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**Date** November 10, 2020 **Report No.** 2020-272

**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 Applications for Neighbourhood Plan NP-01-19; Zoning By-law Amendment PZ-07-19, and Draft Plan of Subdivision 29T-19502 – 346 Shellard Lane [Financial Impact – Unknown] (2020-272)

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## 3.0 Recommendation

- A. THAT Neighbourhood Plan Application NP-01-19, submitted by Bousfields Inc. on behalf of Shellbrant Developments Limited, affecting the lands located on the north side of Shellard Lane, west of Conklin Road, Part of Blocks 4 and 5, Kerr Tract, Geographic Township of Brantford, City of Brantford, municipally addressed as 346 Shellard Lane, BE APPROVED;
- B. THAT Zoning By-law Amendment Application PZ-07-19 submitted by Bousfields Inc. on behalf of Shellbrant Developments Limited, affecting the lands located on the north side of Shellard Lane, west of Conklin Road, Part of Blocks 4 and 5, Kerr Tract, Geographic Township of Brantford, City of Brantford, municipally addressed as 346 Shellard Lane to change the zoning to “Open Space Type 1 Zone (OS1)”, “Open Space Restricted Zone (OS3)”, “Residential Type 1B (15 Metre) – Exception 35 Zone (R1B-35)”, “Residential

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- Type 1C (12 Metre) – Exception 24 Zone (R1C-24)”, “Residential Type 1D (11 Metre) – Exception 12 Zone (R1D-12)”, “Residential Medium Density Type A – Exception 75 Zone (R4A-75)”, “Residential Medium Density Type A – Exception 76 Zone (R4A-76)”, and the “Residential Medium Density Type A – Exception 77 Zone (R4A-77), “Residential Medium Density Type A – Exception 78 Zone (R4A-78) and “Community Centre Commercial Zone (C10)”, BE APPROVED in accordance with the applicable provisions as outlined in Section 8.2 of Report 2020-272;
- C. THAT Draft Plan of Subdivision Application 29T-19502, submitted by Bousfields Inc. on behalf of Shellbrant Developments Limited, affecting the lands located on the north side of Shellard Lane, west of Conklin Road, Part of Blocks 4 and 5, Kerr Tract, Geographic Township of Brantford, City of Brantford, municipally addressed as 346 Shellard Lane submitted by Bousfields Inc. on behalf of Shellbrant Developments Limited, affecting the lands municipally addressed as 346 Shellard Lane, BE APPROVED subject to the conditions included in Section 9.0 “Conditions of Draft Plan of Subdivision Approval” of Report 2020-272;
- D. THAT the By-law to remove the “Holding (H)” provision from the subject lands not be presented to Council for approval until a Subdivision Agreement has been entered into between the applicant and the City; and,
- E. 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 and 8.3.1 of Report 2020-272”.*

## 4.0 Purpose

Applications have been received for the approval of a Neighbourhood Plan for a portion of Neighbourhood 2 as set out in the West of Conklin Secondary Plan, to amend the City of Brantford Zoning By-law 160-90, and for approval of a Draft Plan of Subdivision. These applications affect the lands located on the north side of Shellard lane, west of Conklin Road, municipally addressed as 346 Shellard Lane. A copy of the location map and proposed Draft Plan of Subdivision are attached as **Appendices A** and **B**. An enlarged copy of the draft plan will be provided to Members of Committee under separate cover.

The applications to amend the City of Brantford Zoning By-law 160-90, and for approval of a Draft Plan of Subdivision (dated July 22, 2020) propose to permit the following:

Unit Type / Description	Number of Units	Minimum Lot Width	Lot/Block Number
<b>Single Detached</b>	23	15 m	8, 23-34, 49, 51-57, 60, 79
	78	12 m	5, 6, 7, 9, 10, 11, 14-22, 35-48, 50, 62-76, 78,81-87, 99-104, 111-114, 116-119, 122-134, 140,
	71	11.0 m	95-98, 105-110, 115, 120,121 135-139, 141-147, 149-172,
<b>Street Townhouses</b>	55	6.1 m	175-193
	38	7.5 m	194-206
<b>Rear Lane Townhouses</b>	64	N/A	194-206
<b>Block Townhouses</b>	48	7.5 m	217
<b>Future Development Blocks</b>	8	N/A	211-216 and 173 and 174 for single detached dwellings
<b>TOTAL UNITS</b>	385		

Table 2 – Non-Residential Blocks and Streets	
Block Type	Block Number
Stormwater Management Ponds	209 and 210
Park	208
Commercial Mixed Use	207
Two Walkways	218 and 219
Roads	Streets A-L (including one roundabout at the intersection of Street “A” and Street “B” ) and one Lane “A”

## 5.0 Background

### 5.1 Site Features and Surrounding Land Use

The subject lands are located within an area identified as Neighbourhood 2 in the West of Conklin Secondary Plan area, and are located north of Shellard Lane, west of Conklin Road (see **Appendix A**). The subject lands are approximately 23.4 hectares (57.8 acres) in area and they were sold by the City in September 2018 to the current owner. The subject lands are bisected by lands owned by the City of Brantford which serves as a driveway access leading to a recently constructed water tower as well as a block of land that remains City owned and is intended to be developed for future housing. The driveway is intended to be developed as a future road within the plan of subdivision. The subject lands are currently farmed and contain no dwellings or other structures. There are also two minor drainage culverts; one is adjacent to the western lot line and one is located near the eastern lot line.

Surrounding land uses include lands owned by the City of Brantford which are wooded and contain some significant natural heritage features including woodlands, Tributary G and Tributary K of D'Aubigny Creek, a wetland, and some identified species at risk (i.e., Bank Swallow, Blanding's Turtle and Butternut trees). To the northwest is the T.H. & B. Rail Trail, a recreational multi-use trail owned and maintained by the City of Brantford; beyond the trail is the

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County of Brant. To the immediate west of the subject lands are future development lands owned by Losani Homes. To the immediate east of the subject lands is a 36 hectare property, owned by the City, which is to be developed as the site of a future Community Centre/Recreation Complex. On October 22, 2020, the Province announced that funds have been allocated for the construction of a new elementary school next to the future Community Centre/Recreation Complex. To the south of the subject lands is Shellard Lane, which is a minor arterial road. The lands south of Shellard Lane include the Wyndfield West subdivision which is under development by Empire Communities and the Brant West subdivision which is under development by Losani Homes.

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

Applications have been received for approval of a Neighbourhood Plan, to amend the City of Brantford Zoning By-law 160-90, and for approval of a Draft Plan of Subdivision, as described in Section 4.0 of this Report. Attached as **Appendices B, C, D, E and F** is the Draft Plan of Subdivision, a Phasing Plan, an aerial photograph, photographs of the site and a Land Use Plan showing the subject lands in the context of the surrounding land uses.

With respect to the application for approval of a Neighbourhood Plan, the lands are subject to the West of Conklin Secondary Plan, which came into force in May of 2008, and includes three Neighbourhoods. Each Neighbourhood is to contain a mix of low and medium density housing types including single detached dwellings and townhouse dwellings, as well as public open space features.

In accordance with the requirements of the Secondary Plan, the applicant has submitted a Neighbourhood Design Plan for a portion of Neighbourhood 2 (see **Appendix H**). The Neighbourhood 2 Design Plan includes future road connections which would extend beyond the boundary of Neighbourhood 2 showing how the applicant's proposed Neighbourhood Design Plan will be integrated with the abutting lands. Approval of the Neighbourhood Design Plan is required prior to the approval of the Draft Plan of Subdivision.

With respect to the balance of Neighbourhood 2, the lands to the west of the subject lands are owned by Losani Homes. The applicant has not provided a Neighbourhood Plan for the entirety of Neighbourhood 2 but has incorporated appropriate connections to the lands to the west so that the development of the abutting lands is not constrained. The applicant will continue to work with the owner of the abutting lands to ensure that there is a seamless connection

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between the two developments, consistent with the direction set out in the West Conklin Secondary Plan (refer to **Appendix G**). This is discussed further in Section 8.3.9 of this Report.

With respect to the application for Draft Plan of Subdivision, the applicant is proposing to create a total of 385 lots for future residential dwellings. The proposed development will include 172 lots for single detached dwelling units, 32 blocks for 205 street townhouse units, (of which 64 will be rear-lane townhouse units), one block for 48 townhouse units on a private road and 8 future residential lots. Elevations for the proposed units are attached as **Appendix H1**. The proposed Draft Plan of Subdivision also includes one commercial/mixed use block that is 0.798 hectares, an internal park block that is 0.747 hectares, and two blocks (Block 209 and 210) for stormwater management ponds. There is one parcel of land which is adjacent to Shellard Lane, abutting the driveway that currently leads to the water tower which has been retained by the City and is not part of the subdivision. It is intended to be developed for future housing at a later date by the City.

In regard to pedestrian and vehicular movement, the applicant has proposed 11 streets, one lane and two walkways. There are sidewalks, trail connections and bike lanes within the Draft Plan of Subdivision. Access to the subject lands will be from Shellard Lane via Street “A” and Street “B”. The applicant is also proposing one roundabout and two window roads along Shellard Lane to prevent direct vehicular access to Shellard Lane from the individual dwelling units.

Due to the irregular shape of the subject lands, there are 6 lots along the easterly side of Street “E” and 2 lots along the northerly side of Street “A” (Blocks 211-216) that will require the acquisition of additional land from the City of Brantford to create full lots that can be developed in the future by the applicant. Future applications and approvals will be required to determine if these lands are developable. In this regard, Staff recommend that those lands not be rezoned at this time, this is discussed further in Section 8.2.6 of this Report. Block 217 which is located adjacent to the lands owned by Losani Homes is proposed to be developed for block townhouse units that would be considered through a future application for Draft Plan of Condominium.

To facilitate the proposed Plan of Subdivision, an application to amend the Zoning By-law is required. The lands are presently zoned “Planned Unit Development Type One (PUD1)”. The proposed zoning is as follows: “Open Space Type 1 Zone (OS1)”, “Open Space Restricted Zone (OS3)”, “Residential

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Type 1B (15 Metre) – Exception 35 Zone (R1B-35)”, “Residential Type 1C (12 Metre) – Exception 24 Zone (R1C-24)”, “Residential Type 1D (11 Metre) – Exception 12 Zone (R1D-12)”, “Residential Medium Density Type A – Exception 75 Zone (R4A-75)”, “Residential Medium Density Type A – Exception 76 Zone (R4A-76)”, and the “Residential Medium Density Type A – Exception 77 Zone (R4A-77)”, “Residential Medium Density Type A – Exception 78 Zone (R4A-78) and “Community Centre Commercial Zone (C10)”.

In support of the applications, the applicant submitted the following reports:

- Financial Impact Study;
- Floodplain Mapping;
- Fluvial Geomorphology;
- Geotechnical Soil Report;
- Hydrogeological Report;
- Neighbourhood Design Plan;
- Noise Feasibility Study;
- On-street Parking Plan;
- Phasing Plan;
- Planning Justification Report;
- Preliminary Draft Plan;
- Preliminary Stormwater Management Report;
- Public Consultation Strategy;
- Scoped Environmental Impact Study;
- Stage 1 and 2 Archeological Study;
- Survey;
- Topographical Survey;
- Tree Inventory Report;
- Transportation Impact Study;
- Transportation Design Study;
- Urban Design Guidelines; and,
- Zoning Plans.

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## 6.0 Policy Context

### 6.1 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* (see **Appendix I**). The fourteen criteria in which a Draft Plan shall have regard to are as follows:

- the effect of the proposed development on matters of Provincial Interest;
- whether the proposed plan is premature;
- whether it conforms to the Official Plan and adjacent plans of subdivision;
- suitability of the land for the purposes for which it is to be subdivided;
- if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;
- 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;
- the dimensions and shapes of the proposed lots;
- the restrictions or proposed restrictions, if any, on the land proposed lands to be subdivided or adjoining land;
- conservation of natural resources and flood control;
- the adequacy of utilities and municipal services;
- the adequacy of school sites;
- the conveyance or dedication of lands for roads or public purposes;
- the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and
- the interrelationship between the design of the proposed plan of subdivision and site plan control matters.

It is the opinion of Planning Staff that this Draft Plan of Subdivision application has regard to the Section 51(24) criteria as the application is not premature; adequate municipal services including public roadways and utilities will be provided and the dimensions and shapes of the proposed lots are appropriate. The Draft Plan of Subdivision is also suitable for the proposed uses, the natural heritage features located on the lands surrounding the development will be protected, services and utilities are available, lands will be dedicated to the City for roads and stormwater management and connections to the abutting lands are maintained.



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## **6.2 Provincial Policy Statement (2020)**

These applications have been reviewed with respect to the policies contained in the Provincial Policy Statement (PPS). Specifically Section 1.1.1 of the PPS promotes efficient development and land use patterns which minimize the 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 25 years. The proposed subdivision will provide a range and mix of housing types and land uses within the City. Section 1.1.3 focuses growth and development in existing settlement areas. The proposed subdivision is located in the Greenfield area of the City which is available for development. The proposal contributes to the effective use of infrastructure and public service facilities and minimizes unnecessary public expenditures by developing vacant and underutilized lands within the existing settlement area.

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

## **6.3 A Place to Grow – Growth Plan for the Greater Golden Horseshoe (August 2020)**

Planning Staff have reviewed the applications within the context of A Place to Grow – Growth Plan for the Greater Golden Horseshoe (Growth Plan). The vision for the Growth Plan is to provide the basis for guiding decisions on how land is developed, resources are managed and public dollars are invested. The subject lands are located within a Designated Greenfield Area (DGA). The City of Brantford is currently required to achieve a minimum density target of 50 residents and jobs per hectare in Designated Greenfield Areas.

The applicant is proposing to develop a total of 385 new residential units within the Designated Greenfield Area. As outlined in Section 6.4 of this Report, this proposal is in conformity with the Growth Plan as it will facilitate the development of residential housing which will assist in meeting the minimum DGA density target in the Growth Plan.

## **6.4 Growth Management**

The subject lands are located in an area identified as a Designated Greenfield Area in the Growth Plan and the City of Brantford Official Plan. As such, the lands are subject to the growth management policies of the Growth Plan respecting Designated Greenfield Areas, as outlined in Section 2.2.7 of the

Growth Plan. Section 2.2.7.1 of the Growth Plan states “*that new development taking place in designated greenfield areas will be planned, designated, zoned and designed in a manner that: a) supports the achievement of complete communities; b) supports active transportation; and c) encourages the integration and sustained viability of transit services*”. Designated Greenfield Areas within single-tier municipalities, such as the City of Brantford, will plan to achieve a minimum density target that is not less than 50 residents and jobs combined per hectare; (2.2.7.2(a)). This target is consistent with the density target established within the in-force City of Brantford Official Plan, which establishes a minimum gross density target of 50 residents and jobs combined per hectare in the Greenfield Areas. An analysis of how the proposed development will contribute to achieving these targets is provided in **Table 1**.

It is noted that a new Official Plan is currently being prepared and will be brought into conformity with the new Growth Plan upon final approval by the Province. On July 11, 2019, Council reconfirmed the growth targets for intensification in the Built-up Area and density in the Designated Greenfield Area. In this regard, Council directed staff to complete the Official Plan Review using the growth targets previously endorsed by Council on June 26, 2018, October 2, 2018 and February 26, 2019, which establish a Designated Greenfield Area density target of 52 residents and jobs combined per hectare.

**Table 1: Proposed Development - Density Targets**

Area		22.667 ha
Population in Singles	172 units x 3.05 people per unit	525 residents
Population in Townhouses	205 units x 2.47 people per unit	506 residents
<b>Total Projected Population</b> (525 residents in singles + 506 residents in townhouses)		<b>1,031 residents</b>
“Commercial lands and other institutional lands are anticipated to have an average density of 64 jobs per hectare”		
64 / 1 ha		
0.79 ha		
Commercial Jobs		51 jobs
Work-at-Home Jobs	1,031 residents x 2.1% of residents work-at-home	21 jobs
<b>Total Projected Jobs</b> (51 commercial jobs + 21 work-at-home jobs)		<b>72 jobs</b>
<b>Total Projected Density</b> ((1,031 residents + 72 jobs) / 22.667 ha)		<b>48 residents and jobs/ha</b>

Updated on October 1, 2020

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

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The proposed development is expected to result in a population of 525 residents (based upon a calculation of 172 units multiplied by an estimated 3.05 persons per unit for single detached dwellings and 506 residents from the 205 townhouse units multiplied by an estimated 2.47 persons per unit for street townhouses). This results in a projected total population of 1,031 persons. With respect to calculating the potential 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 including the jobs generated from the commercial block. Applying the factors identified in **Table 1**, it is anticipated that the jobs created would total 72 jobs (21 work-at-home jobs and 51 commercial jobs). The resulting density would be 48 persons and jobs combined per hectare (1,031 persons plus 72 jobs/ 22.667 ha).

While the density target is slightly lower than the target in the City's Official Plan and Growth Plan, other nearby development is anticipated to exceed minimum density targets. For example, the approved Losani Homes subdivision to the south will achieve a minimum density of 79.5 persons and jobs per net residential hectare, which is well above the density target. In this regard, the proposed development will assist in achieving an appropriate balance in meeting the overall density target in the DGA.

## **7.0 Input From Other Sources**

### **7.1 Technical Liaison Response**

The applications were circulated for review, and a summary of the comments is attached as **Appendix J**. Detailed comments from Engineering Services and the Grand River Conservation Authority (GRCA) are attached as **Appendices J1** and **J2**.

The comments provided are discussed in Section 8.3 of this Report and have been addressed through the detailed conditions of draft plan approval found in Section 9.0 of this Report.

### **7.2 Public Response**

In consultation with the Ward Councillors, a Ward Meeting was held on September 25, 2019. The meeting was attended by approximately 10

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residents who expressed concerns regarding the increased density, lack of on-street parking, increase in traffic and lack of schools in the area. The notes from the meeting are attached as **Appendix L** and the comments and concerns from residents are discussed further in Section 8.3.1 of this Report.

Notice of the Statutory Public Hearing was issued to all property owners (37 owners) within a 120-metre radius of the subject lands (as illustrated in **Appendix K**). Public notification signs were also posted on the subject property. At the time of writing this report, no comments have been received.

### 7.3 Grand River Notification Agreement

Notice was issued as part of the Grand River Notification Agreement, with no response received to date.

## 8.0 Analysis

### 8.1 Official Plan Considerations

The subject lands are designated “Village Centre” and “Neighbourhood Residential” on Schedule 7-2 – West of Conklin Secondary Plan in the City of Brantford Official Plan (**Appendix M**). Inherent to the West of Conklin Secondary Plan is the principle of flexibility, provided that the general intent and structure of the Plan are maintained to the satisfaction of the City. The land use pattern is schematic and may be adjusted through the preparation of the Neighbourhood Plan.

The Village Centre designation permits a mix of uses including medium and high density residential housing, a Secondary School and/or an Elementary School, a Neighbourhood Park and a range of institutional, retail, personal service and business uses intended to service the entire West of Conklin Secondary Plan Area. The Village Centre has been shifted to the east in the proposed Draft Plan and includes a Commercial Block and medium density multi-unit residential uses. The permitted residential building types include street, block or stacked townhouses, small plex-types (e.g. quattroplex) multiple unit buildings and apartment buildings. Apartment units may be permitted in either stand-alone residential buildings or above the ground floor in a mixed use building. Single detached and semi-detached dwelling units are specifically not permitted within the Village Centre designation.

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The “Neighbourhood Residential” designation accommodates a range of housing types and open space uses. Permitted residential building types include detached dwellings, semi-detached dwellings, and street, block or stacked townhouse dwelling units. Within the “Neighbourhood Residential” designation, dwellings are to address the road and garage doors shall not dominate the view of the streetscape. Front and exterior side yard porches are encouraged.

The subject lands are also within an “Environmental Protection Overlay” designation on Schedule 7-4 West of Conklin Secondary Plan: Greenlands Plan, in the City’s Official Plan. As stated in Section 19.5.7.3 of the Official Plan, the intent of the Environmental Protection Overlay designation is to act as a trigger for the preparation of an Environmental Impact Assessment that will determine the nature and extent of the features and the buffer that is required between the “Environmental Protection Area” designation and the limits of the development. To address this requirement, the applicant submitted a Scoped Environmental Impact Study, dated May 2019 as well as a Scoped Environmental Impact Study (EIS) Addendum, in March 2020 prepared by Savanta, which identifies the existing natural features, as identified in Section 5.1 of this Report. The Savanta report concludes that development on the subject lands could be completed without negatively affecting the adjacent natural heritage features and associated functions. The results of analysis conducted for this EIS Addendum demonstrate that the original conclusion remains valid.

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 of 50 residents and/or jobs per hectare, which is a goal of the West of Conklin Secondary Plan Area, and is also a requirement of A Place to Grow. The current application proposes 48 residents and jobs per hectare, which is slightly below the density target. However, once the West of Conklin Secondary Plan Area is entirely built out, the gross density for the entire area is expected to meet the density targets set out in the Place to Grow Growth Plan as well as the Official Plan.

Overall, the proposed development meets the intent of the West of Conklin Secondary Plan Area with respect to efficient, cost-effective development and land use patterns, the conservation of natural and cultural heritage features, the protection of public health and safety and

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the achievement of minimum development densities as articulated in the *Planning Act*, the Provincial Policy Statement and the Growth Plan.

### **Neighbourhood Design Plan Considerations**

Pursuant to the West of Conklin Secondary Plan policies contained in the Official Plan, Neighbourhood Design Plans require City Council approval prior to draft plan approval of any development with the Secondary Plan Area. The subject lands are located in Neighbourhood 2 in the West of Conklin Secondary Plan. Attached in **Appendix N** is a demonstration plan that forms part of the West of Conklin Secondary Plan.

The Neighbourhood Design Plan for this area was prepared by Bousfields Inc. for Shellbrant Developments Limited, in accordance with the policies of the Official Plan. The Neighbourhood Design Plan for the subject lands includes a conceptual road layout extending beyond the boundary of Neighbourhood 2 to show how the applicant's proposal would not negatively affect the future development of the abutting lands. The park block was identified in the West of Conklin Secondary Plan – Demonstration Plan west of Street “B”. However, as a result of comments received from Parks and Recreation staff, the proposed park (Block 208) has been centrally located in the neighbourhood, along Street “A”, south of the City's Elevated Water Storage Tank.

Section 19.9.6.2 of the Official Plan sets out the specific requirements or components which should be included in Neighbourhood Design Plans relating to urban design, architectural guidelines and density requirements:

#### *1. The proposed pattern of roads and development blocks*

Street “A” (shown on the Draft Plan) was established as part of the West of Conklin Secondary Plan and is identified as a Collector Road. Street “A” extends further to the west toward the lands currently owned by Losani Homes and will provide for a future connection to those lands. The road pattern has been implemented in the Draft Plan of Subdivision and is generally in keeping with the Demonstration Plan (see **Appendix M**). Other smaller streets have been integrated into the Draft Plan of Subdivision to break up the Blocks and to accommodate the proposed form of development. Streets “A” and “E” form the north/south and east/west arterial roads. A roundabout is also proposed at the intersection of Street “A” and Street “B”. As it is somewhat challenging to read all the

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details of the proposed draft plan attached as **Appendix B**, an enlarged copy of the draft plan will be provided to Members of Committee under separate cover.

The development blocks contain a mix of single detached, street/ lane/block townhouse units with a variety of lot widths. Most lots have frontage on a public street. Block 217 is intended to be developed for block townhouse units and will have frontage and access to Street “B”, with internal private condominium roads for access to each of the units within this block. This would be addressed through a future application for draft plan of condominium. The proposed Park block, trails and walkways are situated throughout the subdivision providing recreational and leisure opportunities for future residents. Multi-residential blocks are located central to the proposed subdivision and are intended to be developed for street and lane townhouses

*2. The proposed network of roads, transit, pedestrian and bicycle routes*

Details regarding the proposed transit routes were not provided, as that is currently unknown. However, it is anticipated that this development would eventually be accessed via future transit routes along Street “A” as well as along Shellard Lane. Presently transit runs along McGuinness Drive turning onto Shellard Lane toward Conklin Road. On-street bike lanes are also incorporated along Street “A” that connects to the multi-use path system along Shellard Lane and beyond.

With respect to pedestrian routes, there are pedestrian sidewalks throughout the proposed subdivision as well as connections to the trail systems. There are trails proposed within the Draft Plan of Subdivision around the two stormwater ponds and those trails will connect to the proposed Community Centre/Recreation Complex to the east of the site via a pedestrian walkway as well to any future development to the west. The proposed network of streets, including window roads along Shellard Lane vary in width to help create a smaller block pattern within the subdivision which lends itself to a friendly pedestrian environment.

*3. A Comprehensive Streetscape Plan, that articulates specific urban design issues to be addressed in implementing zoning by-laws, plans(s) of subdivision or site plan approvals.*

Detailed Architectural Guidelines were included as part of the background material in support of the Neighbourhood Design Plan. The Guidelines set

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out requirements to ensure there is a variety in the design and location of the lots and sets out requirements for corner lots for single detached dwellings and corner and interior lots for street townhouses which includes corner detailing. The proposed Zoning By-law Amendment has been drafted to ensure that a specific built form and design will be maintained, and this has also been addressed through a draft plan condition (Condition 85).

*4. The location of specific features, sites and residential lots within the Neighbourhood such as corner lots, T-intersections that require specific lot and building placement orientation and architectural features*

Urban Design Guidelines were included as part of the materials submitted in support of the Neighbourhood Design Plan. The Guidelines set out requirements to ensure there is a variety in the housing design and location of the lots and driveways. The Guidelines address placement of the built form, architectural features, driveway location, as well as design features for corner, T-intersection and elbow street lots. The proposed Zoning By-law Amendment has been drafted to ensure that the placement of buildings incorporates specific architectural features, such as porches and any other encroachments will be maintained, and will be consistent with the Urban Design Guideline document. Design of housing types will be modified to address the location of the lots within the road pattern, grade change and other characteristics of the site.

*5. The proposed pattern of land use including the composition, distribution of residential density and the proposed scale of non-residential uses*

The proposed Neighbourhood Design Plan is consistent with the required land uses as specified in the Secondary Plan. The lands to be proposed for single detached dwellings are outside the Village Centre, north of the development, with the higher density residential townhouses closer to Shellard Lane. The details of the commercial block have not been determined however, the proposed zoning on the lands will accommodate neighbourhood commercial uses once developed.

*6. An Open Space Master Plan that identifies the location and configuration of uses such as school sites, parks, trails, open space buffers, environmental and cultural heritage features.*



Block 208 is proposed to be a 0.747 hectare Neighbourhood Park with frontage onto Streets “A” and “B” and is generally located in the centre in the Draft Plan. The trail system identified on the Neighbourhood Trail Plan permits access to the environmental lands surrounding the proposal and future Community Centre/Recreation Complex to the east.

*7. Where applicable, the anticipated boundaries of implementing plans of subdivision*

The developer has been in discussion with the land owner to the west of the subject lands (Losani Homes). The Draft Plan of Subdivision includes one collector road (Street “A”) which will provide a connection between the subject lands and the adjacent lands to the west which are owned by Losani Homes.

*8. In the case of a school site or a place of worship site, the proposed pattern of alternate land use, in the event that the site is not required for the school or place of worship use*

There is no school site proposed on the subject lands. However, on October 22, 2020, the Province announced that funds have been allocated for the construction of a new elementary school east of the subject lands next to the Community Centre/Recreation Complex. With respect to a place of worship, the Secondary Plan originally identified the lands located in the area of Block 207 as an appropriate site but the lands are too small to accommodate a place of worship. The applicant, in consultation with Staff is now proposing a commercial/mixed used block at that location.

In Planning Staff’s opinion, the application meets the general objectives set out in the West of Conklin Secondary Plan and is considered to be in conformity with the direction established in the Official Plan.

## **8.2 Zoning Considerations**

<b>Existing Zoning:</b>	<b>“Planning Unit Development Type One Zone (PUD1)”</b>
<b>Proposed Zoning:</b>	<b>“Planning Unit Development Type One Zone (PUD1)”;</b>  <b>“Residential Type 1B - Exception 35 Zone (R1B-35)”;</b>

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**“Residential Type 1C - Exception 24 Zone (R1C-24)”;**

**“Residential Type 1D - Exception 12 Zone (R1D-12)”;**

**“Residential Medium Density Type A - Exception 75 Zone (R4A-75)”;**

**“Residential Medium Density Type A - Exception 76 Zone (R4A-76)”;**

**“Residential Medium Density Type A - Exception 77 Zone (R4A-77)”;**

**“Residential Medium Density Type A - Exception 78 Zone (R4A-78)”;**

**“Community Centre Commercial Zone (C10)”;**

**“Open Space Type 1 Zone (OS1)”;** and,

**“Open Space Restricted Zone (OS3)”.**

The subject lands are currently zoned “Planned Unit Development - Type One Zone (PUD1)” which contains subcategories of Residential Low Density Development (RLDD), Residential Medium Density Development (RMDD), Community Centre (CC), Community Open Space (COS), Community Service (CS). This Zone, including the subcategories, permit a variety of housing types as well as commercial uses, community centres and open space uses. The PUD1 Zone and subcategories were created many years ago to reflect a particular development which is no longer relevant today. It does not provide the zoning regulations that will accommodate the built forms and uses within the proposed draft plan of subdivision.

The applicant is proposing to amend Zoning By-law 160-90 by changing the zoning to accommodate similar types of dwellings and other uses that are under development in the plans of subdivision across the road, south of Shellard Lane. The proposed zoning is intended to be generally consistent with the Zone categories that are applicable to those lands.

Attached as **Appendix O** is a map identifying the current zoning in the general area of the subject lands. As noted in Section 5.0 of this Report,

the applicant is proposing to amend the Zoning of the lands to reflect the proposed plan of subdivision, specifically to permit lots and blocks for single detached dwellings, street townhouse dwellings, open space, stormwater management and a park. Single detached lots will range in widths from 11.0 m to 15.0 m, and are proposed to be rezoned to: “Residential Type 1B - Exception 35 Zone (R1B-35)”, “Residential Type 1C - Exception 24 Zone (R1C-24)”, and “Residential Type 1D - Exception 12 Zone (R1D-12)”.

The blocks for the townhouse dwellings are proposed to be zoned “Residential Medium Density Type A” and are to include four separate exceptions (75-78 inclusive). All of the blocks would be subject to specific exceptions to the regulations as set out in the Zoning By-law and described in more detail below. The street townhouses are primarily located along Shellard Lane and in the interior of the development. Rear Lane townhouses are also included in the proposed subdivision which front onto Street “A” and Street “L”, with future vehicular access from Lane “A”. Attached as **Appendix P** is a schedule that illustrates the proposed zoning.

## 8.2.1 Single Detached Dwellings

The following section illustrates and reviews the requested exceptions that apply to the proposed single detached lots only:

**Table 2: Zoning Chart (Single Detached Dwellings 15 m lot width)**

	<u>R1B Zone Requirements</u>	<u>Proposed R1B Zone-Exception 35</u>
Lot Coverage (%) maximum	35%	55%
Building Height (m)	10.0 m	12 m
Front Yard (m)	6.0 m	6.0 m to the garage 4.5 m to the dwelling unit
Rear Yard (m)	7.5 m	7.0 m
Interior Side Yard (m)	3.0 m on one side and 1.0 m on the other, except with an integral garage/carport, in which case it shall be 1.0 m on each side	1.2 m on one side and 1.2 m on the other side
Exterior Side Yard (m)	3.0 m	2.4 m (associated interior side yard may be 0.6 m)

	<u>R1B Zone Requirements</u>	<u>Proposed R1B Zone-Exception 35</u>
Parking		Notwithstanding the requirements of Section 6.18, stairs shall be permitted to encroach with the required parking space within the garage, a maximum of 0.5 metres.
Landscape Open Space	A minimum of 50% landscaped open space is required in the front yard.	Notwithstanding the requirements of Section 6.18.3.9, a minimum of 40 % of the front yard shall be maintained as landscaped open space.

**Table 3: Zoning Chart (Single Detached Dwellings 11 and 12 m lot width)**

	<u>R1C Zone Requirements</u>	<u>Proposed R1C Zone-Exceptions</u>	<u>R1D Zone Requirements</u>	<u>Proposed R1D Zone-Exceptions</u>
Lot Width (m) minimum	12.0 m	12.0 m	9.0 m	11.0 m
Lot Coverage (%) maximum	40%	55%	40%	55%
Building Height (m) maximum	10.0 m	12 m	10.0 m	12 m
Front Yard (m) Minimum	6.0 m	6.0 m to the garage 4.5 m to the dwelling unit	6.0 m	6.0 m to the garage 4.5 m to the dwelling unit
Rear Yard (m) minimum	7.5 m	7.0 m	7.5 m	7.0 m
Interior Side Yard (m) minimum	3.0 m on one side and 1.0 m on the other, except with an integral garage/carport, in which case it shall be 1.0 m on each side	1.2 m on one side and 0.6m on the other side (0.6 m side yard must be adjacent to a 1.2 m side yard)	3.0 m on one side and 1.0 m on the other, except with an integral garage/carport, in which case it shall be 1.0 m on each side	1.2 m on one side and 0.6m on the other side (0.6 m side yard must be adjacent to a 1.2 m side yard)
Exterior Side Yard (m) minimum	3.0 m	2.4 m	3.0m	2.4 m
Parking		Notwithstanding the requirements of Section 6.18, stairs shall be permitted to encroach with		Notwithstanding the requirements of Section 6.18, stairs shall be permitted to

	<u>R1C Zone Requirements</u>	<u>Proposed R1C Zone- Exceptions</u>	<u>R1D Zone Requirements</u>	<u>Proposed R1D Zone- Exceptions</u>
		the required parking space within the garage, a maximum of 0.5 metres.		encroach with the required parking space within the garage, a maximum of 0.5 metres.
Landscape Open Space	A minimum of 50% landscaped open space is required in the front yard.	Notwithstanding the requirements of Section 6.18.3.9, a minimum of 40% of the front yard shall be maintained as landscaped open space.	A minimum of 50% landscaped open space is required in the front yard.	Notwithstanding the requirements of Section 6.18.3.9, a minimum of 40% of the front yard shall be maintained as landscaped open space.
Permitted encroachments	Unenclosed porch, verandah or deck (with or without a roof) all yards 2.5 m, provided the projection is no closer than 1.2 m to a lot line	Unenclosed porches, verandahs and decks (with or without roofs) may project a maximum of 1.6 m into a required front and/or exterior side yard, not including roof overhangs and/or steps.	Unenclosed porch, verandah or deck (with or without a roof) all yards 2.5 m, provided the projection is no closer than 1.2 m to a lot line	Unenclosed porches, verandahs and decks with or without roofs) may project a maximum of 1.6 m into a required front and/or exterior side yard, not including roof overhangs and/or steps.
		Porches, verandahs and decks (with or without roofs), may project a maximum of 0.61 m into a required interior side yard provided that the interior side yard is a minimum of 1.2 m, not including roof overhangs and/or steps.		Porches, verandahs and decks (with or without roofs), may project a maximum of 0.61 m into a required interior side yard provided that the interior side yard is a minimum of 1.2 m, not including roof overhangs and/or steps.
		Enclosed or unenclosed porches, verandahs and decks (with or without roofs) may project into a required rear yard by 3.75 m,		Enclosed or unenclosed porches, verandahs and decks (with or without roofs) may project into a required rear yard by 3.75 m,

<u>R1C Zone Requirements</u>	<u>Proposed R1C Zone-Exceptions</u>	<u>R1D Zone Requirements</u>	<u>Proposed R1D Zone-Exceptions</u>
		not including roof overhangs and/or steps.	not including roof overhangs and/or steps.
		Canopies and bay/box windows may project into the required yards a maximum of 0.9 m.	Canopies and bay/box windows may project into the required yards a maximum of 0.9 m.

### 8.2.2 Special Exceptions applicable for Single Detached Dwellings Only

The relief requested for maximum building height, minimum front, rear, interior and exterior side yard, maximum lot coverage, and minimum landscape open space as well as regulations for encroachments are to accommodate the types of dwellings that are to be constructed on the varying lot sizes. The applicant has requested that the zoning regulations that currently apply to the “Residential Type 1B (R1B)”, “Residential Type 1C (R1C)” and “Residential Type 1C (R1C)” zones be amended to reflect their building designs as described below:

#### 1. Building Height

The applicant has requested a maximum building height of 12 metres for the single detached dwellings whereas Zoning By-law 160-90 limits the height to a maximum height of 10 metres. The single detached dwellings are to be two storeys in height but the building height of 12 metres will accommodate the design of the homes which include steeper roof pitches as an architectural feature of the proposed product. The increase in height will accommodate the architectural features of the building designs throughout the subdivision as well as provide for a transition in height from the 3 storey townhouses. In Staff’s opinion, the requested increase of 2 m in height is considered minor in nature and Planning staff support this request.

## 2. Increase in Maximum Lot Coverage

Zoning By-law 160-90 requires a maximum lot coverage of 35% for lands that are zoned “Residential Type 1B (R1B)” and 40% for lands zoned “Residential Type 1C (R1C)” and Residential Type 1D (R1D)”. The applicant is seeking an increase in the maximum lot coverage to 55% for the single detached dwelling lots with 15 m, 12 m and 11 m lot widths. Planning Staff support this request as the proposed yards will continue to provide appropriate landscaped open space in the front yard, adequate space for parking as well as rear and side yard amenity areas on those lots.

## 3. Increase in Minimum Lot Width for R1D-12 Zone

Currently the minimum lot width for lots within an R1D zone is 9 m and the minimum lot area is 260 m<sup>2</sup>. The applicant has requested an exception be applied to the lots to require a minimum lot width of 11 m and a minimum lot area of 260 m<sup>2</sup>. Staff support the request for the larger lot width for the single detached dwellings since it would provide for parking on site while maintaining an appropriate front yard for landscaped open space, and maintains the current lot fabric as proposed. By including these minimum regulations, other matters such as on-street parking, as well as greater flexibility with driveway placement to accommodate on-street parking can be achieved. Since the applicant is also requesting relief for modified side yards, this request can only be supported if a minimum lot width of 11 m is maintained as it would address the matters mentioned above. This is further explained in Section 8.2.5.3 of this Report.

**Table 4: Zoning Chart (Townhouse Units)**

	<u>Current R4A</u> (requirements for townhouse lots)	<u>R4A-77</u> <u>Exceptions</u> (Requested Street Townhouses Blocks 175-193)	<u>R4A-76</u> <u>Exceptions</u> (Requested Street Townhouses Blocks 175-193 (corner and interior units))	<u>R4A-78 Exceptions</u> (Requested Rear Lane Townhouses Blocks 194-206)	<u>R4A-75</u> <u>Exceptions</u> (Common Element Condominium Townhouses POTLS Block 217)
Lot Area (m <sup>2</sup> ) / unit (minimum)	185.0m <sup>2</sup>	178.0 m <sup>2</sup> (street townhouse)	178.0 m <sup>2</sup> (street townhouse)	180.0m <sup>2</sup>	178.0 m <sup>2</sup>

	<u>Current R4A</u> <u>(requirements for</u> <u>townhouse lots)</u>	<u>R4A- 77</u> <u>Exceptions</u> <u>(Requested</u> <u>Street</u> <u>Townhouses</u> Blocks 175-193)	<u>R4A-76</u> <u>Exceptions</u> <u>(Requested</u> <u>Street</u> <u>Townhouses</u> Blocks 175-193 (corner and interior units))	<u>R4A-78 Exceptions</u> <u>(Requested Rear</u> <u>Lane Townhouses</u> Blocks 194-206)	<u>R4A-75</u> <u>Exceptions</u> <u>(Common</u> <u>Element</u> <u>Condominium</u> <u>Townhouses</u> <u>POTLS Block</u> <u>217)</u>
Lot Width (m) (minimum)	6 m/unit	6.1 m/ unit	7.5 m/unit	7.0 m/unit	6.1 m/ unit
Front Yard (m)	6.0 m or the established front building line, whichever is less	6.0 m to the garage 3.5 m to the dwelling unit	6. m to the garage 3.5 m to the dwelling unit	3.5 m	6. m to the garage 3.5 m to the dwelling unit
Rear Yard (m)	7.5m	6.0 m	6.0 m	5 m between the back wall of the dwelling unit to the wall of the detached garage, closest to the dwelling unit	6.0 m
Interior Side yard (minimum)	2.4m (except for common walls which may be 0.0m)	1.5 m	1.5 m	1.5 m	1.5 m
Parking Encroachments	N/A	Notwithstanding the requirements of Section 6.18, stairs shall be permitted to encroach with the required parking space within the garage, a maximum of 0.5 metres.			
Landscape Open Space	A minimum of 30% landscaped open space is required in the front yard.	Notwithstanding the requirements of Section 6.18.3.9, a minimum of 27% of the front yard shall be maintained as landscaped open space		Notwithstanding the requirements of Section 6.18.3.9, a minimum of 30% of the front yard shall be maintained as landscaped open space.	
Permitted Encroachments	1 Unenclosed porches, verandahs and decks (with or without roof) may project a maximum of 2.5 m into all yard provided it is no closer than 1.2 m to a lot line.  2. Bay windows (not constructed on foundations) 0.6 m, provided the projection is no closer than 0.3 m to a lot line	1 Unenclosed porches, verandahs and decks (with or without roofs) may project a maximum of 1.6 m into a required front and/or exterior side yard, not including roof overhangs and/or steps.  .2 Porches, verandahs and decks (with or without roofs), may project a maximum of 0.61 m into a required interior side yard provided that the interior side yard is a minimum of 1.2 m, not including roof overhangs and/or steps.  .3 Enclosed or unenclosed porches, verandahs and decks (with or without roofs) may project into a required rear yard by 3.75 m, not including roof overhangs and/or steps.  .4 Canopies and bay/box windows may project into the required yards a maximum of 0.9 m.			



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### **8.2.3 Townhouse Dwellings**

The blocks for the townhouse dwelling units are proposed to be zoned as “Residential Medium Density Type A – Exception 75 Zone (R4A-75)”, “Residential Medium Density Type A – Exception 76 (R4A-76)”, “Residential Medium Density Type A – Exception 77 Zone (R4A-77)”, and “Residential Medium Density Type A – Exception 78 Zone (R4A-78)”. Four exceptions within this category are proposed which will accommodate street townhouses with two different lot widths, rear lane townhouses as well as the block townhouse units. The following section describes and reviews the requested exceptions for the types townhouses:

### **8.2.4 Special Exceptions applicable for Townhouse Dwellings only**

#### **1. Lot Coverage**

The applicant has requested that a maximum lot coverage not apply to the townhouse lots. The proposed Zoning By-law has minimum yard requirements from all property lot lines which limits the lot coverage as the yards and building envelope effectively establish a maximum lot coverage. This was also implemented through the approval of the Wyndfield West Subdivisions (Phases 3 through 6 and 8). Planning Staff are of the opinion that the proposed yards and building envelope essentially establish the lot coverage and this approach is consistent with the zoning in effect for the neighbouring subdivisions. Planning Staff support this request.

### **8.2.5 Special Exceptions applied to all Residential Zones**

The following section discusses the requested exceptions that apply to both the single detached and the townhouse dwelling units:

#### **1. Reduced Front Yard**

The applicant has requested a minimum front yard of 6.0 metres to the face of the garage, and 4.5 m and 3.5 m to the front of the dwelling. The requested yards will ensure that the garage does

not protrude in front of the dwelling and the dwelling/porch becomes the dominant feature of the street. This also allows for parking on an appropriately sized driveway and a more interesting streetscape, while maintaining an appropriate front yard for landscaped open space. This regulation applies to the majority of the new residential subdivisions within the area and Planning Staff supports this request.

## 2. Reduced Rear Yard

The applicant is requesting a minimum rear yard of 7 m for single detached dwellings and 6 m for street townhouses and block townhouses. The depths of the lots throughout the subdivision are similar to the depth of the lots that were approved for the Losani Homes Plan of Subdivision south of Shellard Lane.

The requested reduction in rear yard for the rear lane townhouses will accommodate a garage abutting the right-of-way, however, the rear amenity area, (which is usually defined by the rear yard), will be accommodated between the rear wall of the dwelling unit and the face of the garage which is located in the rear yard for these units. This rear yard, located between the back wall of the dwelling and the proposed garage will be 5 m in depth. This is a typical design for a rear lane product. The reduction in rear yards is considered minor in the context of new development and addresses the introduction of a new design for rear lane townhouses, and still provides for an appropriately sized amenity area.

## 3. Reduced Interior Side Yard

The applicant is requesting a reduced minimum interior side yard of 1.2 m on one side and 0.6 m on the other side with alternating side yards so that the 0.6 m side yard must be adjacent to a 1.2 m side yard for 12 m and 11 m lot widths. The applicant originally requested the same for the 15 m lot widths but has amended the request to 1.2 m on each side.

Although the reduction in the interior side yards are similar to those in the subdivisions on the south side of Shellard Lane for single detached dwellings, some of those lots have lot widths which are 9 m, whereas the reduction in the side yards for this

development have lot widths of 11 m and 12 m. The larger lot widths on this proposal will have adequate space for drainage and can accommodate on-street parking between driveways. For those reasons, Planning Staff support the request for the reduction in the interior side yards.

#### 4. Exterior Side Yard

The applicant is requesting a reduced minimum side yard from 3 m to 2.4 m for the single detached dwellings as well as for the townhouse dwellings. The requested reduction in exterior side yard is considered minor in nature and Planning Staff support the request.

#### 5. Reduced Front Yard Landscape Open Space

Zoning By-law 160-90 requires a minimum 50% of the front yard to be landscaped open space for single detached dwellings whereas the applicant has requested that a minimum of 40% be permitted. The minimum landscape open space currently in the Zoning By-law for townhouse dwellings is 30%. The applicant has requested 27% for the street townhouse dwellings. In both instances, the requested reduction will still provide an adequate landscape area in the front yard, and there will still be sufficient rear yard amenity space for each lot. Planning Staff supports this request as it is considered minor and accommodates a specific building form and design. Parking will still be provided in accordance with the regulations in the Zoning By-law while maintaining an appropriate amount of landscaped open space in the front yard.

#### 6. Garage Encroachments

The request for a special modification to allow the encroachment of interior steps a distance of 0.5 m (1.66 feet) into the required parking space in the garage is considered minor. Previous developments have provided additional data relating to the length of standard vehicles and the space is large enough to accommodate vehicles even with the encroachment. This request has been supported by Staff and Council for previous developments in the area. Staff note, that although the Zoning

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By-law now has an established parking space length of 5.6 m, the applicant has still requested this modification to provide some flexibility with the interior design of the units.

#### 7. Encroachments for Porches, Stairs, Decks

The applicant has requested relief from the current permitted encroachments specified in Zoning By-law 160-90 to construct a specific housing style for the proposed singles and street townhouse units which would allow flexibility for the installation of steps, porches and rear decks. In light of the requested reductions to the front, interior, exterior and rear yards discussed above, in Planning Staff's opinion further encroachment into proposed yards would create a negative impact. The current regulations allow for the installation of steps, porches, decks etc. and should be sufficient to accommodate any required encroachments. In Staff's opinion, permitting an increase in the encroachment into the proposed yards would create a negative impact, including impeding access to the rear yard, be visually unpleasant and affect the overall character of the neighbourhood. The applicant was made aware that these additional encroachments would not be supported by Planning Staff.

#### 8. Future Development Blocks

As mentioned earlier in Section 5.1 of this Report, the applicant has included 6 future development blocks totaling 0.085 ha along the east side of Street "E" just north of the elevated water tower as well as 2 future development lots along the north side of Street "A" abutting the future Community Centre/Recreation Complex located on the east side of Street "A". The future blocks are proposed to be developed and zoned for single detached dwellings with varying lot frontages at a later date. Development of these lots is however contingent on the applicant successfully acquiring adjacent lands which are owned by the City. This will also require the completion of an Environmental Impact Study to the satisfaction of the City to confirm that development can proceed without negatively affecting the adjacent natural heritage features. If the necessary lands are acquired by the applicant, a rezoning application and a red-line to the Draft Plan of Subdivision (if the current plan is approved) would be required.

Accordingly, Planning staff recommend that the future development blocks identified above, not be rezoned at this time and remain under the current “Planned Unit Development - Type One Zone (PUD1)”. Development of these lands is not assured until additional lands are acquired and further planning applications are submitted, and subsequently approved. Provisions with respect to these blocks have been included as conditions of draft plan approval.

#### **8.2.6 Park Block**

The proposed park block (Block 208) is approximately 0.747 ha in size and is consistent with the requirements of the Secondary and Neighbourhood Plans for the West of Conklin Secondary Plan. The park will be developed by the City. The applicant will be required to grade the park block and walkways. Conditions relating to the park block and walkways are addressed through Conditions 53 to 58 found in Section 9.0 of this Report. Planning Staff recommends that the park block be zoned “Open Space Type 1 Zone (OS1)”.

#### **8.2.7 Commercial Block**

The applicant is proposing that Block 207 be rezoned to “Community Centre Commercial Zone (C10)” for future neighbourhood commercial uses. Development of this block will occur at a later date and any future commercial uses will be subject to the zoning requirements set out in the Zoning By-law relating to permitted uses, zone regulations, and parking etc. The lands will also be subject to Site Plan Control.

#### **8.2.8 Stormwater Management (SWM) Blocks**

With respect to stormwater management, there are two blocks proposed for stormwater ponds (Block 209 and 210). Block 209 is approximately 1.168 ha in area and Block 210 is 1.833 ha in area. The phasing of the subdivision is dependent on the construction of the proposed stormwater management ponds. Block 210 is to be constructed during Phase 1 of the development and Block 209 is to be constructed during Phase 2 of the development (see **Appendix C**). Planning Staff recommends that

the SWM blocks be placed in an “Open Space Restricted (OS3) Zone” which is consistent with the zoning of SWM blocks in the surrounding neighbourhoods.

## **8.3 Development Considerations**

Below is an analysis of the development considerations that were identified by staff through consultation with the public and the review of these applications with technical staff and external agencies.

### **8.3.1 Public Input**

A Neighbourhood Meeting was held on September 25, 2019. There were approximately 10 residents in attendance as well as the Ward Councillors, City Staff and the applicant. The notes from the meeting were forwarded to the meeting attendees and are found in **Appendix L**. The residents expressed concerns about increased traffic on Shellard Lane, lack of parking in the area, whether or not the GRCA had been consulted and the gross floor area (GFA) for the Commercial Block. Residents were also interested in who would be responsible for designing the park.

#### **Traffic**

The applicant has submitted a Traffic Impact Study (TIS) dated May 2019. The construction of the roads and the implementation of any necessary transportation improvements are the responsibility of the Owner. This is addressed in Draft Plan Conditions 15 and 18.

#### **Parking**

Each residential dwelling unit will be providing 1 parking space on site in accordance with the regulations set out in Zoning By-law 160-90. In addition, the Transportation Department has received an on-street parking plan which ensures that there is 1 on-street parking space for every 2 units created which is the standard requirement for all new subdivisions. A condition of Draft Plan Approval has been included to address this requirement, (Condition 26).

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#### Grand River Conservation Authority

The GRCA was circulated the applications and have reviewed the following studies: the scoped Environmental Impact Statement Addendum prepared by Savanta, dated August 18, 2020; the Preliminary Stormwater Management Report prepared by MTE Consultants, dated April 29, 2019 (revised August 17, 2020); and the Draft Plan of Subdivision prepared by Bousfields Inc., dated July 22, 2020. The GRCA has indicated that they have no objections to the applications to amend the Zoning By-law and for approval of the Draft Plan of Subdivision. Several conditions have been included as listed in Section 9.0 of this Report which addresses the requirements of the Conservation Authority and have been captured in Condition 79.

#### Commercial Block

Staff note at this time that while the Commercial Block is included in the Draft Plan of Subdivision, the development of that block will occur at a later date. The proposed zoning for the Commercial Block is Community Centre Commercial Zone, which permits shopping centres with a variety of commercial uses and a maximum gross floor area of 10,200 m<sup>2</sup>. The development of the commercial block will require Site Plan approval. Through the Site Plan Control process, the proposed development will be reviewed based on the C10 zoning regulations related to the permitted uses, zone regulations, landscaping, and parking, etc. as well the site development objectives in the City of Brantford's Site Plan Control Manual.

#### Park Block Development

The park block will be graded and seeded until such time that the City of Brantford, in consultation with the developer, develops the park block. The park block is scheduled to be developed during Phase 2 of the Draft Plan of Subdivision.

### **8.3.2 Archaeological Clearances**

The subject lands are identified in the Archaeological Master Plan for the City of Brantford as having archaeological potential which necessitates the need for an archaeological assessment. Stage 1,

2, and 3 Archaeological Investigations of the subject lands have been completed for the proposed development. Clearances have been received in regard to the majority of the subject lands. A Stage 4 assessment is required for the northwest corner of the subject lands when weather permits. Methods of Stage 4 mitigation have been discussed with the applicant. The applicant was advised by the Ministry in a letter dated, May 11, 2020, that the preferred method of Stage 4 mitigation is in situ preservation. The applicant has indicated this is not viable given the location of the site and current development plans. As such, the applicant proposes to address Stage 4 mitigation through excavation and preservation of any archaeological resources. Due to COVID-19 restrictions, Stage 4 has not yet been completed.

A Clearance from the Ministry of Heritage, Sport, Tourism and Culture is required before development of the lands can proceed, as outlined in Condition 74 of the draft plan conditions.

### **8.3.3 Noise**

A noise report was prepared by HGC Engineering, dated August 17, 2020 reflecting the revised Draft Plan of Subdivision dated July 22, 2020. The study predicted future traffic sound levels at various locations around the proposed development. The sound level predictions indicated that future road traffic sound levels will exceed Ministry of Environment, Conservation and Parks (MOECP) guidelines for dwelling units along Shellard Lane and Street "A". The report identifies mitigation measures that will bring the levels to within MOECP guidelines, such as constructing the units with forced air ventilation and central air conditioning. This has been included in the conditions of draft plan of approval (see Condition 74), and also requires the inclusion of warning clauses in Purchase and Sale Agreements.

An analysis was also conducted to determine the anticipated impact of stationary noise from anticipated rooftop mechanical units for the future commercial/mixed-use buildings (Block 207) on the proposed sensitive uses. Detailed information regarding the type or model of the rooftop mechanical units was unknown at the time of the Study. This will be addressed through a future Site Plan Control application for the commercial block.



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### **8.3.4 Road Network**

As outlined in the West of Conklin Secondary Plan, the road network for the proposed subdivision is well connected and integrated to the surrounding community. The subdivision road network maintains the road pattern for Street “A” that is outlined in the Secondary Plan. The road pattern provides connectivity between the Community Centre/Recreation Complex to the east and the future development on the lands to the west. The proposed road pattern, including a number of midblock connecting roads running north to south and east to west will break up the blocks to create a pedestrian friendly neighbourhood. The proposed development includes a roundabout at the intersection of Street “A” and Street “B”. As a result of the phasing of the Draft Plan, temporary reserves will be required at the ends of the roads in each phase which will be removed once a further extension of the roads is necessary.

### **8.3.5 Transportation Comments**

A Traffic Impact Study (TIS) was completed by Paradigm in May 2019 based on the original Draft Plan dated April 22, 2019. At that time the proposed road widths as well as the location of the roundabout did not adhere to the West of Conklin Secondary Plan or the City’s Design Criteria. Based on the comments from staff, the applicant resubmitted a revised Draft Plan on January 23, 2020. This plan modified the road width and location of the roundabout to reflect the road widths and roundabout location outlined in the West of Conklin Secondary Plan. Based on comments and revisions to the Draft Plan of Subdivision, an additional memorandum dated July 29, 2020 was submitted by Paradigm. Staff reviewed the Paradigm memorandum as well as the third submission of the Draft Plan dated July 22, 2020 and indicated that their comments regarding the road pattern had been resolved. All matters related to Transportation have been addressed in the Draft Plan conditions (Conditions 12 to 28).

### **8.3.6 Stormwater Management**

MTE prepared a Preliminary Functional Servicing and Stormwater Management Report, dated April 19, 2019 and revised on March

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4, 2020 and August 17, 2020 for the subject lands. The report and updated servicing plans included a preliminary design of the on-site stormwater management scheme. Both the City's Engineering Department and the Grand River Conservation Authority have provided detailed conditions of Draft Plan approval to ensure that all stormwater related issues can be addressed accordingly.

The stormwater management facilities for this development are to be constructed on the subject lands. The proposed stormwater ponds located within the Draft Plan of Subdivision will also accommodate some of the storm drainage from the neighbouring lands. The stormwater management facilities will be implemented through detailed design and fulfilment of the Draft Plan Conditions. The phasing of the subdivision will be dependent on the construction of the proposed stormwater management ponds in each phase. Phase I can move forward once the stormwater management pond on Block 210 is constructed. Phase II cannot move forward until such time that Block 209 is constructed. This has been addressed through draft plan conditions.

### **8.3.7 Grading and Drainage**

The current grading and drainage plans have been designed to match the existing perimeter, and respects the surrounding lands and the adjacent development lands to the west. A retaining wall is proposed on the subject lands which varies in height and is situated parallel to the Shellard Lane frontage. It will be constructed on lands held by the developer and it will address the grade difference between the proposed development and Shellard Lane. The wall will be visible from Shellard Lane and be no taller than 1.2 m in height. An accessible pedestrian connection will be provided to allow residents' access to Shellard Lane. Grading and drainage, including the design of the retaining wall has been addressed in the Draft Plan Conditions (Conditions 29, 44, 45, 46, 47, 68, 69 and 70). The retaining wall will need to be addressed to the satisfaction of the City.

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### **8.3.8 Sanitary Servicing and Water Services**

Both sanitary and water services will be designed in accordance with the City of Brantford's design standards. The water system has been modeled by the City's consultant, and it has been determined that there is sufficient capacity in the system. The Owner and the adjacent landowner to the west will enter into a landowner agreement as it relates to servicing. This requirement is included in the Draft Plan conditions, and discussed below. Conditions of Draft Plan Approval have been included to address all servicing requirements (Conditions 8, 11, 29, 31, 32 and 51).

### **8.3.9 Cost Sharing Agreements**

As noted in Section 5.1 of this Report, when the lands were sold by the City to the Owner, the City retained ownership of some of the adjacent lands that must be integrated with this development. This includes the large parcel which is proposed to be developed for a Community Centre/Recreation Complex, the lands occupied by the water tower and a parcel of land that is intended to be developed by the City for future housing. The City also retained ownership of a portion of Street A that abuts the site of the future recreation complex. It was understood that as an abutting and benefiting property owner, the City will cost share in the construction of the roads which abut the City owned lands as well as share in the cost to construct the services within the road allowances. Monies were set aside at the time of the sale to cover this cost but this will require further refinement and discussion between the City and the Owner of the subject lands so the final cost to the City is not yet known. An agreement to address these costs is required which will require Council approval. This has been addressed in Condition 51.

Further, the subject lands abut future development lands to the west which are owned by Losani Homes. A road connection and services need to be available to the lands owned by Losani Homes so that they can be serviced as well, once a development application comes before Council for their property. Planning Staff recommend the inclusion of a condition which requires the applicant to enter into a landowner agreement with the abutting Owner (Losani Homes) to address these necessary connections

(Condition 8). While the applicant is currently in discussions with Losani Homes regarding the necessary connections, if for some reason, the two landowners cannot reach an agreement, the applicant will be required to provide the City written notice, requesting that the City enter into an agreement with the Owner to address the oversizing costs of non-local services associated with the future development of the adjacent lands to the west. One option would be to provide Development Charges (DC) credits to the applicant to address oversizing of the services and the City would then be reimbursed once the lands owned by Losani Homes come forward for development. Any agreement will require approval from Council.

### **8.3.10 On-Street Parking**

The applicant submitted a preliminary On-Street Parking Plan which demonstrates that the development can meet the City's requirements of providing one on-street parking space for every two dwelling units. However, as the development proceeds to detail design, there could be slight changes to the configuration of roadways and therefore a requirement has been included in the Conditions of Draft Plan Approval (Condition 26) requiring the submission of a final parking plan to the satisfaction of the General Manager of Public Works.

### **8.3.11 Environmental Considerations**

A Natural Heritage Existing Conditions and Assessment Report was completed in 2008 for Southwest Brantford to support the West of Conklin Secondary Plan. The environmental characterization of the area was used to develop an environmental framework for the development and analysis of alternative land use concepts for the Secondary Plan Area. The Study Area was approximately 416 ha in the southwest sector of the City of Brantford and encompassed the subject lands. The Study identified environmental features on and adjacent to the subject lands and recommended constraint levels for various natural heritage features, as well as buffers from features to remain on the landscape. The West of Conklin Secondary Plan Natural Heritage Existing Conditions and Assessment Report (prepared by LGL, 2008) confirms that through an EIS,

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refinements to these buffers may be considered, if adequate protection of the feature is provided.

A Scoped Environment Impact Study (EIS) was prepared by Savanta, dated May 2019. Due to comments received from the Grand River Conservation Authority (GRCA) and concerns raised through the City's review on the May 2019 Scoped EIS, Savanta prepared an addendum to address these comments dated March 2020. Another addendum was prepared in August 2020 in relation to the revised Draft Plan (dated July 22, 2020) to address any changes that occurred since the May 2019 EIS was completed. The addendum provides additional information and addresses comments principally related to:

- Watercourse and wetland surface water and groundwater water balance;
- Species at risk (i.e., Bank Swallow, Blanding's Turtle and Butternut);
- Potential impacts on woodland edges;
- Natural feature buffers; and
- Trails.

The addendum report concludes that development on the subject lands could be completed without negatively impacting the adjacent natural heritage features and associated functions. Draft Plan Condition 64 ensures that the recommendations in the EIS are implemented to the satisfaction of the General Manager, Community Development and the Grand River Conservation Authority.

### **8.3.12 Grand River Conservation Authority (GRCA)**

The GRCA letter dated September 17, 2020 (see **Appendix J2**) outlines their comments based on their review of the scoped Environmental Impact Statement Addendum prepared by Savanta, dated August 18, 2020; the Preliminary Stormwater Management Report prepared by MTE Consultants, dated April 29, 2019 (revised August 17, 2020); and the Draft Plan of Proposed Subdivision prepared by Bousfields Inc., dated July 22, 2020.

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The GRCA has no objections to the application to amend Zoning By-Law 160-90 and issuance of Draft Plan Conditions for the subject proposal. The GRCA has provided Draft Plan Conditions (Condition 79) for the proposed Draft Plan of Subdivision.

### **8.3.13 Parkland and Trails**

The applicant is obligated by the *Planning Act, R.S.O. 1990* and the City's Parkland Dedication By-law 50-2018, to provide the City with either a cash-in-lieu contribution towards parkland, or to dedicate 5% of the subject lands to the City for park purposes. The development includes a park with a total area of 0.747 ha. Parks and Recreation requested a park block of a minimum of 0.81 ha (2.0 ac) which is centrally located and accessible to residents of this phase with adequate frontage to public streets. Since the park block (Block 208) is slightly less than the 0.81 ha (2.0 ac), the applicant will provide a final calculation to the City to determine whether cash in lieu of parkland is required for the balance of the park block (Condition 53).

A Trail Plan has been provided throughout the Draft Plan, which includes a walkway leading to the natural heritage features located to the east and north as well as proposed trails around the stormwater management ponds. The trail system is linked throughout the site with pedestrian sidewalks (see **Appendix Q**).

### **8.3.14 Site Plan Control**

Site Plan Control is applicable to development for the block townhouses and for the commercial block. The Site Plan process will allow for a detailed review of the placement of the buildings on the site, will address grading and drainage, zoning and accessibility compliance, driveway locations as well as allow for the consideration of exterior building materials and elevations, including the review of the outdoor amenity spaces etc. Site Plan Control will reflect the architectural design guidelines submitted in regard to these applications and implement the Urban Design requirements outlined in Section 14 of the Official Plan and the City's Urban Design Guidelines. The Ward Councillors will be included in the Site Plan review process and will have an opportunity to provide input to Staff.

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### **8.3.15 Holding Provision**

As per Section 18.5 of the Official Plan, Planning Staff recommends that a Holding provision (“H”) be placed on all zones to ensure that the City’s requirements will be satisfied before development can proceed. Staff recommends that the Holding provision “H” not be removed until the applicant has an approved Draft Plan of Subdivision, a signed Subdivision Agreement and provided the necessary securities for the completion of the development to the satisfaction of the City. Provided the Agreement is entered into within three years of the Council approval date of the Draft Plan of Subdivision, a new Staff Report would not be required to be presented to Council for the removal of the “H”, and no further application fees would be required to be submitted.

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

Appropriate conditions of Draft Plan Approval are included in the recommendation of this Report and will ensure that the pertinent and applicable issues are addressed prior to the final approval of the development. These proposed conditions are as follows:

1. This approval applies to the Draft Plan of Subdivision (“Plan”) prepared by Bousfields Inc., and dated July 22, 2020, as amended, for the following:

A total of 385 lots and blocks for residential dwellings consisting of the following:

- 172 lots for single-detached residential dwellings (Lots 1-172);
- 18 Blocks (Blocks 175-193) to be developed with 55 street townhouse units with a lot width of 6.1 m and 38 street townhouses with a lot width of 7.5 m
- 12 Blocks (Blocks 194-206) to be developed with 64 rear-lane townhouse units;
- 8 Blocks (Blocks 173, 174 and Blocks 211-216) for the future development of 8 single-detached residential dwellings; and,
- 1 Block (Block 217) to be developed for 48 block townhouse units.

A total of 5 non-residential Blocks, 11 Streets and one laneway:

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- 1 Commercial/Mixed use (Block 207);
  - 1 Park (Block 208);
  - 2 Blocks for stormwater management facilities (Blocks 209 and 210);
  - Streets 'A'-'L' (including one roundabout at the intersection of Street 'A' and Street 'B');
  - 1 Laneway 'A';
  - 2 Walkway Blocks (Block 218 and Block 219); and,
  - Road Reserves.
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 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.
  4. 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.
  5. That the Owner shall agree to convey to the City as shown on the Final Plan, Blocks 209 and 210 for Stormwater Management Facilities, and Blocks 218 and 219 for Walkways. Said conveyances are 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.
  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 Development.
  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 Development.



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8. The Owner agrees that, prior to registration of any phase within the plan, to enter into a landowner agreement with the owner of the adjacent lands to the west as it relates to servicing, stormwater management, roads and other infrastructure required, to the satisfaction of the General Manager, Public Works as follows:
    - (a) The Owner further agrees that where a landowner agreement cannot be reached with the Owner of the adjacent lands to the west, that the Owner shall provide the City with 8 months written notice of the request for the City to enter into an agreement with the Owner for the oversizing costs of non-local services associated with the future development of adjacent lands to the west.
  9. 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.

In the event that plan registration is to be phased, only those conditions pertaining to the particular phase being registered are required to be satisfied.

    - a. The Owner agrees that prior to registration of any phase that there shall be two (2) constructed points of access from Shellard Lane to the satisfaction of the General Manager, Public Works
    - b. That the Owner agrees at their expense, that where infrastructure is required to be installed outside of the Phase to be registered, the Owner shall provide to the City easement(s) as required by and to the satisfaction of the General Manager, Public Works
  10. That the Owner shall agree that all lots and blocks shown within the Draft Plan will be connected to full municipal services, to the satisfaction of the General Manager, Public Works.
  11. 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

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- e. Engineering Plan and Profile Drawings.
  - f. Protection and maintenance of Environmental Features
  - g. Curbs and sidewalks on both sides of municipal roads in accordance with the requirements of the City.
  - h. Prepayment toward the future maintenance costs of any required retaining walls on municipal lands.
  - i. An electrical design from a consulting engineer to be provided to Brantford Power for review and approval.
  - j. A Schedule of Construction to be provided to Brantford Power Inc. for review and approval in a form satisfactory to Brantford Power Inc.
  - k. A lighting plan showing the proposed street light locations and details regarding the proposed light standards.
  - l. Control of erosion, sediment and dust during construction.
  - m. Payment of applicable Development Charges.
  - n. Notification to purchasers of the applicable development charges.
  - o. The responsibility to decommission any wells or septic systems in accordance with current Provincial guidelines.
  - p. Noise and Vibration attenuation.

### **Roads**

- 12. 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, Community Development.
- 13. That the Owner shall agree to construct, at their expense, all roads to the satisfaction of the General Manager, Public Works.
- 14. That the Owner shall agree to the following right of way widths as shown on the Draft Plan:

Street A	24.5 metres
Street B	24.5 metres
Street C	18.5 metres
Street D	18.5 metres
Street E	18.0 metres
Street F	18.5 metres
Street G	18.5 metres
Street H	18.5 metres
Street I	18.5 metres
Street J	18.5 metres
Street K	18.5 metres

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Street L	18.5 metres
Street J (window portion)	16.0 metres
Lane A	10.0 metres

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15. 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.
16. That prior to final approval, the Owner shall prepare a detailed design for implementation of all intersections including a roundabout at the intersection of Street 'A' and Street 'B', and that any additional lands required for construction of all intersections and the roundabout be conveyed to the City, to the satisfaction of the General Manager, Public Works.
17. The Owner agrees that prior to registration the Owner will provide a Transportation 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, warning and informational 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. Provide and 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 on an annual basis or as required by the General Manager, at the Owners expense, all temporary pavement markings.
18. That the Owner shall agree and be responsible for submission of the Transportation Design Study, and the construction and implementation of all necessary transportation improvements, including but not limited to those identified in: the West of Conklin Secondary Plan the Transportation Impact Study or other relevant studies with the timing for said construction to be completed as required, to the satisfaction of the General Manager, Public Works.
19. That the Owner shall agree and address any revisions to the draft plan

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which may be required subsequent to the approval of the Transportation Design Study, including but not limited the road network and any other changes to the road network or road right-of-ways.

20. That prior to Final Approval and in the event development of these lands is delayed beyond 2 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.
21. That the Owner shall agree to construct temporary cul-de-sac's at the terminus of any "Dead End" streets, to the satisfaction of the General Manager, Public Works.
22. The Owner shall construct secondary municipal accesses for emergency purposes where dead end streets are in excess of 250 metres in length, to the satisfaction of the General Manager, Public Works and the Fire Chief.
23. 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 has been constructed to the satisfaction of the General Manager, Public Works and conveyed to the municipality as a public right of way.
24. That prior to submission of the Final Plan, the Owner shall agree to identify all required 0.3 m 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. Daylight triangles are to be conveyed to the City as part of the public right of way.
25. 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.
  - (a) The Owner shall for Townhouse Blocks 175-193 extend 0.3 metre road reserves along the flankage of lots, leaving 1.5m at the rear of the lot for access easements for interior townhome units where required.
26. 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 minimum ratio of one on-street parking space for every two dwelling units to the satisfaction of the General Manager, Public Works.

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The Owner further agrees that On-Street Parking shall be evenly distributed through the Draft Plan to the satisfaction of the General Manager, Public Works.

27. That prior to Final Approval, the Owner shall agree to provide, at the Owner's expense, appropriate pedestrian access to Shellard Lane from Street "H" at a location to be approved by the General Manager, Public Works.
28. That the Owner shall agree to provide and install four transit pads and bus shelters, with the locations to the satisfaction of the General Manager, Public Works. The Owner further agrees that if it is determined by the City that the installation of transit pads and bus shelters does not coincide with the Corporations Transit planning forecast, that the Owner pay to the Corporation the sum of monies agreed to by the Owner and the General Manager of Public Works for the installation of said Transit Pads and Bus Shelters in lieu of installing such.

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

29. 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.
30. The Owner shall prepare Engineering Plan & Profile drawings to be submitted for review and approval to the satisfaction of the General Manager, Public Works.
31. The Owner shall agree to the City's Consultant undertaking water and sanitary 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.
32. The Owner shall agree to the following:
  - a. All Dead Ends created within the proposed water system shall have automatic flushing units installed to the satisfaction of the General Manager, Public works until such time as the General Manager determines that they are no longer required or connections to future phases are made.

- b. Temporarily loop the water system, if required, to the satisfaction of the General Manager, Public Works.
- 33. The Owner shall maintain access to the Water Tower Block at all times for operation and maintenance of the water tower. If the existing access road to the water tower is required to be removed or modified, an approved alternative legal access must be provided with notice a minimum of 48 hours in advance of such to the General Manager, Public Works.
- 34. The Owner agrees to construct, portions of Street "E", Street "A" and Window Roads on Part of Street "H" that are external to the subdivision, to current City standards, to the satisfaction of the General Manager, Public Works.
- 35. 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, quantity attenuation and thermal requirements.
- 36. 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 until assumption, at no cost to the municipality, to the satisfaction of the General Manager, Public Works.
- 37. The Owner agrees that the City will not assume the proposed stormwater management facility within Block 210 until the entire catchment area to the stormwater management facility has reached full build-out to the satisfaction of the General Manager, Public Works.
- 38. The Owner agrees that the City will not assume the proposed stormwater management facility within Block 209 until such time as one of the following has occurred:
  - (a) The entire catchment area has been built out to the satisfaction of the General Manager, Public Works, Or;
  - (b) The subdivision has reached full build-out and the City has a Subdivision Agreement and/or Site Alteration Permit with adjacent land owners requiring use of the stormwater management facility within Block 209, to the satisfaction of the General Manager, Public Works, Or;

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- (c) The subdivision has reached full build-out and no development of adjacent lands within the catchment has occurred.
39. The Owner shall provide confirmation from the Department of Fisheries and Oceans of their review of Tributary G and Tributary K of D'Aubigny Creek, to the City and to the Grand River Conservation Authority prior to construction.
40. The Owner agrees to establish and undertake a monitoring program for stormwater 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 administered until final assumption of the Plan, all to the satisfaction of the General Manager of Public Works and the Grand River Conservation Authority.
41. 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 the Grand River Conservation Authority and provided to the municipality prior to final assumption of pond for maintenance purposes by the municipality.
42. The Owner shall prepare and submit a geotechnical report to the satisfaction of the General Manager, Public Works.
- (a) The Owner further agrees to undertake a settlement monitoring program for the lands inclusive of Street A, Window Road for a portion of Street H and Street E adjacent to the said lands and provide report back to the City in the prescribed intervals as determined within the settlement monitoring program requirements.
43. The Owner shall prepare and submit a hydrogeological report to the satisfaction of the General Manager, Public Works.
44. The Owner shall prepare and submit detailed lot grading and drainage plans, to the satisfaction of the General Manager, Public Works and the Grand River Conservation Authority.
45. 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 except in accordance with Site Alteration By-law 28-2011 and without the written approval of the General Manager, Public Works.

46. 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 and the Grand River Conservation Authority. The Erosion and Sediment Control Plan, must be prepared in accordance with the 'Erosion and Sedimentation Control Plan Design Requirements', as contained in the Toronto and Region Conservation Authorities "Erosion and Sediment Control Guide for urban Construction" published in 2019.
47. That 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 the Environment Report entitled "Stormwater Management Practices Planning and Design Manual";
  - ii. An erosion and siltation control plan in accordance with the Toronto and Region Conservation Authorities "Erosion and Sediment Control Guide for Urban Construction", dated 2019; and,
  - 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.
48. The Owner agrees to provide and implement an Environmental Management Plan (EMP) to address monitoring and reporting requirements along with any required mitigative and management measures for Pre-Construction, During Construction and Post Construction for Groundwater dependent features located on and immediately adjacent to the subject lands including D'Aubigny Creek to the satisfaction of the Grand River Conservation Authority.
49. The Owner acknowledges that there is potential for groundwater interception by underground services and foundation drains in this area, and further that the Owner agrees to provide a mitigation strategy at the Owner's expense and to the satisfaction of the General Manager, Public



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Works that includes:

- (a) Identification of surface water features and areas with groundwater reliance;
  - (b) Preparation and implementation of a construction protocol to address maintenance of existing sensitive groundwater-surface linkages/interactions;
  - (c) Monitoring of groundwater pre-construction, during and post construction for each feature and area; and
  - (d) The development of a contingency plan prior to any site alteration which includes investigation and implementation of corrective measures, including an estimate of costs to address any impacts identified through the said monitoring program.
50. The Owner shall ensure that all residential basements will be 1.0 metres above the high groundwater level to the satisfaction of the General Manager, Public Works.
51. The Owner shall enter into a cost sharing agreement with the City addressing the construction of municipal services and roads on city owned lands fronting developable lands owned by the City (at the time of Draft Plan Approval). The said agreement shall formulate the basis of cost sharing between the Owner and the City.
52. That the Owner shall provide to the General Manager, Public Works and the Grand River Conservation Authority, a report prepared by a qualified engineer and/or geoscientist following completion of the storm water management facilities, that details how any measures required to control stormwater, thermal mitigation and achieve a water balance have been constructed, and report on the performance expected from the facilities based on as built conditions.

#### **Parkland, Open Space and Landscaping**

53. That the Owner shall agree, to convey to the City, Park Block 208 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, and the balance of the 5% of parkland in cash in lieu, if required, to the satisfaction of General Manager, Public Works and the General Manager, Community Development. The Park Land 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.
54. The Owner shall agree to provide municipal services including water

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and hydro/utility services to agreed locations within the Park Block, for future parkland development, to the satisfaction of the General Manager, Public Works.

55. The Owner shall submit a Tree Inventory Study and Vegetation Management / Protection Plan, for the lands 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 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, Public Works.
56. The Owner shall agree to submit detailed grading and landscape plans prepared by a certified Landscape Architect for the Park Block (Block 208), Open Space Blocks and Walkway Blocks as well as 'As Built' grading plans for said Blocks to the satisfaction of the General Manager, Public Works.
57. The Owner shall agree to maintain in accordance with current City standards, the Parks (excluding any structures), Walkway Blocks and stormwater management Blocks to the satisfaction of the General Manager, Public Works, until such time as the City assumes the said Blocks.
58. The Owner shall agree to install fencing, at their expense, 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 Development. The Owner further acknowledges that there shall be no gates or informal access points permitted into the Open Space Blocks or Park Blocks or Pond Blocks or Water Tower Blocks that will be conveyed to the City.
59. 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, Public Works. A detailed trail / development plan and proposed trail routes and connections including a connection to the T.H. and B. Trail must be submitted for approval to the General Manager, Public Works and Grand River Conservation Authority, prior to registration of the Final Plan.
60. The Owner shall agree to construct all trails/walkways required within Condition 59, at their expense, in accordance with the timing schedule agreed to by the General Manager, Public Works, and shall bear responsibility for all costs related to the design and construction of the

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trails/walkways within the subdivision.

61. The Owner shall agree to provide and install, to the satisfaction of the General Manager, Public Works, the following:
  - a. signage explaining the use and function of the Open Space Blocks and Pond 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.
62. 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, to the satisfaction of the General Manager, Public Works and Grand River Conservation Authority. The cost to develop and landscape these Blocks shall be at the Owner's sole expense.
63. That the Owner shall agree to submit a street tree planting plan, prepared by a Landscape Architect, in accordance with current City standards and provide boulevard trees along the streets within the plan, within Street A, Street E and Window Road portion of Street H adjacent to this development as well as replacement plantings within the areas identified as Open Space and Parks to the satisfaction of the General Manager, Public Works.

#### **Natural Heritage**

64. The Owner agrees to carry out and implement the recommendations contained in the Environmental Impact Study (EIS) at the Owner's expense until the City assumes the Open Space Blocks and Park Blocks, to the satisfaction of the General Manager, Community Development and the Grand River Conservation Authority.
65. The Owner shall produce and distribute a Community Information Pamphlet, to the satisfaction of the General Manager, Public Works to include information regarding the community land uses, fencing, trails, parks, stormwater management facilities, parking restrictions, community mailbox locations, future neighboring land uses, environmental features within adjacent open spaces and other information that may be requested by the General Manager, Public Works.

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**Other**

66. The Owner shall provide a Noise Impact Study and implement the recommendations of the Noise Impact Study at their expense for the lots abutting Shellard Lane and Street A, taking into account the final design of along the frontage of Shellard Lane and Street A, to the satisfaction of the General Manager, Public Works.
67. The Owner agrees that prior to issuance of a building permit, the Owner shall provide to the City, certification from a qualified acoustical consultant that any required noise control measures have been incorporated into the builder's plans.
68. The Owner agrees that any retaining walls including their granular base foundation support, drainage pipes and fencing required for development of lots and blocks within the Plan 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.
69. The Owner agrees to design and construct a retaining wall (as required) along the frontage of Shellard Lane including granular base foundation support, drainage pipes and fencing to the satisfaction of the General Manager, Public Works. The Owner agrees that the retaining wall is not to be constructed on private property and agrees to address any revisions to the draft plan as may be required to facilitate the installation of the retaining wall. The appearance of the retaining wall shall be consistent with existing retaining walls along Shellard Lane.
70. The Owner agrees to address any revisions to the draft plan as may be required as a result of the design of the Shellard Lane retaining wall and requirements set forth in Condition 69.
71. The Owner agrees that lots created on Blocks 173, 174 and 211-216 (inclusive) shall not have building permits applied for until such time as adequate land is acquired for and merged with Blocks 173, 174 and 211-216 (inclusive) to create developable lots, to the satisfaction of the General Manager, Community Development and the General Manager, Public Works.
72. 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.

73. That prior to Final Approval of this Plan, the General Manager, Community Development is to confirm that the appropriate zoning is in force and effect to reflect the intended uses of the land within the Draft Plan.
74. That the Owner shall provide a clearance letter from the Ministry of Heritage, Sport, Tourism and Culture verifying that their requirements have been satisfied as an Archaeological Study was conducted, and that all recommendations of that study were carried out.
75. 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, Park Blocks or Stormwater Management Blocks;
  - e. Where Required: This dwelling unit has been fitted with a forced air heating system and the ducting was sized to accommodate central air conditioning. Installation of central air conditional will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the criteria of the Municipality and the Ministry of the Environment Conservation and Parks for each unit which will allow windows and exterior doors to remain closed, ensuring that the indoor sound levels are within the Ministry of the Environment Conservation and Parks noise criteria;
  - f. Where required, purchasers / tenants are advised that due to the proximity of Shellard Lane and Street A, sound levels from time to time may be audible;
  - g. The Commercial Block is subject to an addendum to the Noise Study once the uses have been determined. Mitigation of any noise from the commercial units will need to be outlined.
  - h. Where required, purchasers/ tenants are advised that properties can be situated on a designated bus route, as required by Brantford Transit; and,
  - i. That bussing may be required to transport children from within this subdivision to elementary and secondary schools.

76. That the Owner shall agree to provide Enbridge Gas Limited with all necessary easements and/or agreements required by Enbridge Gas Limited for the provision of gas services.
77. 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.
78. 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.
79. Prior to final approval, the City must be advised, in writing, by the Grand River Conservation Authority how Conditions 35, 39, 40, 41, 44, 46, 47, 48, 52, 59, 62 and 64 have been satisfied.
80. Prior to final approval, the City must be advised in writing, by the Ministry of Heritage, Sport, Tourism and Culture, how Condition 74 has been satisfied.
81. Prior to final approval, the City must be advised, in writing, by Enbridge Gas Limited, how Condition 76 has been satisfied.
82. Prior to final approval, the City must be advised, in writing, by Bell Canada, how Condition 77 has been satisfied.
83. Prior to final approval, the City must be advised, in writing, by Canada Post, how Condition 78 has been satisfied.
84. Prior to final approval, the City must be advised, in writing, by Brantford Power, how Condition 11 has been satisfied.
85. That the Owner agrees to:
- a. That prior to the issuance of building permits, the Owner agrees to provide the City with a certification letter from a licensed and qualified professional Architect for each lot confirming that the proposed building elevations and mix of unit types are consistent with the Architectural Design Guidelines or any successor thereof.

- 
86. Pursuant to Section 51(32) of the Planning Act, R.S.O. 1990, Draft Plan Approval, together with all conditions, shall lapse as follows:
- a. For the first phase, three (3) years from the date of the granting of Draft Plan Approval, unless extended by the City; and,
  - b. For any subsequent phases, three (3) years after the date of Final Approval of the preceding phase.
87. Prior to final approval the City must be advised in writing, by the Owner, how Conditions 1 to 85 inclusive have been satisfied.

## **10.0 Financial Implications**

There are no direct Municipal financial implications respecting this application at this time.

As noted in Section 8.3.9 of this report, the City is required to share in the cost of construction for portions of some of the roads and construction of services where City owned lands abut the subject lands. As well, should the Owner of the lands be unsuccessful in reaching a cost sharing agreement with the Owner of the lands to the west, the Owner will need to be compensated for the oversizing of the services. This will require further agreement(s) with the Owner, requiring future Council approval.

## **11.0 Conclusion**

The proposed development is considered to be compatible with the surrounding development in the immediate area and will allow for a residential form and density consistent in this neighbourhood. The proposal for Neighbourhood 2 continues the Greenfield development north of Shellard Lane, as planned in the West of Conklin Secondary Plan. The proposed Zoning By-law Amendment will facilitate the development of the subject lands for residential purposes, and will help to ensure that a specific built form is achieved, while addressing all other technical matters.

The proposed Draft Plan of Subdivision had been reviewed and additional submissions were required by the applicant based on City and agency comments. The current Draft Plan dated July 22, 2020 addresses the technical concerns related to stormwater management, road network, on-street parking, noise, zoning and traffic. If approved in conjunction with the other planning applications, the Draft Plan conditions will implement the Plan as proposed. The



proposal conforms with the policies in the Official Plan, the Places to Grow legislation and is consistent with the Provincial Policy Statement. Planning Staff are in support of the proposed applications as they implement the West of Conklin Secondary Plan, and represent good planning and recommend that the applications be approved.



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Nicole Pettenuzzo, MCIP, RPP  
Senior Development Planner  
Community Development



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Joe Muto, MCIP, RPP  
Manager of Current 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 or agreement being sent concurrently to Council?

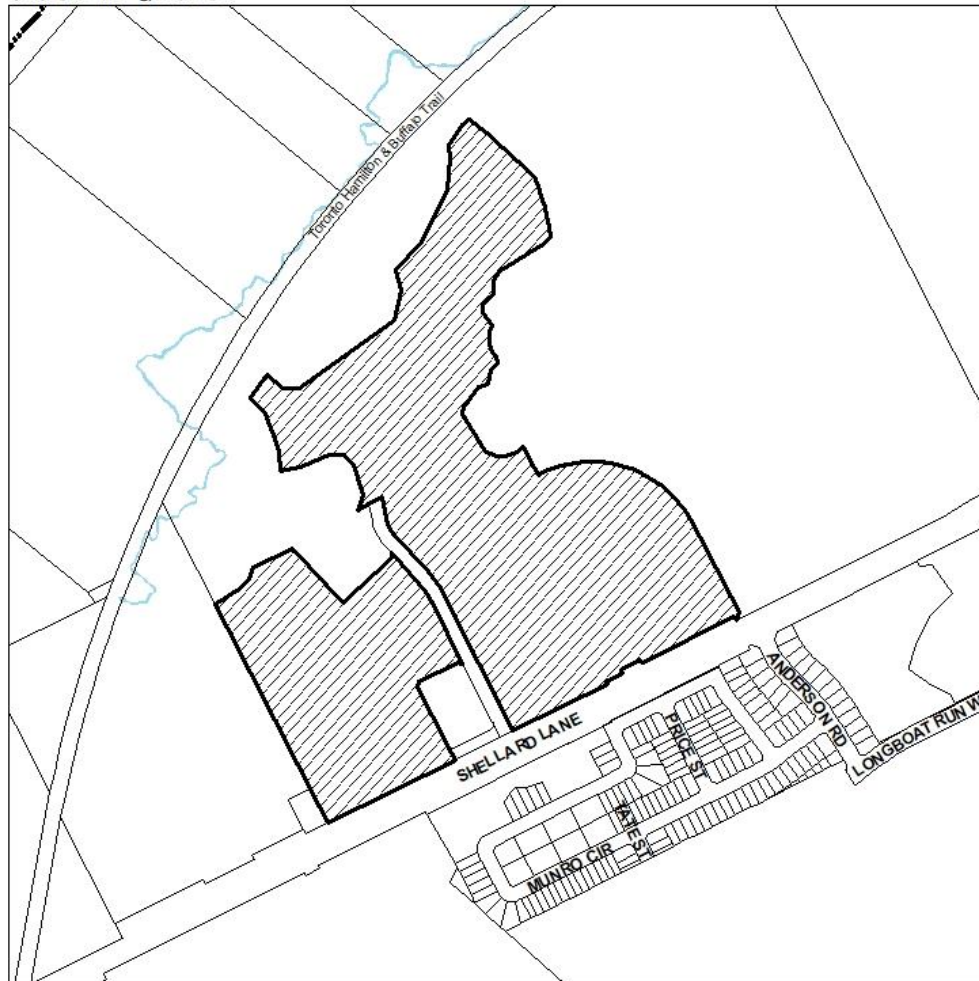
☒ yes ☐ no

## APPENDIX A Location Map


### LOCATION MAP

PZ-07-19 NP-01-19 29T-19 502

346 Shellard Lane



#### Legend

 Subject Lands

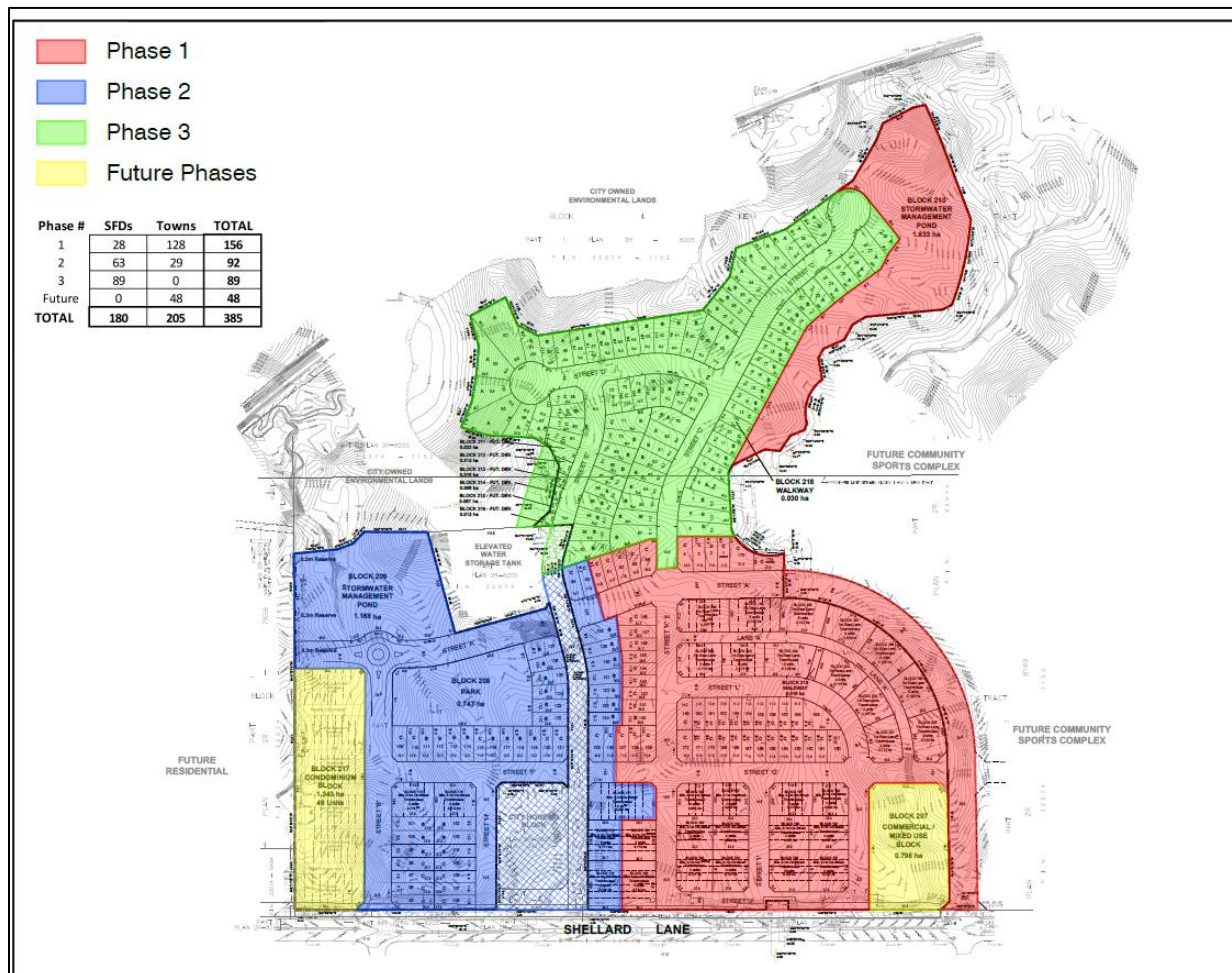


The site plan for the Sheppard Lane area in Vancouver, British Columbia, shows a complex arrangement of blocks and streets. Key features include:

- Block 209 Stormwater Management Pond:** Located in the upper left, with an area of 1.168 ha.
- Block 208 Park:** Located in the center-left, with an area of 0.747 ha.
- Block 217 Condominium Block:** Located in the lower left, containing 1,343 lots.
- Block 218 Walkway:** Located in the center-right, with an area of 0.030 ha.
- Block 219 Stormwater Management Pond:** Located in the upper right, with an area of 1.833 ha.
- Block 207 Commercial/Mixed Use Block:** Located in the lower right, with an area of 0.796 ha.
- City-owned Lands:** Indicated in the upper left and center-right areas.
- Elevated Water Storage Tank:** Located in the center-left area.
- Future Community Sports Complex:** Indicated in the lower right area.
- Streets:** Sheppard Lane runs horizontally across the bottom. Other streets include Street A, Street B, Street C, Street D, Street E, Street F, Street G, Street H, Street I, Street J, Street K, Street L, Street M, Street N, Street O, Street P, Street Q, Street R, Street S, Street T, Street U, Street V, Street W, Street X, Street Y, and Street Z.
- Scale and Orientation:** A scale bar indicates 0 to 100 meters. A north arrow points towards the top of the plan.



## APPENDIX C Phasing Plan of Shellbrant Developments Inc.

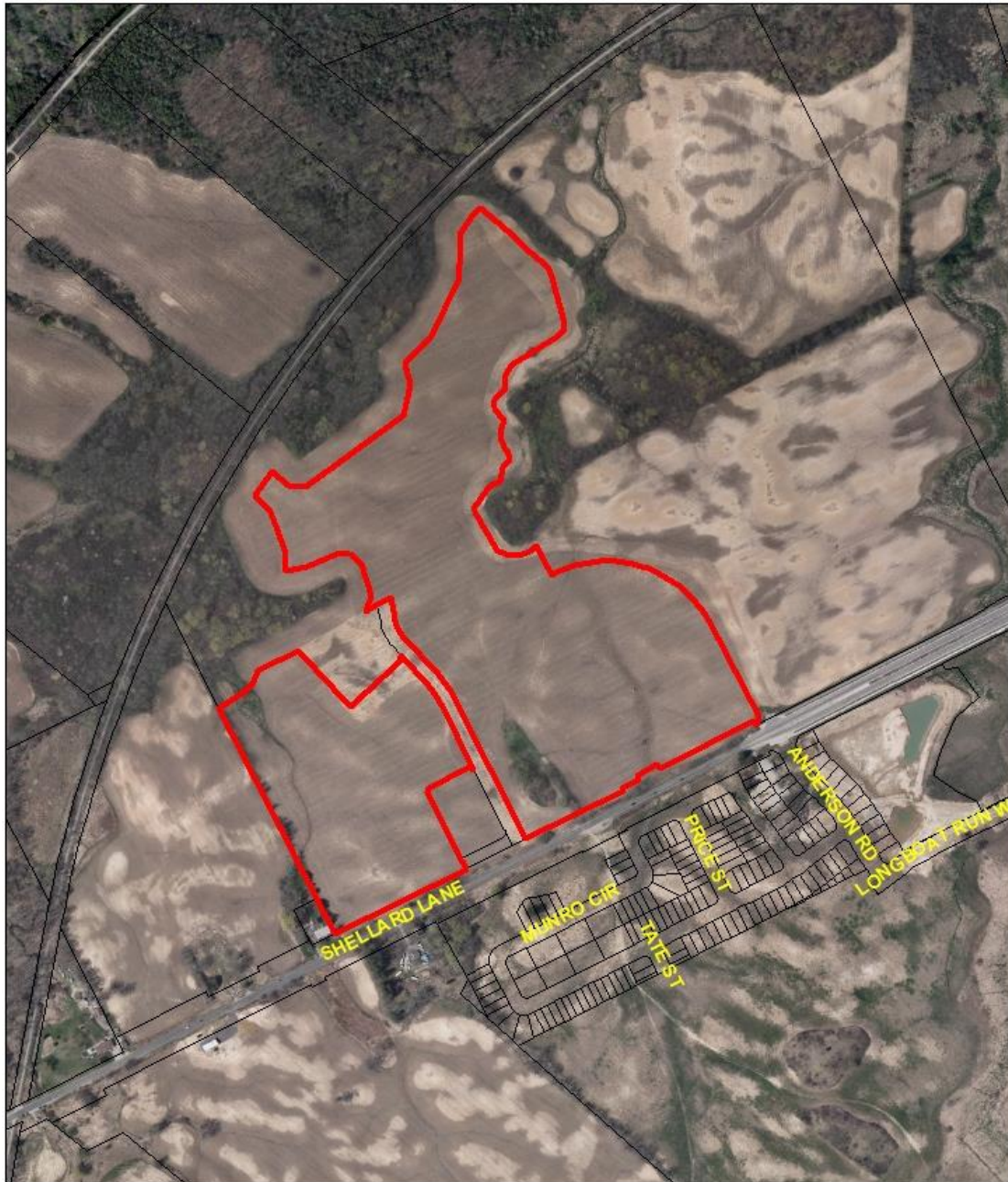


**APPENDIX D**  
**Aerial Photograph**


**AERIAL PHOTO (2017)**

PZ-07-19 NP-01-19 29T-19 502

346 Shellard Lane



**LEGEND**

 Subject Lands





**APPENDIX E**  
**Photographs of the site**



Looking southeast toward Shellard Lane



Looking north to Water Tower

Looking west from the Water Tower



Looking northeast



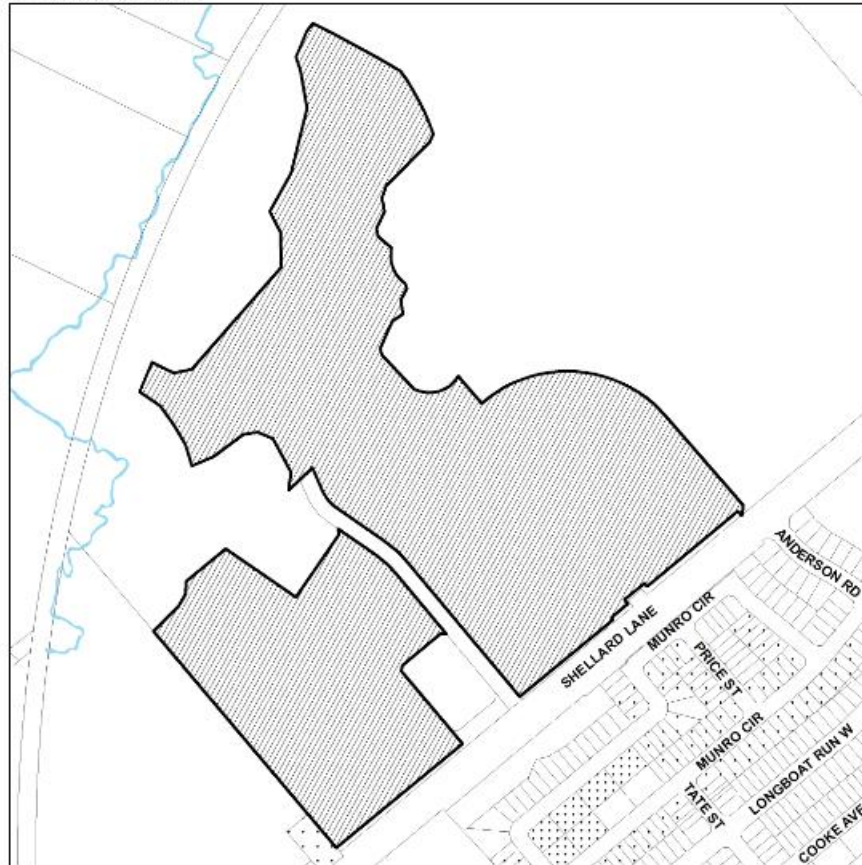
Looking west along Shellard Lane



## APPENDIX F Land Use

### LAND USE

PZ-07-19 NP-01-19 29T-19502  
346 Shellard Lane



#### Legend

Subject Land

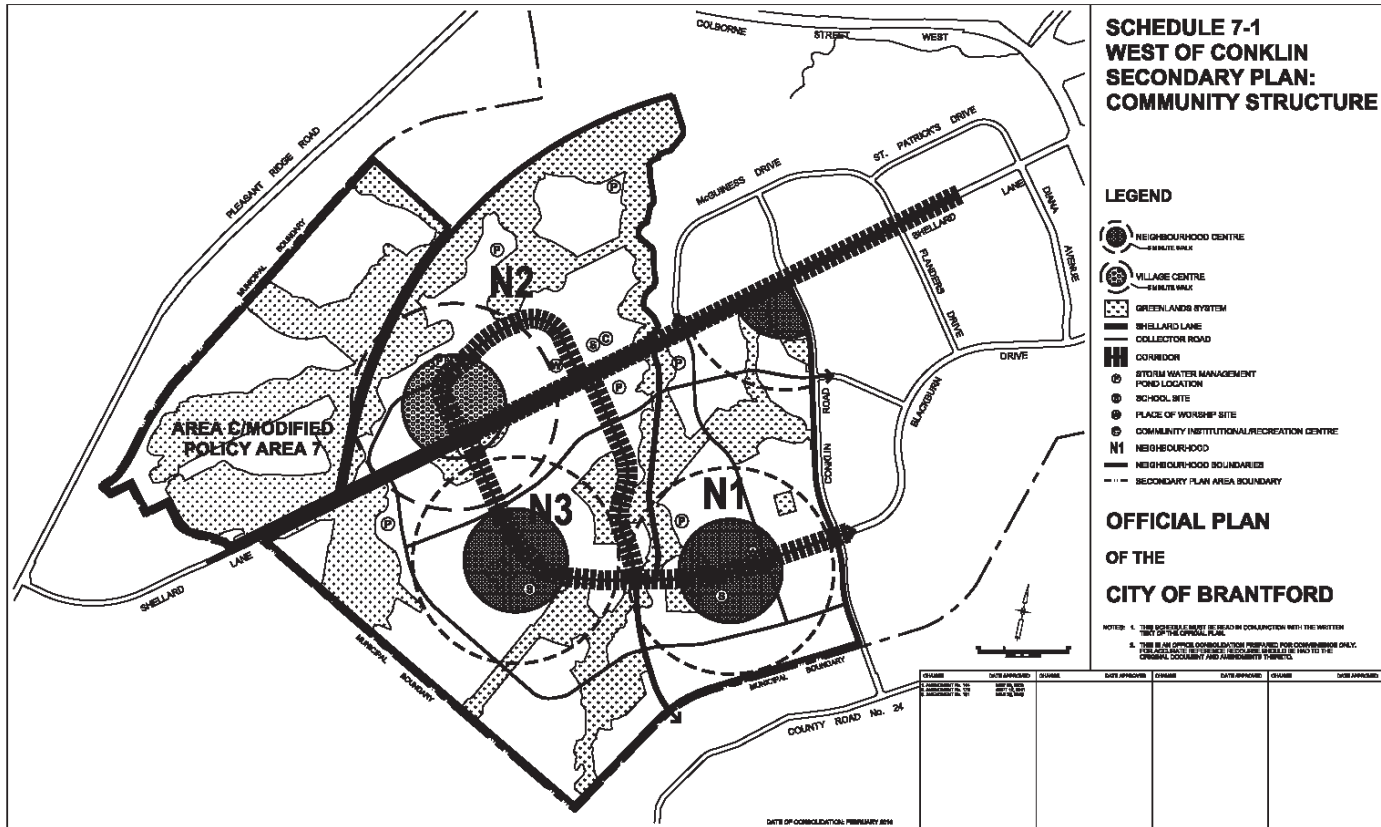


- Residential (1 to 3 units)
- Residential (4 units/3 storey)
- Residential (5+ storey)
- Institutional
- Commercial
- Industrial
- Park/Open Space
- Vacant Land

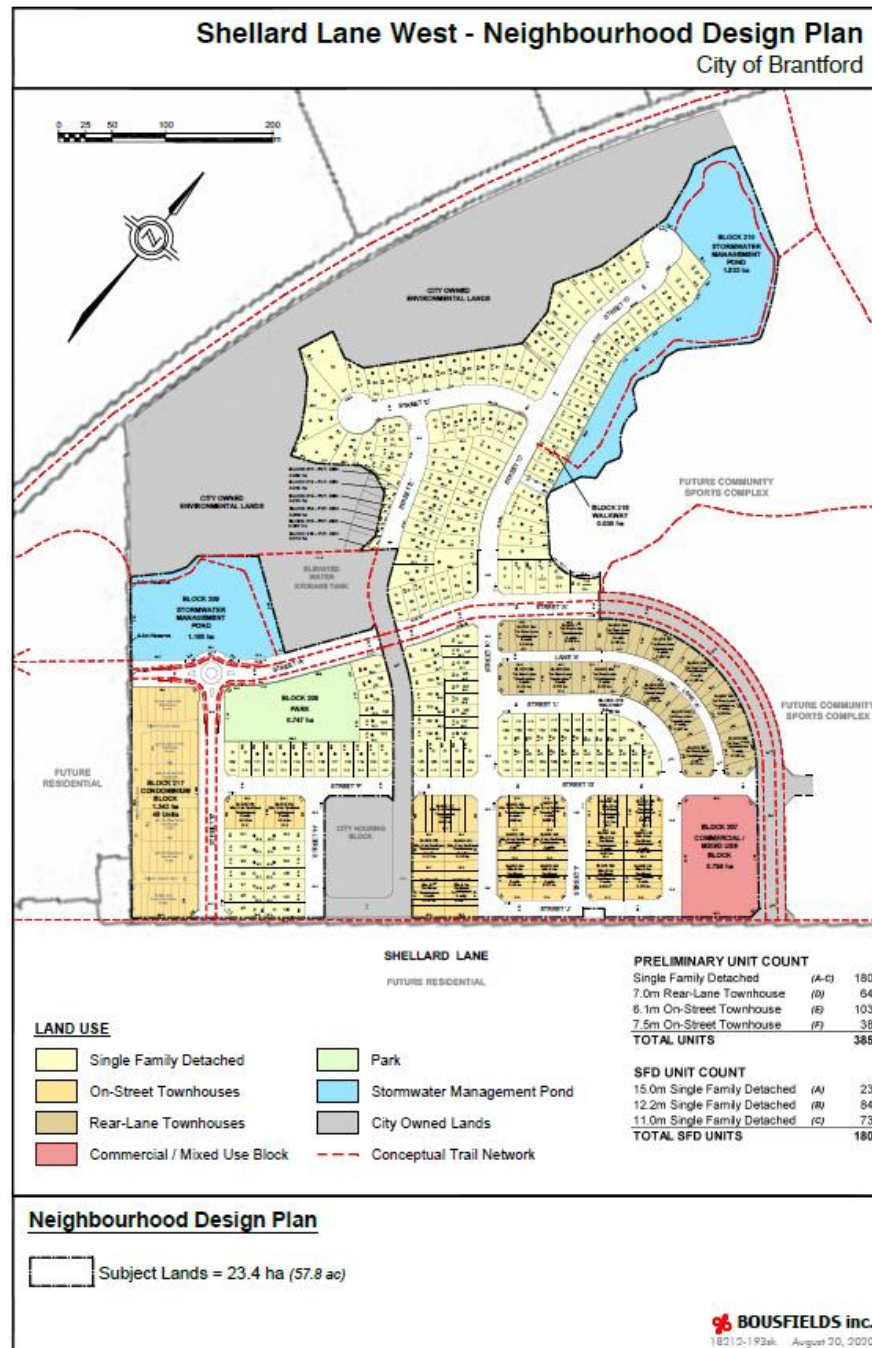


## APPENDIX G

### West of Conklin Secondary Plan – Neighbourhood Structure



## Appendix H Neighbourhood Design Plan



## APPENDIX HI Elevation Drawings

### Single Detached Elevations



Figure 15 - Corner Lot- Elevation Articulation Examples





## Single Detached Elevations Cont'd



Figure 19 - Elevation Samples (12.2 m Frontage)



Figure 20 - Elevation Samples (13.6 m Frontage)



Figure 21 - Elevation Samples (11 m Frontage)



## Townhouse Elevations



Figure 22 - Elevation Sample - 2-Storey Townhomes



## Laneway Townhouse Elevations



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**APPENDIX I**  
**Planning Act, R.S.O. 1990 - Section 51(24)**

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*Planning Act, R.S.O. 1990, Section 51(24)*

Criteria

- (24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,
- (a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;
  - (b) whether the proposed subdivision is premature or in the public interest;
  - (c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;
  - (d) the suitability of the land for the purposes for which it is to be subdivided;
  - (d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;
  - (e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;
  - (f) the dimensions and shapes of the proposed lots;
  - (g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;
  - (h) conservation of natural resources and flood control;
  - (i) the adequacy of utilities and municipal services;
  - (j) the adequacy of school sites;
  - (k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;
  - (l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and
  - (m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the *City of Toronto Act, 2006*. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).



## APPENDIX J Agency Comments

Department / Agency	Comment
Brantford Power	No comment received.
Building Department	No comments on the proposed Draft Plan of Subdivision.
Engineering Department	Refer to <b>Appendix J1</b>
Environmental Services	No concern with the Draft Plan of Subdivision
Fire Prevention Officer	Fire will review at the Site Plan application stage.
Legal and Real Estate	No comments received.
Parks and Recreation	Comments have been addressed in this report.
Solid Waste	No concerns with the Draft Plan of Subdivision
Transit	No comments received.
Bell Canada	
Brant County	No comments received.
Brant Haldimand-Norfolk CDSB	No comments received
Canada Post	Please be advised that Canada Post does not have any comments on these changes as this subdivision will still be serviced by Community Mailboxes.
Grand Erie District School Board	No comments received.
Grand River Conservation Authority	Refer to <b>Appendix J2</b> .
Municipal Property Assessment Corp.	No comments received.
Hydro One	Hydro reviewed the Plan of Subdivision application, 29T-19502 dated July 28, 2020 and have no comments or concerns at this time.
Roger's Cable TV	Rogers intends to service this area.
Enbridge Gas Limited	It is Enbridge Gas Limited's ("Union") 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 Union.

*Agencies are advised at the time of circulation for comment that they are considered as having no objection to an application if they do not reply within the time limit provided. If additional time is required in which to comment they are to contact planning staff.*

## APPENDIX J1 Engineering Comments

Shellbrant Developments  
346 Shellard Lane  
By: Tyler J. Wright

### General

1. The owner will be required to enter into a subdivision agreement with the municipality to address all financial and technical requirements of the Corporation.
2. All necessary archaeological approvals and clearances are to be obtained from the Ministry of Culture and provided to the municipality prior to any site alteration commencing or final plan approval and registration.

*A Stage 1 and 2 Archaeological Assessment has been received by the City of Brantford (TLA, 7 May 2019). It was recommended in the report that the site has further cultural heritage value or interest and that stage 3 activities are required. The City will await final Archaeological Clearance from the Ministry of Culture and Tourism.*

3. All necessary storm water drainage approvals and clearances are to be obtained from the Grand River Conservation Authority prior to any site alteration commencing or final plan approval and registration.
4. All necessary environmental approvals and clearances are to be obtained from the Grand River Conservation Authority prior to any site alteration commencing or final plan approval and registration.
5. The developer will be required to submit a **Noise and Vibration Impact Study** to address the potential impacts of surrounding infrastructure on dwellings within the proposed draft plan.

*A noise study has been submitted (HGC Engineering, 18 April 2019) and the City would like to provide the following comments:*

- Noise should be assessed from all lots fronting onto collector roads (Street "A", "B", "C" and "D"). Any warning clause or sound mitigation should be identified once an analysis has been completed.
- Page 2 – Shellard Lane is 2 lanes in each direction, review and revise accordingly.
- Page 4 – Use TIS data as prepared for this development (i.e. Most current information).
- Page 5 – Table 3 states daytime and nighttime façade exceeds Table 1 Recommendations even with 5 dBA Allowance. Why are warning clauses or mitigation not identified for Prediction locations A – F?
- Page 6 – Section 5.2 What is the measured sound level for indoor living area's? This is provided in Table 1 for acceptable criteria however was not quantified for this development in Table 3 for predicted sound levels for this development.

6. The developer will be required to submit a **Geotechnical Report** prior to any site alteration commencing or final plan approval and registration.

*A Geotechnical Report has been submitted (Soil Engineers, April 2019) and the City would like to provide the following comments:*

- Cut/Fill drawings should be reviewed by the Geotechnical engineer and comments provided on engineered fill requirements. Will settlement monitoring be required?
- Is surcharging/pre-loading of fill required due to the underlying clay soils identified within the Geotechnical report?
- The pavement design should conform to the City of Brantford Standards at a minimum with additional depths and material requirements as determined by the Geotechnical Engineer. Review and revise accordingly.
- Pond designs should be reviewed by the Geotechnical Engineer to ensure that appropriate recommendations on the soil and pond function from a geotechnical standpoint can be made. (i.e. Clay liner, etc.)
- Are there minimum design requirements for Rip-Rap installation?



7. The developer will be required to submit a **Hydrogeological Study** prior to any site alteration commencing or final plan approval and registration.

*A Hydrogeological Study has been submitted (Cole, April 2019) and the City would like to provide the following comments:*

- Page 1 remove reference to industrial, only commercial and mixed use will be permitted in the south east portion of the site.
- Update Appendix A as per the most current concept plan.
- Groundwater measurements in Table 4.1 do not match the groundwater measurements as provided within the Geotechnical Report. Were the measurements taken separately? (ie. Each company surveyed and measured the ground water level)
- BH103D was stated as potentially being an artesian well representative of pressurized conditions from the underlying aquifer. What affects will development have on this aquifer? How large is the aquifer and what (if anything) does this aquifer service? (ie. Wells, D'Aubigny Creek cold water pools for fish spawning and summer cooling zones?)
- Is there a water balance requirement for the adjacent woodlot at the eastern most property line? (ie. Where tributary "G" outlets to the woodlot)

8. The developer will be required to submit a **Fluvial Geomorphology Study** prior to any site alteration commencing or final plan approval and registration.

- Backwater conditions were observed within portion ET-3 of Tributary "G", are there quantifiable limits of backwatering available based on field reconnaissance? If so please record and have placed on appropriate drawings with flood elevation.
- With % Bankfull Discharge values over 100% for the majority of Tributary "G", how does this impact SWM discharge to this tributary? Is the intent of the unitary critical discharge release rate to reduce % bankfull below 100%?
- Table 7: Peak discharges of tributary outflow hydrographs will have to be reviewed and revised as well as relevant sections of this study based on provided comments in regards to the stormwater management report and potential changes/modifications required.

9. The developer will be required to submit an **Environmental Impact Study** prior to any site alteration commencing or final plan approval and registration.

*An Environmental Impact Study has been submitted (Savanta, May 2019) and the City would like to provide the following comments:*

- Development South of Shellard Lane has noted Bank Swallows nesting within the topsoil piles, review and provide appropriate comment on the potential for occurrence on the subject lands during construction inclusive of mitigation measures as may be required.
- Blandings Turtle Habitat Assessment is to be completed to confirm Category 2 Habitat Status. The City will require a copy of this assessment once completed.
- Section 6.0 Page 41 – Woodlots where setback encroachments are proposed will have to be inventoried to ensure that there are no species of interest (ie. Threatened or Endangered).
- The proposed buffers from Tributaries appear to be measured from the centreline of the tributaries rather than the edge of the corridor. Review and revise accordingly.
- Fisheries and Oceans Canada (DFO) will be required to review and comment on the required stormwater management outlet to Tributary "G" as there have been "High Constraining" sections of this tributary identified by LGL (2008). Additionally the Self Assessment identified to be completed by Shellbrand Developments will be required to be sent to the DFO for review.
- Similar to Tributary "G", Tributary "K" will require review and comment from the DFO as this tributary also has been identified within the report "may provide direct seasonal fish habitat".

- Is there a water balance requirement for the adjacent woodlot at the eastern most property line? (i.e. Where tributary "G" outlets to the woodlot)
10. The developer will be required to submit a **Transportation Impact Study** prior to any site alteration commencing or final plan approval and registration.
- A Traffic Impact Study was submitted (Paradigm, May 2019) as part of an overall review of 346 Shellard Lane Lands. This report will be reviewed and commented on by the City of Brantford transportation department (c/o Jacob McDonald).*
11. The developer will be required to submit a **Transportation Design Study** prior to any site alteration commencing or final plan approval and registration.
- A Transportation Design Study was submitted (Paradigm, May 2019) as part of an overall review of 346 Shellard Lane Lands. This report will be reviewed and commented on by the City of Brantford transportation department (c/o Jacob McDonald).*
12. The developer will be required to submit an **Tree Inventory Report** prior to any site alteration commencing or final plan approval and registration.
- A Tree Inventory Report has been submitted (Paradigm, May 2019) and the City would like to provide the following comments:*
- The Tree Inventory Identified 2 Butternut Trees on adjacent lands within 20m of the proposed development. A Butternut Health Assessment has been identified as required and shall be submitted to the City for review and comment once completed.
  - The woodlots immediately adjacent to the proposed development have not been assessed as part of this report. The North of Shellard Neighborhood and Recreation Plan – Appendix D "Preliminary Environmental Impact Assessment (Plan B Natural Heritage, June 2011)" has identified the following tree species:
    - o American Chestnut
    - o Broad Beech Fern
    - o American Columbo
- The adjacent woodlots will have to be reviewed to ensure that the above mentioned Endangered/Threatened species will not be impacted by development if located.
13. **Functional Servicing Report**
- This development will be required to undergo wastewater modelling. Once the development concept/lotting is advanced to the point of only minor revisions remaining the City will initiate the modelling process concurrently with required water modelling.
  - Review and revise tributary names from F and G to G and K as per D'Aubigny Creek Master Watershed Plan
  - The City has published December 2018 Versions of the Cities Design Criteria. This should be used for all supporting calculations. <https://www.brantford.ca/en/your-government/design-construction.aspx>
  - Sanitary sewers greater than 7m depth will require a local sewer (i.e. Stacked sewers.).
  - Has there been oversizing costs associated with development of the lands to the west quantified? There will need to be an in-depth estimate of oversizing costs provided to the city for any services designed to accommodate the lands to the west.
  - How will cost-sharing of phase 2 SWM occur? (West Pond) will there be a cost sharing agreement entered into with the developer to the west to deal with cost sharing of required services? (i.e. Oversizing?)

- The provided storm design sheet did not print properly and is illegible, this will be reviewed once re-submitted.

#### 14. Stormwater Management Report

- Review and revise tributary names from F and G to G and K as per D'Aubigny Creek Master Watershed Plan
- The north east pond should be referenced as pond C1 and the western pond should be referenced as pond C2 (Southwest Brantford West of Conklin Secondary Study).
- The City has published December 2018 Versions of the Cities Design Criteria. This should be used for all supporting calculations. <https://www.brantford.ca/en/your-government/design-construction.aspx>
- The current proposal shows major overland flow moving uncontrolled to Tributary "G" from Street A and associated storm tributary area to this discharge location. The secondary plan reviewed preliminary grading and determined that it would be feasible to direct all stormwater run-off to the SWM pond located in the northeast corner of the proposed property. Review and revise grading so that major overland flow will make it to the SWM pond and not discharge directly to the tributary. A low flow pipe with an oil grit separator to the tributary as discussed with the applicant should be explored for water balance.
- The 25 year design storm is shown as being piped from Shellard Lane to the pond. What is the reasoning for this rather than using major overland flow routes?
- Tributary "K" is expected to be disturbed during construction of the Shellbrant property. What interim measures are proposed until such time as the lands to the west are developed and ultimate conditions established?
- Post development CN values should be more representative of land use and soil class. (i.e. Pre-Development does not equal Post Development). Review and revise accordingly.
- 50% impervious seems low for the SWM pond blocks. Adjust as required.
- Review forebay depths in the report against the drawings and revise as required. Further, what are the minimum and maximum forebay depths in relation to? Empty vs. "Full"?
- Major overland flow to the northeast pond makes a 90 degree turn, slope protection should be considered and designed in this location. Channel hydraulics should also be considered to ensure that the walkway and channel conveying the major overland flow are of sufficient size.
- Northeast pond headwall to Tributary "G" inverts say existing? Review and revise accordingly.
- Permanent pool should be based on one percent impervious rather than a composite. Review and revise accordingly.
- North of Shellard Neighborhood and Recreation plan states extended detention for the 25mm quality storm is to be released over 48hrs. Review and revise proposed SWM design accordingly. If this criteria is not desirable, provide justification that this will not impact water quality nor stream bank erosion thresholds.
- Why is the invert of the outlet pipe from the northeast pond below the permanent pool level?
- Is orifice 2 correct for east SWM in table 5.1? drawings show it as 2 - 450Ø

- Table 5.1 under sediment forebays, east SWM bottom elevation and drawings don't match.
- How will phasing of west pond occur? Temporary measures that are required and construction practices anticipated to occur to maintain function of Shellbrant portion while constructing remainder of pond due to development of adjacent lands.
- Minor flows (5 year) from Tributary "K" should be diverted to the west pond with major flow to proceed overland via temporary ditch until development of adjacent lands.
- What type of protection is proposed for low flow outlets? (ie, Perforated riser w/ stone cone? Etc.)
- How do winter conditions affect the low flow system? (ie, What happens if freezing occurs?)
- Table 5.2 Stage storage, what does elevation 212.90m correspond to? Is this the elevation of a particular design storm?
- Table 5.4 and 5.1 extended detention release rates do not match. Review and revise accordingly.
- The access road for the East SWM currently appears to follow the property line +/-, is it possible to follow the channel alignment for a smoother alignment?
- Remove maintenance bullets from page 17 and 18 pond descriptions or revise to say "Upon assumption" at the start of the maintenance bullets.
- How was orifice coefficient of 0.82 determined? Typical values are generally in the range of 0.61-0.64.
- SWM sediment loading and clean out frequency should only consider the forebay volume. Review and revise.
- Review forebay length calculation for settling velocity. It appears that the flow rate used does not match the quality storm within the rest of the report.
- Backwater conditions were identified in the Fluvial Geomorphology study in Tributary "G" in section ET-3 (East property line of Shellbrant property to D'Aubigny Creek). How will backwater conditions affect the pond functionality during the low frequency, high intensity (ie, 25 to 100 year design storm)?

15. Stormwater Management Operations Manual

- An operation and maintenance manual is to be prepared for each proposed stormwater management pond (SWM Pond), on the understanding that the pond is proposed to be used to attenuate quality and quantity runoff from this proposed development, and provided to the municipality, upon assumption of the said facilities for maintenance purposes. The Owner of the subject lands acknowledges that the operation and maintenance of the SWM Pond within the development is the Owner's responsibility until assumption of the said facilities for the maintenance purposed, by the municipality.

16. Detailed engineering plans to be submitted prior to final plan approval and registration are as follows but not limited to:

- i. Grading Plans
- ii. Servicing Plans (Plan and Profile)
- iii. Overall Sanitary, Storm and Watermain Servicing Plans
- iv. Overall Sanitary and Storm Tributary Plan
- v. Siltation, Sedimentation and Erosion Control Plan



vi. Lighting and Photometric Plan(s)

17. Prior to final plan approval and registration an on-street parking plan is to be submitted and approved. The said plan is to take into account transit routing and potential bike lanes.
18. All documentation and design calculations for sanitary and storm water will be required to be submitted as supporting documentation for the MOE application for Environmental Compliance Approval.
19. Servicing for the proposed development shall be in general conformance with the most current City of Brantford Master Servicing Plan, City of Brantford Official Plan and any other pertinent design guidance documents as accepted by the City of Brantford.
20. The Municipality will endeavour to provide supporting infrastructure data, such as Geographic Information System (GIS) data, and the related attributes and available flow data, etc. under a separate license/data use agreement. In the event that data gaps exist, the applicant will be responsible for capturing the required information and shall provide this data to the municipality in a usable format for City of Brantford GIS department.
21. Parkland dedication to the City will be required in accordance with City of Brantford's Official Plan (Typically 5% of land proposed for residential development and 2% for of land proposed for commercial/industrial development).
22. The dimension of daylight corners and associated 0.3m reserves are to be approved by municipal staff prior to formal submission of the draft plan. It should be noted that reserves shall be the entire length of a lot ~~flankage~~.
23. Any proposed phasing of the development is to be shown on all plans.
24. Names for streets are to be selected from the pre-approved City Council list.
25. Any Entrance Features for the subdivision shall be on private property.
26. Dead End Streets or Right-of-Way's in exceedance of 250m will require secondary access.
27. Terminating roads (Temporary or Permanent) must end with a cul-de-sac.
28. The Owner is to provide a written request letter to the City of Brantford for the assignment of municipal numbering to the lands. Municipal numbering is to be requested prior to the commencement of any construction works as part of the development.

### Site Alterations By-law Requirements

1. The applicant/owner should be aware that no person shall cause or permit alteration of a site in the municipality, without having first obtained a Site Alteration Permit in accordance with By-law Number 28-2011.
2. Further to the requirements of the Site Alteration Bylaw, a siltation and erosion control (SEC) plan is to be submitted in accordance with "Erosion and Sedimentation Control Plan Design Requirements" as contained within the Official Plan document of the City of Brantford (Appendix V-C). The following issues are to be acknowledged and addressed, including but not limited to:
  - b. Site works are to be staged in such a manner that erosion will be minimized, and the consultant must provide confirmation that all approved siltation and erosion control facilities have been installed prior to the commencement of any grading, excavation or demolition.
  - c. Clearing and grubbing of the site should be kept to a minimum and vegetation removed only in advance of immediate construction.
  - d. Stockpiles of earth or topsoil are to be located and protected to minimize environmental interference. Erosion control fencing is to be installed around the base of all stockpiles.

- e. The owner is responsible to ensure that municipal roadways are cleaned of all sediments from vehicular tracking etc. to and from the site, at the end of each workday.
- f. All disturbed areas, not included in the construction zone, are to be top soiled and seeded immediately after completion of area grading.
- g. All existing and proposed catch basins on the subject property, plus any catch basins within the influence of runoff from the site, are to be protected with filter cloth or approved equivalent.
- h. Silt fencing is required around all perimeter areas of the site where discharge of surface runoff, from within the site, can occur.

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**APPENDIX J2**

**Grand River Conservation Authority – Page 1**

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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)

September 17, 2020

Ms. Nicole Pettenuzzo  
City of Brantford  
100 Wellington Square  
P.O. Box 818  
Brantford, ON N3T 5R7

**THIRD SUBMISSION**

Dear Ms. Pettenuzzo,

**Re: Shellbrant Developments – 346 Shellard Lane  
Zoning Bylaw Amendment – PZ-07-19  
Neighbourhood Plan Amendment – NP-01-19  
Draft Plan of Subdivision – 29T-19502**

Grand River Conservation Authority (GRCA) staff has reviewed the third submission for Draft Plan of Subdivision 29T-19502 and an associated Zoning By-Law Amendment, including the following reports:

- Comment Response Matrix prepared by Bousfields Inc., dated August 19, 2020;
- Scoped EIS Addendum prepared by Savanta, dated August 18, 2020;
- Preliminary Stormwater Management Report prepared by MTE Consultants, dated April 29, 2019 (revised August 17, 2020);
- Draft Plan of Proposed Subdivision prepared by Bousfields Inc., dated July 22, 2020.

Grand River Conservation Authority (GRCA) staff have no objection to the Zoning By-Law Amendment and issuance of Draft Plan Conditions for the subject proposal. Should the proposal progress to draft plan conditions, we recommend the following be included as conditions:

- A. 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 the 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.
- B. The Owner shall agree to establish and undertake a monitoring program for stormwater management, including infiltration measures, specifically addressing quality and quantity control, as well as temperature, for a period of 2 years post development in consultation

N:\Resource Management Division\Resource Planning\Brantford\SUBDIV\29T-19502 346 Shellard Lane\3RD-SUBMISSION\29T-19502\_346-SHELLARD-LANE\_GRCA-COMMENTS\_17-SEP-20.docx

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**APPENDIX J2**

**Grand River Conservation Authority – Page 2**

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with the Ministry of the Environment, Conservation and Parks and the Grand River Conservation Authority.

**Advisory Comments**

1. Section 3.2.2 of the Preliminary Stormwater Management Report indicates that the "infiltration measures can be refined at detailed design to reduce the surplus groundwater infiltration if requested." From a natural heritage perspective, infiltration is preferred on this site as opposed to increased surface water run-off. The current proposed infiltration rates are acceptable to the GRCA and further efforts could be explored to decrease surface run-off from the site as part of detailed design.

No further review fees are required at this time. The remaining 30% of the fee (\$8,857.30) is payable after issuance of Draft Plan Conditions.

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

Sincerely,

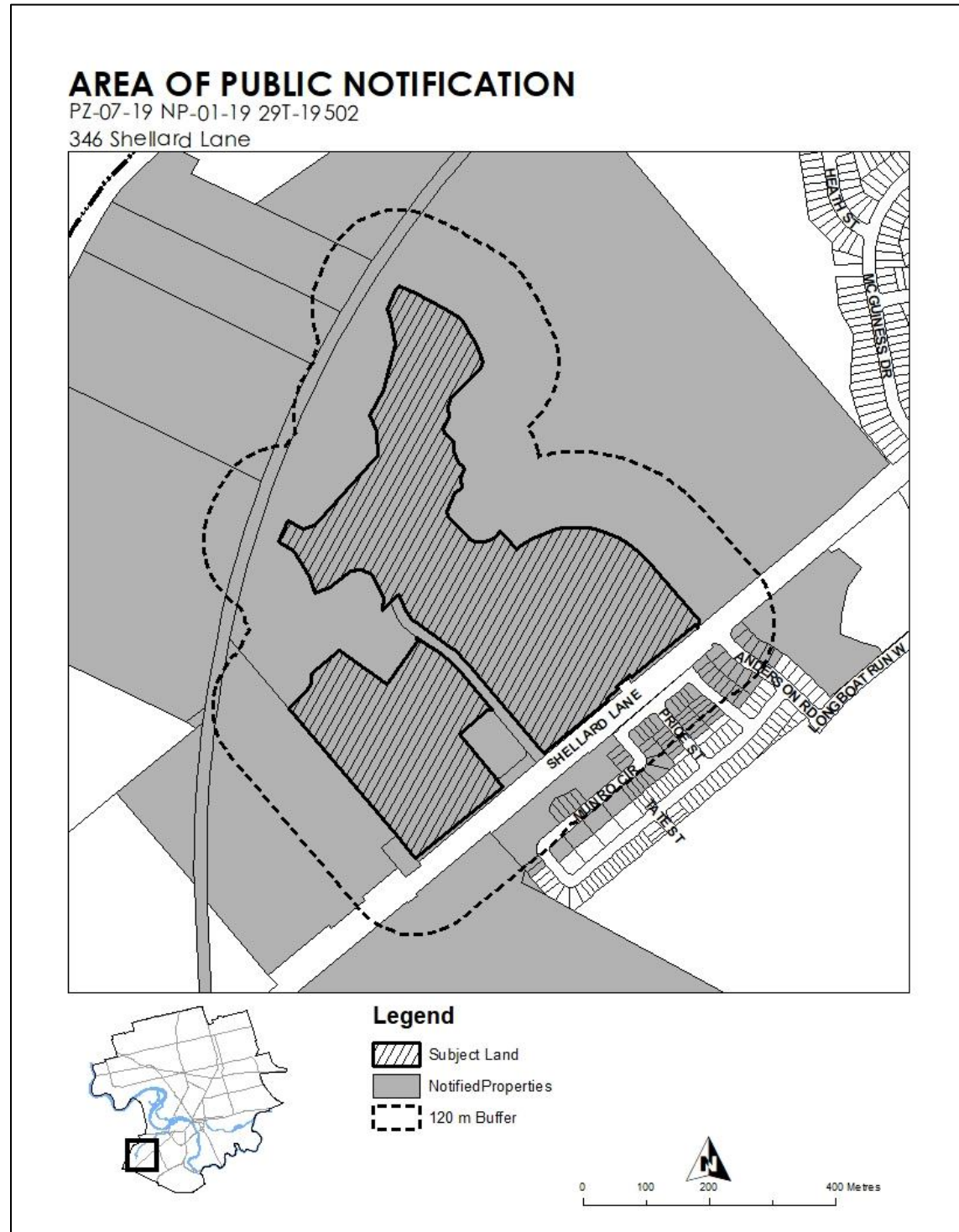


Ashley Graham  
Resource Planner

cc via email: Shellbrant Developments Ltd. – Darren Morita [dmorita@linvest.com](mailto:dmorita@linvest.com)  
Bousfields – Lindsay Dale Harris [ldaleharris@bousfields.ca](mailto:ldaleharris@bousfields.ca)



**APPENDIX K**  
**Public Notification Map**



**APPENDIX L**  
**Notes from Public Meeting**

**NEIGHBOURHOOD MEETING NOTES**

**SUBDIVISION, NEIGHBOURHOOD PLAN ZONING BY-LAW AMENDMENT APPLICATIONS  
(29T-19502, NP 01-19 and PZ-07-19)**

**Regarding: North of Shellard Lane  
Shellbrant Developments  
Agent: Bousfields  
Applicant: Linvest**

**Meeting Date: September 25, 2019 @ 6:00 p.m.  
Meeting Location: The Salvation Army Brantford Community Church  
33 Diana Drive, Brantford, ON**

**Present:**

Councillor Weaver  
Councillor Vanderstelt

Nicole Pettenuzzo, Senior Planner  
K.C. Pondergradz, Senior Planner  
Gary Peever, Manager of Engineering

**Applicant/Agent/Owner(s):**

Darren Morita: Linvest  
Frank Palombi: Linvest  
David Falleta: Bousfields  
Courtney Heron-Monk: Bousfields  
Rob Meilick

Approximately 10 residents were in attendance.

Councillor Weaver opened the meeting, welcomed residents and introduced staff. The Councillors explained the purpose of the meeting.

Karen Pondergradz introduced Nicole Pettenuzzo, explained the purpose of the meeting and the next steps in the process including timing of the statutory public meeting. Nicole went on to describe the location of the subject lands, the Official Plan policies, that the lands are located within the West of Conklin Secondary Plan, the permitted uses and that the demonstration plan is schematic. Explained that development proposals must meet the Provincial policies and one of those policies includes the 50 people/jobs per hectare. The current zoning of the lands are PUD1 (Planning Unit Development) and the different type of uses that are permitted such as single detached, semi-detached and townhouse dwellings as well as parks and commercial uses. The proposed applications are Plan of Subdivision, Neighbourhood Plan Amendment and Zoning Amendment. In total there are 387 units proposed.

David Falletta from Bousfields began his PowerPoint presentation with the concept plan. He was joined by the owner and the consulting team. David described the concept plan with the various built forms and as well as the stormwater management, park and commercial blocks. He described that there are 387 units in total. He then described the road pattern with the road widths (25, 20, 18.5 18) as well as the location of the roundabout. He also described the architectural elements on some of the elevations briefly. David described in detail the Planning policies in the west of Conklin Secondary Plan and that the Neighbourhood Plan established general road pattern but provides some flexibility. The proposed zoning generally complies with the Secondary Plan. Explained that an Official Plan is a vision document and the Secondary Plan refines that further. He stated that the Neighbourhood Plan is a flexible implementation plan. David went over the various studies that have been submitted with the applications, the next steps, which is to receive input from the community and the steps moving forward. David then opened up the meeting to the public.

One resident, Barb Walsworth, asked what was happening with the lands to the west and is there more development planned for that area. David explained that those lands are owned by someone else but there is a road connection that continues to the west once those lands begin to be developed. A resident mentioned that the original plan looks like low density was proposed, but now it is much higher and there is not much commercial. David explained that the Provincial Policies mandates that there be 50 persons/jobs per hectare so the density has to be higher to meet that projection and that they are exceeding that. He also said that the commercial has shifted to the east in a stand-alone block rather than with the Village Centre as livework units.

Residents were concerned about the traffic that this development is going to generate. There is already a lot of traffic on Shellard, at high speeds, especially when the crossing guards are out in the morning, the traffic backups significantly. The same resident said they are concerned that the existing schools cannot take the volume of people moving into the area, there are already portables at the existing schools. Councillor Weaver stated that the school board are circulated the applications and they decide where the schools will be built and suggested they call the MPP for school concerns. The resident also had concerns regarding the apartment building that is proposed. Karen Pondergradz explained that the apartment is already zoned for that density.

David Falletta said that traffic Engineers are present and that there was a traffic study conducted for the current proposal. Transportation engineer explained that they analysis current load vs. future load and how traffic can be moved. The study area included east on Shellard Lane to the Parkway and south of Mount Pleasant. They collect existing time data based on real time and in their forecast they include the proposed traffic for the entire Secondary Plan. There are already existing issues and have made recommendations on how the intersections work. The Engineer explained that trip generation rates are determined by the transportation standards and are based on real data. There are different types of traffic based on the types of housing. David stated that traffic circles are not great for pedestrians. Councillor Vanderstelt is not in favour of the location of the roundabout. Resident concurred

with the roundabout with the commercial block can be dangerous for pedestrians and lack of parking may be potential problem in the commercial block.

Resident states that there is a lack of parking with the Empire development. How is the parking being dealt with in this development, how big are the driveways and how much on street parking will there be. David stated that the City asked for on-street parking and a parking plan and that 25% of the units have on-street parking available.

Councillor Vanderstelt talked about the stormwater management plan. There is a wet pond on the north end of the development and at the north end has a permanent pond and was added due to the development pattern. The Councillor also asked the applicant what was found through the archeological study. The applicant stated that they have done a stage 1, 2 and 3 and that they have been filed with the Ministry. Applicant stated that they are engaging First Nations.

Resident asked how much square footage is being proposed within the commercial block. Applicant says the commercial/mixed use has not been determined yet. They are studying the market to see what comes of it. The Secondary Plan permits mixed use.

Councillor Weaver stated that the rear lane built form is new for the City and will be condominiums. He asked about how the trash collection and snow removal will work with the laneway design. Gary Peever said that last year Engineering met with Public Works to work on a cross section that would work for laneways based on examples from other municipalities and said that the design will be capable for snow removal and garbage collection provided there is no on lane parking. The applicant stated that the 10 m width of the laneway is wider than most laneways cross sections.

A resident wanted to know whether the applicant would have to consult with the GRCA. The applicant confirmed that they will be consulting with the GRCA. He listed the studies done for the GRCA and said they were circulated and will be commenting on the applications.

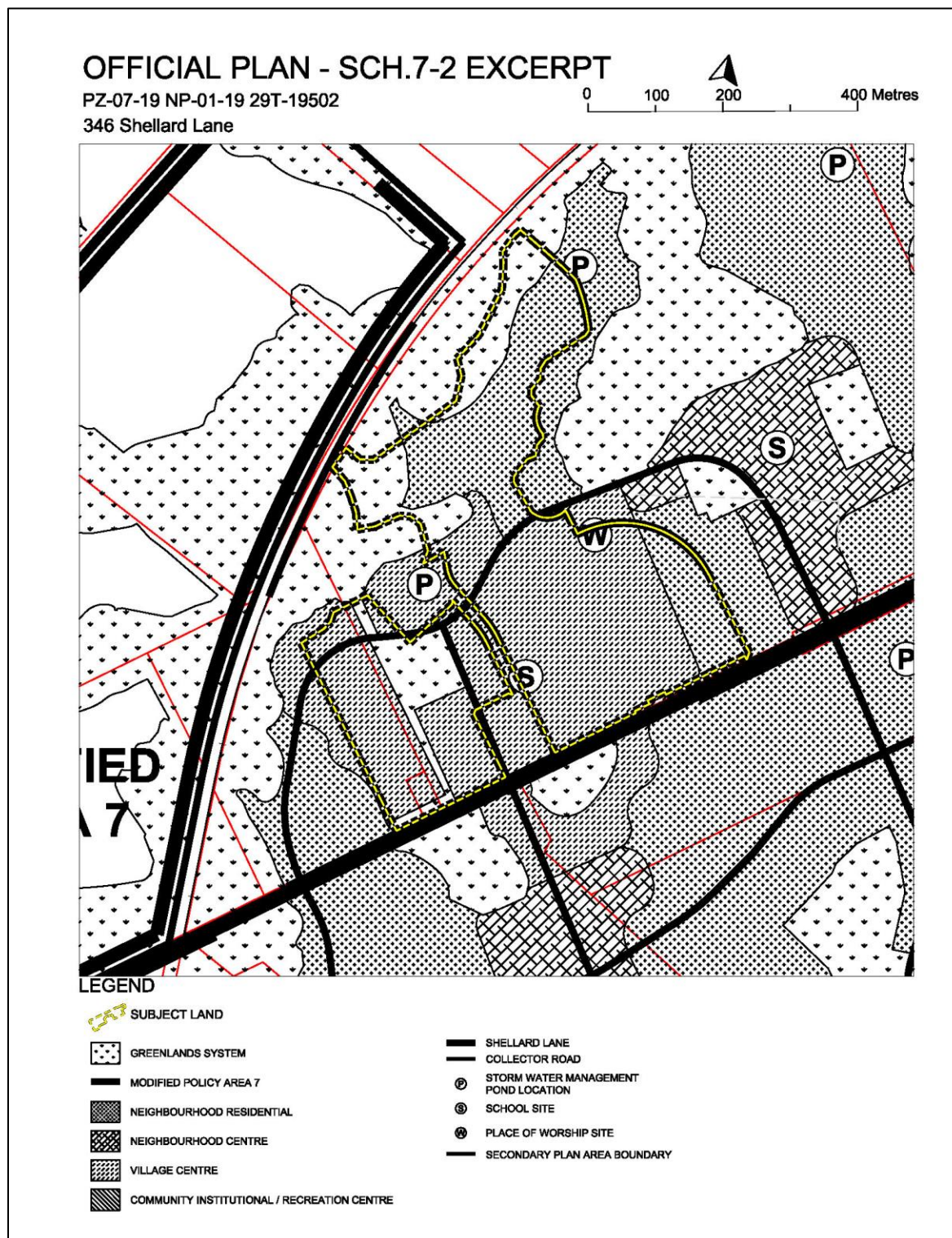
Councillor Vanderstelt questioned whether there would be light spillover for the commercial block to residential units and David stated that the development will be subject to site plan control and the photometric and lighting will address that at that time.

Councillor Vanderstelt asked what is happening with the City Block. Applicant said that the City is in negotiation with the developer but does not form part of this application. Gary Peever stated that everything in grey is owned by the City. The water tower is owned by the City and will be fenced off but the developer will build the road along the City block.

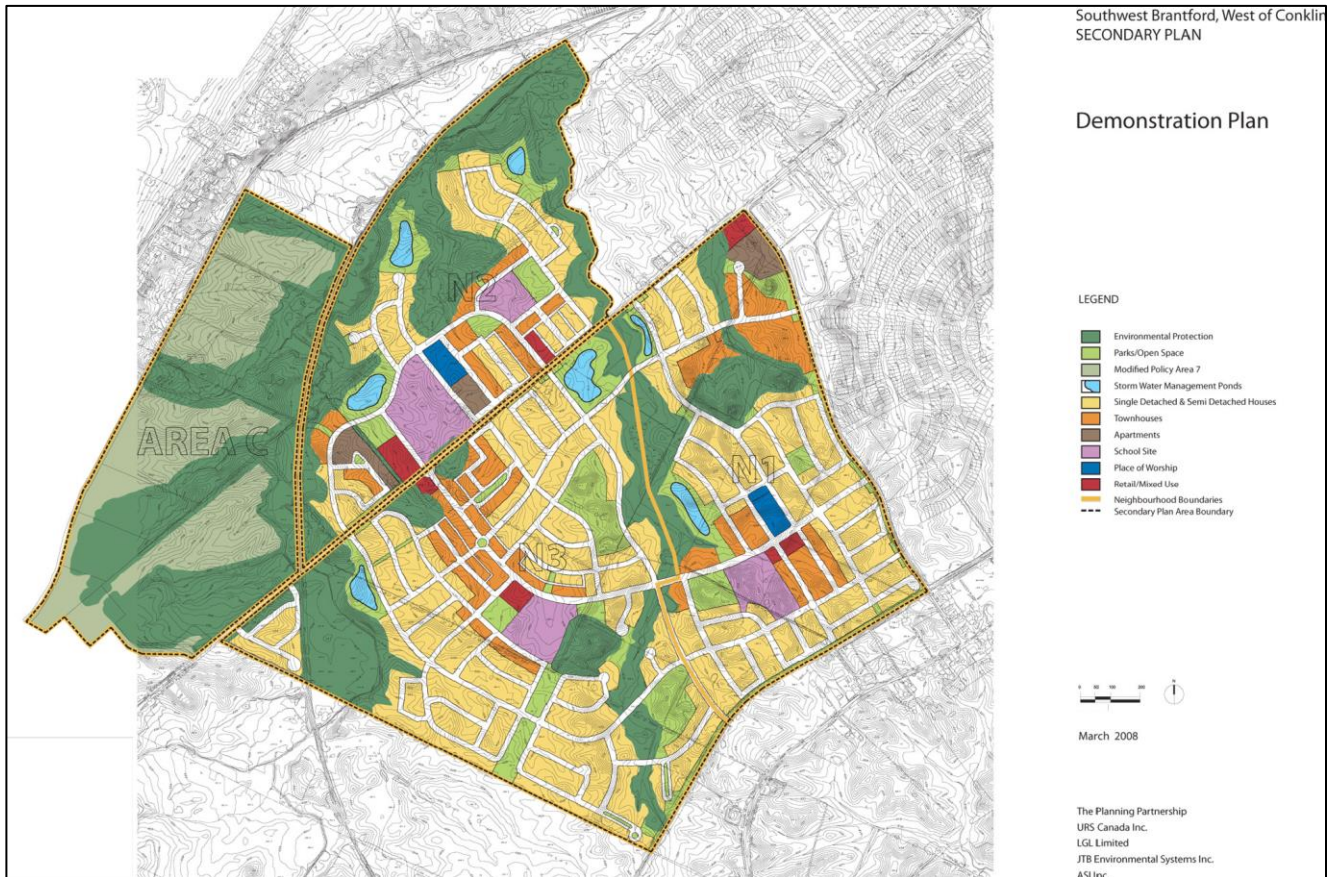
Councillor Vanderstelt asked who is building the park. David, the applicant states that it could be the developer who builds the park but Parks would indicate the design, but are still in discussions. The Councillor stated that the blocks abutting the park make it too long to walk around could there be another access into the park. The meeting concluded at 7:30 pm.



**APPENDIX M**  
**Excerpt from Schedule 7-2: West of Conklin Secondary Plan – Land Use**

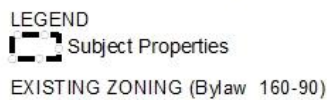


## APPENDIX N Demonstration Plan





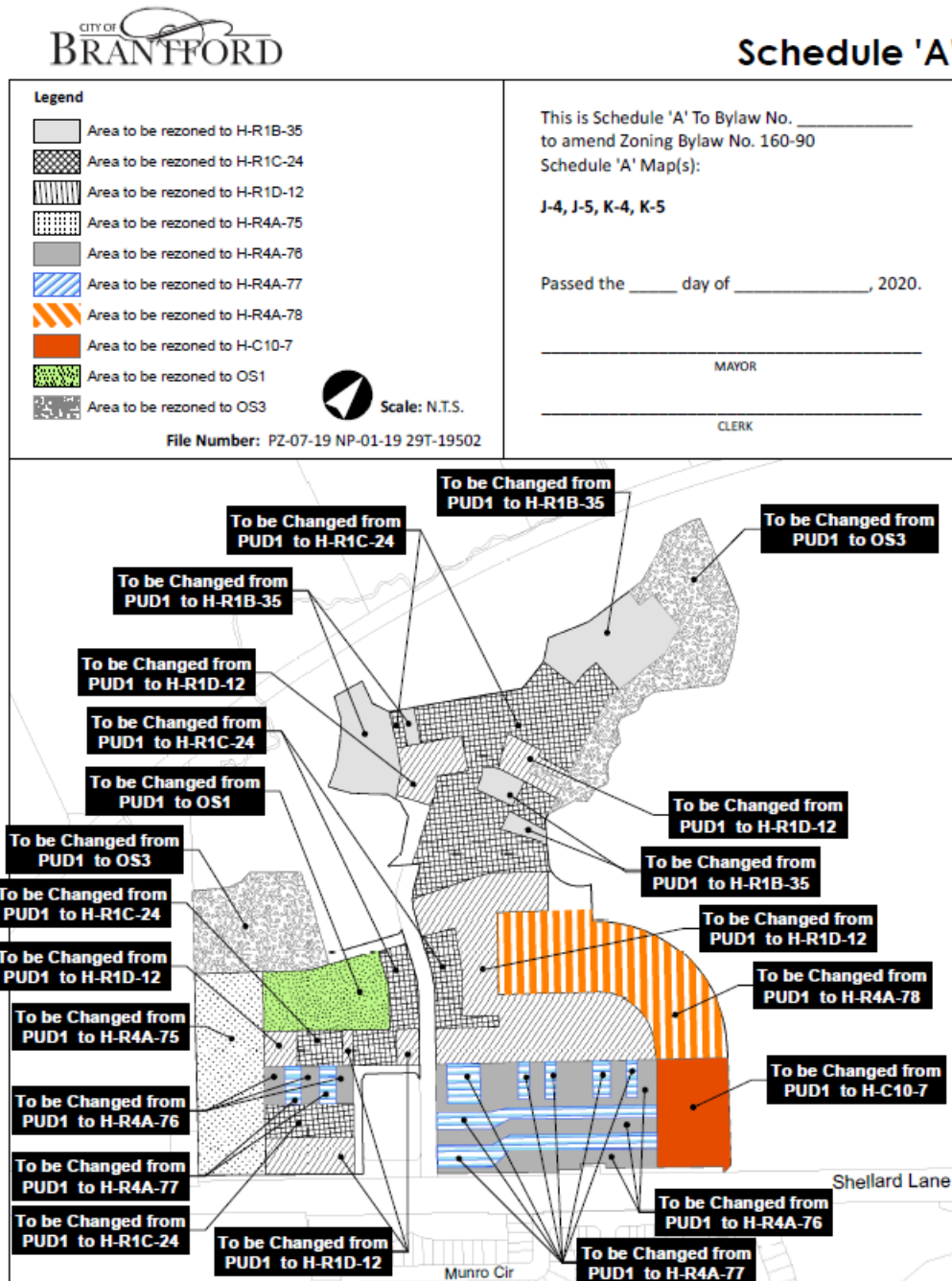
**ZONING BY-LAW**  
PZ-07-19 NP-01-19 29T-19502  
346 Shellard Lane



- |     |                       |
|-----|-----------------------|
| I2  | INSTITUTIONAL SCHOOL  |
| OS1 | OPEN SPACE Type 1     |
| OS3 | OPEN SPACE RESTRICTED |
| H   | HOLDING PROVISION     |
| -3  | Exception Number      |



**APPENDIX O**  
**Proposed Zoning Map**





## APPENDIX Q Trail Plan

