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**Date** June 4, 2019 **Report No.** 2019-272

**To** Chair and Members  
Committee of the Whole – Community Development

**From** Paul Moore, General Manager  
Community Development

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## 1.0 Type of Report

Consent Item ☐  
Item For Consideration ☒

**2.0 Topic Zoning By-law Amendment PZ-01-19 and Draft Plan of Subdivision 29T-19501 – Empire Communities Phase 6B (North of Blackburn Drive and west of Powell Road) [Financial Impact – up to \$1,569,085.00], 2019-272**

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## 3.0 Recommendation

- A. THAT Zoning By-law Amendment Application PZ-01-19, submitted by Empire Communities Ltd., affecting lands located North of Blackburn Drive and West of Powell Road (Wyndfield West – Phase 6B), to change the zoning on a portion of these lands from “Holding - Residential Type 1C – Exception 21 Zone (H-R1C-21)”, “Holding - Residential Type 1D – Exception 6 Zone (H-R1D-6)”, “Holding - Residential Medium Density Type A – Exception 46 Zone (H-R4A-46)”, and “Open Space Type 1 Zone (OS1)”, to “Holding - Residential Type 1D – Exception 11 Zone (H-R1D-11)”, Holding – Residential Type 1C – Exception 23 (H-R1C-23)”, and “Holding - Residential Medium Density Type A – Exception 63 Zone (H-R4A-63)”, to facilitate a Red-line Revision to an approved Draft Plan of Subdivision (File No. 29T-15502), BE APPROVED in accordance with the applicable provisions as noted in Section 8.2 of Report 2019-272; and

- B. THAT Draft Plan of Subdivision Application 29T-19501, submitted by Empire Communities Ltd., affecting lands located North of Blackburn Drive and west of Powell Road (Wyndfield West – Phase 6B), requesting a Red-line Revision to Draft Plan of Subdivision 29T-15502, BE APPROVED, subject to the revised conditions included in Section 9.0 “Conditions of Draft Plan of Subdivision Approval” of Report 2019-272; and
- C. THAT the By-law to remove the “Holding (H)” provision from the lands not be presented to Council for approval until a Subdivision Agreement for Wyndfield West, Phase 6B has been entered into between the applicant and the City; and
- D. THAT Pursuant to Sections 34(18) and 51(38) of the *Planning Act*, R.S.O. 1990, c.P.13., the following statement SHALL BE INCLUDED in the Notice of Decision:  
  
*“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 7.2 of Report 2019-172; and*
- E. THAT Empire Communities BE COMPENSATED out of the Cash-in-lieu of Parkland Reserve Fund (Account RF0442), as funds become available in said account, for the over-dedication of 1.27 ha of parkland, and that the Clerk BE DIRECTED to place a Parkland Compensation Agreement to reflect terms to this effect between the City and Empire Communities on the Signing By-law for approval by City Council; and
- F. THAT the General Manager, Community Programs, Parks and Recreation BE AUTHORIZED to enter into a Community Park Construction Agreement with Empire Communities Ltd., in accordance with Section 8.3.3 of Report 2019-272, to an upset limit of \$2,110,000.00.

#### **4.0 Purpose and Overview**

Applications have been received to amend Zoning By-law 160-90 and for a Red-line Revision to a previously approved Draft Plan of Subdivision (File No. File No. 29T-15502). The subject lands are located north of Blackburn Drive and west of Powell Road (Wyndfield West – Phase 6B). A location map, aerial photograph, and photographs of the site are attached as **Appendices A, B and C** of this Report.

A copy of the approved Draft Plan of Subdivision (File No. 29T-15502) is attached as **Appendix D** and the proposed Red-line Revision to the approved Draft Plan of Subdivision is attached as **Appendix E**. The proposed revision to

the approved Draft Plan reduces the size of the large central park block from 5.25 hectares to 4.08 hectares (a reduction of 1.17 ha.), and increases the number of residential units by 72 through the addition of 60 single detached dwellings and 12 street townhouse dwellings. Two new streets are also proposed. This includes Street “A” which is located at the south end of the park block (Block 75 on **Appendix E**), as well as an extension of Elkington Lane northward from the adjacent Losani Homes Draft Plan of Subdivision to the southwest (File No. 29T-16502).

In conjunction with the application to Red-line the Draft Plan of Subdivision, the applicant is also proposing to amend Zoning By-law 160-90 as illustrated in **Appendix F**. The proposed changes are described as follows:

- Creation of additional residential blocks for townhouses where single detached lots currently exist;
- Introduction of a smaller lot width for some of the proposed single detached dwellings (similar to those approved by Council in 2018, found in Wyndfield West Phase 8 (File No. 25T-16502));
- Creation of single detached dwelling lots where the zoning currently permits multi-unit residential(townhouses); and,
- Creation of single-detached dwelling lots at the south end of the proposed park block (Block 75 as shown on **Appendix E**).

The proposed zoning modifications are discussed further in Section 8.2 of this Report. The Zoning By-law Amendment and Red-line Revision to the approved Draft Plan of Subdivision has been proposed by the applicant in response to a request by the municipality to reduce the compensation required for the over-dedication of parkland in Phases 1-8 of Wyndfield West.

## 5.0 Background

### 5.1 Site Features and Surrounding Land Use

Empire Communities - Wyndfield West Phase 6 (the subject lands) are approximately 44.6 hectares (110 acres) in area and are located north of Blackburn Drive, south of Shellard Lane and west of Powell Road, in the southwest part of the City. The lands are currently vacant, however pre-grading and site preparation has begun under their previous approvals.

Surrounding land uses include Empire's Wyndfield West, Phases 1 through 5 to the south, Wyndfield Phase 6A to the east, and Wyndfield Phase 7 to the north. Attached as **Appendix G** is a copy of the Phasing Plan for the lands west of Conklin Road and south of Shellard Lane. All of these phases consist of single detached and street townhouse dwellings. To the west of Phase 6 is the Losani Homes approved Draft Plan of Subdivision lands (File No. 29T-16502), beyond which is the recently approved Empire Wyndfield West Phase 8 (File No. 29T-17505). Phase 8 is the final phase of development in the Empire Wyndfield West community. Attached as **Appendix H** is a map that shows the existing land uses surrounding the subject lands.

## **5.2 Background and Detailed Description of the Proposal**

At their meeting of January 26, 2016, Council approved the application for Draft Plan of Subdivision and to amend the Zoning By-law for Wyndfield West Phase 6 (File Nos. 29T-15502 and PZ-13-15). Phase 6 includes a total of 471 dwelling units (288 singles, 183 street townhouses, 18 blocks for future development), local roads and servicing as well as blocks dedicated for natural, open space purposes and a community park with an area of 5.25 ha (Block 79) as shown on **Appendix D**. Given the large area of land contained in Phase 6, Empire Communities split the development into two phases (Phases 6A and 6B) (see **Appendix G**). Phase 6A was registered on February 10, 2017 as Registered Plan 2M-1932 and construction of this phase is complete. The subject applications are related to Phase 6B.

Attached as **Appendix I** is an excerpt from the West of Conklin Secondary Plan (May 2008). The size and location of the park in Phase 6B (Block 79 in **Appendix D**) shown on the draft plan implements the parks and open space network shown on the West of Conklin Secondary Plan, and supports the parkland recommendations in the Parks and Recreation Master Plan (2018). The 5.25 hectare park is to act as a community park for a variety of park related uses that may not be accommodated in smaller neighbourhood park blocks. This may include the provision of active and passive recreation opportunities, such as sports fields, tennis courts, multi-purpose courts, ice rinks, skateboard parks, splash pads, children's play areas, open play spaces, pedestrian walkways, seating areas, shelters, and other uses as determined by the City.

The Staff Report that was prepared in support of Phase 6 (Report No. CD2016-007) acknowledged that the parkland dedication at that time exceeded the developer's required contribution of 5% dedication of lands for park purposes, despite the fact that parkland dedication was not required in all phases of Wyndfield West. It was anticipated that the over-dedication in some phases would be offset by the lack of parkland dedication in other phases. While a running total of parkland dedication was tracked by the City and Empire Communities, the extent of the over-dedication of lands was uncertain due to ongoing development of additional phases within Wyndfield West. It was noted in the Staff report that the City would work with the developer to ensure that fair compensation for additional parkland was paid to Empire Communities.

In 2018, Council considered the approval of a Draft Plan of Subdivision and Zoning Amendment Application for Wyndfield West Phase 8 (File Nos. 29T-17505 and PZ-10-17). This represented the last phase of Wyndfield West. These applications were approved and the Draft Plan of Subdivision included two park blocks, one centrally located and one smaller block in the south portion of Phase 8 which is to be combined with an adjacent park block approved in Phase 5. The requirement for the parkland in Phase 8 contributed to the over-dedication of parkland across all eight phases of development. Since Phase 8 was the final phase of the Wyndfield West neighbourhood, City Staff has confirmed that Empire Communities has over dedicated parkland by 2.44 hectares based on a review of all phases of the Wyndfield West subdivisions(see **Appendix J** which shows the parkland dedication calculation across all phases of Wyndfield West).

In December 2018, Community Programs, Parks and Recreation Staff presented a Report to the Committee of the Whole – Operations and Administration Committee (Report No. CPREC2018-043). The Report sought Council authorization to compensate Empire Communities for the over-dedication of parkland throughout all eight phases of Empire Communities (Wyndfield West). Given that this was Empire Communities' last phase of development, there are no remaining opportunities to leverage parkland credits toward future phases of development. The City is therefore required to compensate the developer for the value of the lands above the required 5% park dedication (2.44 ha) pursuant to the *Planning Act*, R.S.O. 1990. At the meeting in December, Council considered various methods of compensation, and ultimately passed a

resolution that directed Staff to meet with Empire Communities to discuss the option of revising their Draft Plan of Subdivision, by considering a reduction in the size of the park block in Phase 6B (Block 79 as shown on **Appendix D**). The following resolution was passed:

*“THAT staff BE DIRECTED to meet with Empire Communities to discuss a potential submission of planning applications to revise the approved draft plan of subdivision and associated rezoning for Council’s consideration.”*

As a result of the discussions between City Staff and Empire Communities, the developer has proposed a Red-line Revision to the approved Draft Plan of Subdivision. The size of the revised park block is proposed to be 4.08 hectares instead of the original 5.25 hectares. This reduces the size of the park block by 1.17 hectares, and reduces the over dedication of parkland from 2.44 hectares to 1.27 hectares. This size was determined based on the request to consider reducing the size of the park block, while also maintaining a large enough park to accommodate the desired park features and facilities, and still ensure that lot sizes were adequate and the street widths met the City’s standards. In light of the reduction in the size of the park, the developer is also proposing 72 additional residential units within the Phase 6B lands (see **Appendix E**).

The resulting development will be comprised of 348 single family dwellings, 195 townhouse units and 42 residential reserve blocks. These reserve blocks will be developed upon the registration of adjacent phases including the registration of the Losani Homes Plan of Subdivision, approved for the lands to the west. The road network is proposed to be modified with the introduction of two new streets. Street “A” is to run in an east-west direction and provide connections from Witteveen Drive to Anderson Road. Elkington Lane is proposed to be extended to provide better connectivity to the Losani Homes approved Draft Plan of Subdivision. A copy of the proposed Red-line Revision to the Phase 6 Draft Plan is attached as **Appendix E**.

With respect to zoning, the applicant proposes to redistribute the location of some of the existing zoning to reflect the proposed amendment to the Draft Plan of Subdivision, and rezone some of the blocks to similar zones found in Wyndfield West Phase 8. The lands in Phase 6B are currently zoned “Holding - Residential Type 1C – Exception 21 Zone (H-R1C-21)”, “Holding - Residential Type 1D – Exception 6 Zone (H-R1D-6)”, “Holding - Residential Medium Density Type A – Exception 46 Zone (H-R4A-46)”,

“Open Space Type 1 Zone (OS1)” and “Open Space Restricted – Exception 5 Zone (OS3-5)” in Zoning By-law 160-90.

The zoning application proposes to rezone a portion of the property to “Holding - Residential Type 1C Zone (H-R1C-23)”, “Holding - Residential Type 1D Zone (H-R1D-11)”, and “Holding - Residential Medium Density Type A (H-R4A-63)” (see **Appendix F**).

In support of the applications to Red-line the Draft Plan of Subdivision and to amend Zoning By-law 160-90, the applicant submitted a Planning Justification Report, a Functional Servicing Report, and a Transportation Impact Study.

## **6.0 Policy Context**

### **6.1 Shaping our Future: Brantford’s Community Strategic Plan Context (2014-2018)**

The applications were reviewed within the context of the City’s Community Strategic Plan and they are consistent with the long-term desired outcomes set out under Goal 3, Managed Growth and Environmental Leadership. In particular:

*“Brantford will be known as a city that manages growth wisely, makes optimum use of its infrastructure and is a leader in infill and brownfields redevelopment.”*

These applications assist in achieving the objectives toward managing growth wisely and making optimum use of existing infrastructure through the extension of the existing road network and municipal services. Staff is of the opinion that the proposal conforms to the Strategic Plan.

### **6.2 Planning Act, R.S.O. 1990**

The *Planning Act*, R.S.O. 1990 sets the standard to which provincial interests, provincial and local policies and goals are implemented. In order to recommend a proposal for approval, an application for Draft Plan of Subdivision must have regard to criteria listed in Section 51(24) of the *Planning Act*, R.S.O. 1990. The fourteen criteria to which a Draft Plan shall have regard are as follows:

1. *the effect of the proposed development on matters of Provincial Interest;*
2. *whether the proposed plan is premature;*
3. *whether it conforms to the Official Plan and adjacent plans of subdivision;*
4. *suitability of the land for the purposes for which it is to be subdivided;*
5. *if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;*
6. *the number, width, location and proposed grades and elevations of highways, that roads in the proposed subdivision are established with the road system in the vicinity;*
7. *the dimensions and shapes of the proposed lots;*
8. *the restrictions or proposed restrictions, if any, on the land proposed lands to be subdivided or adjoining land;*
9. *conservation of natural resources and flood control;*
10. *the adequacy of utilities and municipal services;*
11. *the adequacy of school sites;*
12. *the conveyance or dedication of lands for roads or public purposes;*
13. *the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and*
14. *the interrelationship between the design of the proposed plan of subdivision and site plan control matters.*

With respect to the above criteria, the proposed plan conforms to the Official Plan and takes into consideration the existing street and lot patterns in adjacent Plans of Subdivision. Where streets extend from adjacent Plans of Subdivision or draft approved Plans of Subdivision, the width of the street has been designed to be consistent with the existing street widths. The new street on the south end of the park has been designed to reflect the City of Brantford design standards. The dimension and shape of the proposed lots is consistent the other Phases of the Wyndfield West Plans of Subdivision, and a "Holding" provision has been placed on the partial blocks that are adjacent to other Draft Approved plans to ensure that they are developed in a comprehensive manner. The revised Draft Plan continues to provide protection for areas of natural heritage and provides storm water protection through connections to



adjacent storm water management facilities. The Engineering Department has confirmed that there are adequate municipal services available to service the additional lots proposed by this Red-line Revision. There are no school sites proposed through this Red-line Revision, as there are existing schools and proposed school blocks in close proximity to this plan. The plan includes the conveyance of lands for public parkland, natural heritage lands, and buffering blocks and roads.

In consideration of the above criteria, it is the opinion of Planning Staff that this Red-line Revision to the Approved Draft Plan of Subdivision has regard to Section 51(24) of the *Planning Act*, R.S.O. 1990.

### **6.3 Provincial Policy Statement (2014)**

These applications have been reviewed with respect to the policies contained in the Provincial Policy Statement (PPS). Specifically, Section 1.1 of the PPS promotes efficient development and land use patterns which minimize land consumption and servicing costs. Section 1.1.2 states that sufficient land shall be available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 20 years. Section 1.1.3 focuses growth in existing settlement areas and encourages intensification and redevelopment and making efficient use of existing infrastructure and public facilities.

This proposal is consistent with the PPS as it follows the direction established in the Official Plan, specifically the West of Conklin Secondary Plan, by focusing growth into an existing settlement area, and makes efficient use of existing infrastructure and public facilities. The lands are located within a Greenfield Area and the proposal will contribute to the creation of new lots to meet the future growth needs of the City of Brantford.

Planning Staff is of the opinion that these applications are consistent with the Provincial Policy Statement.

### **6.4 Places to Grow – Growth Plan for the Greater Golden Horseshoe (2017)**

Similar to the policies of the Provincial Policy Statement, Places to Grow encourages intensification of built-up areas in order to optimize the use of the existing land supply and to avoid the over-designation of new land for

urban development. As noted above, this proposal furthers the goals of the Official Plan by achieving the required densities consistent with the direction established in Places to Grow. This is further discussed in Section 6.5 below.

## 6.5 Growth Management

The subject lands are located in an area identified as a designated Greenfield Area in the Growth Plan and Official Plan, and as such, are to be planned to achieve a minimum density target of 50 people and jobs per hectare across the entire designated Greenfield Area. The proposed density of this development proposal is outlined in Table 1:

*Table 1: Growth Management - Density Calculations*

Area		33.5 ha
Population in Singles	348 units x 3.05 people per unit	1061 residents
Population in Townhouses	195 units x 2.47 people per unit	482 residents
<b>Total Projected Population</b> (1061 residents in singles + 482 residents in townhouses)		<b>1543 residents</b>
Work-at-Home Jobs	1543 residents x 2.1% of residents work-at-home	32 jobs
<b>Total Projected Jobs</b>		<b>32 jobs</b>
<b>Total Projected Density</b> ((1543 residents + 32 jobs) / 33.5 ha)		<b>47 residents and jobs/ha</b>

Last updated April 26, 2019.

Land area value and assumptions (based on 2016 rates) were identified in the *Envisioning Brantford - Municipal Comprehensive Review, Part 1: Employment Strategy, Intensification Strategy, Housing Strategy and Land Needs (Draft – December 2018)*.

For the purposes of calculating density in the designated Greenfield Area, it is acknowledged that the density is measured across the entire designated Greenfield Area in Brantford. The proposed development is expected to result in a population of 1,543 persons (based upon a calculation of 348 units multiplied by an estimated 3.05 persons per unit for singles and 195 units multiplied by an estimated 2.47 persons per unit for street townhouses). In order to calculate the jobs created per hectare, some standardized assumptions are made regarding the number of

people who would work from home, and the number of jobs that would be created in the community from the increased development. Using these factors, it is anticipated that the jobs created would be 32. The resulting persons and jobs per hectare would be 47 (1,543 persons plus 32 jobs/hectares). The proposed density is below the minimum density target of 50 people and jobs per hectare required to be achieved in the designated Greenfield Area, however this calculation does not include the 42 additional residential blocks that will be developed at a later date. When these lots are factored in, the density calculation increases to approximately 50 persons and jobs per hectare.

Brantford's parks, open spaces and recreational services are a vital part of the quality of life valued by residents as a core municipal service. Planning for continued growth and expanding residential areas requires investment in new park facilities. The City of Brantford Parks and Recreation Master Plan (PRMP) recommends the inclusion of a comprehensive parks, open space and trails network as part of Secondary Plans and new subdivisions. In addition to neighbourhood parks, community and City parks are also required to accommodate growing recreational demands. Community parks are meant to service multiple neighbourhoods, functioning as a central gathering place for a range and variety of active and passive outdoor activities. The PRMP suggests that 5-8 new community parks will be required over the next decade in areas of higher density and mixed use with a provision target level of 2 ha per 1000 residents.

With a total projected population of 1,543 residents in this phase, and more than 5,000 anticipated residents in all eight phases of the Wyndfield West community, a larger park servicing the broader neighbourhood is required.

## **7.0 Input from Other Sources**

### **7.1 Technical Liaison Response**

The applications were circulated for review, and a summary of the comments as well as the more detailed comments are attached in **Appendices K to M.**

The comments provided are discussed in Section 7.1 of this Report and have been incorporated into the revised conditions of Draft Plan of Subdivision approval in Section 9.0.

## **7.2 Public Response**

Notice of Public Hearing was issued to all property owners (130 owners) within a 120-metre radius of the subject lands (as illustrated in **Appendix N**), and Public notification signs were also posted on the subject property. At the time of writing of this Report no written correspondence has been received as a result of the circulation.

In addition, a Public Open House Meeting was held on March 20, 2019, with 6 residents in attendance, as well as one Ward Councillor. The purpose of the meeting was to discuss the proposed Red-line Revision to the approved Draft Plan of Subdivision and the application to amend the Zoning By-law, but also to discuss the wishes of the community with respect to the future park facilities. The notes from the Public Open House can be found in **Appendix O**.

The comments from the meeting were primarily related to safety and lighting within the park. The Landscape Architect representing Empire Communities was present to discuss the design of the park and answer any questions. It was clarified that the design of the park will reflect the principles of 'Crime Prevention Through Environmental Design' (CPTED) to ensure that the design of the park will address safety matters. The consultants also indicated that the park activity areas and pathways will be well lit. The park design is further discussed in Section 8.3.3 of this Report.

## **7.3 Grand River Notification Area Input**

Notice was issued as part of the Grand River Notification Agreement to Six Nations and the Mississaugas of the Credit First Nation, with no response received to date.

## 8.0 Analysis

### 8.1 City of Brantford Official Plan

#### **Existing Land Use Designation: “Neighbourhood Residential”; and, Greenlands System**

The subject lands are designated “Neighbourhood Residential” and “Greenlands System” on Schedule 7-2 - West of Conklin Secondary Plan in the City of Brantford Official Plan as shown in the extract attached as **Appendix P**. The “Neighbourhood Residential” designation permits a range of residential building types including single detached, semi-detached dwellings, and townhouses. The proposed single detached dwelling lots and street townhouse lots are permitted in the “Neighbourhood Residential” designation. The “Greenlands System” permits parks, open space, natural heritage features, and storm water management facilities.

In addition, the lands are also subject to Section 15.4 – Growth Management in Greenfield Areas of the Official Plan. These “Greenfield Area” policies encourage new development to achieve a density range of 50 residents and/or jobs per hectare, which is a significant principle of the West of Conklin Secondary Plan Area, and is also a requirement of the Places to Grow Growth Plan. The current application proposes 47 persons and jobs per net residential hectare, which is below the density target. However, as discussed in Section 6.5 of this Report, this calculation does not include the 42 additional residential blocks that will be developed at a later date. When these lots are factored in, the density calculation increases to approximately 50 persons and jobs per hectare.

With respect to the reduction in the size of the park block, Section 7.6.7.3 of the Official Plan states:

*Community Parks and Open Spaces may vary in size depending on the physical characteristics of the area and the type and number of facilities provided. They shall generally be greater than 4.0 hectares in size;*

Although the park size is reduced from the original 5.25 hectares to the proposed 4.08 hectares, the reduced park area continues to conform to the Official Plan, and will provide a range of functions addressing the need

for passive and active recreational opportunities for the neighbourhood and surrounding Wyndfield West community.

Overall, the application to Red-line the draft approved plan will accommodate land uses that meet the intent of the West of Conklin Secondary Plan Area for compact development, and help achieve the minimum density requirements of the Provincial Places to Grow Growth Plan. No amendment to the Official Plan is required, and Planning Staff is of the opinion that the proposed Red-line Revision to the approved Draft Plan of Subdivision and Zoning By-law amendment conforms to the Official Plan.

## **8.2 City of Brantford Zoning By-Law 160-90**

**Existing Zoning:** “Residential Type 1C Zone-Exception 21 (R1C-21)”;

“Residential Type 1D Zone-Exception 6 (R1D-6)”;

“Residential Medium Density Type A Zone – Exception 46 (R4A-46)”;

“Open Space Type 1 Zone (OS1)”;

“Open Space Restricted Zone – Exception 5 (OS3-5)”

In addition to the above Zones, the applicant proposes to introduce the following Zones to Phase 6B:

**Proposed Zoning:** “Residential Type 1C Zone-Exception 23 (R1C-23)”;

“Residential Type 1D Zone-Exception 11(R1D-11)”;

“Residential Medium Density Type A Zone – Exception 63 (R4A-63)”

Attached as **Appendix Q** is a map identifying the existing zoning in the general area of the subject lands. The lands are presently zoned “Holding - Residential Type 1C – Exception 21 Zone (H-R1C-21)”, “Holding - Residential Type 1D – Exception 6 Zone (H-R1D-6)”, “Holding -

Residential Medium Density Type A – Exception 46 Zone (H-R4A-46)”, “Open Space Type 1 Zone (OS1)” and “Open Space Restricted – Exception 5 Zone (OS3-5)” in Zoning By-law 160-90. As noted in Section 5.2 of this Report, the applicant is proposing to reduce the size of the central park block which necessitates a change in zoning. Two new Zones are also proposed in this phase. Attached as **Appendices E** and **F** is a copy of the lot layout and requested zoning for the subject lands as proposed by the applicant.

The applicant has requested that the lands located on the south side of the park and on the east side of the development [adjacent to the Losani Homes Subdivision (29T-16502)] be zoned “Holding – Residential Type 1D – Exception 11 Zone (H-R1D-11). This Zone was introduced in Phase 8 and permits a minimum lot width of 8.0 metres and a minimum lot area of 220 square metres for single detached dwellings. This is slightly less than the lot width regulations set out in the existing H-R1D-6 Zone and in the other Empire Phases and the Losani Homes Plan of Subdivision which permits a minimum lot width of 9.0 m. Planning Staff supports this request as it is considered minor and the reduction in lot width and lot area will accommodate a more narrow building type being introduced by Empire Communities. Elevation drawings of the proposed single detached dwellings are included as **Appendix R**.

The applicant has also requested that lands on the north side of Blackburn Drive and south of Amos Avenue which are currently zoned for single detached uses, be zoned “Holding - Residential Medium Density Type A Zone – Exception 63 (H-R4A-63)”. This zoning permits street townhouse dwellings having a minimum lot width of 5.5 metres and a minimum lot area of 150.0 square metres. This zone was approved in both Phase 8 and the recently approved LiV Communities Plan of Subdivision in the eastern part of the City (File Nos. OP-02-17, PZ-04-17 and 29T-17502). Attached as **Appendix S** is a copy of the proposed elevations for the street townhouse dwellings. Planning Staff is supportive of the proposed lot width and area reduction for the street townhouse dwellings, as the narrow built form will assist in meeting density targets. The applicant will be required to provide the landscape open space and parking on-site. The reduced park block (Block 75, **Appendix E**) is to remain in an “Open Space Type 1 Zone (OS1)”.

All of the lots would be subject to specific exceptions to the requirements as set out in the Zoning By-law, and would reflect the same modifications currently applicable to lots in Phases 8 of the development to the south and southwest.

Planning Staff are supportive of the proposed Zone changes; however, as per Section 18.5.4.3 of the Official Plan, Planning Staff recommend that the Holding “(H)” provision not be removed until a Subdivision Agreement has been entered into between the applicant and the City. Provided the agreement is entered into within three years of the Council approval date, no new report would be required for the removal of the “H”, and no further application fees would be required. The “H” would not be removed from the partial lots until they are developed in conjunction with the adjacent lands.

## **8.3 Development Considerations**

### **8.3.1 Water**

Comments from the Environmental Services Department - Water Division, indicate that the applicants are required to conduct water modelling for the amended plan to ensure that the changes will not have an adverse effect on the water distribution system. The applicant subsequently provided updated water modelling, which has been reviewed and deemed satisfactory by the City.

### **8.3.2 Roads**

In support of the original subdivision approval of Wyndfield West - Phases 6A and 6B, the applicant submitted a Transportation Impact Study (TIS) prepared by NexTrans Consulting, dated June 2015. In support of the current applications, the applicant submitted a supplementary report prepared by WSP, dated January 2019. The TIS was reviewed by the City’s Transportation Engineering Staff, and no concerns were identified relating to the increased number of residential dwelling units or the proposed streets additions.

With respect to the Red-line Revision to the Draft Plan, the Transportation and Parking Department commented that the proposed right-of-way widths for the newly created roads should



reflect the City's recently adopted engineering design standards. All of the roads that were previously approved through the Draft Plan Approval will remain at 18.0 metres (as approved). The applicant has revised their Draft Plan of Subdivision to provide a road width of 18.5 metres for Street "A".

### **8.3.3 Parkland Dedication**

As mentioned in Section 5.2 above, in accordance with the *Planning Act*, R.S.O. 1990, the applicant is obligated to provide the City with either a 5% cash-in-lieu contribution towards parkland, or to dedicate lands to the City for park purposes. As per the West of Conklin Secondary Plan, a large park block (5.25 hectares) was approved through the Draft Plan Approval for Phase 6. Through the development of Phases 1-8, a net land area of 147.18 hectares has been developed. The parkland dedication required for this land area would equal 7.36 hectares. However, as discussed in Section 5.2 of this Report, Empire Communities has dedicated a total area of 9.80 hectares throughout all eight phases of their development.

The parkland dedication as approved through previous and current Registered Plans of Subdivision and Draft Approved Plans of Subdivision results in an over-dedication by Empire Communities of 2.44 hectares (see **Appendix J**). The City is required to compensate the developer for any over-dedication of parkland based on current market value. As outlined in Report No. CPREC2018-043 (prepared by Community Programs, Parks and Recreation Staff) an outstanding balance of approximately \$3,014,620.00 dollars would be payable to the developer.

As per the Council Recommendation of December 18, 2018, which directed Staff to consult with Empire Communities in an effort to reduce the cost to the municipality for the over-dedication, the proposed Red-line Revision to the Draft Plan of Subdivision has been submitted.

Although the park size is reduced from the original 5.25 hectares to the proposed 4.08 hectares, the reduced park area continues to conform to the West Conklin Secondary Plan, and will provide a range of functions for the overall community. The municipality

will still be required however, to compensate the developer for the balance of the over-dedication of parkland. This is discussed further in Section 10.0 below.

#### Park Design

With respect to the design of the park, during the Public Open House Meeting for these applications, residents were able to review the concept plans and provide comments. These comments have been taken into consideration by Community Programs, Parks and Recreation Staff in attendance at the meeting as well as the landscape architect working on behalf of Empire Communities for the park development. This plan includes a central play area with junior and senior playgrounds, a splash pad, washroom building, picnic shelter and tennis/multi-use courts as well as associated asphalt parking, pathways, lighting, landscaping, and open lawn areas. Attached as **Appendix T** is a concept plan for the proposed park.

#### Park Development Agreement

During consideration of the Draft Plan Approval for Empire Phase 6, it was agreed by Council and the applicant that Empire Communities would construct the park and install the facilities on behalf of the City. The City would then reimburse Empire Communities with funds allocated from the development charge reserve and cash-in-lieu of parkland reserve.

Funds have been included in the capital forecast since 2017 for this park. Currently the funding spans two consecutive years with \$1,055,000 in both 2019 and 2020 for a total budget of \$2,110,000.00. As per the previously approved conditions of Draft Plan Approval (File No. 29T-15502), a development agreement is being drafted by the City's Legal and Real Estate Services Department for the construction of the Empire Phase 6 Community Park.

The details of the agreement outline the obligations of the City of Brantford and Empire Communities including:

- 1) The developer's responsibility to design, develop and construct the park block in accordance with approved plans and to the municipalities current standards;
- 2) The City's Responsibility to reimburse the developer for the City's share of the costs to an upset limit of \$2,110,000.00;
- 3) A payment schedule stipulating reimbursement to the developer following completion of various stages of the design and tendering process, as well as completion of the various park amenities in 2019 and 2020;
- 4) Procurement items relating to holdback, performance securities, warranty and maintenance responsibilities (among other items).

The agreement also outlines essential core amenities necessary for the park development, as well as the order in which other park features will be considered for inclusion in the overall construction, should tender prices received exceed anticipated cost estimates. Empire Communities are working towards a timeline for park construction that is aligned with the site development of the overall subdivision and surrounding roads/services. This timeline anticipates that the park construction will begin in the summer of 2019 and be completed in the spring of 2020. Empire's consulting landscape architects are in the process of refining the park site layout and related detailed design drawings and preparing to issue the project for tender in early summer.

Community Programs, Parks and Recreation Staff recommend that Staff be authorized to enter into a park construction agreement with Empire Communities. This has been addressed through Recommendation F to this Report.

## **9.0 Conditions of Draft Plan Approval**

Amendments to the previously approved conditions of Draft Plan Approval (File No. 29T-15502) are included in the recommendations of this Report to reflect the changes to the Block numbers, and will ensure that the pertinent and applicable issues are addressed prior to the final approval of the development.

No new conditions are required as a result of the Red-line Revision. The changes to the existing conditions are underlined for clarity, including the recently assigned street names.

The applicant was consulted in the drafting of the conditions which are similar to those approved in earlier phases. They have been circulated a copy of the proposed Draft Plan Conditions and are in agreement with the recommended conditions. These conditions add clarity to the approval process, help to ensure that the City's requirements are addressed, and they provide assurance to the applicant as well in regard to the expectations of the City and of the applicant.

The conditions are as follows:

1. This approval applies to a Red-line Revision the Draft Plan of Subdivision ("Plan") prepared by Armstrong Planning, dated January 21, 2019, for a total of 543 dwelling lots consisting of the following:
  - 348 lots for single-detached residential uses,
  - 195 lots for street townhouse units,
  - 21 Blocks for future residential purposes,
  - 1 block for parkland,
  - 16 blocks for open space and buffering,
  - Blocks for 0.3 m reserves, road reserves, as indicated on the Plan attached to Report 2019-272.
2. Unless otherwise stated, all conditions listed below shall be addressed to the satisfaction of the City and at no cost to the City of Brantford, sometimes referred to by these Conditions as the "City" or "municipality".
3. That the Owner shall agree to provide all easements, and convey all lands, as may be required for utility or drainage purposes to the appropriate authority, to the satisfaction of the General Manager, Public Works.
4. That the Owner shall agree to convey to the City as shown on the Final Plan, Block 75 for Parkland, Blocks 76-89 for Open Space purposes, and Blocks 90-91 for Buffer Blocks,. Said conveyances to be in fee simple and free of encumbrances, and upon conveyance shall not be landlocked which may require the consolidation of adjacent Blocks and shall include provision for access to the Blocks to the satisfaction of the City. The Owner shall further agree that apart from Park Block 75, none of these

Blocks are to be considered parkland, in accordance with Section 51.1 of the *Planning Act* R.S.O. 1990.

5. That the Owner shall enter into, and register on title to the lands of the Draft Plan, a Subdivision agreement with the City of Brantford, to the satisfaction of the General Manager, Public Works.
6. That prior to registration, the final plan of subdivision shall include a detailed lotting plan for all residential blocks within the draft plan, providing for a mix of dwelling unit types, at a density not to exceed the maximum density approved by the City for this Plan, to the satisfaction of the General Manager, Community Planning.
7. That each phase of the plan of subdivision not be registered until the Owner submits a draft of the registered "M" Plan showing the final lot layout for all lots and lot-less blocks, to the satisfaction of the General Manager, Public Works and the General Manager, Community Planning.
8. a. That the Owner agrees to provide a Phasing Plan for the review and approval of the General Manager, Public Works and the Fire Chief. The phasing plan shall provide for a mix of dwelling unit types and shall ensure that no development shall occur on a street exceeding 250 metres in length without the provision of a second municipal access constructed to the satisfaction of the General Manager, Public Works, and the Fire Chief.  
b. The Owner agrees that the first phase (6A) shall not extend beyond Tributary D, to the satisfaction of the General Manager, Public Works.
9. That the Owner shall agree that all units shown within the Draft Plan will be connected to full municipal services, to the satisfaction of the General Manager, Public Works.
10. That the Owner shall agree to satisfy all requirements, financial and otherwise, of the City of Brantford and Brantford Power Inc, including those related to the following matters:
  - a. Municipal services.
  - b. Lot grading.
  - c. Drainage.
  - d. Stormwater management in accordance with current Provincial guidelines, and low impact stormwater management development practices including stringent control of storm discharge from the development including spill containment.

- e. Curbs and sidewalks on both sides of municipal roads in accordance with the requirements of the City.
- f. Prepayment in perpetuity toward the future maintenance costs of any required retaining walls on municipal lands.
- g. An electrical design from a consulting engineer to be provided to Brantford Power for review and approval.
- h. A lighting plan showing the proposed street light locations and details regarding the proposed light standards.
- i. Control of dust during construction.
- j. Payment of applicable Development Charges.
- k. Notification of purchasers of the applicable development charges.
- l. The responsibility to decommission any wells or septic systems in accordance with current Provincial guidelines.
- m. The implementation of infiltration practices in the overall Stormwater Management scheme to maintain the existing groundwater regime and to protect groundwater dependent natural features.

### **Roads**

- 11. That the Owner shall agree that all road allowances shown on the Draft Plan will be designed in accordance with the current requirements of the City of Brantford, including the ability to accommodate different modes of transportation, and will be dedicated to the City as public highways and named to the satisfaction of the General Manager, Public Works.
- 12. That the Owner shall agree to construct all roads to the satisfaction of the General Manager, Public Works.
- 13. That the owner shall agree to the following right-of-way widths as shown on the Draft Plan:

Blackburn Drive Extension	26 metres
Longboat Run West	22 metres, 23 metres at Conklin Road
Powell Road Extension	22 metres
Anderson Road (formerly Street D)	22 metres
<u>Elkington Lane and Street A</u>	18.5 metres
<u>Butcher Crescent, Cole Crescent, Sinden Road, Cahill Drive, Amos Avenue,</u>	

Witteveen Drive, Ladd  
Avenue, McLaren Avenue,  
Cooke Avenue West and  
Cooke Avenue East

18 metres

14. That prior to submission of the final Plan, the Owner shall agree to identify all required road widening blocks and dedicate them on the final plan as public highway, and be responsible for constructing and implementing all necessary traffic improvements in accordance with the recommendations of the municipally approved Traffic Impact Study and current requirements of the City of Brantford, to the satisfaction of the General Manager, Public Works.
15. The Owner agrees that prior to registration the Owner will provide a traffic management plan for the subdivision to the satisfaction of the General Manager, Public Works, and agrees to the following:
  - a. Be responsible for the cost of the installation of regulatory and warning traffic control signs/devices, parking control signs, street name signs and pavement markings;
  - b. Provide and install all temporary regulatory traffic signage by the Owner prior to the commencement of any building or the erection of any structure in accordance with City Specifications or Standards;
  - c. The City shall install all permanent pavement markings that may be required within the Subdivision, or related to the subdivision, in conjunction with the installation of related traffic controls at the cost of the Owner;
  - d. Provide for, install and maintain, at its expense, all temporary pavement markings.
16. That the Owner shall agree to be responsible for constructing and implementing all necessary traffic improvements, as identified in the Traffic Impact Study, dated March 2013, and the TIS Addendum dated January 14, 2019 with the timing for said construction to be completed as required the General Manager, Public Works.
17. a. The Owner shall agree to construct all necessary infrastructure and appurtenances for future traffic signal installation at the intersection of Longboat Run and Conklin Road, to the satisfaction of the General Manager, Public Works;
- b. The owner agrees to pay for and install traffic signals at full subdivision build-out, with the timing to the satisfaction of the General Manager, Public Works.

18. That prior to Final Approval and in the event development of these lands is delayed beyond 4 years, the Owner shall agree to complete for review and approval of the City of Brantford, a Traffic Impact Study if required at that time, to the satisfaction of the General Manager, Public Works. The Owner shall agree to apply the most current background data available.
19. That the Owner shall agree to construct temporary turning circles or hammerheads, to the satisfaction of the General Manager, Public Works, so as not to create any cul-de-sacs in excess of 250 metres in length without the provision of a second municipal access having a minimum width of 9.0 metres, constructed to the satisfaction of the General Manager, Public Works.
20. That the Owner shall agree not to apply for any Building Permits for residential purposes on streets exceeding 250 metres in length until such time as a second municipal access having a minimum width of 9.0 metres has been constructed to the satisfaction of the General Manager, Public Works and conveyed to the municipality as a public right of way.
21. That prior to submission of the Final Plan, the Owner shall agree to identify all required 0.3m reserves and daylight triangles on the Final Plan, and shall agree to convey these in fee simple, free of encumbrance and at no cost to the municipality to the satisfaction of the General Manager, Public Works. Note: daylight triangles are not conveyed to the City separately, but are shown on the final plan as part of the public right of way.
22. The Owner shall agree that the Draft Plan of Subdivision will show that all 0.3 metres reserves along flankage lots will extend the full length of the property, to the satisfaction of the General Manager, Public Works.
23. That prior to submission of the Final Plan, the Owner shall agree to prepare and submit an On-Street Parking Plan that provides on-street parking at a ratio of one on-street parking space for every two dwelling units to the satisfaction of the General Manager, Public Works.
24. That the Owner shall agree to provide to the City a Letter of Credit providing for the installation of two transit pads and bus shelters, at a cost of \$3,750.00 per shelter & pad, with the locations to be determined at the detailed design stage, to the satisfaction of the General Manager, Public Works.



**Servicing, Grading, Geotechnical & Stormwater Management**

25. The Owner shall agree to prepare, and submit for the approval of the General Manager, Public Works, an Engineering Site Servicing Plan showing all proposed grading and servicing. In addition, the Owner shall agree to pay for any servicing improvements off-site necessitated to service the subject lands, including the upgrading of all (if any) undersized conveyance infrastructure.
26. The Owner shall prepare Engineering Plan & Profile drawings to be submitted for review and approval to the satisfaction of the General Manager, Public Works.
27. The Owner shall agree to the City's Consultant undertaking water modeling to determine if there is sufficient capacity and that there will be no negative impact on the City's distribution system to the satisfaction of the General Manager, Public Works. The Owner will be required to pay for all costs of the modeling prior to the modeling being completed.
28. The Owner shall agree to temporarily loop the water system from Blackburn Drive, Witteveen Drive and Amos Avenue to the satisfaction of the General Manager, Public Works.
29. The Owner shall prepare, and submit for the approval of the General Manager, Public Works, and the Grand River Conservation Authority, a detailed Stormwater Management Report and Plan, in accordance with current provincial guidelines, to address quality and quantity attenuation requirements.
30. The Owner shall agree that prior to municipal approval of any additional stormwater discharge to the existing storm water management facilities (SWM), confirmation is required by the submission of an updated SWM report, with updated modelling, that the said pond and existing infrastructure has been constructed to attenuate quality and quantity runoff from this development based on the proposed land uses for all drainage areas contributing to these SWM facilities, to the satisfaction of the General Manager, Public Works and the Grand River Conservation Authority.
31. The Owner shall agree to register a reference plan that identifies lands to be conveyed to the City of Brantford for the storm water management facilities that are required to service the "Plan" to the satisfaction of the General Manager, Public Works.

32. The Owner shall agree that the lands noted in Condition 30 shall be conveyed to the City prior to registration of the first phase of the draft plan of subdivision, to the satisfaction of the General Manager, Community Programs, said conveyances to be in fee simple and free of encumbrances.
33. The Owner shall agree to enter into an agreement with the City, addressing the construction of the Stormwater Management (SWM) facilities referenced on Condition 30. The Owner shall further agree that timing and construction of the said facilities shall be to the satisfaction of the General Manager, Public Works.
34. The Owner agrees to construct, the proposed storm water management facilities required in connection with this development. The Owner further agrees to maintain on a regular basis, and as required, the said storm water management facilities, at no cost to the municipality, to the satisfaction of the General Manager, Public Works, until assumption of all contributing subdivisions by the municipality.
35. The Owner agrees that the City will not assume the storm water management facilities until the entire catchment area south of Shellard Lane has reached final build-out to the satisfaction of the General Manager, Public Works.
36. The Owner agrees to establish and undertake a monitoring program for storm water management, specifically addressing quality and quantity control as well as temperature for a period of 2 years post development in consultation with the Ministry of Environment, Conservation and Parks and the Grand River Conservation Authority, and administered until final assumption of the Plan, all to the satisfaction of the General Manager of Public Works.
37. Prior to the registration of any phase of the draft plan of subdivision, confirmation is required from a qualified professional that the stormwater management facilities have been constructed in accordance with the approved plans and are operational as necessary to the satisfaction of the City of Brantford and the Grand River Conservation Authority.
38. The Owner agrees to prepare an operation and maintenance manual in accordance with current provincial guidelines including the Provincial Water Quality objectives, for any proposed storm water management facilities and appurtenances, to the satisfaction of the General Manager of Public Works, and provided to the municipality prior to final assumption of pond for maintenance purposes by the municipality.

39. The Owner shall prepare and submit a geotechnical report and hydrogeological report for the approval of the General Manager, Public Works.
40. The Owner shall prepare and submit detailed lot grading and drainage plans, to the satisfaction of the General Manager, Public Works.
41. The Owner shall agree that no grading, removal of soil, trees or other vegetation, or the construction or placement of any other works, shall take place on any lands in accordance with Site Alteration By-law 28-2011 and without the written approval of the General Manager, Public Works.
42. Prior to any grading or construction on the site and prior to registration of the plan, the Owner shall submit an erosion and sedimentation control plan indicating the means whereby erosion will be minimized and silt maintained on-site throughout all phases of grading and construction, to the satisfaction of the General Manager, Public Works. The Erosion and Sediment Control Plan, must be prepared in accordance with the 'Erosion and Sedimentation Control Plan Design Requirements', as contained in Appendix V-C of the City of Brantford Official Plan.
43. Prior to any grading or construction on the site and prior to the registration of the plan, the Owner agrees to submit the following plans and reports to the satisfaction of the Grand River Conservation Authority:
  - i. A detailed stormwater management report in accordance with the 2003 Ministry of Environment Report entitled, "Stormwater Management Practices Planning and Design Manual.
  - ii. An erosion and siltation control plan in accordance with the Greater Golden Horseshoe Area Conservation Authorities Erosion and Sediment Control Guidelines for Urban Construction dated December 2006.
  - iii. Detailed lot grading and drainage plans.
  - iv. An application for Permission pursuant to the Grand River Conservation Authority: Regulation of Development, Interference with Wetlands and Alteration to Shorelines and Watercourses, Ontario Regulation 150/06 as amended, if required.
44. The Owner agrees that the Subdivision Agreement between the Owner(s) and City of Brantford shall contain provisions for the completion and maintenance of works in accordance with the approved plans and reports noted in Condition 42, to the satisfaction of the General Manager, Public Works.

**Parkland, Open Space and Landscaping**

45. That the Owner shall agree, to convey to the City Block 75 for Park Land in accordance with Section 51.1 and 51.3 of the *Planning Act*, R.S.O. 1990 in fee simple and free of encumbrances, to the satisfaction of General Manager, Public Works and the General Manager, Community Programs, Parks and Recreation. The Parkland dedication shall not include lands containing natural heritage or archaeological features and shall not include servicing infrastructure, overland flow routes or steep slopes or grades exceeding 3% to the satisfaction of the General Manager, Public Works and the General Manager, Community Programs, Parks and Recreation. The City acknowledges that Block 75 exceeds the minimum parkland dedication requirements of the *Planning Act*, R.S.O. 1990.
46. The Owner agrees to enter into an agreement with the City regarding the development of the park, including the installation of the required recreational facilities to the satisfaction of the General Manager, Community Programs, Parks and Recreation.
47. The Owner shall prepare a detailed grading plan for Block 75 to the satisfaction of the General Manager, Public Works and the General Manager, Community Programs, Parks and Recreation.
48. The Owner agrees to construct the park on Block 75 and install the required recreational facilities in accordance with a timing schedule to the satisfaction of the General Manager, Community Programs, Parks and Recreation.
49. The Owner shall agree to provide municipal services including water and hydro/utility services to agreed locations within park Block 75, for future parkland development, to the satisfaction of the General Manager, Community Programs, Parks and Recreation.
50. That the Owner shall agree to convey to the City as shown on the Final Plan, Blocks 76-89 for Open Space purposes, and Blocks 90-91 for buffering purposes. Said conveyances to be in fee simple and free of encumbrances, and upon conveyance shall not be landlocked which may require the consolidation of adjacent Blocks, and shall include provision for access to the Blocks to the satisfaction of the City. The Owner shall further agree that none of these Blocks are to be considered parkland, in accordance with Section 51.1 of the *Planning Act* R.S.O. 1990.

51. The Owner shall submit a Tree Inventory Study and Vegetation Management / Protection Plan, for the lands within the Open Space and Park Blocks that will be impacted prior to any disturbance or grading of the site and prior to registration of the Final Plan; the above noted study / plan shall identify all existing trees on-site proposed to be removed or impacted as a result of the development of the subject lands and include re-planting / restoration requirements, to the satisfaction of the General Manager, Community Programs.
52. The Owner shall agree to submit detailed grading and landscape plans prepared by a certified Landscape Architect for the Park Blocks, Open Space Blocks and Walkway Blocks as well as 'As Built' grading plans for said Blocks to the satisfaction of the General Manager, Community Programs, Parks and Recreation.
53. The Owner shall agree to maintain in accordance with current City standards, the Park and Open Space Blocks, (excluding any structures), to the satisfaction of the General Manager, Community Programs, Parks and Recreation until such time as the City assumes the said Blocks.
54. The Owner shall agree to install fencing to the City's current standard along all residential property lines that abut lands to be conveyed to the City, and in any other locations determined by the City, to the satisfaction and in accordance with the timing schedule agreed to by the General Manager, Community Programs, Parks and Recreation. The Owner further acknowledges that there shall be no gates or informal access points permitted into the Open Space Blocks or Park Blocks that will be conveyed to the City.
55. The Owner shall agree that no fencing will be permitted along any street frontages, except for decorative fencing as agreed to by the General Manager, Community Programs, Parks and Recreation.
56. That prior to Final Approval, the Owner shall agree to provide, at the Owner's expense, appropriate pedestrian trails/walkways within the Plan of Subdivision, to the satisfaction of the General Manager, Community Programs, Parks and Recreation. A detailed trail / development plan and proposed trail routes and connections must be submitted for approval by the General Manager, Community Programs, Parks and Recreation, and the Grand River Conservation Authority, prior to registration of the Final Plan.

57. The Owner shall agree to construct all trails/walkways in accordance with the timing schedule agreed to by the General Manager, Community Programs, Parks and Recreation, and shall bear responsibility for all costs related to the design and construction of the trails/walkways within the subdivision.
58. The Owner shall agree to submit, and implement, at no cost to the municipality, a landscape plan prepared by a certified Landscape Architect to address planting requirements relating to the Stormwater Management facilities as referenced in Condition 30, to the satisfaction of the General Manager, Community Programs, Parks and Recreation and the Grand River Conservation Authority. The cost to develop and landscape these Blocks shall be at the Owner's sole expense.
59. The Owner shall agree to provide and install, to the satisfaction of the General Manager, Community Programs, Parks and Recreation and the Grand River Conservation Authority, the following:
- a. signage explaining the use and function of the Stormwater Management Blocks, the Parks and Open Space Blocks at all street frontages and walkway entrances once rough grading is completed; and;
  - b. interpretive signage relating to the natural features, including but not limited to significant wetlands, the woodlands and wildlife habitat which exist in the area.
60. That the Owner shall agree to submit a street tree planting plan, prepared by a landscape architect, in accordance with current City standards and to provide boulevard trees along the streets as well as replacement plantings within the areas identified as Open Space and Parks to the satisfaction of the General Manager, Community Programs, Parks and Recreation.

#### **Natural Heritage**

61. The Owner agrees to carry out and implement the recommendations contained in the Environmental Impact Study at the Owner's expense until the City assumes the Open Space Blocks and Park Blocks, to the satisfaction of the General Manager, Community Programs, Parks and Recreation and the Grand River Conservation Authority.
62. The Owner shall agree to provide the City with a copy of the Ministry of Natural Resources and Forestry (MNRF) recommendations regarding the Butternut Trees and the Provincially Significant Wetlands. The Owner

agrees to register the project with MNRF and submit a Notice of Butternut Impacts for the proposed removal of up to 10 Category 2 Butternut Trees. The Owner shall implement all recommendations and address all conditions within the registration to the satisfaction of the General Manager, Community Programs, Parks and Recreation including planting butternut seedlings, tending and monitoring the seedlings, maintaining records and reporting to the MNRF and the General Manager, Community Programs, Parks and Recreation.

63. The Owner shall agree to provide final drawings reflecting the location of Significant Woodlands and Significant Wetlands as staked and field confirmed with the City and the Grand River Conservation Authority to the satisfaction of the General Manager, Community Programs, Parks and Recreation and the Grand River Conservation Authority.

**Other**

64. The Owner shall provide a Noise Impact Study for the lots abutting Conklin Road or provide an acoustic fence to the satisfaction of the General Manager, Public Works.
65. The Owner agrees that any retaining walls including their granular base foundation support, drainage pipes and fencing must be located completely within private property and be constructed to the satisfaction of the General Manager, Public Works. The Owner further agrees that property owners will own the walls and have full responsibility for the required maintenance, repair or replacement of the retaining walls.
66. That prior to Final Approval, the Owner shall agree to provide certification by an Ontario Land Surveyor confirming that the proposed lots are in conformity with the provisions and requirements of the City of Brantford Zoning By-law #160-90, as amended, or its successor.
67. That prior to Final Approval of this Plan, the General Manager, Community Programs is to confirm that the appropriate zoning is in force and effect to reflect the intended uses of the land within the Draft Plan.
68. That the Owner shall provide a clearance letter from the Ministry of Tourism, Culture, and Sport verifying that their requirements have been satisfied as an Archaeological Study was conducted, and that all recommendations of that study were carried out.

69. That the Owner agrees to include in all Offers of Purchase, Sale or Lease related to property within the Plan of Subdivision clauses informing future purchasers and tenants of the following:
- a. No alteration of the drainage plan for the property or surrounding properties is permitted without the express written approval of the City of Brantford;
  - b. That on-street parking shall be limited in terms of location and duration;
  - c. That all future maintenance and repair of retaining walls on individual lots shall be the responsibility of the purchaser.
  - d. There shall not be any gates or informal access points to fences backing onto the Open Space Blocks or Park Blocks.
  - e. That properties backing onto Block 75 are adjacent to an active, programmed park that may result in noise and light.
  - f. That bussing may be required to transport children from within this subdivision to elementary and secondary schools.

#### **External Agencies**

70. That the Owner shall agree to provide Union Gas Limited with all necessary easements and/or agreements required by Union Gas Limited for the provision of gas services.
71. That the Owner shall agree to the satisfaction of Bell Canada the following:
- a. The Developer is hereby advised that prior to commencing any work within the Plan, the developer must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the Developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the Developer shall be required to demonstrate to the municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum the effective delivery of communication / telecommunication services for emergency management services.
  - b. The Owner shall agree in the Subdivision Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services. Easements



may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the owner/developer shall be responsible for the relocation of such facilities or easements.

- c. Bell Canada requires one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and one or more conduits from the room(s) in which the telecommunications facilities are located to the street line.

72. That the Owner shall agree to the satisfaction of Canada Post the following:

- a. Include on all offers of purchase and sale, a statement that advises the prospective purchaser:
  - i. that the home/business mail delivery will be from a designated Centralized Mail Box; and
  - ii. that the Owner be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
- b. Work with Canada Post 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; and
- c. Determine the location of all centralized mail receiving facilities in cooperation with the City of Brantford and Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans; maps are to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.

73. Prior to final approval, the City must be advised, in writing, by the Grand River Conservation Authority how Conditions 29, 30, 36, 37, 43, 56, 58, 59, 61 and 63 have been satisfied.

74. Prior to final approval, the City must be advised in writing, by the Ministry of Tourism, Culture, and Sport, how Condition 68 has been satisfied.

75. Prior to final approval, the City must be advised, in writing, by Union Gas Limited, how Condition 70 has been satisfied.

76. Prior to final approval, the City must be advised, in writing, by Bell Canada, how Condition 71 has been satisfied.

77. Prior to final approval, the City must be advised, in writing, by Canada Post, how Condition 72 has been satisfied.

78. Pursuant to Section 51(32) of the Planning Act, R.S.O. 1990, Draft Plan Approval, together with all conditions, shall lapse in three (3) years from the date of the granting of Draft Plan Approval.

79. Prior to final approval the City must be advised in writing, by the Owner, how Conditions 1 to 77 inclusive have been satisfied.

## **10.0 Financial Implications**

The proposed Red-line Revision would reduce the size of the park block by 1.17 ha from 5.25 hectares to 4.08 hectares, and reduces the total over-dedication of land from 2.44 hectares to 1.27 hectares. Based on the estimated land value contained in Report CPREC2018-043, this would still require the municipality to compensate the developer in the amount of approximately \$1,569,085.00 (\$1,235,500.00/ha x 1.27 ha.). This figure is based on the market value which was estimated by the Legal and Real Estate Department in December 2018. The Manager of Real Estate indicates that residential land values in the Shellard Lane area are comparable since that time. A payment schedule will be finalized when a compensation agreement is reached between the City and Empire Communities.

As discussed in Report CPREC2018-043, it is anticipated that future developments throughout the City will be contributing sufficient monies to the Cash-in-Lieu of Parkland Reserve Fund that can be used to address the cost of the over-dedication. Preliminary discussions with Empire Communities indicate that a payment schedule spanning a number of years is agreeable. A payment schedule will be finalized based on contributions received as determined by the City's Finance and Legal departments and outlined in the compensation agreement. Recommendation E has been included in this Report to authorize Staff of the Community Programs, Parks and Recreation Department to bring forward an agreement to Council for the over-dedication of 1.27 ha of parkland, as per the recommendation contained in Report No. CPREC2018-043.

As per the previously approved conditions of Draft Plan Approval (File No. 29T-15502), the Phase 6 Community park will be constructed by the developer. Funds for this purpose have been included in the capital forecast over the next two years with \$1,055,000.00 allocated in both 2019 and 2020. This project is funded from the development charge reserve (Account RF0410) as well as the cash-in-lieu of parkland reserve (Account [RF0442](#)).

Maintenance costs for this new community park are anticipated at approximately \$50,000 annually. These costs include operational items such as grass cutting, landscape maintenance, water costs, electrical, park maintenance services such as waste removal, washroom cleaning, playground /splash pad inspections and repairs.

## **11.0 Conclusion**

The proposed Zoning By-law Amendment and Red-line Revision to the approved Draft Plan of Subdivision has been proposed by the applicant in response to a request by the municipality to reduce the compensation required for the over-dedication of parkland in Phases 1-8 of Wyndfield West.

The proposed changes to the Draft Plan of Subdivision take into consideration the existing street and lot patterns in adjacent Plans of Subdivision. Where streets extend from adjacent Plans of Subdivision or draft approved Plans of Subdivision, the width of the street has been designed to be consistent with the existing street widths. The new street on the south end of the park has been designed to reflect the City of Brantford design standards. The dimension and shape of the proposed lots is consistent the other Phases of the Wyndfield West Plans of Subdivision. The revised Draft Plan addresses the technical concerns related to servicing, and transportation, and if approved, the Draft Plan conditions will implement the plan as amended. The application of the “Holding” provision will also ensure that development does not proceed until the applicant has entered into a subdivision agreement with the City and provided all necessary securities.

The proposal has been reviewed in the context of the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, and the City of Brantford Official Plan policies, and Staff is of the opinion that the proposal is consistent with the Provincial Policy Statement and is in conformity with the Growth Plan for the Greater Golden Horseshoe. The proposal is also in keeping with the intent of the City of Brantford Official Plan, particularly as it relates to the growth policies and parkland. As a result, Planning Staff are in support of these applications to amend the Zoning By-law and Red-line Revision to a Draft Approved Plan of Subdivision, and recommend that the applications be approved, subject to the amended Conditions of Draft Plan Approval.

This Report seeks to obtain Council approval to compensate Empire Communities for over-dedication of 1.27 ha of parkland in the amount of approximately 1.6 million. This compensation will be funded out of the Cash-in-lieu of Parkland Reserve Fund (Account RF0442), over a number of years as will be outlined in an agreement between the City and Empire Communities, for approval by City Council. This will rectify the over dedication of parkland as approved through previous and current Registered Plans of Subdivision and Draft Approved Plans of Subdivision in Phases 1-8 of Empire Communities Wyndfield West development.

This Report is also seeking Council approval to proceed with a park development agreement with Empire Communities to construct the Phase 6B Community Park to an upset limit of \$2,110,000.00 This park is anticipated to be built at the same time as the surrounding subdivision works, starting in summer 2019 with a completion date in the spring of 2020. This community park will service multiple neighbourhoods in the growing Wyndfield West neighbourhood and provide a central focal point for residents to enjoy a variety of active and passive outdoor activities.



---

K.C. Pongracz, MCIP, RPP  
Senior Planner  
Community Development



---

Joe Muto, MCIP, RPP  
Manager of Development Planning  
Community Development



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Lucy Hives, MCIP, RPP  
Director of Planning  
Community Development



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Paul Moore, MCIP, RPP  
General Manager  
Community Development

In adopting this report, is a by-law or agreement required? If so, it should be referenced in the recommendation section.

By-law required

☒ yes ☐ no

Agreement(s) or other documents to be signed by Mayor and/or City Clerk

☒ yes ☐ no

Is the necessary by-law being sent concurrently to Council?

☒ yes ☐ no

Is the necessary agreement being sent concurrently to Council?

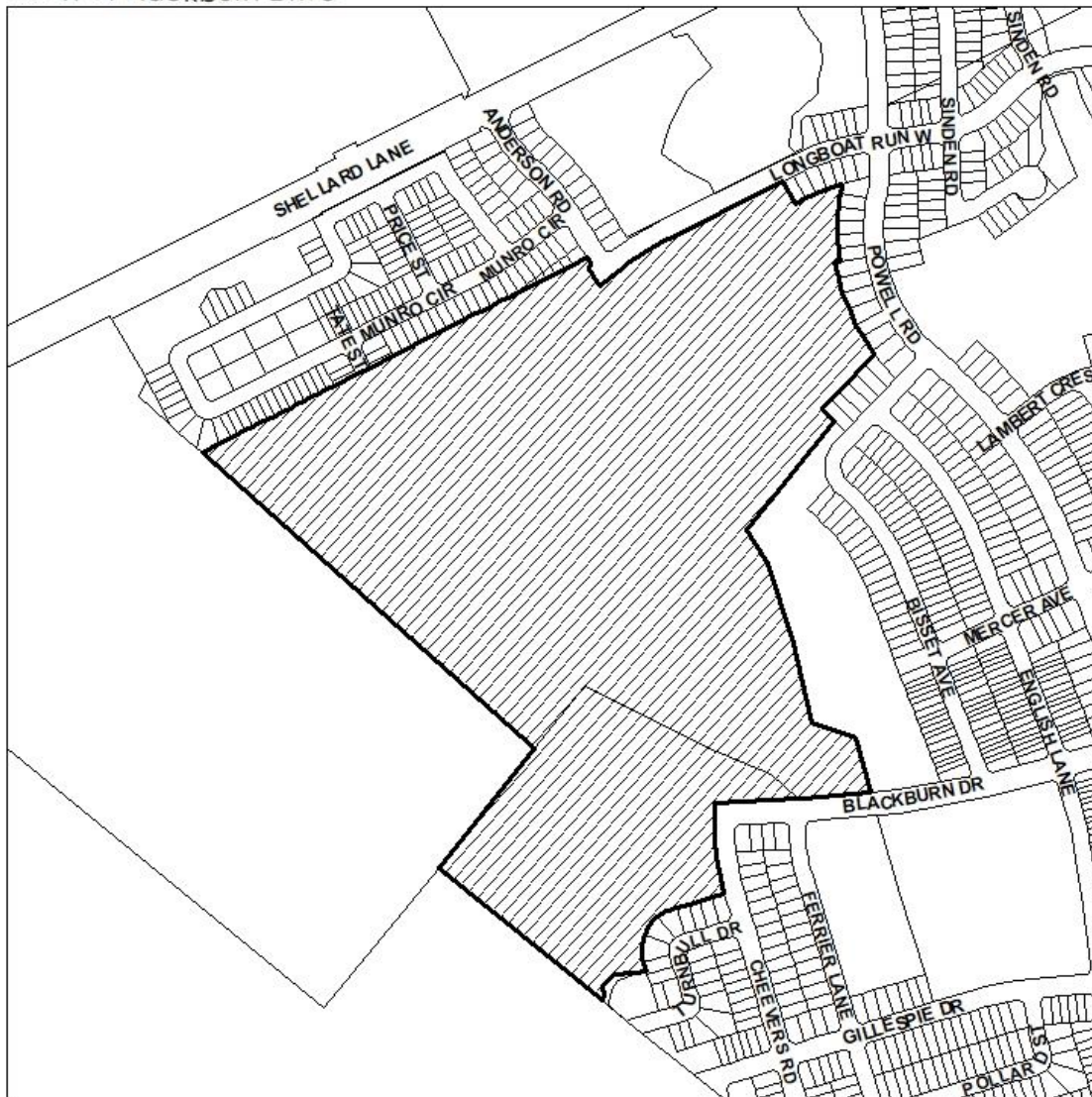
☐ yes ☒ no

## Appendix A – Location Map


### LOCATION MAP

PZ-01-19 & 29T-19501

North of Blackburn Drive



#### Legend

 Subject Lands





## Appendix B – Aerial Photograph


### AERIAL PHOTO (2017)

PZ-01-19 & 29T-19501

North of Blackburn Drive



#### LEGEND

 Subject Lands



## Appendix C – Photographs of the Site



Looking west towards Wyndfield  
West – Phase 8



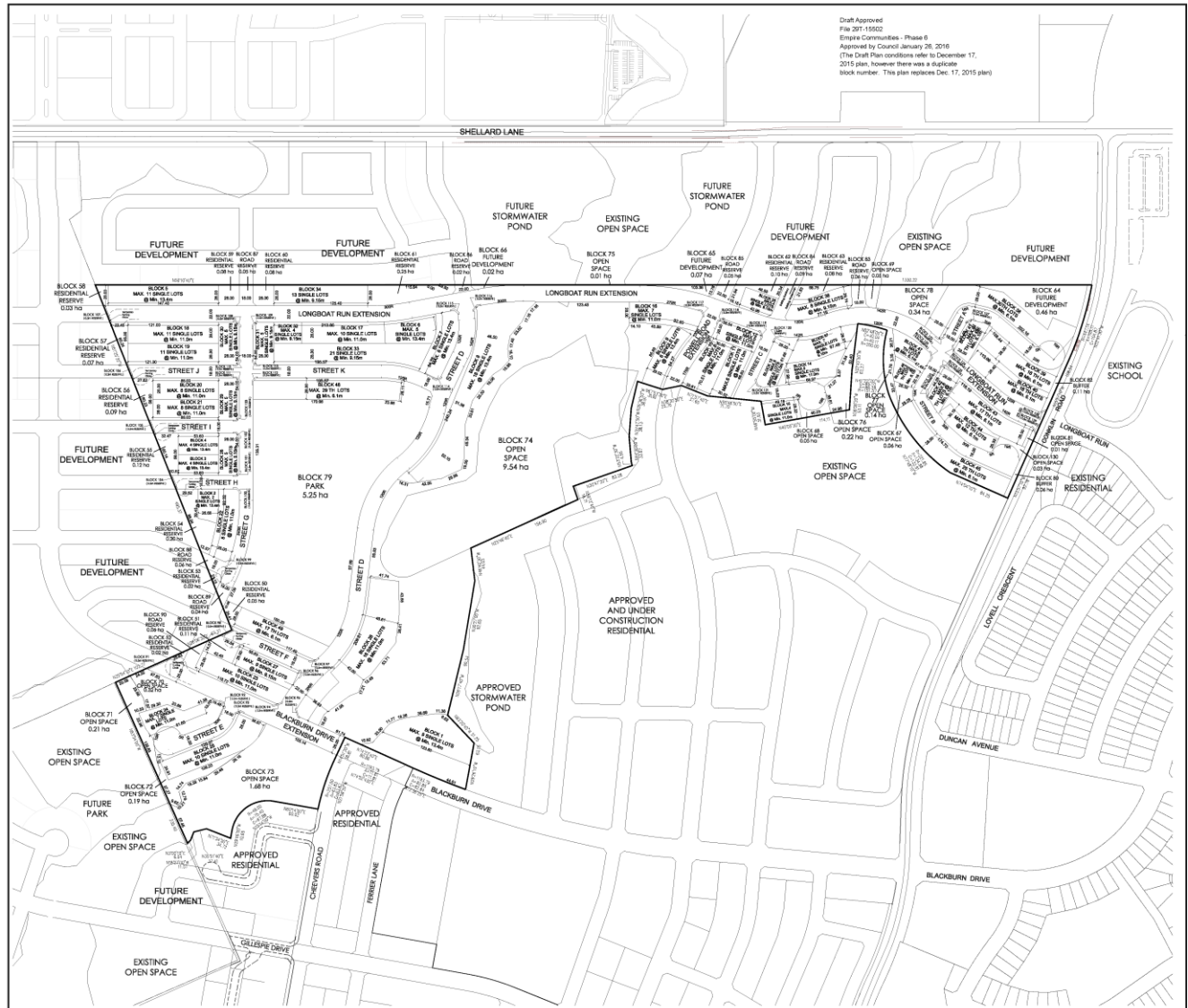
Looking north-west toward  
neighbourhood park (large earth  
mound)



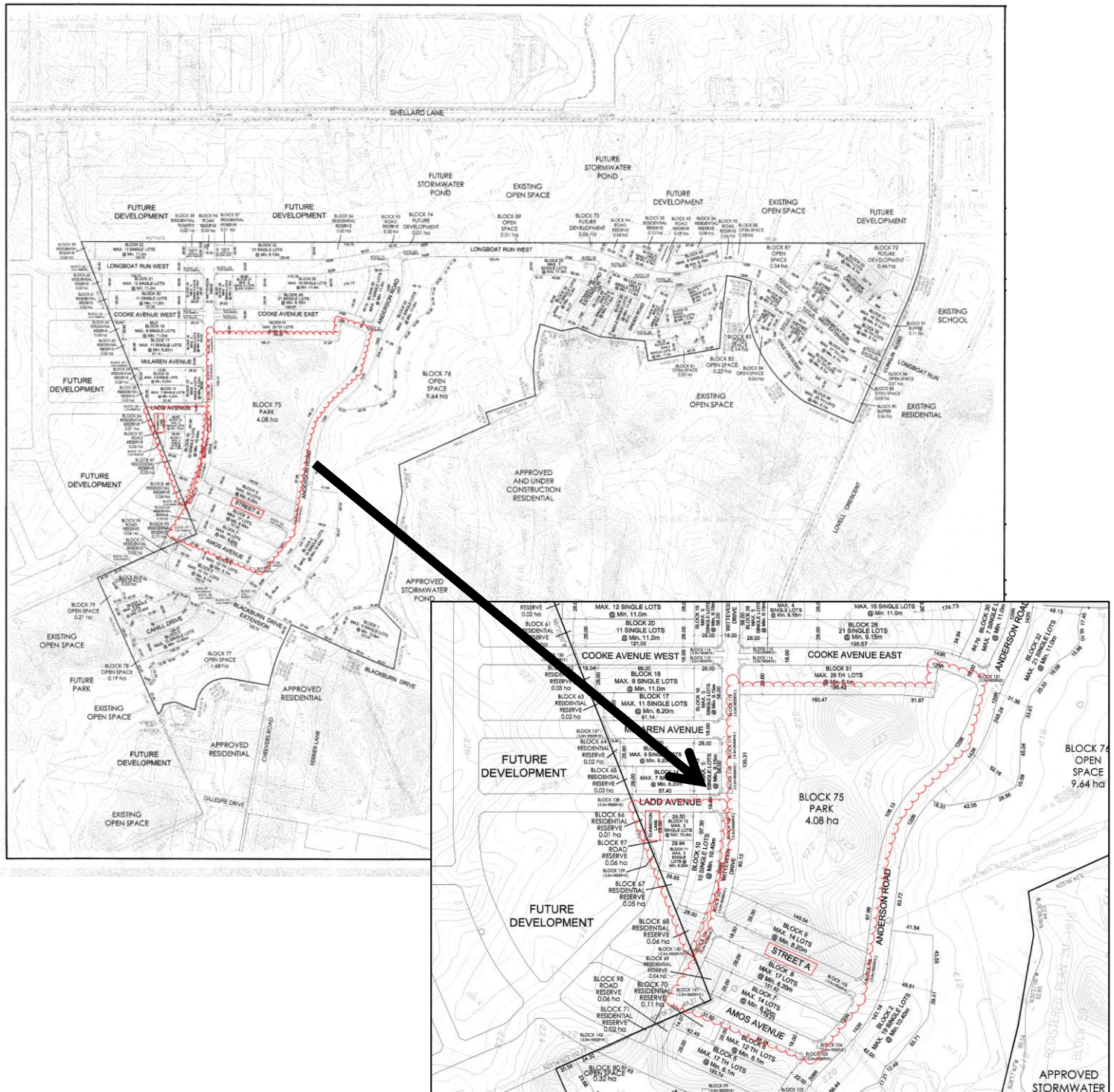
Looking north-west toward large  
open space block (Block 76 on  
Appendix E)



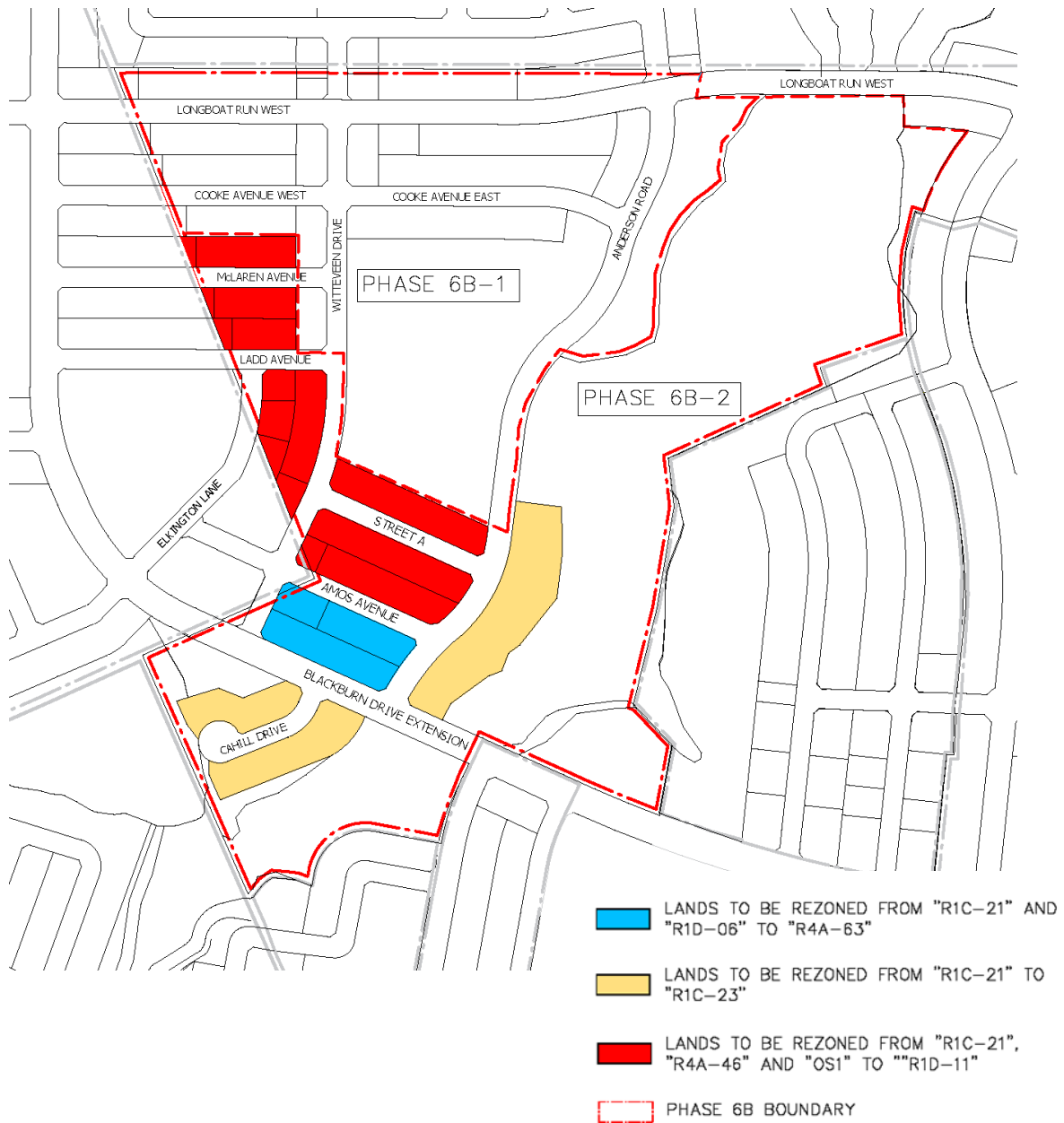
## Appendix D - Approved Draft Plan of Subdivision (29T-15502) – Approved in 2016



## Appendix E – Red-line Revision to Draft Plan of Subdivision



## Appendix F - Proposed Zone Changes





## Appendix G – Phasing Plans

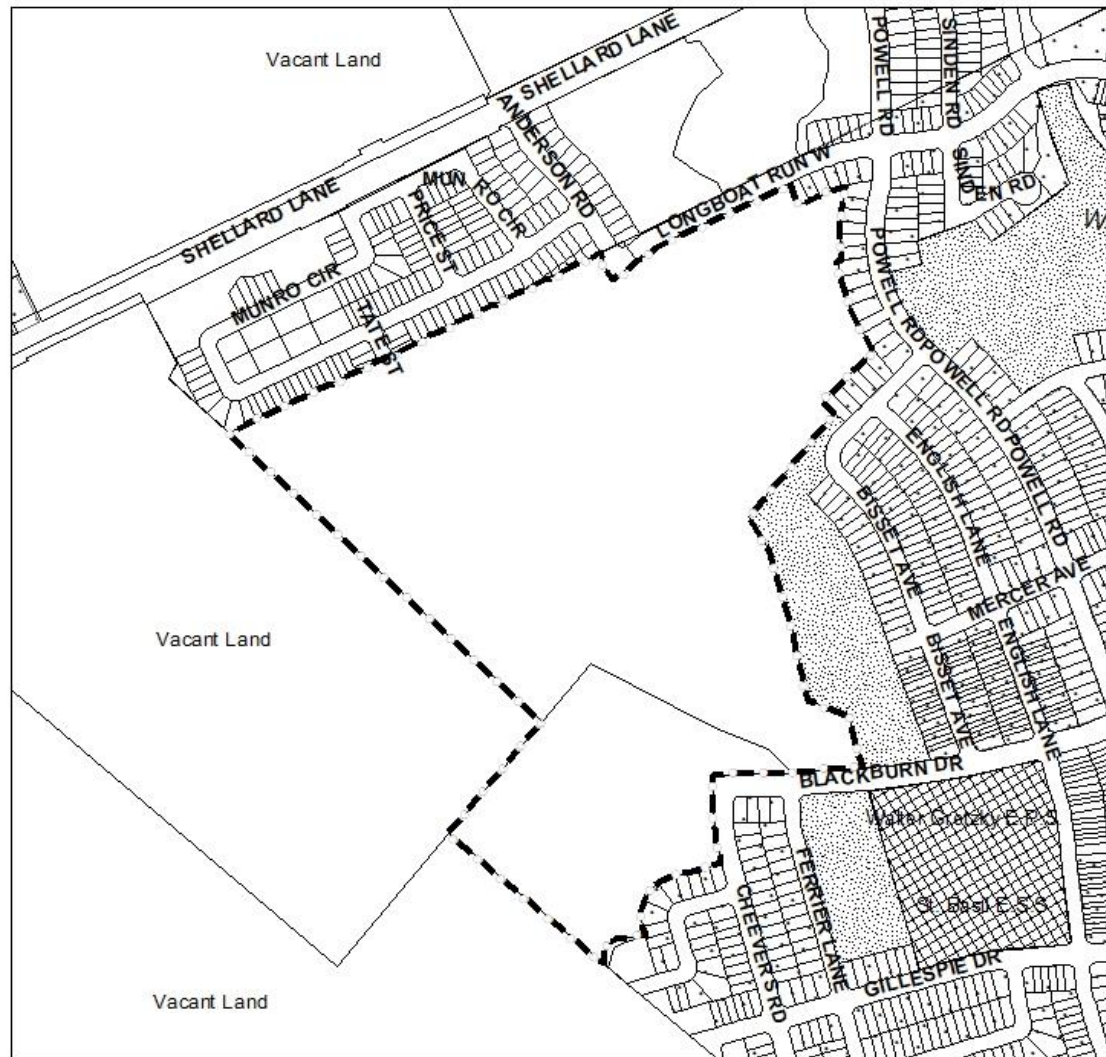


## Appendix H – Land Use

### LAND USE

PZ-01-19 & 29T-19501

North of Blackburn Drive



#### LEGEND

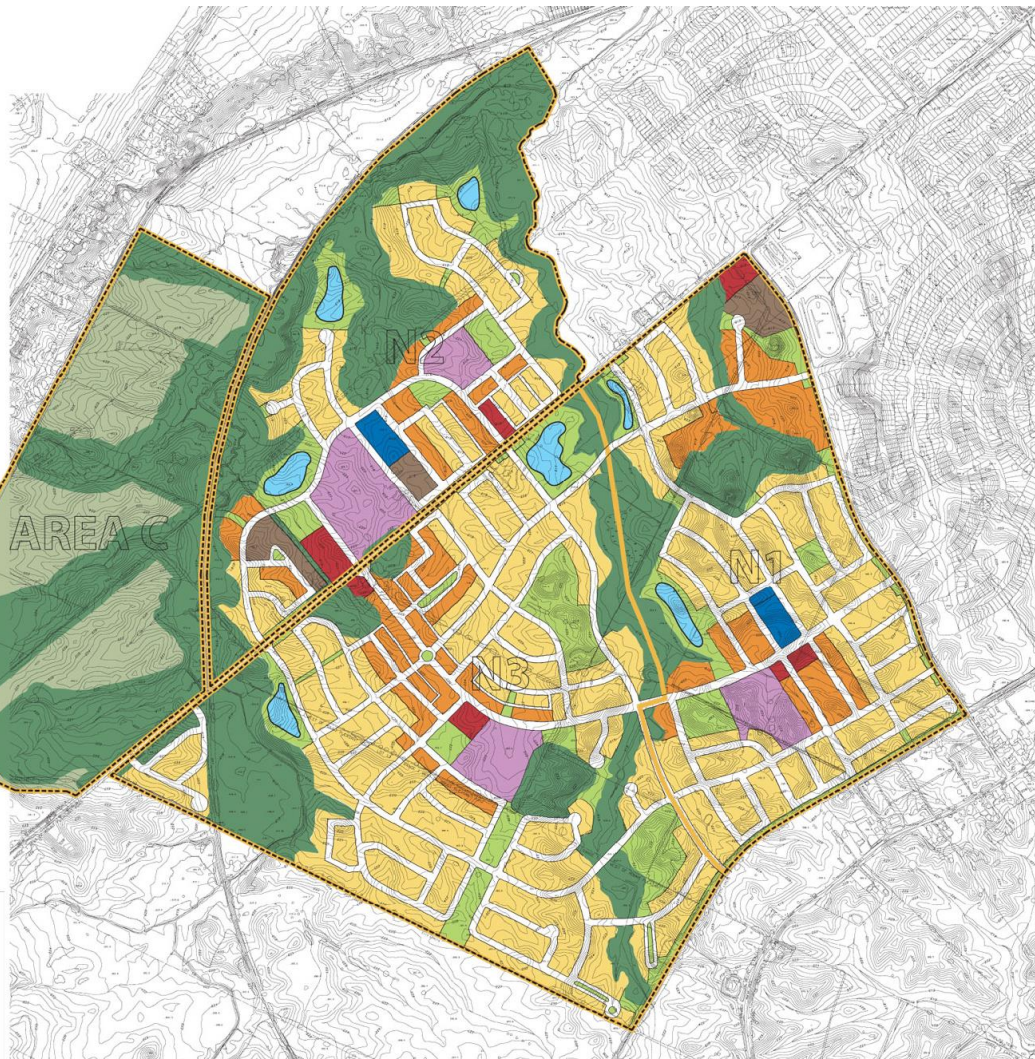
- Subject Properties
- RESIDENTIAL - Low Density (1 to 3 units)
- RESIDENTIAL - Medium Density (4 units & up to 3 storey high)
- RESIDENTIAL - High Density (4 storey or higher)
- INSTITUTIONAL
- COMMERCIAL
- INDUSTRIAL
- PARK
- VACANT/ AGRICULTURAL

Note : 2 or more assessed residential Units are indicated





## Appendix I - West of Conklin Secondary Plan – Demonstration Plan



Southwest Brantford, West of Conklin  
SECONDARY PLAN

### Demonstration Plan

#### LEGEND

- Environmental Protection
- Parks/Open Space
- Modified Policy Area 7
- Storm Water Management Ponds
- Single Detached & Semi Detached Houses
- Townhouses
- Apartments
- School Site
- Place of Worship
- Retail/Mixed Use
- Neighbourhood Boundaries
- Secondary Plan Area Boundary



March 2008

The Planning Partnership  
URS Canada Inc.  
LGL Limited  
JTB Environmental Systems Inc.  
ASI Inc.

## Appendix J – Parkland Dedication Calculations (prepared by Empire Communities)

PARKLAND DEDICATION CALCULATION									20-Aug-18
Empire Communities - Wyndfield West Phases 1-8									
	Phase 1	Phase 2	Phase 3	Phase 4	Phase 5	Phase 6	Phase 7	Phase 8	Total
<i>Land Areas (ha)</i>									
<b>A. Total Plan Area</b>	24.29	10.03	10.99	13.31	6.34	44.61	22.27	68.85	200.68
<b>B. Non-Developable</b>									
- Woodlot	7.68				1.15			6.66	15.49
- SWM Pond		3.32					3.54	2.33	9.19
- Env Protected Open Space						12.85	5.66	10.31	28.82
<i>Subtotal</i>	<i>7.68</i>	<i>3.32</i>	<i>0.00</i>	<i>0.00</i>	<i>1.15</i>	<i>12.85</i>	<i>9.20</i>	<i>19.30</i>	<i>53.50</i>
<b>C. Net Land (A-B)</b>	16.61	6.71	10.99	13.31	5.19	31.76	13.07	49.55	147.18
5% Parkland Dedication Req'd	0.83	0.34	0.55	0.67	0.26	1.59	0.65	2.48	7.36
Parkland Provided									
- Parks	0.67	1.67	0.00	0.00	0.00	5.25	0.00	2.21	9.80
<b>Over/Under dedication</b>	<b>-0.16</b>	<b>1.33</b>	<b>-0.55</b>	<b>-0.67</b>	<b>-0.26</b>	<b>3.66</b>	<b>-0.65</b>	<b>-0.27</b>	<b>2.44</b>
<b>- Revised Park Calculation</b>	0.67	1.67	0.00	0.00	0.00	4.08	0.00	2.21	8.63
<b>Over/Under dedication</b>	<b>-0.16</b>	<b>1.33</b>	<b>-0.55</b>	<b>-0.67</b>	<b>-0.26</b>	<b>2.49</b>	<b>-0.65</b>	<b>-0.27</b>	<b>1.27</b>

## Appendix K – Staff and Agency Comments

Department / Agency	Comment
Brantford Police	I have conducted a review of the attached documents. The Brantford Police Service has no objections to the application.
Brantford Power	No comments received.
Building Department	No comments received.
Engineering Department	Refer to <b>Appendix L</b>
Fire Prevention Officer	No comments received.
Heritage Planning	No comments received.
Parks and Recreation	Community Programs, Parks and Recreation Staff are contributing authors to this Report. They are in agreement with the conditions contained therein.
Risk Management – Source Protection	This development is not located in an intake protection zone.
Bell Canada	No comment received.
Brant Haldimand-Norfolk CDSB	No comment received.
Canada Post	This whole development will be Community Mailboxes and I will note the addition of a street and few more houses into the plans. Please advise should this application or layout change so that I have the most up to date plan to work with.
Grand Erie District School Board	No comment received.
Grand River Conservation Authority	See <b>Appendix “M”</b> .
Municipal Property Assessment Corp.	MPAC has no issues with the proposed changes.
Roger’s Cable TV	No comment received
Union Gas Limited	<p>Thank you for your correspondence with regards to draft plan of approval for the above noted project.</p> <p>It is Enbridge Gas Inc.’s (operating as Union Gas) request that as a condition of final approval that the owner/developer provide to Union the necessary easements and/or agreements required by Union for the provision of gas services for this project, in a form satisfactory to Enbridge.</p>



## Appendix L-1 – Engineering Comments – Page 1

CITY OF BRANTFORD  
ENGINEERING SERVICES PRELIMINARY REPORT ON

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> DRAFT PLAN OF SUBDIVISION | <input checked="" type="checkbox"/> ZONING BYLAW AMENDMENT |
| <input type="checkbox"/> OFFICIAL PLAN AMENDMENT              | <input type="checkbox"/> DRAFT PLAN OF CONDOMINIUM         |
| <input type="checkbox"/> RENTAL HOUSING ACT                   | <input type="checkbox"/> SITE PLAN APPROVAL                |
| <input type="checkbox"/> OTHER –                              |  |

PLANNING BOARD FILE NO.: PZ-01-19 & 29T-19501

DEADLINE FOR REPORT: MARCH 14, 2019

APPLICANT / OWNER: Empire Communities

SITE: Wyndfield West – Phase 6B – North of Blackburn Drive



**REQUIREMENTS OR COMMENTS**

**1. TRANSPORTATION/TRAFFIC**

1. Newly proposed streets should be consistent with current engineering standards as per Linear Design and Construction Manual, Roads and Transportation located on the City website through the following link:  
<https://www.brantford.ca/en/your-government/design-construction.aspx#>
2. The updated TIS report should reflect the increased unit count proposed.

T. KU, P.ENG., PTOE  
MANAGER, TRANSPORTATION AND PARKING SERVICES

**2. TRANSIT SERVICES**

- No comments.

E. VANDERMADE  
MANAGER OF TRANSIT

## Appendix L-2 – Engineering Comments – Page 2

CITY OF BRANTFORD  
ENGINEERING SERVICES PRELIMINARY REPORT ON

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> DRAFT PLAN OF SUBDIVISION | <input checked="" type="checkbox"/> ZONING BYLAW AMENDMENT |
| <input type="checkbox"/> OFFICIAL PLAN AMENDMENT              | <input type="checkbox"/> DRAFT PLAN OF CONDOMINIUM         |
| <input type="checkbox"/> RENTAL HOUSING ACT                   | <input type="checkbox"/> SITE PLAN APPROVAL                |
| <input type="checkbox"/> OTHER –                              |  |

PLANNING BOARD FILE NO.: PZ-01-19 & 29T-19501  
DEADLINE FOR REPORT: MARCH 14, 2019  
APPLICANT / OWNER: Empire Communities  
SITE: Wyndfield West – Phase 6B – North of Blackburn Drive

REQUIREMENTS OR COMMENTS

3. WATER

I reviewed the Zoning and Draft Plan of Subdivision Amendment application—dated January 22, 2019—and accompanying documentation—as provided by Empire Communities, Armstrong Planning & Project Management and Urbantech Consulting—on behalf of Environmental Services and would like to offer the following water comments:

1. The proposed rezoning will result in changes to the number of units within the Empire Phase 6B & Phase 7B subdivisions. An update to the water modelling completed by the City's Consultant for this development is required to identify if these changes will have an adverse effect on the existing water distribution system. The modeling will be completed by the City's Consultant. The Owner is required to pay all costs prior to the modeling being completed;
2. Ensure the Wyndfield Phase 6B servicing drawings include any additional lots and services along Anderson Rd., Cahill Dr., Blackburn Dr., Amos Ave., Witteveen Dr., Ladd Ave., and McLaren Ave. not previously included. Environmental Services will review location and separations to water service prior to approval; and
3. The proposed addition of Street 'P' through the park block was included in the Wyndfield West Phase 6B engineering application (City File No.: 29T-15502) and technical comments were provided through that review.

J. SPAGNUOLO, C.E.T.,  
SENIOR PROJECT MANAGER

4. DEVELOPMENT ENGINEERING

- Development Engineering has no comments for this Re-zoning and Redline to Plan of Subdivision. This Phase of Wyndfield West is currently being reviewed for detailed design.



G. PEEVER, P. ENG.,  
MANAGER, DEVELOPMENT ENGINEERING

April 15, 2019  
DATE



R. LOUKES, P. ENG.,  
DIRECTOR, ENGINEERING SERVICES

## Appendix M – Grand River Conservation Authority Comments



Administration Centre: 400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

Phone: 519-621-2761 Toll free: 1-866-900-4722 Fax: 519-621-4844 [www.grandriver.ca](http://www.grandriver.ca)

March 18, 2019

Ms. K. C. Pongracz  
City of Brantford  
100 Wellington Square  
P.O. Box 818  
Brantford, ON N3T 5R7

Dear Ms. Pongracz,

**Re: Empire Communities - Wyndfield West Phase 6B (29T-19501, PZ-01-19)  
North of Blackburn Drive**

Grand River Conservation Authority (GRCA) staff has reviewed the following request for Zoning By-Law Amendment and a Redline revision to an Approved Draft Plan of Subdivision 29T-15502(6B):

**Draft Plan 29T-15502 (Empire - Phase 6B)**

- Rezone Blocks 01, 24, 25, 26 from "Holding – Residential Type 1C – Exception 21 (H-R1C-21)" to "Holding – Residential Type 1C – Exception 23 (H-R1C-23)";
- Rezone Block 23 from "Holding – Residential Type 1C – Exception 21 (H-R1C-21)" to "Holding - Residential Medium Density Type A – Exception 63 (H-R4A-63)";
- Rezone Block 27 and 51 from "Holding – Residential Type 1D – Exception 6 (H-R1D-6)" to "Holding - Residential Medium Density Type A – Exception 63 (R4A-63)";
- Rezone Block 49 and 50 from "Holding - Residential Medium Density Type A – Exception 46 (H-R4A-46)" to "Holding – Residential Type 1D – Exception 11 (H-R1D-11)";
- Reduce the size of the Park Block (Block 79) from 5.25 ha. down to 4.12 ha. and rezone the portion removed from "Open Space Type 1 Zone (OS1)" to "Holding - Residential Type 1D – Exception 11 (H-R1D-11)";
- Rezone Blocks 2, 3, 4, 21, 22, 53, 54, 56, 57 and 58 from "Holding – Residential Type 1C – Exception 21 Zone (H-R1C-21)" to "Holding – Residential Type 1D – Exception 11 Zone (H-R1D-11)";

It is our understanding that the proposed red-line revision to the approved Draft Plan of Subdivision increases the number of residential units by 72, reduces the size of the proposed park block from 5.25 hectares down to 4.09 hectares, and includes the introduction of two new streets.

GRCA staff has no objection to the proposed rezoning and redline amendments submitted.

If you should have any further questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Nathan Garland".

Nathan Garland  
Resource Planner

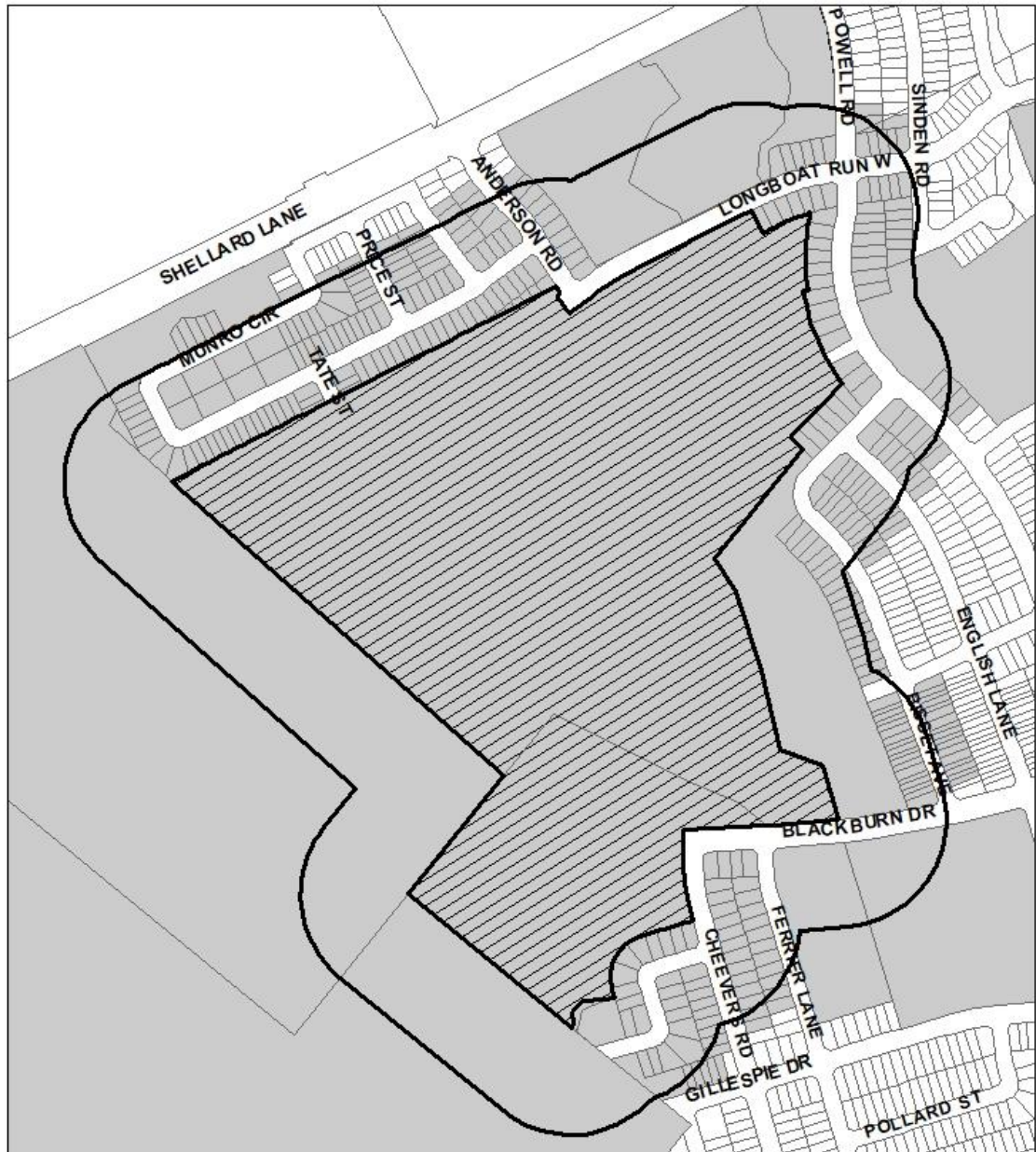
Cc: Empire Communities c/o Vimal Lad, 125 Villarboit Crescent, Vaughan ON L4K 4K2

## Appendix N – Notification Area




### AREA OF PUBLIC NOTIFICATION

PZ-01-19 & 29T-19501

North of Blackburn Drive



#### LEGEND

-  120 m RADIUS from SUBJECT LANDS
-  Subject Properties
-  PROPERTIES NOTIFIED



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## Appendix O-1 – Neighbourhood Meeting Notes – Page 1

### NEIGHBOURHOOD MEETING NOTES

#### WYNDFIELD WEST PHASES 6 & 7

Regarding: OPA & ZBA, and proposed Community Park  
Applicant/Owner: Empire Homes

Meeting Date: March 20<sup>th</sup> 2019 @ 7:00 PM  
Meeting Location: Assumption College School, Cafeteria/Auditorium

---

**Present:**

Councillor Rick Weaver

KC Pongracz, Senior Planner

Dave Zimmer, Supervisor of Parks Development & Design

Brynne O'Neill, Planner

Gary Peever, Manager of Development Engineering

Vicki Armitage, Manager of Parks Services

**Applicant/Agent(s):**

Vimal Lad, Empire Communities

Shannon Gallant, Budrevics Landscape Architects

Monica Clarke, Budrevics Landscape Architects

Residents present at meeting: 6

Councillor Weaver convened the meeting, introduced Staff, welcomed everyone to the meeting and set out the housekeeping items for the meeting. He noted that staff and the applicants would be available to answer questions and that the meeting notes will be provided to those in attendance of the meeting.

K. Pongracz provided a brief introduction and explained that the purpose of the meeting was to discuss two applications requesting amendments to existing Empire Communities Draft Plans of Subdivision in Phase 6 & 7, and to discuss the design of the community park to be established in Phase 6. She noted that this is an informal meeting intended to gather information from surrounding residents. She indicated that attendees can contact her if they require additional information, would like to pose subsequent questions or provide further comments regarding the applications.

With respect to the amendments for Phase 6B, K. Pongracz indicated that applications have been received for a Zoning By-law Amendment and for a revision to a Draft Plan of Subdivision which was approved in 2016. The proposed revision to the approved Draft Plan of Subdivision is to increase the number of residential units by 72, and reduces the size of the proposed park block from 5.25 hectares down to 4.09 hectares. The proposal also includes the introduction of two new streets. One street is located on the south end of the park block, and the second extends from the adjacent Draft Plan of Subdivision to the southwest (Losani). The zoning

## Appendix O-2 – Neighbourhood Meeting Notes – Page 2

application is proposing to rezone a portion of the property to Residential Type 1C Zone (R1C-23), Residential Type 1D Zone (R1D-11), and Residential Medium Density Type A (R4A-63).

K. Pongracz explained that during the development of Phases 1 through 8, Empire Communities had dedicated parkland in excess of what is required by the Planning Act. She explained that in an effort to reduce the compensation that the City would owe Empire Communities for this overdedication, a plan for the reduction in the size of the park has been proposed. She indicated that the lands removed from the park would be developed for residential uses.

With respect to the changes proposed for Phase 7B, she indicated that applications have been received for an Official Plan Amendment and a Zoning By-Law Amendment for Block 43 in Wyndfield West Phase 7 approved Draft Plan (29T-16501). The proposed Official Plan Amendment and Zoning Bylaw Amendment on Block 43 are to allow for an additional 14 lots to be developed adjacent to Phase 7B registered subdivision. The proposed residential lots will front onto Munro Circle. The lands are currently designated as "Greenlands System" on Schedule 7-2 and "Environmental Protection" on Schedule 7-4 of the West of Conklin Secondary Plan in the City's Official Plan. The Official Plan application proposes to re-designate a portion of Block 43 to "Neighbourhood Residential. The lands are currently zoned "Open Space Restricted – Exception 5 Zone (OS3-5)" in Zoning By-law 160-90. The zoning application proposes to rezone a portion of Block 43 to "Residential Type 1D – Exception 6 (R1D-6)".

K. Pongracz explained that the lands were formerly considered to be a provincially significant wetland, but as a result of the re-construction of Shellard Lane, they no longer have this designation. During the development of Phase 7, this was expected to occur, and a condition was included in the original draft Plan Conditions that would allow these lands to be converted to residential uses.

K. Pongracz indicated that the purpose of the meeting was also to receive community input into the design and elements of the new park to be created in Phase 6B.

The meeting was then opened up for questions.

A resident expressed concern regarding any amendments to the size of the park.

M. Clake described the existing conditions of the park, trails and wetland corridor, and how it fits in to the overall development. After the development is completed the Parks department will maintain it, therefore Empire is required to meet city standards throughout the design of the park.

S. Gallant explained the functionality of the park. She indicated that residents would be able to use the park as amenity space or a "walk-through" space, and that there are different areas designed for different activities, such as walking and passive sports. The park will have a small parking lot to mitigate street parking. Other family friendly features include the picnic area, washroom building and a splash pad. She further explained that the entire design for the park is inspired by the wetland area; the overall theme is rivers, bugs, water animals and environment. The park will also have playground equipment for both young children (aged 2-5) and senior children (5-12).

## **Appendix O-3 – Neighbourhood Meeting Notes – Page 3**

A resident expressed concern with the potential for flooding during extreme weather conditions which would negatively impact the park. M. Clarke responded by explaining that Empire Communities has taken into consideration different species of plants which would be successful in this area and help to reduce flooding.

Another resident expressed concern about safety within the park, including police patrols. M. Clarke addressed the concern by explaining CPTED guidelines, which were followed for safe design. She indicated that areas will be well lit, and the park will be designed with furniture and equipment that is as “vandal proof” as possible.

V. Armitage indicated to residents that public input is needed for the park, to see what the residents want. She indicated that safety issues within other City parks have been addressed through neighbourhood associations, as well as park patrollers and police on trails.

A resident indicated concern with fireworks in the Empire Neighbourhoods. Councillor Weaver explained they are looking into the noise bylaw, the resident says the issue is not with the noise but the embers. Resident would like to see signs regarding prohibition for fireworks.

A resident is concerned regarding lighting in the court, but also from the trail to the parking lot. V. Armitage explained that these issues can be addressed. She continued to explain that the plan has not been finalized because the goal is to incorporate public feedback into the plan.

A resident indicated that there is an opioid problem in large local parks (i.e. Mohawk Park). K. Pongracz explained that this may partially be addressed through the design of this park, in that there will be residences surrounding the park, with “eyes on the park”. This along with many of the other safety elements explained by staff and the landscape consultants may help to reduce this problem.

Councillor Weaver indicated that the onus is on the development to animate the space with people. A discuss was held regarding the establishment and function of Neighbourhood Associations.

The formal presentation ended at 7:45pm, and the residents were then welcomed to come up and speak with Staff and Empire representatives directly.

Meeting concluded at 8:30pm.



## Appendix P – Official Plan

### OFFICIAL PLAN - SCH.7-2 EXCERPT

PZ-01-19 & 29T-19501  
North of Blackburn Drive



#### LEGEND

SUBJECT LAND

GREENLANDS SYSTEM

MODIFIED POLICY AREA 7

NEIGHBOURHOOD RESIDENTIAL

NEIGHBOURHOOD CENTRE

VILLAGE CENTRE

COMMUNITY INSTITUTIONAL / RECREATION CENTRE

SHELLARD LANE

COLLECTOR ROAD

STORM WATER MANAGEMENT POND LOCATION

SCHOOL SITE

PLACE OF WORSHIP SITE

SECONDARY PLAN AREA BOUNDARY





## Appendix R – Elevation Drawings – Single Detached (8.0 metre lots)

Single Detached Dwelling 1



Single Detached Dwelling 3



Single Detached Dwelling 2



Single Detached Dwelling 4



Single Detached Dwelling 5



Single Detached Dwelling 6





## Appendix S – Elevation Drawings – Townhouse Dwellings

Elevation A - Townhouse Full Block



Elevation A - Townhouse Corner



Elevation B – Townhouse Full Block



Elevation B – Townhouse Corner



## Appendix T - Concept Plan for Community Park (Reduced park area)

