Hamilton Municipal Parking System** advises that on-street parking in the immediate area is restrictive (either no parking or 1 hour limit), so visitor parking is limited. A review of the submitted Parking Plan (see Appendix “E”) indicates that 12 on-street parking spaces can be provided, which exceeds the 40% guideline, however, a portion of these spaces are time restricted. Further analysis related to parking for the proposed development is provided below in the Analysis/Rationale for Recommendation Section.
Traffic Engineering Section (Public Works Department) has reviewed the proposal and provided comments relating to the driveway locations and proximity to the Nash Road and Kentley Drive intersection. This issue will be discussed in greater detail in the Analysis/Rationale for Recommendation section of the Report. Further, the section has noted that as a condition of draft plan approval, any redundant accesses must be removed and sidewalk reinstated (see Appendix “D” - Special Conditions of Draft Plan Approval 8).

Forestry and Horticulture Section (Public Works Department) advises that an assessment of the Preliminary Grading and Tree Inventory and Landscaping Plan indicates that there is an Urban Forestry Tree concern that can be resolved with the amended submission of a Tree Management Plan (see Appendix “D” - Special Conditions of Draft Plan Approval 1). There are 10 trees on the road allowance of Crawford Drive, and 2 trees on the Kentley Drive side which are governed under City of Hamilton Tree By-law 06-151. The two trees (Trees 26 and 27) on the Kentley Drive side are shown to be protected; however, clarification is required on the status of Tree 27, which appears to be in the path of the proposed driveway for Lot 1. The Tree Management Plan does not denote the location of the driveway. This should be denoted on the required amended Tree Management Plan.

Healthy trees on municipal property which are found to be in conflict with this proposed development and do not meet the City’s criteria for removal, will be subject to a replacement fee, as outlined in the City’s Reforestation Policy. All road allowance trees on Crawford Drive must be removed to accommodate the proposed work, but only trees 24 and 25 (Honey Locusts) will be subject to a Replacement fee of a combined value of $5,400, plus HST. If Tree 27 is required to be removed, the replacement fee for this Honey Locust would be $4,050, plus HST (see Appendix “D” - Special Conditions of Draft Plan Approval 2).

A Street Tree Planting Plan will be required. This condition is addressed through the Standard Form Subdivision Agreement (Section 2.8). This condition will be cleared upon receipt of a Plan and a cash payment for the new trees, as denoted in Section 2.8.

Operations and Waste Management Division (Public Works Department) advises that the development is eligible for collection of garbage, organics, recyclable material, and leaf and yard waste by the City of Hamilton, subject to compliance with specifications indicated by the Operations and Waste Management Division and the City’s Solid Waste Management By-law 09-067. Garbage, recycling, organics, and leaf and yard waste will be collected at curbside. Construction material is prohibited for collection, and arrangements shall be made with a private contractor. Prior to commencement of City waste collection service, the developer is responsible for the collection of all waste from any occupied units. It is noted that waste collection service will commence when the development is substantially completed and there is free and clear access. The developer is responsible to contact the City to request the start of
waste collection service, and a site visit by staff is required prior to the start of this service.

**Hamilton Street Railway (HSR)** advises that the HSR operates the Route #4 Bayfront bus past this site, with no planned changes in service. Street orientation and pedestrian entrances are important. Direct short walking distances between dwellings and transit service are preferable. HSR supports the inclusion of high quality pedestrian amenities at this development. The redevelopment of this site is transit supportive.

Further, it is noted that an HSR transit shelter is located on the west side of Nash Road North, twenty metres north of Kentley Drive. The location of the shelter would conflict with the proposed driveway locations along Nash Road North. The applicant has worked with the HSR to find a suitable alternative placement for the bus shelter, which will be moved forward 14.7 metres toward the Nash Road and Kentley Drive intersection. This location is acceptable to HSR and Traffic staff. The applicant is responsible for all costs associated with moving the bus shelter, as per Special Condition of Draft Plan Approval 14, as indicated on Appendix “D”. In addition, a warning clause will be included in all Offers of Purchase and Sale Agreements for Lots 1 to 3 indicating that a bus stop landing pad and bus shelter will be located in front of Lot 1 (see Special Condition of Draft Plan Approval 3 on Appendix “D”).

**Hamilton Conservation Authority (HCA)** advises that the site is located in the Red Hill Creek watershed area that drains into Hamilton Harbour and, as such, the development must satisfactorily address the stormwater management and sediment and erosion control requirements identified in the Hamilton Harbour Remedial Action Plan. The HCA has reviewed the Servicing Report, Stormwater Management Report, Grading and Erosion/Sedimentation Control Plan, and Geotechnical Investigation Report submitted with the subject applications, and has no objections to the proposal. The HCA requests that the applicant use Low Impact Development techniques within the development.

However, as conditions of Draft Plan Approval, the HCA requires a full submission of engineer stamped drawings, including: a detailed Grading Plan illustrating the limits of the work/disturbance area and how the proposed development will blend with the adjacent lands; a Servicing Plan identifying how the storm drainage system will provide adequate treatment of first flush runoff prior to diversion into the system; and, an Erosion and Sediment Control Plan illustrating the installation of appropriate on-site sediment and erosion control measures, including a heavy duty silt fence around the perimeter of the entire property. This is addressed through the Standard Form Subdivision Agreement (Sections 3.2, 3.3, and 4.1).
Bell Canada has advised that conditions of draft plan approval are required to ensure all telecommunication infrastructure is adequately provided for in the development. These comments are addressed in the Standard Form Subdivision Agreement (Section 1.21). In addition, Bell Canada advises that hydro design and access to the joint use utility trench will be required, as indicated in Special Condition 15 of Appendix “D”.

Union Gas advises that, as a condition of final approval, the developer shall provide necessary easements and/or agreements required by Union Gas for the provision of gas services to the development. This is addressed through the Standard Form Subdivision Agreement (Section 1.21).

Canada Post has advised that conditions of draft plan approval must be included regarding warning clauses for purchasers indicating that mail delivery will be from a designated centralized mail box and regarding the provision of a location for a mail box. This is addressed in the Standard Form Subdivision Agreement (Section 1.22) and through Special Conditions 5 and 6 (see Appendix “D”).

PUBLIC CONSULTATION

In accordance with the new provisions of the Planning Act and Council’s Public Participation Policy, 120 Notices of Complete Application and Preliminary Circulation were sent to property owners within 120 metres of the subject property on February 28, 2012, requesting public input on the application. Further, a Public Notice sign was posted on the property on March 5, 2012. To date, no written comments have been received in response to the circulation. In addition, Notice of the Public Meeting will be given in accordance with the requirements of the Planning Act.

ANALYSIS / RATIONALE FOR RECOMMENDATION

(include Performance Measurement/Benchmarking Data, if applicable)

1. The proposal has merit and can be supported for the following reasons:
   i) The applications are consistent with the Provincial Policy Statement and conform to the Places to Grow Plan, as they focus growth in the Settlement Area;
   ii) The applications conform to the policies of the Hamilton-Wentworth Official Plan, the City of Hamilton Official Plan, and the new Urban Hamilton Official Plan;
   iii) The proposed development is considered to be compatible with the existing and planned development in the immediate area; and,
iv) The proposed development will efficiently redevelop a currently under-utilized, fully-serviced site in the Urban Area.

2. The applicant submitted an Urban Design Report in support of their application to address issues of neighbourhood compatibility with this infill development. The Urban Design Report, prepared by Liam Doherty Planning and Design, was reviewed by staff. Staff required the submission of a revised Urban Design Report to better address issues of built form and impact on the streetscape from the new development. A revised Report was submitted and reviewed by staff. The Urban Design Report notes that the surrounding buildings consist primarily of 1-storey bungalows, with some existing 2-storey dwellings. The proposed “R-4” Zoning will permit a 2-storey dwelling as-of-right. However, from a streetscape perspective, the proposed dwellings would maintain the standard 6 metre setback, as required by the Zoning By-law. Staff recommends that a provision be included in the amending By-law to require that a garage may not project into a front yard more than 1.5 metres more than the main wall of a dwelling. This will improve consistency with the surrounding dwellings in terms of built form, as the majority of existing dwellings in the neighbourhood have garages that are in line with, or set back from, the main wall of the dwelling. In addition, the majority of the lots will maintain the minimum 50% front yard landscaping required by the Zoning By-law. The applicant has requested relief from this requirement for 6 lots fronting onto Nash Road North (Lots 3, 4, 6, 7, 8, and 9), which are narrower in width than the other lots in the Plan. For these Lots, a minimum 48% front yard landscaping will be provided. As will be discussed in further detail below, staff finds that this reduction is minor and will not have a negative impact on the streetscape. As such, subject to the above, staff is satisfied that from a streetscape and built form perspective, the proposal is compatible with the surrounding neighbourhood.

Further, in order to provide a better transition between the existing “C” District zoned lots to the north of the subject lands, the applicant has revised the Draft Plan (see Appendix “C”) to provide larger lots adjacent to the existing homes on Nash Road North and Kentley Drive. The two most northerly lots in the proposed Draft Plan will have minimum lot widths of 11 metres. This has been incorporated into the amending Zoning By-law (see Appendix “B”). These two larger lots will improve the transition between the new development and the existing adjacent dwellings.

3. As a result of the circulation of this application, concerns related to driveway locations and parking for Lots 1 and 2, in proximity to the Nash Road North and Kentley Drive intersection, were raised by staff, as discussed below.

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Values: Honest, Accountability, Innovation, Leadership, Respect, Excellence, Teamwork
Lot 1 Driveway Access

There is a requirement for a 9 metre by 9 metre daylight triangle at the Nash Road and Kentley Drive intersection to be dedicated to the City (shown as Block 21 on Appendix “C”). Due to this land dedication and the proximity of Lot 1 to the intersection, driveway access from Lot 1 to Nash Road North is not permitted, and access to this Lot must be by way of Kentley Drive (see Appendix “D” - Special Condition 11). The applicant submitted a Parking Plan with the original submission, which indicated access to Lot 1 via Kentley Drive by means of an attached garage to the rear of the proposed dwelling with side access to Kentley Drive. While the location of the proposed access was acceptable to staff, it was noted that no driveway was depicted for Lot 1; instead vehicles exited the garage directly into the Kentley Drive road allowance. Staff raised concerns with this proposal due to visibility and safety issues, and due to the potential for cars to park in the Kentley Drive road allowance, which would not be permitted. The applicant has worked with staff to address this concern, and has provided a revised parking plan (see Appendix “E”), which illustrates that access to Lot 1 via Kentley Drive can be appropriately provided by means of an attached rear garage with side access to Kentley Drive, and a driveway to provide on-site parking for Lot 1 within the lot boundaries (as opposed to the road allowance). To accommodate this change, Lot 1 has been widened to 13.74 metres (see Appendix “C”), whereas a lot width of 11.34 metres was originally proposed for this Lot. Staff is supportive of this change.

Lot 2 Driveway Location

Staff raised concerns that the driveway access for Lot 2 was too close to the traffic signal at the Nash Road North and Kentley Drive intersection, which could result in the driveway being blocked by southbound traffic. The traffic signal at this intersection operates for safety reasons on a 3-phase operation because left turn lanes are not available on Nash Road. When northbound traffic is given the green light and allowed to flow, all other directions of traffic are stopped. Therefore, a driver northbound on Nash Road trying to turn left into a driveway for Lot 2 would likely be blocked by a queue of southbound traffic stopped for a red traffic light. If the southbound queue is significant, then the driveways for other lots on Nash Road may also be blocked. As such, Traffic staff had requested that the first driveway on Nash Road North be located a minimum of 25 metres north of the intersection.
The Draft Plan originally submitted with the application indicated the driveway for Lot 2 to be located approximately 16 metres from the intersection. Traffic staff raised concerns with this location and met with the applicant to discuss alternatives. The revised concept, incorporating the widening of Lot 1 as noted above, results in the proposed driveway for Lot 2 being located an additional 2 metres further north from the intersection, resulting in the driveway being located greater than 17.5 metres from the Kentley Drive intersection. Traffic staff had stated that this alternative is acceptable from a Traffic Planning perspective. This minimum distance for the first driveway location on Nash Road from the Kentley Drive intersection has been incorporated into the amending Zoning By-law (see Appendix “B”), and has been included as Special Condition 7 on Appendix D. Further, as a condition of Draft Plan approval (see Appendix “D” - Special Condition 11), all driveway locations must be indicated and approved on the final engineering drawings.

4. The applicant has submitted an on-street parking plan (see Appendix “E”) in support of the application. City guidelines require that on-street parking should be provided for a minimum of 40% of the units in the proposed development. Therefore, the proposed 20 lot Draft Plan of Subdivision would require that 8 on-street parking spaces be provided. The submitted parking plan indicates that 8 spaces can be provided on Crawford Drive, 5 spaces can be provided on the north side of Kentley Drive, and 3 spaces can be provided on the south side of Kentley Drive. On-street parking is not permitted on Nash Road North. However, Parking Services staff notes that the 3 spaces shown on the south side of Kentley Drive will likely be removed in the future due to queuing issues at the Kentley Drive and Nash Road North intersection. Further, the most easterly space on the north side of Kentley Drive must be removed, as it is too close to the driveway for Lot 1. These 4 spaces can, therefore, not be included in the on-street parking total. Therefore, it is noted that 12 on-street parking spaces (or 60% on-street parking) can be provided for the proposed development, exceeding the required 8 spaces. However, Parking staff noted that the spaces on Crawford Drive are subject to a one-hour time limit restriction. This restriction was put in place because the subject lands were formally used as a school. However, as the school use has ceased, the restriction is no longer required, and Parking Services staff has indicated that this restriction could be removed if surrounding residents supported the initiative. Overall, staff is satisfied that the proposed double driveway for each lot, combined with the available on-street parking, will minimize parking issues in the neighbourhood. However, a warning clause will be included in all Offers of Purchase and Sale Agreements to warn purchasers that parking needs should be met on site and that on-street parking in the vicinity is time-restricted (see Appendix “D” - Condition 4).
5. The “R-4” (Small Lot Single Family Dwelling) District requires that, for a single family dwelling on an interior lot, at least one side yard shall be provided with a minimum width of 1.2 metres. The remaining side yard may be reduced to 0 metres, except where the side yard abuts any other residential district (in which case a 1.2 metre yard is required). In accordance with this provision, the applicant has proposed a 0 metre side yard setback for lots within the development, where permitted by the Zoning By-law. As such, it is noted that the City of Hamilton Zoning By-law requires that where a side yard is not being provided for a single family dwelling, an encroachment of 0.4 metres onto an adjacent lot within the same zoning district is permitted to allow for the encroachment of eaves, gutters, and footings, provided that a maintenance easement is entered into and registered on title. Therefore, the applicant is advised that an application to establish the required maintenance easements shall be required following registration of the subdivision, as per the Standard Form Subdivision Agreement (Section 5.11).

Further, it is noted, that the City’s Grading Policy requires that split drainage must be utilized for the grading of the proposed lots, as the lands are proposed to be rezoned to the “R-4” (Small Lot Single Family Dwelling) District, which permits reduced side yards. In situations where split drainage is proposed, the City requires a 1.8 metre minimum separation distance between buildings to allow for a catch basin lead, and further, a 2.0 metre minimum separation distance is required where an overland flow route is provided. The applicant has submitted a Preliminary Grading Plan, prepared by Urbex Engineering, which identifies the location of 2 rear yard catch basins and an overland flow route on Lots 4 and 9. Therefore, in order to ensure that the required 2.0 metre separation distance is provided between buildings for the overland flow route and rear yard catch basins, the amending Zoning By-law (see Appendix “B”) requires that a 0.8 metre southerly side yard setback be required for Lots 5 and 10, which are identified as Block 2 within the amending By-law. This 0.8 metre southerly side yard setback on Lots 5 and 10, in conjunction with the 1.2 metre setback on the north side of the adjacent lots (Lots 4 and 9), which is required under the “R-4” Zone, will provide the 2.0 metre separation distance required for the overland flow route and catch basin lead. In addition, special conditions have been added to the Draft Plan approval requiring the increased separations between buildings for the identified lots to accommodate the rear yard catch basins and overland flow routes, and further, to state that the catch basin lead pipe must be constructed within the 1.2 metre setback (see Special Conditions of Draft Plan Approval 18 and 19 on Appendix “D”)
6. The following modifications have been included in the amending By-law on the following basis. These modifications have already been referred to above.

**Minimum Lot Width**

The amending By-law has been written to require an increased lot width for some of the lots within the Draft Plan, as noted above. Specifically, with regard to the two most northerly lots within the Plan (Lots 10 and 11), which are adjacent to existing “C” District lots, the minimum required lot width has been increased to 11 metres. This is to ensure that an appropriate transition is provided adjacent to the existing lots on Nash Road North and Crawford Drive that are zoned “C” District, which requires a minimum lot width of 12 metres.

In addition, for the lot located at the intersection of Kentley Drive and Nash Road North (Lot 1), the minimum required lot width has been increased to 13.7 metres. This is required due to the required 9 metre x 9 metre daylight triangle at the Kentley Drive and Nash Road North intersection, which will be dedicated to the City. In addition, the increased lot width also accommodates a side driveway off Kentley Drive with access to a rear garage, as access to Nash Road is not permitted for this lot due to proximity to the intersection, as noted above. The applicant revised their Draft Plan to accommodate the increased lot width for Lots 1, 10, and 11 based on comments from staff.

**Side Yard Setback**

As noted above, the amending By-law has been written to require a southerly side yard setback of 0.8 metres for the lots located in Block 2 (Lots 5 and 10 fronting onto Nash Road North) in order to accommodate the required overland flow route for the rear yard catch basins, as per the City’s Grading Policy. The applicant has agreed to this requirement.

**Front Yard Landscaping**

The applicant has requested a reduction in minimum front yard landscaping from 50% to 48%. The applicant has requested this reduction due to the requirement to widen select lots on the Plan to accommodate revised driveway locations (Lots 1 and 2), side yard drainage (Lots 5 and 10), and a transition to the existing “C” zoned lots (Lots 10 and 11). The increased widths of the above noted lots have resulted in the remaining lots fronting onto Nash Road North being narrowed to approximately 10.08 metres in width. These Lots (3, 4, 6, 7, 8, and 9) are identified as Block 3 on Appendix “B”. In order to ensure that a 2 car driveway can be provided on these Lots in Block 3, which front onto Nash Road North where on-street parking is not available, the reduction in front yard landscaping to 48% has been requested.
Staff has reviewed this request and finds that the impact on the streetscape will be minimal. The 2% reduction in landscaped area represents an area of approximately 1.2 square metres (2% of 60 square metres, which is the approximate area of the front yard). It is noted that this 1.2 square metres could be provided elsewhere on the property. The applicant is anticipating a house design in which the garage will project forward from the main wall of the dwelling by a maximum of 1.5 metres (as noted below). The Zoning By-law considers the front yard to be located between the front lot line and the nearest point of the building or structure which, in this case, would be the attached garage. Therefore, the portion of the property located in the area beside the garage and in front of the main wall of the dwelling would not be included in the front yard definition, but would appear as part of the front yard from the street. It is anticipated that this area would be landscaped and, as such, the 1.2 square metre reduction could, therefore, be compensated within this area. As such, staff finds that this reduction is minor in nature and can be supported. Further, it is noted that all of the remaining lots within the Plan will meet the minimum 50% front yard landscaping requirement.

Garage Projection

In order to ensure compatibility with the surrounding neighbourhood and to decrease the prominence of the garage from the street line for the small lots, the amending By-law has been written to state that a garage shall not be permitted to project more than 1.5 metres forward from the main wall of the dwelling. Existing houses in the neighbourhood have garages that are in line with, or set in, from the main wall of the dwelling. This provision in the By-law will contribute to compatibility in design between the new dwellings and the existing homes in the neighbourhood.

Driveway Location

As noted above, in order to address traffic safety concerns regarding driveway access to Nash Road North, the amending By-law includes a regulation stating that no driveway access to Nash Road shall be permitted within 17.5 metres of the southerly (Kentley Drive) lot line. The applicant has agreed to this provision.
7. For information purposes, it is noted that the proposed development can be serviced for water from the 150 mm watermain on Crawford Drive and the 300 mm watermain on Nash Road. There is an existing 250 mm sanitary sewer on Crawford Drive and an existing 375 mm sanitary sewer on Nash Road available to service the subject lands. In addition, there is an existing 450 mm/525 mm storm sewer on Crawford Drive and an existing 1500 mm storm sewer on Nash Road available to service the subject lands. There is also a 600 mm storm sewer on Kentley Drive. It is noted that private storm and sanitary sewer stubs and water services were installed to the property line for the ten lots fronting Nash Road during the reconstruction of Nash Road North in 2011. It is further noted that curb depressions were provided for these lots under the same construction project. If any adjustments or realignment of any services or curb depression is required, it shall be at the owner’s expense.

At the development stage, the owner will be required to prepare and implement a detailed Stormwater Management Plan for the subject lands, to the satisfaction of the Senior Director, Growth Management Division (see Condition 9 - Appendix “D”). The approved Plan shall address stormwater quantity and quality issues, and will ensure that current Provincial drainage and stormwater quality guidelines are implemented. To avoid road cuts on Nash Road, the owner should investigate whether the private rear yard catch basins can be connected to the storm sewer system on Crawford Drive. With respect to stormwater quantity control, roof leaders, where practical, must drain to the surface and be directed towards the private rear yards and, ultimately, to the private rear yard catch basins. Along the side yard swales, from the split elevation point to the elevation at the rear property line, the maximum grade difference is to be no greater than 0.4 metres.

8. The existing road allowance width of the surrounding roads is as follows: Nash Road North - 26.21 metres; Crawford Drive - 20.12 metres, Kentley Drive - 21.12 metres. There are no road widenings required on any of these streets. There is a requirement for a 9.14 metre x 9.14 metre daylight triangle at the intersection of Nash Road North and Kentley Drive, and a 4.57 metre x 4.57 metre triangle at the intersection of Kentley Drive and Crawford Drive, to be dedicated to the City, as per Conditions 16 and 17 on Appendix “D”. There are existing combined curb and sidewalks on Crawford Drive and Kentley Drive, and existing independent curb and sidewalks with boulevards on Nash Road North. The developer is advised that the City will retain a security deposit for these sidewalks and curbs in the event they are damaged during construction of the subdivision. The developer is responsible for any repairs required due to damage as a result of construction.
If the proposed applications are denied, the subject lands could be developed for uses permitted within the “C/S-1505” (Urban Protected Residential, etc.) District. The “C” (Urban Protected Residential, etc.) District permits single family dwellings, with a minimum lot width of 12 metres and various institutional and public uses. Further, the site-specific zoning on this property would also allow for the development of a retirement home for the accommodation of not more than 120 residents.

**CORPORATE STRATEGIC PLAN** (Linkage to Desired End Results)


**Financial Sustainability**

- Effective and sustainable Growth Management.

**Social Development**

- People participate in all aspects of community life without barriers or stigma.

**Healthy Community**

- Plan and manage the built environment.
- Adequate access to food, water, shelter and income, safety, work, recreation and support for all (Human Services).

**APPENDICES / SCHEDULES**

- Appendix “A”: Location Map
- Appendix “B”: Draft Zoning By-law Amendment
- Appendix “C”: Proposed Draft Plan of Subdivision
- Appendix “D”: Special Conditions of Draft Plan of Subdivision Approval
- Appendix “E”: Parking Plan

:HT
Attachs. (5)
Location Map

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number: ZAC-12-007 / 25T201203
Date: February 23, 2012

Appendix "A"

Scale: N.T.S.
Planner/Technician: HT / MB

Subject Property

101 Nash Road North

Change in Zoning from "C" (Urban Protected Residential, etc.) District, Modified to "R-4" (Small Lot Single Family Dwelling) District, Modified.

Ward 5 Key Map N.T.S.
WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Hamilton” 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 and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which By-law was approved by the Ontario Municipal Board by Order, dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item [redacted] of Report 12-[redacted] of the Planning Committee, at its meeting held on the [redacted] day of [redacted] 2012, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Sheet No. E-94 of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended as follows:

   (a) That Blocks 1, 2, and 3 be rezoned from the “C/S-1505” (Urban Protected Residential, etc.) District, Modified, to the “R-4/S-1661” (Small Lot Single Family Dwellings) District, Modified;

   on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule ‘A’.

2. That the following special regulation shall apply to lands identified as Blocks 1, 2, and 3:

   (a) That notwithstanding any other provision(s) of Zoning By-law No. 6593, an attached garage shall be permitted to project forward toward the street line to a maximum of 1.5 metres beyond the main wall of the dwelling.

3. That the “R-4” (Small Lot Single Family Dwelling) District regulations, as contained in Section 9A of Zoning By-law No. 6593, applicable to the lands identified as Block 1, be modified to the extent only of the following special requirements, in addition to the special requirement in Section 2 of this By-law:

   (a) That notwithstanding Sub-section 9A(2)(c)2 of Zoning By-law 6593:

      (i) For the lot located at the northwest corner of Nash Road North and Kentley Drive, the lot width shall be not less than 13.7 metres;

      (ii) For the northerly lot adjacent to the “C” (Urban Protected Residential, Etc.) District, the lot width shall be not less than 11.0 metres;

      (iii) For the remainder of the lots within Block 1, the lot width shall be not less than 9.0 metres; and,

      (iv) All lot areas shall be not less than 278 square metres.

   (b) That notwithstanding any other provision(s) of Zoning By-law No. 6593, no driveway access to Nash Road North shall be located within 17.5 metres of the southerly (Kentley Drive) lot line.

4. That the “R-4” (Small Lot Single Family Dwelling) District regulations, as contained in Section 9A of Zoning By-law No. 6593, applicable to the lands identified as Block 2, be modified to the extent only of the following special requirements, in addition to the special requirement in Section 2 of this By-law:
(a) That notwithstanding Sub-section 9A(2)(b)(i) of Zoning By-law No. 6593, a minimum southerly side yard of 0.8 metres in width and a minimum northerly side yard of 1.2 metres in width shall be provided and maintained; and,

(b) That notwithstanding Sub-section 9A(2)(c)(ii) of Zoning By-law 6593, for the northerly lot adjacent to the “C” (Urban Protected Residential, Etc.) District, the lot width shall be not less than 11.0 metres, and the lot area shall be not less than 278 square metres.

5. That the “R-4” (Small Lot Single Family Dwelling) District regulations, as contained in Section 9A of Zoning By-law No. 6593, applicable to the lands identified as Block 3, be modified to the extent only of the following special requirement, in addition to the special requirement in Section 2 of this By-law:

(a) That notwithstanding Sub-sections 18(14)(i) and 18A(14a) of Zoning By-law No. 6593, or any other provision(s) of Zoning By-law No. 6593, not less than 48% of the gross floor area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers, or other similar materials.

6. That By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1661.

7. That Sheet No. E-94 of the District Maps is amended by marking the lands referred to in Section 1 of this By-law as S-1661.

8. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the “R-4” (Small Lot Single Family Dwelling) District provisions, subject to the special requirements referred to in Sections 2, 3, 4, and 5 of this By-law.

9. That 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 _____, 2012

______________________________________  ________________________________________
R. Bratina                                      Rose Caterini
Mayor                                              Clerk

ZAC-12-007/25T201203
Appendix “B” to Report PED12163 (Page 4 of 4)

This is Schedule "A" to By-Law No. 12-
Passed the .......... day of ...................., 2012

Mayor

Clerk

Schedule "A"
Map Forming Part of By-Law No. 12-____
to Amend By-law No. 6593

Subject Property
101 Nash Road North

Block 1 - Change in Zoning from "C/S-1505" (Urban Protected Residential, etc.) District, Modified to "R-4/S-1661" (Small Lot Single Family Dwelling) District, Modified.

Block 2 - Change in Zoning from "C/S-1505" (Urban Protected Residential, etc.) District, Modified to "R-4/S-1661" (Small Lot Single Family Dwelling) District, Modified.

Block 3 - Change in Zoning from "C/S-1505" (Urban Protected Residential, etc.) District, Modified to "R-4/S-1661" (Small Lot Single Family Dwelling) District, Modified.
Special Conditions of Draft Plan of Subdivision Approval for 101 Nash Road North

1. That, prior to preliminary grading, the applicant shall submit an amended Tree Management Plan, which accurately denotes the location of all existing trees on the site and the location of all proposed driveways, to the satisfaction of the Forestry and Horticulture Section, Public Works Department.

2. That, prior to preliminary grading, the applicant shall pay to the City of Hamilton an applicable Replacement Fee for the removal of trees on site, as per the City of Hamilton Reforestation Policy, to the satisfaction of the Forestry and Horticulture Section, Public Works Department.

3. That the owner agrees, in writing, to include the following warning clause in all Offers and Agreements of Purchase and Sale for Lots 1 to 3, and any rental or lease agreements required for occupancy:

   “Purchasers/tenants are advised that a bus stop landing pad and transit shelter will be located on Nash Road North in front of Lot 1.”

4. That the owner agrees, in writing, to include the following warning clause in all Offers and Agreements of Purchase and Sale, and any rental or lease agreements required for occupancy:

   “It is the responsibility of the owner/tenant to ensure that their parking needs (including those of visitors) can be accommodated on site. Garages provided are intended for use as parking. Public on-street parking in the neighbourhood is provided on a ‘first come, first serve’ basis, which may be restricted and cannot be guaranteed in perpetuity.”

5. That the owner agrees, 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.

6. That the owner agrees 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) Determine the location of all centralized mail receiving facilities in cooperation 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.

7. That the owner agrees, in writing, that the driveway to Lot 2 must be a minimum of 17.5 metres north of the intersection at Kentley Drive, to the satisfaction of the Senior Director, Growth Management Division.

8. That, the owner agrees, in writing, that any redundant accesses on Nash Road North, Kentley Drive, and Crawford Drive, will be removed and the sidewalk/curb/boulevard be re-instated, to the satisfaction of the Senior Director, Growth Management Division.

9. That, prior to servicing, the owner shall be required to prepare and implement a detailed Stormwater Management Plan for the subject property, to the satisfaction of the Senior Director, Growth Management Division.

10. That, prior to servicing, the engineering design and cost schedules shall include provision for reconstruction of Crawford Drive due to the number of private service installations required on this street. The owner is required to reconstruct the full width pavement and combined curb and sidewalk adjacent to the subject lands, at their expense, on Crawford Drive from Kentley Drive to the east limit of the subdivision, to the satisfaction of the Senior Director, Growth Management Division.

11. That, prior to servicing, the owner shall indicate the driveway locations on the engineering drawings for Lots 1 to 20, inclusive, and that no driveway be located within any daylight triangles, and that the driveway for Lot 1 must have direct access to Kentley Drive.

12. 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.

13. 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.

14. That, prior to servicing, the owner shall be required to relocate, as required, all affected utilities, utility poles, hydrants, pedestals, hydro vaults, bus shelters, etc.,
15. That, prior to servicing, the owner shall provide hydro design and access to the joint use utility trench, to the satisfaction of Bell Canada.

16. That, prior to registration of the final plan of subdivision, a 9.14 metre x 9.14 metre daylight triangle shall be established on the final plan of subdivision at the widened intersection of Nash Road and Kentley Drive.

17. That, prior to registration of the final plan of subdivision, a 4.57 metre x 4.57 metre daylight triangle shall be established on the final plan of subdivision at the widened intersection of Crawford Drive and Kentley Drive.

18. That, prior to registration of the final plan of subdivision, the owner agrees to provide a minimum 1.8 metre separation between the buildings for the construction of the private rear yard catch basin lead pipe. The rear yard catch basin lead pipe shall be constructed on the lot with the minimum 1.2 metre setback, to the satisfaction of the Senior Director, Growth Management.

19. That, prior to registration of the final plan of subdivision, the owner agrees to provide a minimum 2.0 metre separation between the buildings for lots where an overland flow route is required, to the satisfaction of the Senior Director, Growth Management.