

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement
local

20-163-LPAT



ISSUE DATE: July 13, 2020

CASE NO(S): PL180175

The Ontario Municipal Board (the “OMB”) is continued under the name Local Planning Appeal Tribunal (the “Tribunal”), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	Sonoma Homes Inc.
Subject:	Application to amend Zoning By-law Nos. 6593 & 05-200 - Refusal or neglect of the City of Hamilton to make a decision
Existing Zoning:	P2, AA/S-684 (Agricultural District- Special Provision 684), C (Urban Protected Residential etc.) and AA (Agricultural District)
Proposed Zoning:	E-3 District with site specific modifications
Purpose:	To permit the development of four residential condominium apartment buildings
Property Address/Description:	1518, 1530 and 1540 Upper Sherman Avenue
Municipality:	City of Hamilton
Municipality File No.:	ZAC-17-078, UHOPA-17
OMB Case No.:	PL180175
OMB File No.:	PL180175
OMB Case Name:	Sonoma Homes Inc v. Hamilton (City)

Heard: February 10, 2020 in Hamilton, Ontario

APPEARANCES:

Parties

Counsel*/Representative

Sonoma Homes Inc. (1804482 Ontario Limited)	Denise Baker*
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City of Hamilton

Patrick MacDonald*

**MEMORANDUM OF ORAL DECISION DELIVERED BY DOUGLAS A. JOYNER
ON JULY 10, 2020 AND ORDER OF THE TRIBUNAL**

INTRODUCTION

[1] Sonoma Homes Inc. (1804482 Ontario Limited), (the “Applicant/Appellant”) applied to the City of Hamilton (the “City”) for an amendment (the “OPA”) to the Urban Hamilton Official Plan (the “UHOP”) and to its Zoning By-law No. 6593 and No. 05-200 (ZAC-17-078) (the “ZBA”) for a proposed development of three multiple dwelling buildings (with four elements), on the lands ranging in height from 8 to 11 storey’s, containing 489 units. These buildings are municipally known as 1518, 1530, and 1540 Upper Sherman, City of Hamilton. The City failed to decide upon the OPA and the ZBA applications within the applicable timelines under the *Planning Act*, R.S.O. 1990, c. P.13. Appeals from these failures were brought to the Tribunal pursuant to s. 34(11) of the *Planning Act*.

[2] At the first Pre-hearing Conference on October 23, 2018, for the UHOP and ZBA appeal, Denise Baker, counsel for the Appellant, advised the Tribunal that the original application asked for an Official Plan Amendment in this matter however, a small portion of the site that was previously owned by the City was now deemed “surplus” and subsequently sold to Sonoma Homes Inc., which allowed the City to re-designate the “Surplus” lands to a “Neighbourhood” designation in the UHOP. This re-designation of lands by the City means that there is no longer a need for a UHOP amendment and no OPA will be before the Tribunal.

[3] In her submission, Ms. Baker advised the Tribunal that after a public meeting was held and community comments received, Sonoma Homes Inc. made further revisions to the proposed application. She advised that a new application was submitted to amend the existing City ZBA No. 6593, and new comprehensive ZBA No. 05-200 to facilitate the development of the four residential buildings with reduced heights. This

proposed height reduction results in a reduction of units, thus reducing the number of units per hectare requirement. Ms. Baker also made reference to the reduced amount of parking spaces and that a 45-degree angular plane has been applied to the design of the buildings and that all buildings now comply with the ZBA.

[4] The Tribunal was informed that Minutes of Settlement has been reached between Sonoma Homes Inc. and the City of Hamilton and the Tribunal was requested to convene to review the revised by-law (Exhibit #2 – Minutes of Settlement).

[5] The initial concerns to the proposed application have been addressed through the amended By-law presented to the Tribunal found in the Minutes of Settlement.

[6] The Tribunal accepts the unchallenged expert testimony of Glenn Wellings, a Registered Professional Planner, who stated that the amendment to Zoning By-law No. 6593 and No. 05-200, as described in the Minutes of Settlement (Exhibit #2) reached between the parties and appended hereto as Attachment 1, is consistent with and in conformity to the Provincial Policy Statement, 2014 and the Growth Plan for the Greater Golden Horseshoe, 2019. Mr. Wellings opines that the proposed development is in conformity with the UHOP, will achieve a high-quality built form, result in transit supportive development along an existing transit corridor, and produce a development that is compatible with the existing and surrounding land uses. He concluded that there are no technical issues or concerns preventing the proposed redevelopment from proceeding and the proposed development, as modified, represents good planning and will contribute to a complete community, as set out in the Minutes of Settlement.

ORDER

[7] THE BOARD ORDERS that the appeal is allowed in part and Zoning By-law No. 6593 and No. 05-200 are amended as set out in Attachment 1 to this Order.

“Douglas A. Joyner”

DOUGLAS A. JOYNER
MEMBER

If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

Local Planning Appeal Tribunal

A constituent tribunal of Ontario Land Tribunals

Website: www.elto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

ATTACHMENT 1

PL180175

LOCAL PLANNING APPEAL TRIBUNAL Tribunal d'appel de l'aménagement local

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OMB Case Name:	Sonoma Homes Inc v. Hamilton (City)

MINUTES OF SETTLEMENT

MINUTES OF SETTLEMENT
(“Minutes”)

BETWEEN:

CITY OF HAMILTON
(hereinafter referred to as the “City”)

- and -

SONOMA HOMES INC.
(hereinafter referred to as “Sonoma”)

WHEREAS Sonoma is the owner of properties known municipally as 1518, 1530, and 1540 Upper Sherman Avenue, City of Hamilton, as more particularly described on Schedule “A” attached to these Minutes (the “Lands”);

AND WHEREAS on October 23, 2017, Sonoma filed an application to amend the Urban Hamilton Official Plan (“UHOP”) and Zoning By-laws 6593 and 05-200 (ZAC-17-078) to permit three multiple dwelling buildings (with four tower elements) on the Lands ranging in height from 8 to 11 storeys, containing 489 units (the “Application”);

AND WHEREAS Sonoma subsequently revised the Application on September 7, 2018 (the “Revised Application”).

AND WHEREAS the Revised Application no longer requires an amendment to the UHOP (“Amended Application”);

AND WHEREAS the Application was deemed complete on November 3, 2017;

AND WHEREAS on February 27, 2018, Sonoma appealed to the Ontario Municipal Board, now the Local Planning Appeal Tribunal (“Tribunal”) from City Council’s failure to make a decision on the Application within 120 days (the “Appeal”);

AND WHEREAS the Tribunal has scheduled a hearing in this matter for February 10-21, 2020 to consider the Appeal;

AND WHEREAS Sonoma and the City (collectively the “Parties”) have reached an agreement to settle the Appeal, on the basis of modifications to the Amended Application and subject to the terms of these Minutes of Settlement (“Minutes”);

NOW THEREFORE the Parties hereby acknowledge, covenant and agree with each other as follows:

RECITALS

1. The Parties hereto acknowledge and agree that the above recitals hereto are true and correct in substance and in fact.

SCHEDULES

2. The following is a list of all of the Schedules to these Minutes of Settlement which shall form part of these Minutes for all purposes:
 - (a) Schedule "A" – Legal Description of the Lands;
 - (b) Schedule "B" – Modified Zoning By-law amendment; and
 - (c) Schedule "C" – Modified development proposal drawings
 - (d) Schedule "D" – Approved Landscape Plan
 - (e) Schedule "E" – Template Assumption Agreement

GENERAL

3. The Parties agree that they are contractually bound to the terms of these Minutes, and that the obligations and benefits thereof are enforceable by either Party against the other Party in the event of a breach of them. The Parties covenant and agree that at all times, and from time to time hereafter, upon every reasonable written request so to do, they shall make, execute, deliver or cause to be made, done, executed and delivered, all such further acts, deeds, assurances and things as may be required for more effectively implementing and carrying out the true intent and meaning of these Minutes.
4. The Parties agree to act reasonably and with good faith in respect of all dealings between themselves pursuant to these Minutes.
5. These Minutes constitute the entire agreement between the Parties with respect to the matters set out in these Minutes and supersede all prior agreements, negotiations and understandings with respect to the Minutes.
6. Any amendment to or waiver of any provision of these Minutes must be in writing and signed by the Parties.
7. The undersigned represent and warrant that they have all necessary power and authority to execute these Minutes of Settlement.

SETTLEMENT

8. The Parties will request that the Tribunal grant the Appeal, in part, and approve the Zoning By-law amendment attached hereto as Schedule "B", on the basis of the revised development proposal attached hereto as Schedule "C".
9. The Parties agree that the purpose of Schedule "B" is to permit the development of the Lands in accordance with the revised development plan attached as Schedule "C".
10. Sonoma agrees that in the event the Settlement is approved by the Tribunal, it will forthwith withdraw its application to amend the UHOP.

11. The Parties agree that a subsequent site plan application shall be required to implement the revised Application.
12. The Parties agree that the site plan applications ("**SPA**") for the portion of the Lands upon which Buildings A and B/C are proposed can be applied for independently, such that Building A can be approved without Building B/C having to be approved at the same time and vice versa. However, irrespective of whichever SPA is applied for first, the first SPA shall include the proposed road extension of Cartier Crescent.
13. The Parties agree that following the construction and occupancy of both Building A and Buildings B/C, Sonoma shall implement a traffic monitoring program for Cartier Crescent as it exists on the day of entering into these Minutes of Settlement ("**Existing Cartier Crescent**"), as recommended by a traffic consultant retained by Sonoma, in accordance with approved terms of reference to be provided by Transportation Planning. The monitoring program shall be for a period ending no earlier than five (5) years from the date of occupancy of Building A and Buildings B/C. The scope of the monitoring program, the security, and implementation thereof shall be set out in a future site plan agreement for the Application, however under no circumstances will the value of the monitoring program exceed \$15,000.00. In addition, Sonoma shall also post security with the City in the amount of \$40,000.00 for future implementation of traffic calming measures if recommended by the traffic consultant for the Existing Cartier Crescent during or at the conclusion of the monitoring period. Under no circumstances will Sonoma be required to fund future traffic calming measures in excess of \$40,000.00. Any traffic calming measures to be implemented shall be selected by City Transportation Planning from the options presented by such traffic consultant. In the event that there are no traffic calming measures recommended by the traffic consultant, the security shall be returned to Sonoma forthwith upon the expiration of the 5 year monitoring period. Should the amount of the traffic calming measures be less than \$40,000.00, the remaining security shall be returned to Sonoma forthwith upon completion of the traffic calming measures.
14. The Parties agree that the 6 metre landscaped area along the full extent of the northerly property line will be landscaped with mature tree plantings, including a combination of coniferous trees with a minimum height of 1.5 metres and deciduous trees with a minimum caliper of 60mm, substantially in accordance with the approved landscape plan which will be attached to the Minutes as Schedule D, upon its approval by the Director of Planning and Chief Planner. The implementation of the landscape plan for this portion of the property shall be overseen by a certified landscape architect with the details of implementation and the requirements of securities to be detailed in a future site plan agreement(s), to the satisfaction of the Director of Planning and Chief Planner.
15. The Parties are prepared to settle this matter, on a without costs basis, and to support the approval by the Tribunal of the modified Zoning By-law Amendment substantially in accordance with the forms referenced in Section 2 above.
16. The Parties agree that minor changes may be made to the Zoning By-law Amendment to be presented to the Tribunal at a future hearing date, provided that both Parties consent to such change and that such changes are substantially in

accordance with these Minutes and the revised development proposal attached hereto as Schedule "C".

BINDING NATURE

17. These Minutes of Settlement bind the Parties, their assigns and successors. To that end, prior to Sonoma transferring any portion of the Lands upon which Buildings A or B/C are proposed to be constructed in accordance with Schedule "C" to a new owner Sonoma must first have the prospective transferee execute and deliver to the City a signed Assumption Agreement (substantially in the form attached as Schedule "E") whereby the prospective transferee agrees to be bound by these Minutes and to assume the obligations of Sonoma upon becoming the owner of the Lands.

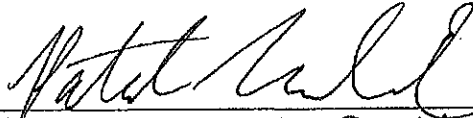
COUNTERPARTS

18. The Parties acknowledge and agree that these Minutes may be executed by their solicitors, respectively. They may also be executed in counterparts, which together shall constitute a complete set of these Minutes, and executed counterparts may be delivered by email or facsimile transmission and considered originals for all purposes. Once executed by all Parties, these Minutes shall be of full force and effect.

[Remainder of page intentionally left blank]

DATED this 27 day of November, 2019.

CITY OF HAMILTON



PER: Patrick MacDonald
Solicitor

PER:

SONOMA HOMES INC.

PER:

PER:

DATED this 25 day of NOV., 2019.

CITY OF HAMILTON

PER:

PER:

SONOMA HOMES INC.



PER:

PER:

SCHEDULE "A"

Legal Description of the Lands

Part of Lot 9, Concession 8, Township of Barton, Hamilton, being all of PIN 16920-0531 (LT) and PIN 16920-0200 (LT); and

Part of Lot 9, Concession 8, Township of Barton, Hamilton, being all of PIN 16920-0171 (LT).

SCHEDULE "B"

Authority: Item ,
Report (PED19XXX)
CM:
Ward: 7

Bill No.

CITY OF HAMILTON

BY-LAW NO. 20-163-LPAT

To Amend Zoning By-law No. 6593 Respecting Lands Located at 1518 and 1530 Upper Sherman Avenue

WHEREAS, the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap.14, Schedule. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

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

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

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

AND WHEREAS, this By-law is in conformity with the Urban Hamilton Official Plan.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Sheet No. E27b, E27c and E27d of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton) is amended, as follows:
 - a) By adding to the City of Hamilton Zoning By-law No. 6593 the lands the extent and boundaries of which are shown as 'Block 1' on a plan hereto annexed as Schedule "A";

- b) By establishing a "E-3/S-1793-H" (High Density Multiple Dwelling) District, Modified, Holding, to the lands the extent and boundaries of which are shown as 'Block 1' on a plan hereto annexed as Schedule "A";
- c) By changing the zoning from "AA/S-684" (Agricultural) to "E-3/S-1793-H" High Density Multiple Dwelling) District, Modified, Holding to the lands the extent and boundaries of which are shown as 'Block 2' on a plan hereto annexed as Schedule "A";
- d) By adding to the City of Hamilton Zoning By-law No. 6593 the lands the extent and boundaries of which are shown as 'Block 3' on a plan hereto annexed as Schedule "A";
- e) By establishing a "E-3/S-1793-H" (High Density Multiple Dwelling) District, Modified, Holding, to the lands the extent and boundaries of which are shown as 'Block 3' on a plan hereto annexed as Schedule "A";
- f) By changing the zoning from "AA/S-684" (Agricultural) to "E-3/S-1793-H" High Density Multiple Dwelling) District, Modified, Holding, to the lands the extent and boundaries of which are shown as 'Block 4' on a plan hereto annexed as Schedule "A";
- g) By changing the zoning from "AA" (Agricultural) District to "E-3/S-1793-H" (High Density Multiple Dwelling) District, Modified, Holding, to the lands the extent and boundaries of which are shown as 'Block 5' on a plan hereto annexed as Schedule "A";
- h) By changing the Zoning "C" (Urban Protected Residential, etc) District to "E-3/S-1793-H" (High Density Multiple Dwelling) District, Modified, Holding, to the lands the extent and boundaries of which are shown as 'Block 6' on a plan hereto annexed as Schedule "A"; and,
- i) By changing the zoning from "AA" (Agricultural) District to E-3/S-1793" (High Density Multiple Dwelling) District, Modified, to the lands the extent and boundaries of which are shown as 'Block 7' on a plan hereto annexed as Schedule "A".

Blocks 1 - 6

2. That the "E-3" (High Density Multiple Dwelling) District provisions are contained in Section 11C of Zoning By-law No. 6593, applicable to the subject lands (Blocks 1 - 6), be modified to include the following special requirements:
 - a) For the purposes of this By-law, the following provisions shall apply:
 - i) In addition to the definition of "Lot", and notwithstanding any future severance of the lands to accommodate a road, the lands zoned "E-3/S-1793-H" (High Density Multiple Dwelling) District, Modified shall be considered one lot.

- ii) The Front Lot Line shall be deemed to be Acadia Drive.
- iii) In addition to Section 11C, the roof top amenity area shall be located on the southerly side of the buildings.
- iv) In addition to 18A (12), a planting strip of not less than 6.0 metres in width, shall be provided and maintained along the northerly rear lot line adjoining a residential district or use, except where a road is located, in accordance with the definition of landscaped area.

Blocks 1 – 7

- a) That notwithstanding Section 2. (2) J. (xb), for the purposes of this By-law the following definition shall apply:

"Landscaped Area" shall mean an area of land provided and maintained on the same lot on which the building or structure is situated, no part of which shall be other than:

- i) fully and completely open and exposed to natural light and air and unobstructed above the surface, and may include landscaped area on the roof of a multiple dwelling,
- ii) used exclusively for scenic, recreational or like uses and approved retaining walls,
- iii) may contain a utility box or a walkway,
- iv) may contain a roof top shade structure, not exceeding 3.5 metres in height, covering 20% of the roof top, but not located adjacent to a "C" (Urban Protected Residential, Etc.) District, and
- v) not less than 50% of which shall be natural earth comprised of the natural planting of grass lawns, trees, shrubs, surface and roof-top planters and flowers in such manner as to establish and enhance the beautification of the landscaped area and any building or structure on the same lot, and will include all plantings strips

but shall not include area used for parking space, loading space, manoeuvring space, access or egress driveways or any other vehicular purpose of any kind, nor any area occupied by an accessory building.

- b) Notwithstanding Section 11C (5), there shall be provided and maintained on the lot and within the district, at least 40% of the area of the lot which it is situate, as landscaped area, in accordance with the amended definition of "Landscaped Area."

- c) Notwithstanding any provision in this By-law, an electric vehicle charging station is permitted within a Landscape Area, Planting Strip and / or a development setback.
- d) Notwithstanding Section 18A(7), every parking space, other than a parallel or barrier free parking space shall have dimensions not less than 2.7 metres in width and 6.0 metres in length, except that a maximum of 10% of the parking spaces provided within the underground structured parking shall have dimensions not less than 2.7 metres in width and 5.5 metres in length.

Blocks 1 and 2

- 3. That the "E-3/S-1793-H" (High Density Multiple Dwelling) District, Modified, Holding provisions as contained in Section 11C of Zoning By-law No. 6593 applicable to the subject lands (Blocks 1 and 2), be modified to include the following special requirements:
 - a) Notwithstanding Section 11C (1a) (a), the height of a building or structure shall not exceed six storeys or 25.3 metres in height.
 - b) Notwithstanding Section 11C (2) (a), a front yard having a depth of at least 3.2 metres shall be permitted.
 - c) Notwithstanding Section 11C (2) (b), a westerly side yard having a width of at least 5.6 metres shall be permitted.
 - d) Notwithstanding Section 11C 2 (b), an easterly side yard having a width of at least 4.9 metres to a road and at least 3.8 metres to a daylight triangle shall be permitted.
 - e) Notwithstanding Section 11C 2 (c), a rear yard having a depth of not less than 15.0 metres at the northwest corner, at a distance of not less than 22.4 metres from Acadia Drive for Floors 1 - 3 and increasing to a depth of not less than 46 metres at the northeast corner, at a distance of not less than 4.9 metres from a road. For Floors 4 – 6 a depth not less than 23 metres at the northwest corner, at a distance of not less than 24.9 metres from Acadia Drive and a depth of not less than 46 metres for Floors 4 – 6 at the northeast corner, shall be permitted.
 - f) Notwithstanding Section 11C (4) a gross floor area not exceeding 8,200.00 square metres shall be permitted.
 - g) In addition to Section 11C, a minimum amenity area of 12 square metres per unit shall be provided.
 - h) Notwithstanding Section 18A (1) (c) Table 3, one (1) loading space with a minimum size of 9.0 metres in length, 3.7 metres in width and 4.3 metres in height shall be provided.

- i) Notwithstanding Section 18A (1) (f), an aisle width of 0.0 metre shall be permitted for a maximum of two (2) tandem parking spaces.
- j) Notwithstanding Sections 18A (10) and 18A (22), a maximum of two (2) tandem parking spaces may be obstructed by another parking space and stacking of parking within the underground structured parking shall be permitted.

Blocks 3 – 6

- 4. That the "E-3/S-1793-H" (High Density Multiple Dwelling) District, Modified, Holding provisions as contained in Section 11C of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following special requirements:
 - a) That in addition to Section 2. (2) J. (ix), for the purposes of this By-law the following shall not be included in the determination of the building height:
 - i) furniture storage area and washrooms located within a mechanical penthouse, not exceeding 300 square metres per building and not exceeding a total of 600 square metres; and,
 - ii) vestibule connected and providing access to the elevator bulkhead and mechanical penthouse.
 - b) Notwithstanding Section 11C (1a) (a), the height of a building or structure shall not exceed seven storeys or 28 metres in height.
 - c) Notwithstanding Section 11C (2) (a), a front yard having a depth of at least 2.0 metres shall be permitted.
 - d) Notwithstanding Section 11C (2) (b), a westerly side yard having a width of at least 1.5 metres shall be permitted.
 - e) Notwithstanding Section 11C 2 (b), an easterly side yard having a width of at least 3.0 metres to a road and at least 0.0 metres to a daylight triangle shall be permitted.
 - f) Notwithstanding Section 11C 2 (c), a rear yard measured parallel to the rear lot line having a depth of not less than 22.5 metres for Floors 1 – 3, not less than 32 metres for Floors 4 - 5 and not less than 41 metres for Floors 6 – 7 shall be permitted.
 - g) Notwithstanding Section 11C (4), a gross floor area not exceeding 24,278.00 square metres shall be provided.
 - h) In addition to Section 11C, a minimum amenity area of 20 square metres per unit shall be permitted.
 - i) Notwithstanding Section 18 (3) (vi) (cc) (ii), a bay, balcony or dormer may project into a required rear yard not more than 4.8 metres for Floor 7.

- j) Notwithstanding Section 18A (1) (c) Table 3, one (1) loading space with a minimum size of 18.0 metres in length, 3.7 metres in width and 4.3 metres in height shall be provided.
- k) Notwithstanding Section 18A (1) (f), an aisle width of 0.0 metre shall be permitted for a maximum of four (4) tandem parking spaces.
- l) Notwithstanding Sections 18A (10) and 18A (22), a maximum of four (4) tandem parking spaces shall be obstructed by another parking space and stacking of parking within the underground structured parking shall be permitted.

Block 7

- 5. That the "E-3/S-1793" (High Density Multiple Dwelling) District, Modified provisions as contained in Section 11C of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following special requirements:
 - a) The Front Lot Line shall be deemed to be Upper Sherman Avenue.
 - b) In addition to the Commercial Uses in Section 11C (1), the permitted Commercial Uses in Section 15B (3) (b) "CR-1," "CR-2" & "CR-3" (Commercial-Residential) Districts, save and except for a theatre and a medical office
 - c) In addition to Section 11C, commercial uses shall only be permitted on the ground floor of a multiple dwelling.
 - d) Notwithstanding any provision of Section 11C the maximum commercial gross floor area shall be 540 square metres, but in no case shall an individual commercial unit exceed 500 square metres, except for a restaurant which shall not exceed 250 square metres.
 - e) Notwithstanding Section 11C (1a) (a), the height a building or structure shall not exceed eight storeys or 30.1 metres.
 - f) Notwithstanding Section 11C (2) (a), a front yard having a depth of at least 5.0 metres for Floors 1 – 6, a depth of at least 6.4 metres for Floors 7 and 8, and 0.0 metres to a daylight triangle shall be permitted.
 - g) Notwithstanding Section 11C (2) (b), a northerly side yard having a width of at least 3.0 metres and 0.0 metres to a daylight triangle shall be permitted.
 - h) Notwithstanding Section 11C 2 (b), a southerly side yard having a width of at least 13.0 metres for Floors 1 – 3, at least 18.4 metres for Floors 4 – 5, at least 24 metres for Floor 6 and at least 35 metres for Floors 7 – 8 shall be permitted.
 - i) Notwithstanding Section 11C 2 (c), a rear yard having a depth of at least 3.2 metres shall be permitted.

- j) Notwithstanding Section 11C (4), a gross floor area not exceeding 11,050.00 square metres shall be permitted.
 - k) In addition to Section 11C, a minimum amenity area of 10 square metres per unit shall be provided.
 - l) Notwithstanding Section 18 (3) (vi) (b) (iii) a canopy, cornice, eave or gutter may project into a required side yard not more than 1.5 metres.
 - m) Notwithstanding Section 18A (1) (c) Table 3, one (1) loading space with a minimum size of 9.0 metres in length, 3.7 metres in width and 4.3 metres in height shall be provided.
 - n) Notwithstanding Section 18A (1) (f), an aisle width of 0.0 metre shall be permitted for a maximum of three (3) tandem parking spaces;
 - o) Notwithstanding Sections 18A (10) and 18A (22), a maximum of three (3) tandem parking spaces may be obstructed by another parking space and stacking of parking within the underground structured parking shall be permitted;
 - p) Notwithstanding Sections 18A (1), Table 1, Table 2 and Section 18A (16), resident, visitor parking and commercial parking shall be combined and provided at a rate of 1.5 parking spaces / residential unit.
6. That the 'H' symbol applicable to the lands referred to in Section 1 of this By-law shall be removed conditional upon:
- a) The holding provision "E-3/S-1793-H" (High Density Multiple Dwelling) District, Modified, Holding applicable to Blocks 1 – 6 on Schedule A be removed conditional upon:
 - i) The owner shall Register a Plan of Subdivision to facilitate a public road extension of Cartier Crescent;
 - ii) That the owner provide a Letter of Credit in the amount of \$15,000 for a Traffic Calming Monitoring program, and a Letter of Credit in the amount of \$40,000 for any future Traffic Calming measures resulting from the monitoring program;
 - iii) That the owner submit and receive approval of a landscape plan within the 6 metre planting strip along the northerly rear yard, substantially in accordance with the landscape plan attached as Schedule D to the Minutes of Settlement entered into with respect to the subject lands dated November 27, 2019.
7. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used,

except in accordance with the "E-3" District provision, subject to the special requirements in Sections 2, 3, 4, 5 and 6 of this By-law.

8. That Sheet No. E27b, E27c and E27d of the District maps be amended by making the lands referred to in Section 1 of this By-law as "E-3/S-1793-H" (High Density Multiple Dwelling) District, Modified, Holding, and "E-3/S-1793" (High Density Multiple Dwelling) District, Modified.
9. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Local Planning Appeal Tribunal Act*.

PASSED this _____, 2019

F. Eisenberger
Mayor

Andrea Holland
City Clerk



This is Schedule "A" to By-law No. 19-

Passed the day of, 2019

Mayor

Clerk


Schedule "A"


Map Forming Part of
By-law No. 19-_____


to Amend By-law No. 6593
Map 1397 & 1448


Subject Property


1518, 1530 & 1540 Upper Sherman Avenue


 Block 1 - Lands to be added to zoning By-law No. 6593 and zoned to "E-3/S-1793-H" (High Density Multiple Dwelling) District, Modified, Holding


 Block 2 - Change in Zoning from "AA/S-684" (Agricultural) District to "E-3/S-1793-H" (High Density Multiple Dwelling) District, Modified, Holding

 Block 3 - Lands to be added to zoning By-law No. 6593 and zoned to "E-3/S-1793-H" (High Density Multiple Dwelling) District, Modified, Holding

 Block 4 - Change in Zoning from "AA/S-684" (Agricultural) District to "E-3/S-1793-H" (High Density Multiple Dwelling) District, Modified, Holding

 Block 5 - Change in Zoning from "AA" (Agricultural) District to "E-1/S-1793-H" (High Density Multiple Dwelling) District, Modified, Holding

 Block 6 - Change in Zoning from "C" (Urban Protected Residential, etc.) District to "E-1/S-1793-H" (High Density Multiple Dwelling) District, Modified, Holding

 Block 7 - Change in Zoning from "AA" (Agricultural) District to "E-1/S-1793" (High Density Multiple Dwelling) District, Modified

Scale:

N.T.S.

File Name/Number:

ZAC-17-078 & UHOPA-17-35

Date:

Sept.23, 2019

Planner/Technician:

JR/NB



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

SCHEDULE "C"

Drawings are not to be scaled.

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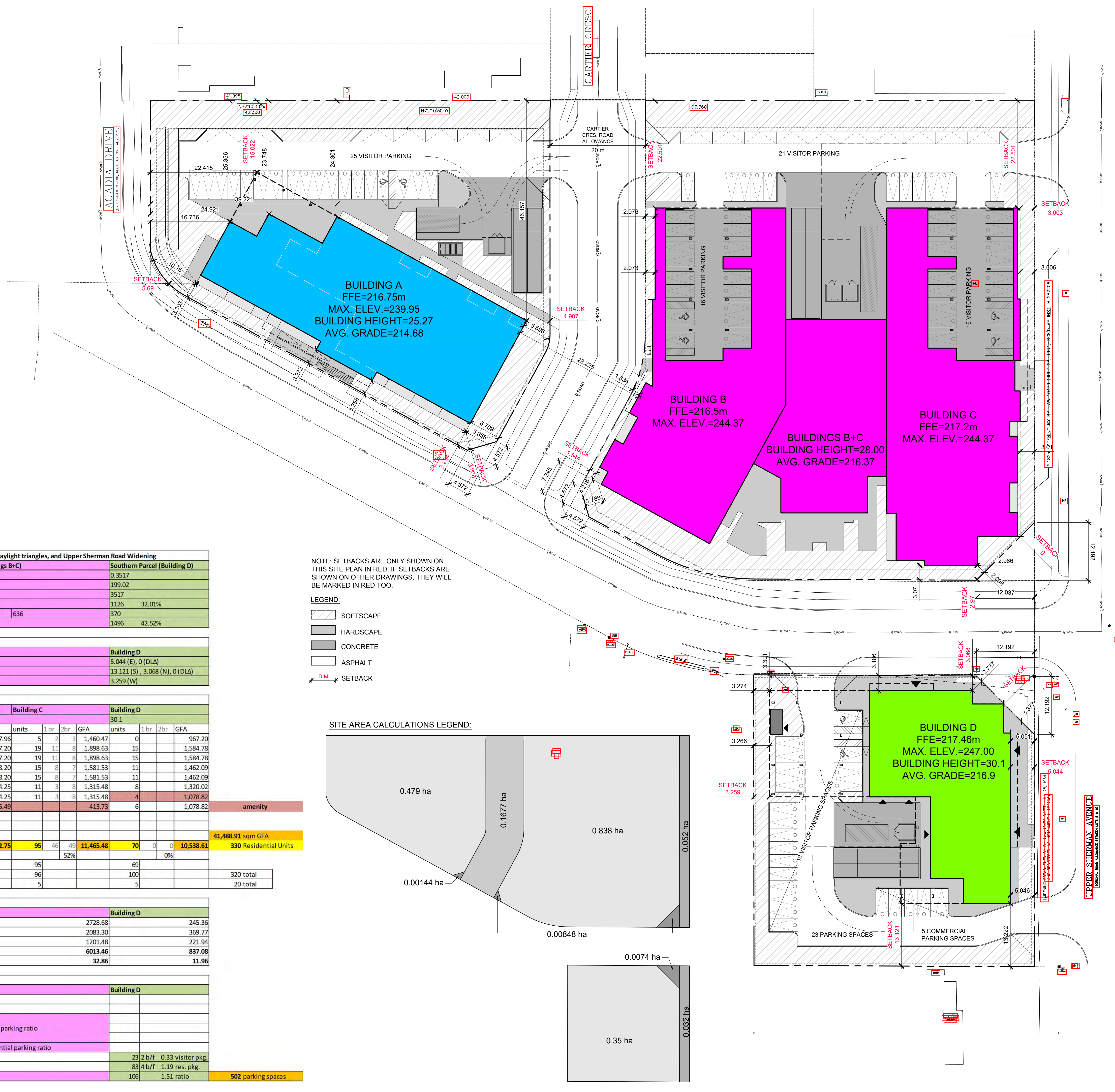
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This drawing is not to be used for construction until countersigned.
 Date:

Seals

NOT FOR CONSTRUCTION

Key Plan



Site Statistics excluding areas of Cartier Cres. Road allowance, daylight triangles, and Upper Sherman Road Widening			
	North-Western Parcel (Building A)	North-Eastern Parcel (Buildings B+C)	Southern Parcel (Building D)
Site Area (ha)	0.4792	0.8378	0.3517
Density	160.70	218.43	199.02
Site Area (sqm)	4792	8378	3517
Grade Landscape Area	3825 38.08%	2002 23.90%	1126 32.01%
Roof Landscape Area	277	1659	636
Landscape Total	2102 43.87%	4297 51.29%	1496 42.52%

Setback Information			
	Building A	Buildings B + C	Building D
Front Yard	3.234 (S)	2.97 (S), 0 (DLA)	5.044 (E), 0 (DLA)
Side Yard	5.69 (W), 4.907 (E), 3.8 (DLA)	3.003 (E), 1.544 (W), 0 (DLA)	13.121 (S), 3.068 (N), 0 (DLA)
Rear Yard	15.022 (N)	22.501 (N)	3.259 (W)

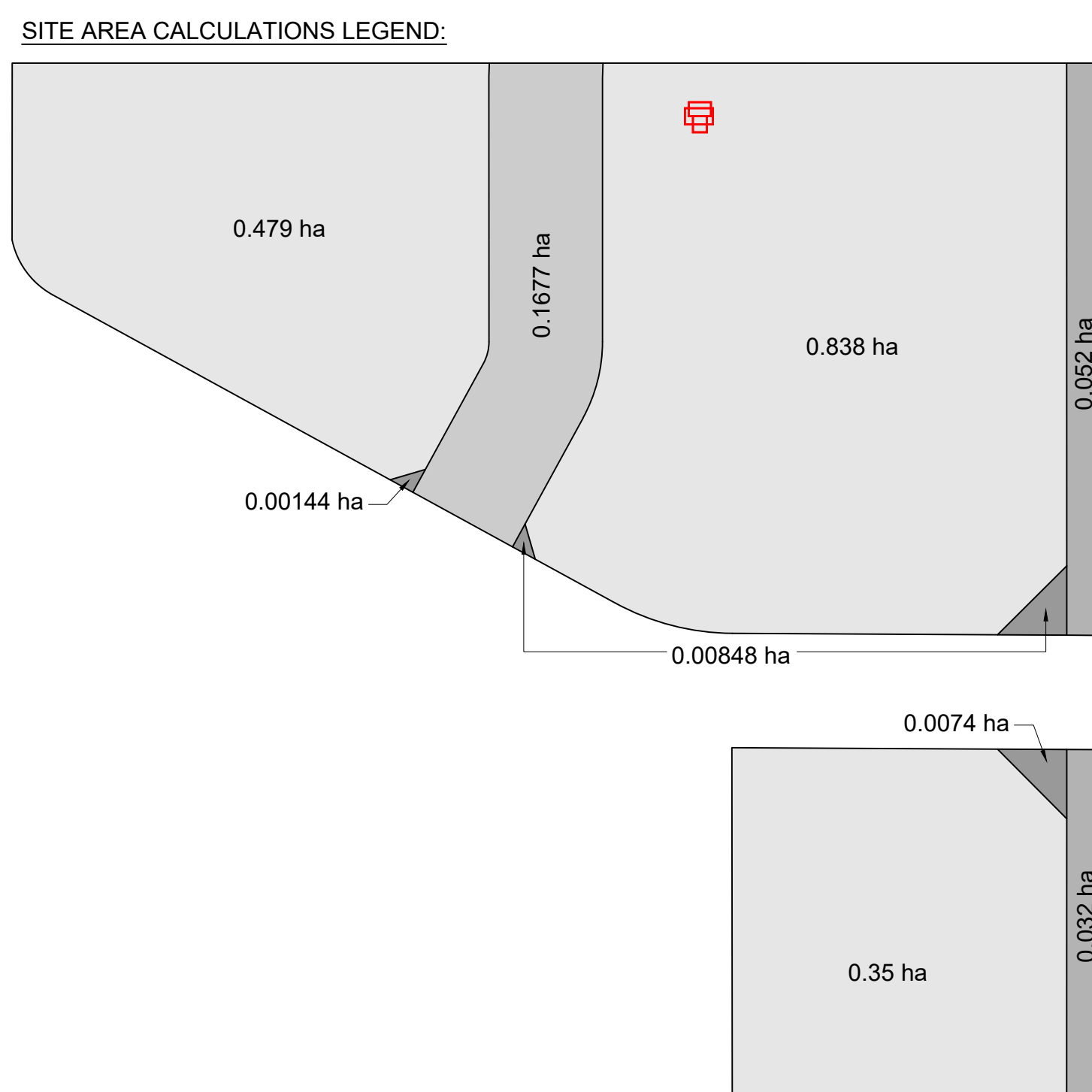
Building Statistics																
Building Height	Building A				Building B				Building C				Building D			
	units	1br	2br	GFA	units	1br	2br	GFA	units	1br	2br	GFA	units	1br	2br	GFA
Level 1	9	7	2	1,458.83	4	3	1	2,197.96	5	2	3	1,460.47	0			967.20
Level 2	17	12	5	1,475.76	18	12	6	1,787.20	19	11	8	1,898.63	15			1,584.78
Level 3	17	12	5	1,475.76	18	12	6	1,787.20	19	11	8	1,898.63	15			1,584.78
Level 4	13	10	3	1,140.62	13	7	6	1,458.20	15	8	7	1,581.53	11			1,462.09
Level 5	13	10	3	1,140.62	13	7	6	1,458.20	15	8	7	1,581.53	11			1,462.09
Level 6	8			990.49	11	5	6	1,294.25	11	3	8	1,315.48	8			1,320.02
Level 7					11	5	6	1,294.25	11	3	8	1,315.48	4			1,078.82
Level 8								525.49				413.73	6			1,078.82
Level 9																
Level 10																
Level 11																
	77	51	18	7,682.08	88	51	37	11,802.75	95	46	49	11,465.48	70	0	0	10,538.61
				23%				42%				52%				0%
storage lockers	69				86			95				69				320 total
indoor bike strg	36				88			96				100				320 total
short term bike strg	5				5			5				5				20 total

Amenity Area Calculations			
	Building A	Buildings B + C	Building D
balcony area	992.75		2728.68
outdoor amenity	212.24		2083.30
indoor amenity	241.94		1201.48
total amenity	1446.93		6013.46
amenity / unit	18.79		32.86

Parking Calculations			
	Building A	Buildings B + C	Building D
on-grade W	25 2 b/f 0.32 visit. pkg.		
Basement W	107 5 b/f 1.39 res. pkg.		
on-grade E		21	
Below B		16 2b/f	0.29 visitor parking ratio
Below C		16 2 b/f	
Basement E		211 8 b/f	1.15 residential parking ratio
on-grade D			23 2 b/f 0.33 visitor pkg.
Basement D			83 4 b/f 1.19 res. pkg.
	132 1.71 ratio	264 1.44 ratio	106 1.51 ratio

NOTE: SETBACKS ARE ONLY SHOWN ON THIS SITE PLAN IN RED. IF SETBACKS ARE SHOWN ON OTHER DRAWINGS, THEY WILL BE MARKED IN RED TOO.

- LEGEND:
- SOFTSCAPE
 - HARDSCAPE
 - CONCRETE
 - ASPHALT
 - SETBACK

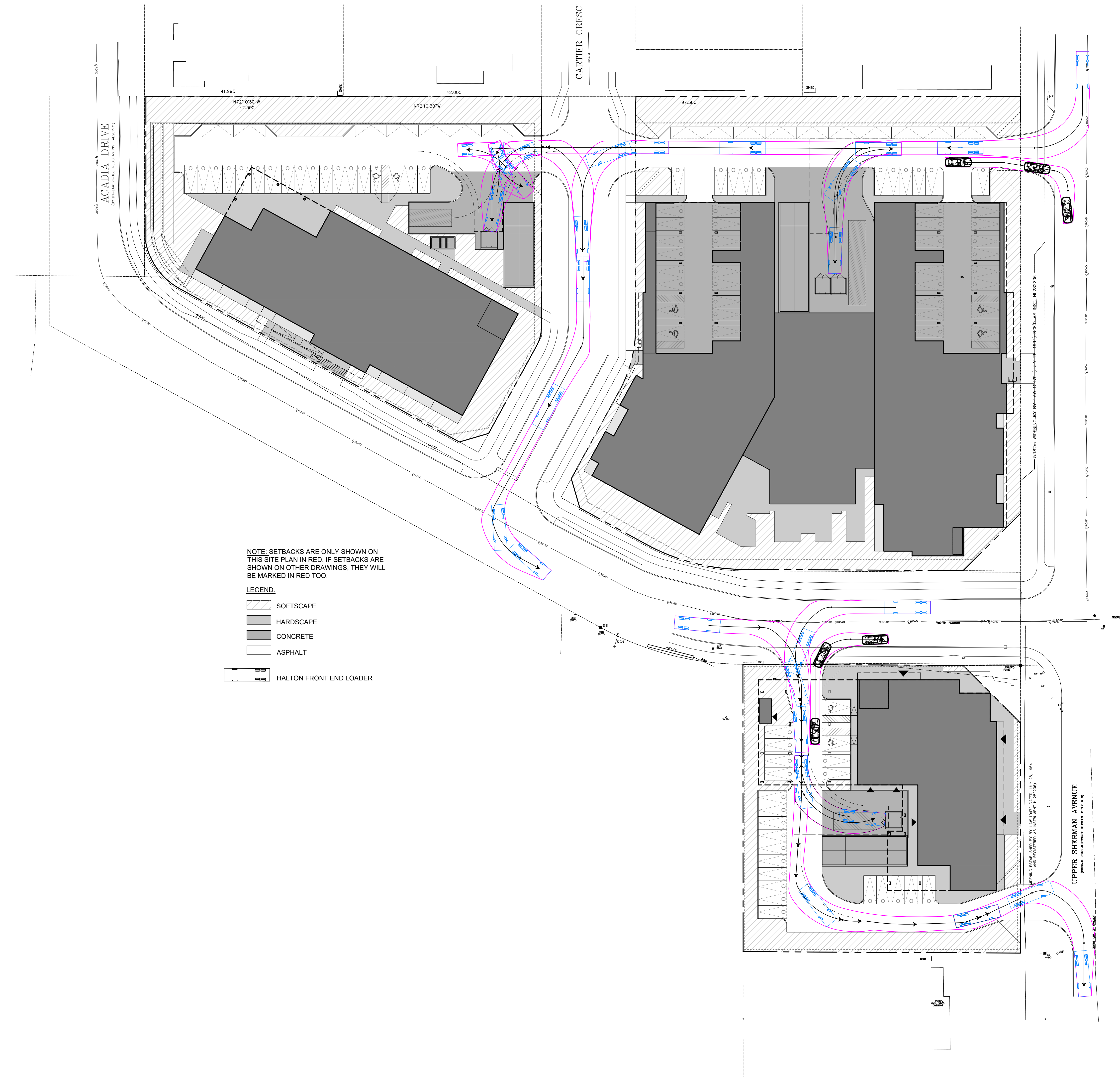


No.	Issues/Revisions	Date
	final rezoning drawings - without prejudice	2019/11/04
	final rezoning drawings-without prejudice-R1	2019/10/22
	final rezoning drawings - without prejudice	2019/09/10
	rezoning revisions 3	2019/08/26
	rezoning revisions 2	2019/07/12
	rezoning revisions	2019/06/13
	issued for rezoning application	2019/05/24

Drawing Title:

Overall Site Plan

Issue Date:	2019-11-04
Drawn by:	Checked by:
Project No.:	11645
Scale:	1:400



NOTE: SETBACKS ARE ONLY SHOWN ON THIS SITE PLAN IN RED. IF SETBACKS ARE SHOWN ON OTHER DRAWINGS, THEY WILL BE MARKED IN RED TOO.

LEGEND:

- SOFTSCAPE
- HARDSCAPE
- CONCRETE
- ASPHALT
- HALTON FRONT END LOADER

Drawings are not to be scaled.
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Seals

NOT FOR CONSTRUCTION



final rezoning drawings - without prejudice	2019/11/04
final rezoning drawings - without prejudice	2019/09/10
rezoning revisions 2	2019/07/12
No. Issues/Revisions	Date

Drawing Title:
Garbage Truck Turning Plan

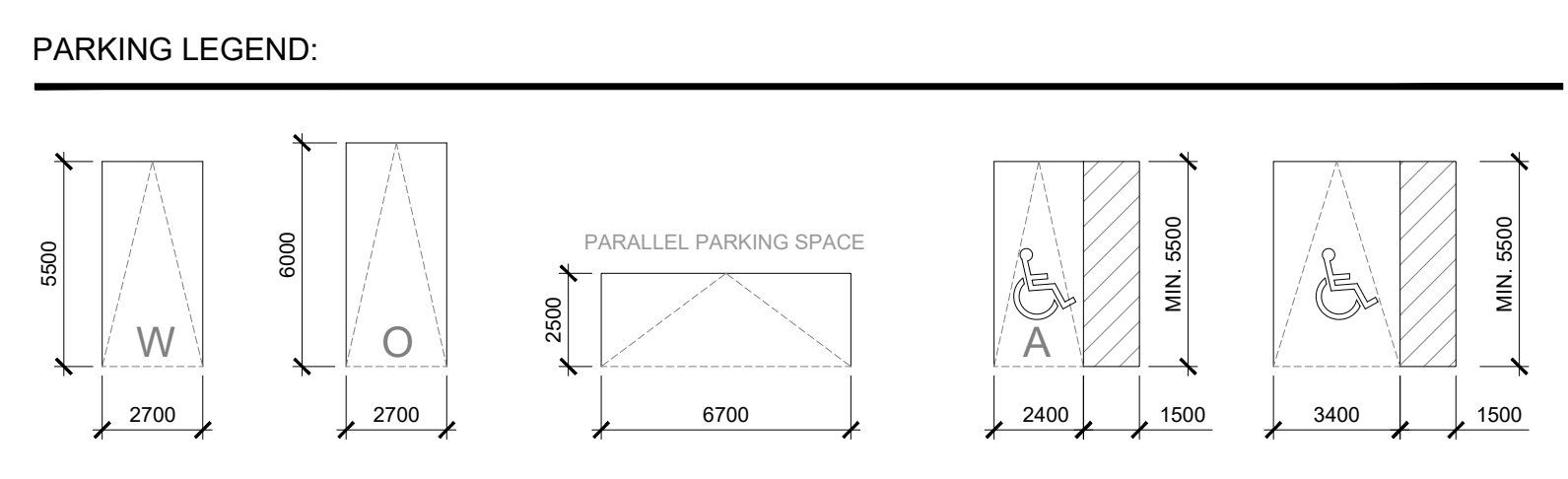
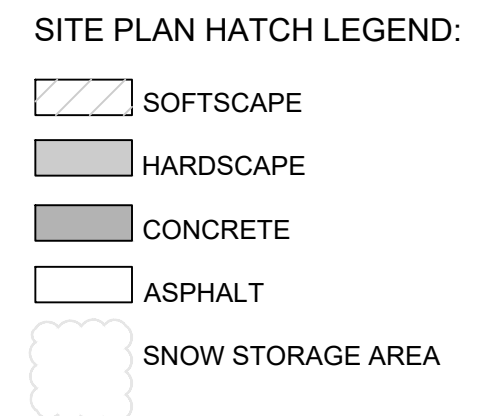
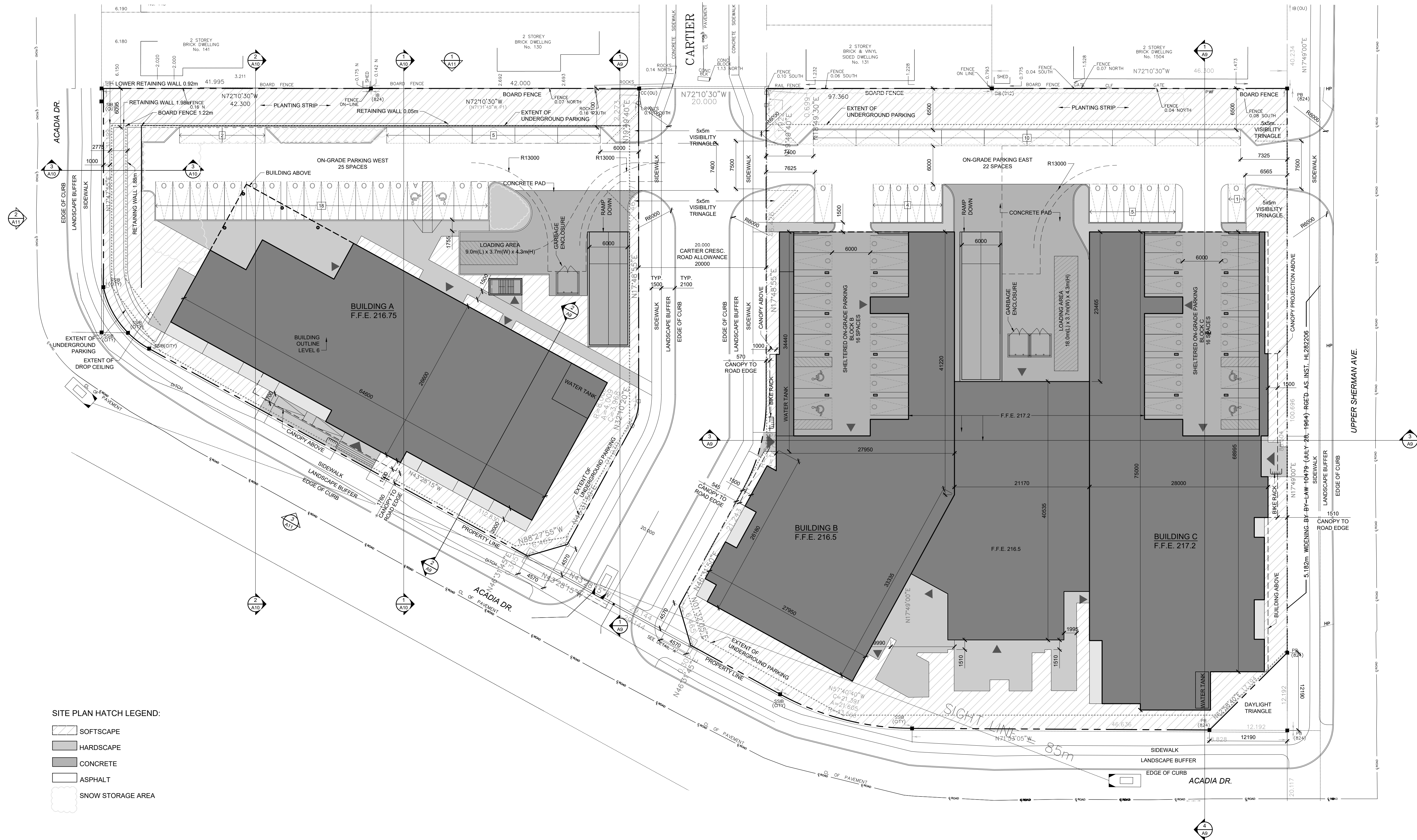
Issue Date: 2019-11-04
 Drawn by: _____ Checked by: _____
 Project No.: 11645 Scale: 1:400

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Date:

Seals

NOT FOR CONSTRUCTION

Key Plan



final rezoning drawings - without prejudice	2019/11/04
final rezoning drawings - without prejudice	2019/09/10
rezoning revisions 3	2019/08/26
rezoning revisions 2	2019/07/12
rezoning revisions	2019/06/13
issued for rezoning application	2019/05/24
No. Issues/Revisions	Date

Drawing Title:

NORTHERN PARCEL SITE PLAN

Issue Date: 2019-11-04

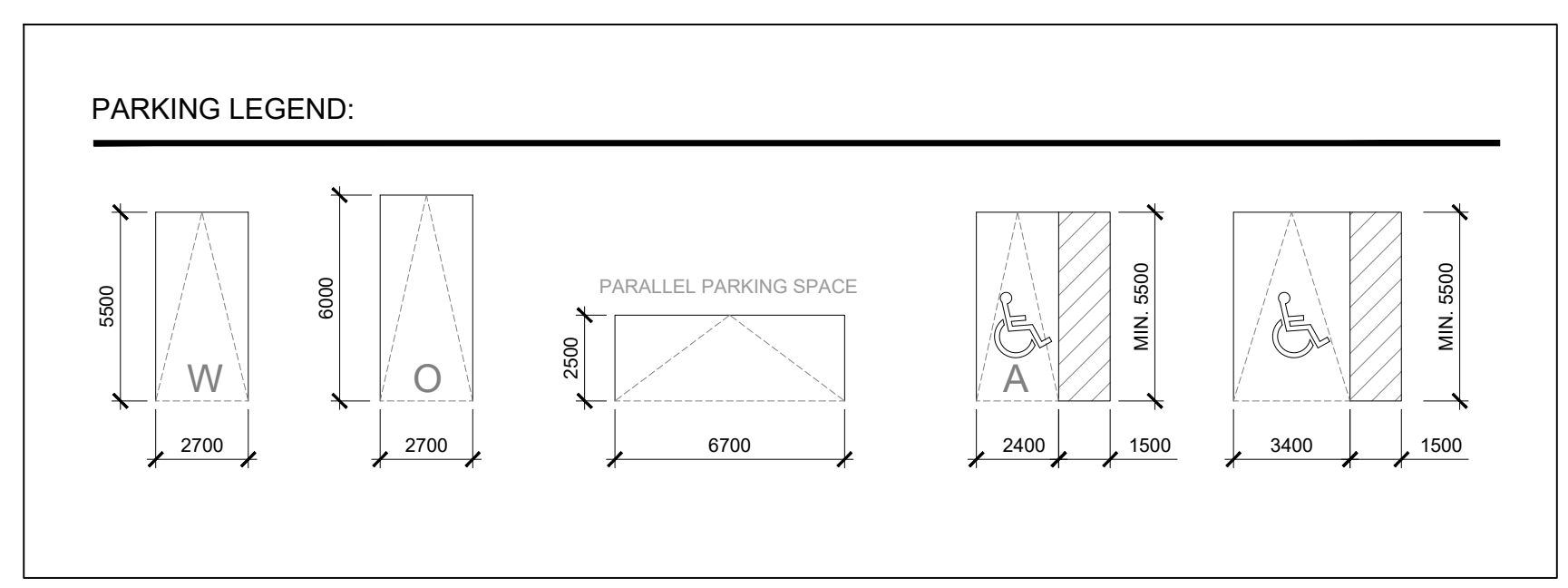
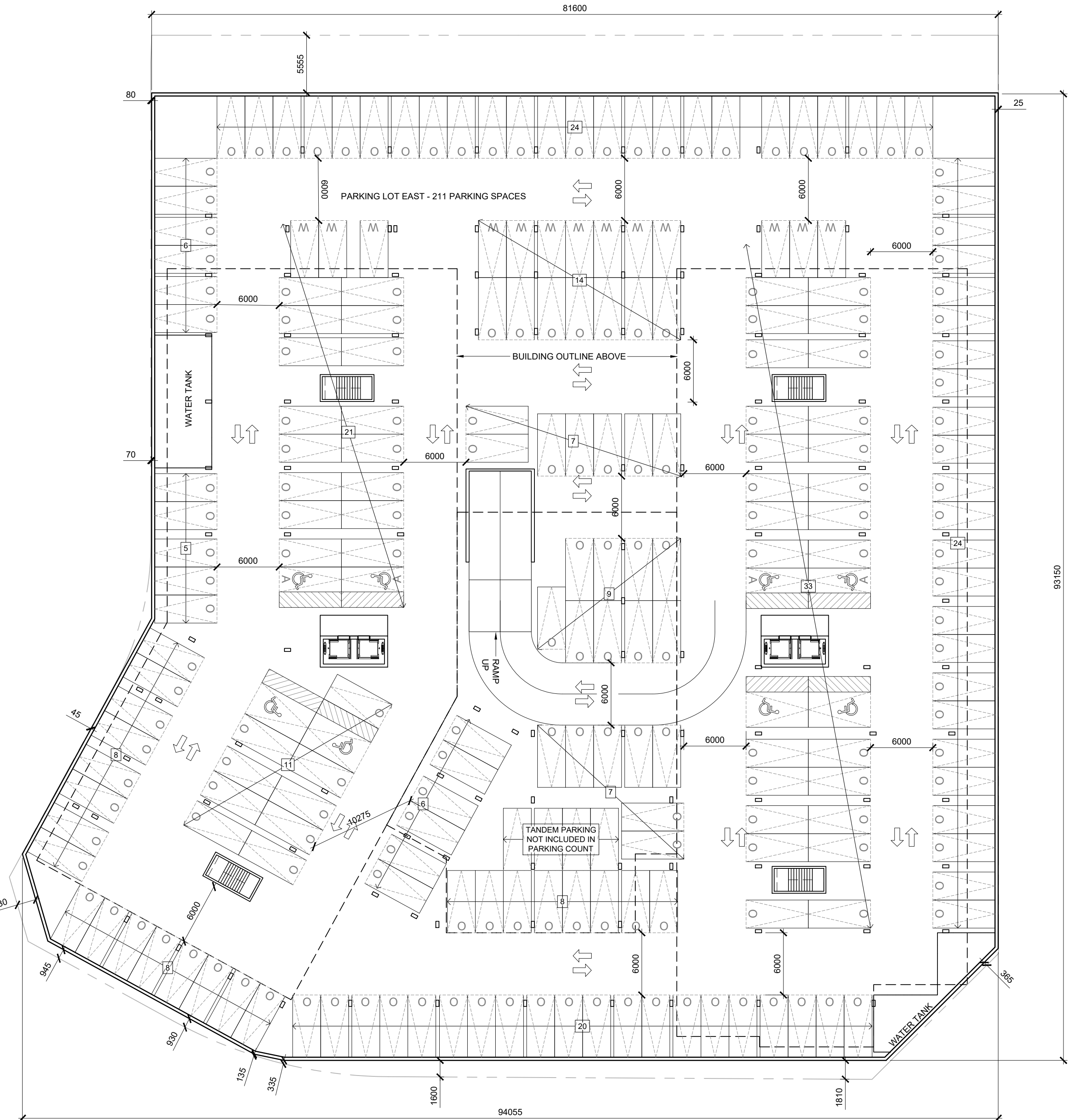
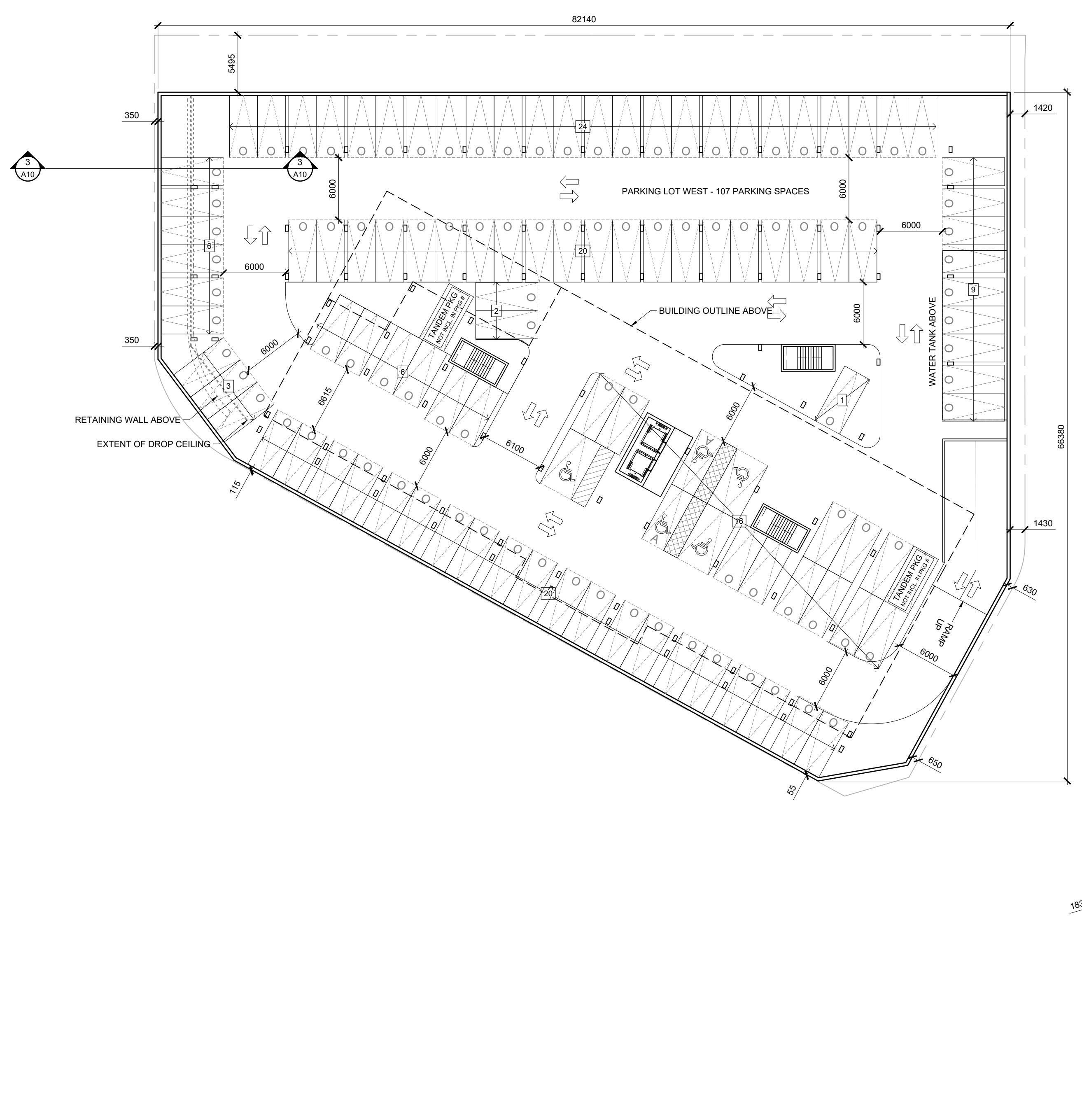
Drawn by: Checked by:

Project No.: 11645 Scale: 1:300

Drawing No.:

Drawings are not to be scaled.
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Date:

Seals
NOT FOR CONSTRUCTION



final rezoning drawings - without prejudice	2019/11/04
final rezoning drawings - without prejudice	2019/09/10
rezoning revisions 3	2019/08/26
rezoning revisions 2	2019/07/12
rezoning revisions	2019/06/13
issued for rezoning application	2019/05/24
No. Issues/Revisions	Date

Drawing Title:
**NORTHERN PARCEL
BASEMENT PARKING LEVEL
FLOOR PLAN**

Issue Date: 2019-11-04
Drawn by: _____ Checked by: _____
Project No.: 11645 Scale: 1:300

Drawings are not to be scaled.

Contractor must verify all dimensions on the job and report any discrepancy to architects before proceeding with the work.

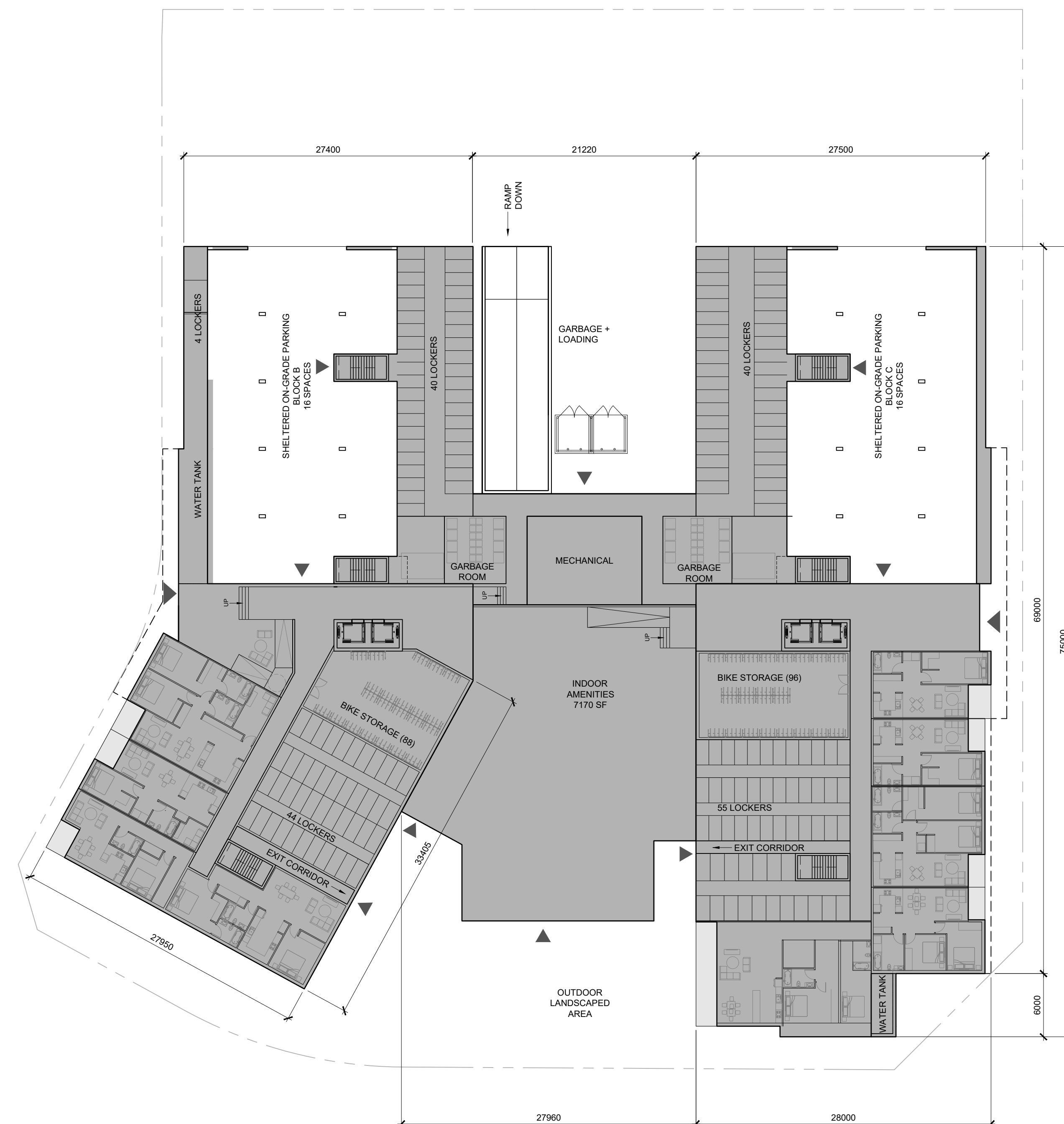
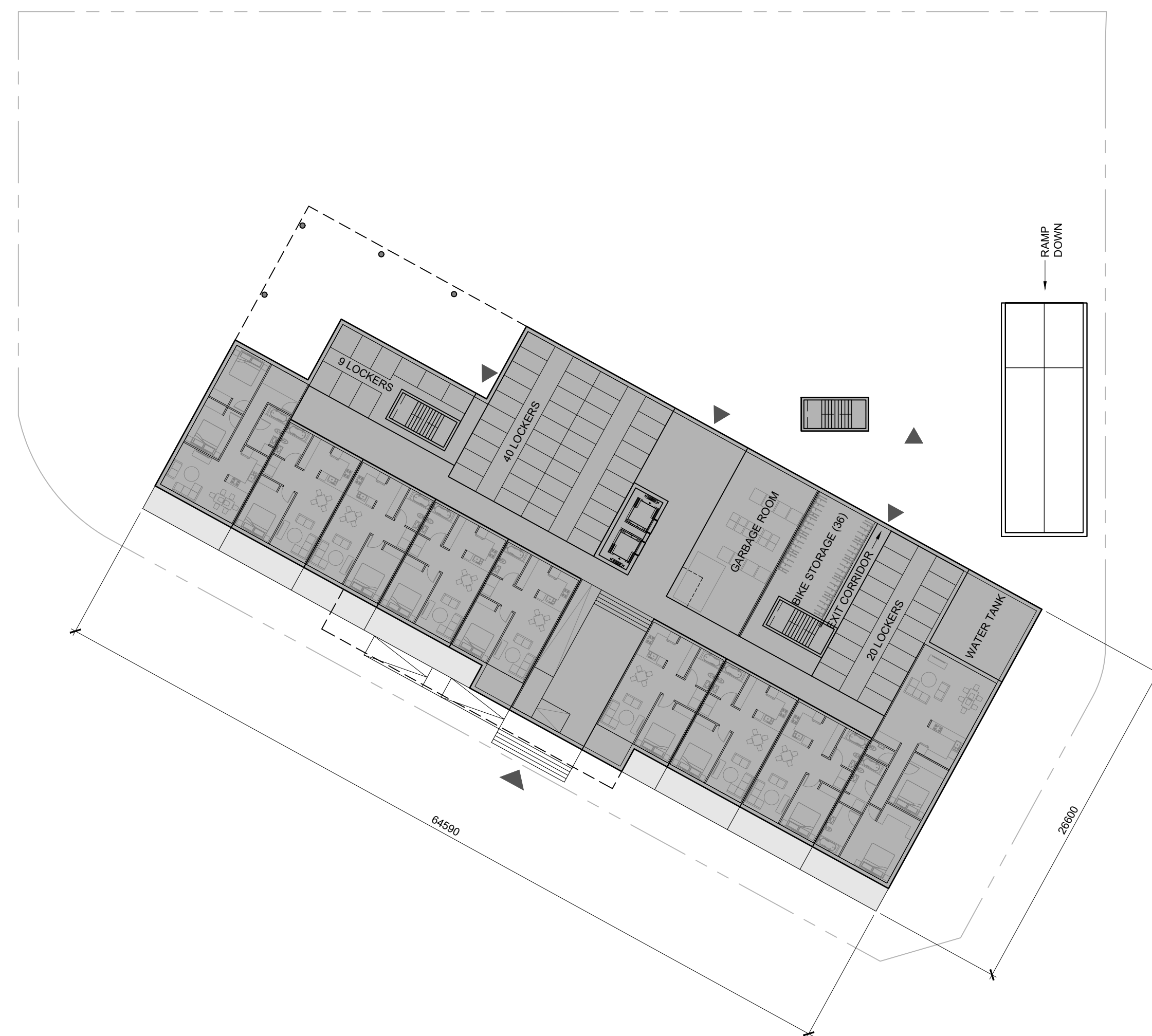
All drawings and specifications are the property of the architect and must be returned at the completion of the work.

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Seals

NOT FOR CONSTRUCTION

Key Plan



final rezoning drawings - without prejudice	2019/11/04
final rezoning drawings - without prejudice	2019/09/10
rezoning revisions 3	2019/08/26
rezoning revisions 2	2019/07/12
rezoning revisions	2019/06/13
issued for rezoning application	2019/05/24

No. Issues/Revisions Date

Drawing Title:

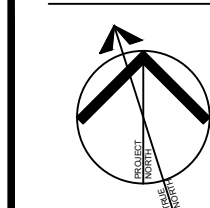
NORTHERN PARCEL
GROUND LEVEL
FLOOR PLAN

Issue Date: 2019-11-04

Drawn by: Checked by:

Project No.: 11645 Scale: 1:300

Drawing No.:



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Seals

NOT FOR CONSTRUCTION

Key Plan



final rezoning drawings - without prejudice	2019/11/04
final rezoning drawings - without prejudice	2019/09/10
rezoning revisions 3	2019/08/26
issued for rezoning application	2019/05/24

No.	Issues/Revisions	Date
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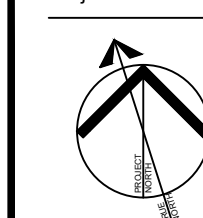
Drawing Title:

**NORTHERN PARCEL
LEVELS 2 AND 3
FLOOR PLAN**

Issue Date: 2019-11-04

Drawn by: Checked by:

Project No.: 11645 Scale: 1:300



Drawing No.:

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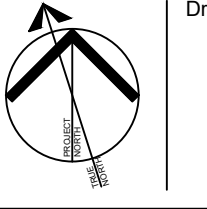
Seals
NOT FOR CONSTRUCTION



final rezoning drawings - without prejudice	2019/11/04	
final rezoning drawings - without prejudice	2019/09/10	
rezoning revisions 3	2019/08/26	
issued for rezoning application	2019/05/24	
No.	Issues/Revisions	Date

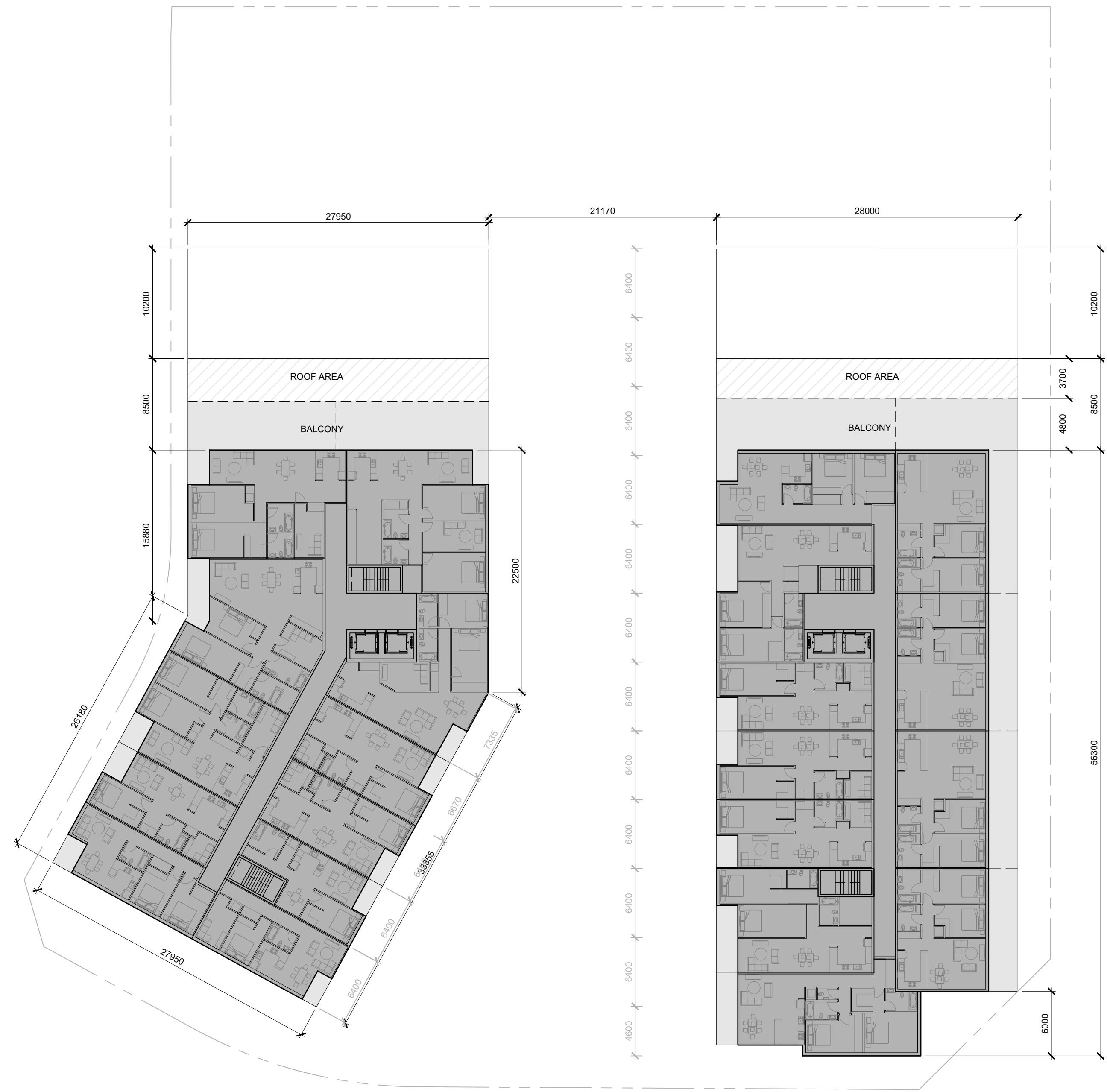
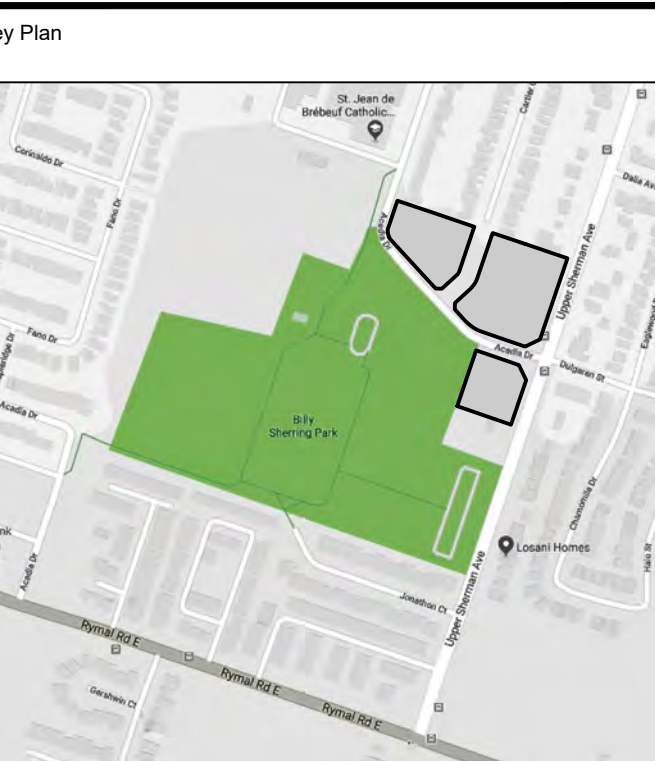
Drawing Title:
**NORTHERN PARCEL
 LEVELS 4 AND 5
 FLOOR PLAN**

Issue Date: 2019-11-04
 Drawn by: Checked by:
 Project No.: 11645 Scale: 1:300



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This drawing is not to be used for construction until countersigned. Date:

Seals
NOT FOR CONSTRUCTION



final rezoning drawings - without prejudice	2019/11/04
final rezoning drawings - without prejudice	2019/09/10
rezoning revisions 3	2019/08/26
issued for rezoning application	2019/05/24

No. Issues/Revisions Date
Drawing Title:
NORTHERN PARCEL
LEVEL 6
FLOOR PLAN

Issue Date: 2019-11-04
Drawn by: _____ Checked by: _____
Project No.: 11645 Scale: 1:300



SONOMA HOMES
UPPER SHERMAN AND ACADIA
HOUSING COMPLEX

1518 & 1540 UPPER SHERMAN AVE RESIDENTIAL COMPLEX
HAMILTON, ONTARIO, L8Z 1C5, CANADA



905-522-0220
info@dpai.ca
25 main st w, suite 1800
hamilton, ON L8P 1H1

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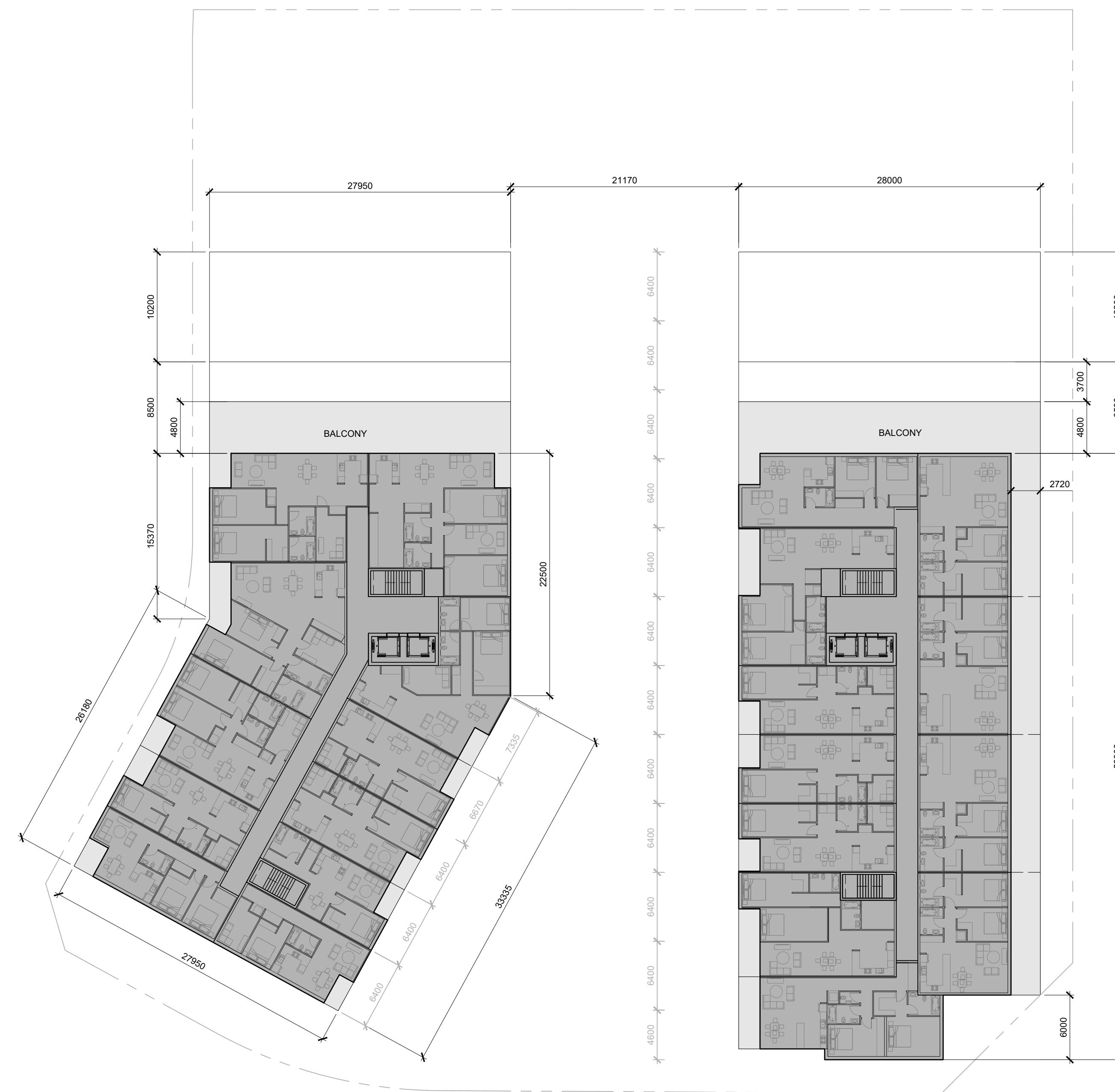
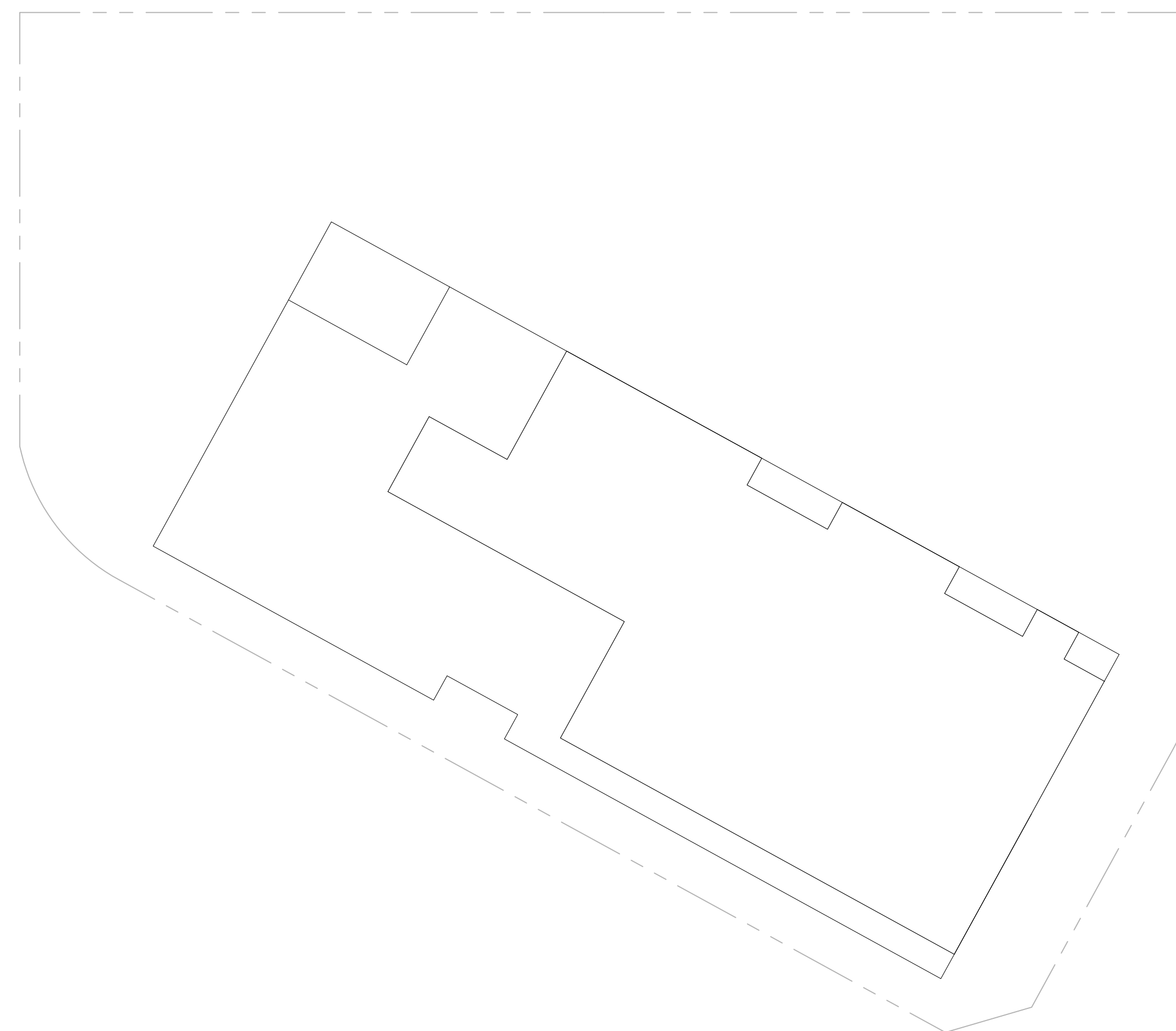
All drawings and specifications are the property of the architect and must be returned at the completion of the work.

This drawing is not to be used for construction until countersigned. Date:

Seals

NOT FOR CONSTRUCTION

Key Plan



final rezoning drawings - without prejudice	2019/11/04
final rezoning drawings - without prejudice	2019/09/10
rezoning revisions 3	2019/08/26
issued for rezoning application	2019/05/24

No. Issues/Revisions Date

Drawing Title:

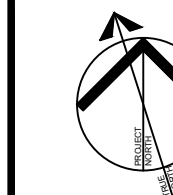
NORTHERN PARCEL
LEVEL 7
FLOOR PLAN

Issue Date: 2019-11-04

Drawn by: Checked by:

Project No.: 11645 Scale: 1:300

Drawing No.:



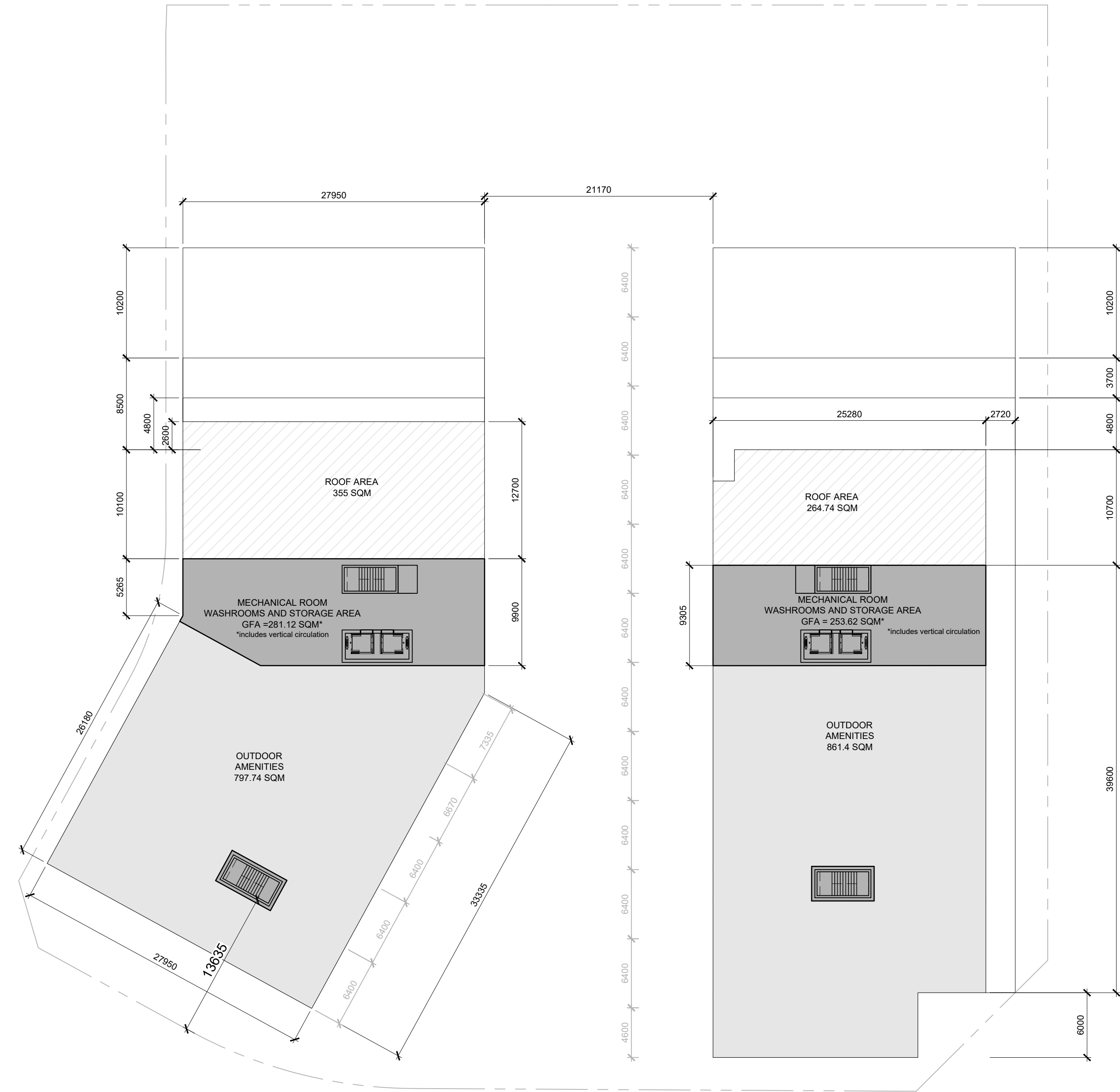
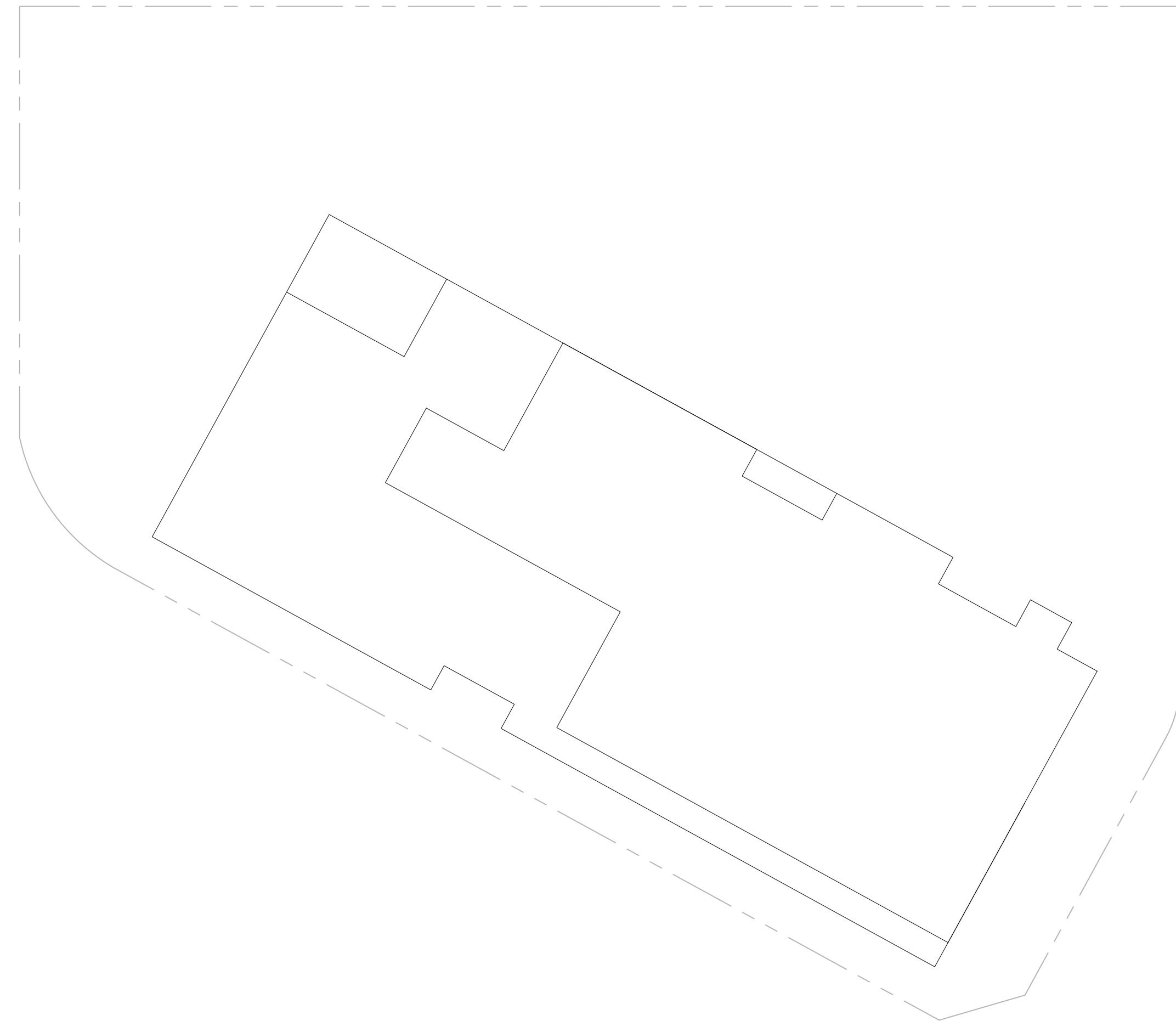
A7

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Seals

NOT FOR CONSTRUCTION

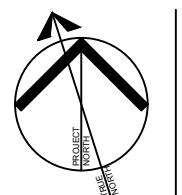
Key Plan



final rezoning drawings - without prejudice	2019/11/04
final rezoning drawings - without prejudice	2019/09/10
rezoning revisions 3	2019/08/26
issued for rezoning application	2019/05/24

No. Issues/Revisions Date
Drawing Title:
**NORTHERN PARCEL
ROOF TOP AMENITY / LEVEL 8
FLOOR PLAN**

Issue Date: 2019-11-04
Drawn by: Checked by:
Project No.: 11645 Scale: 1:300



Drawing No.:

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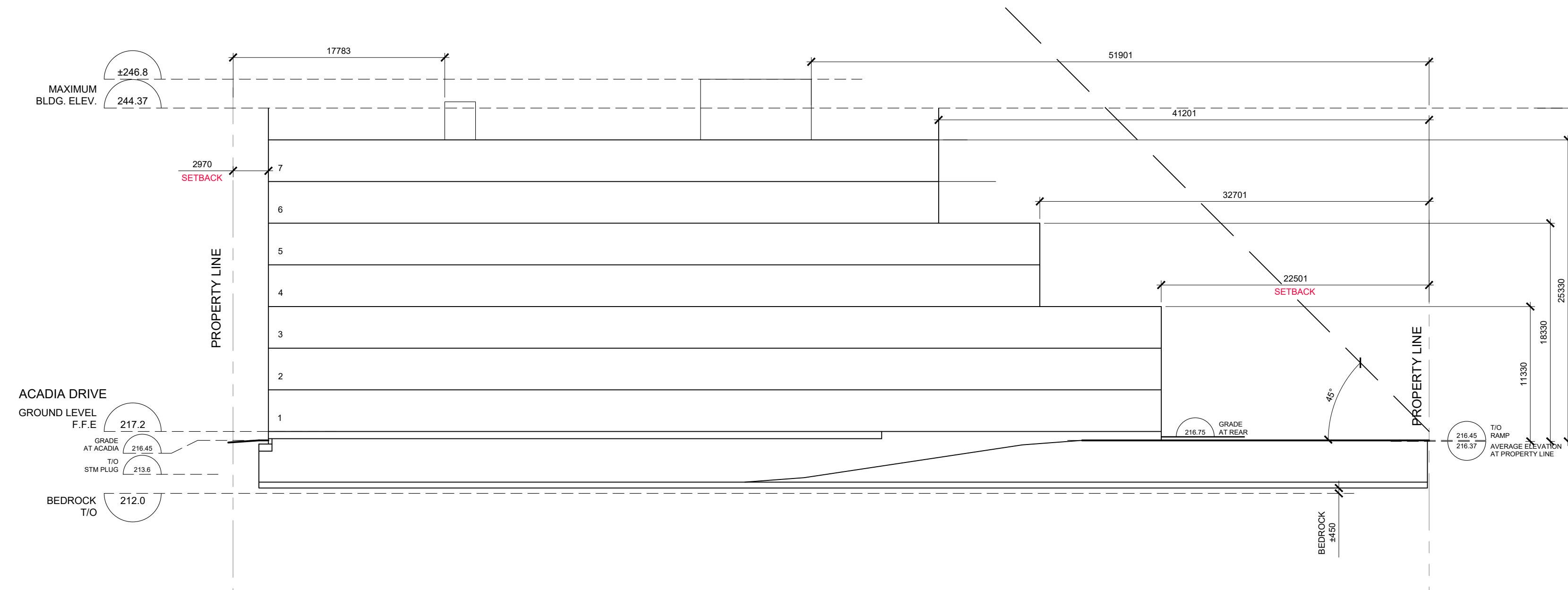
All drawings and specifications are the property of the architect and must be returned at the completion of the work.

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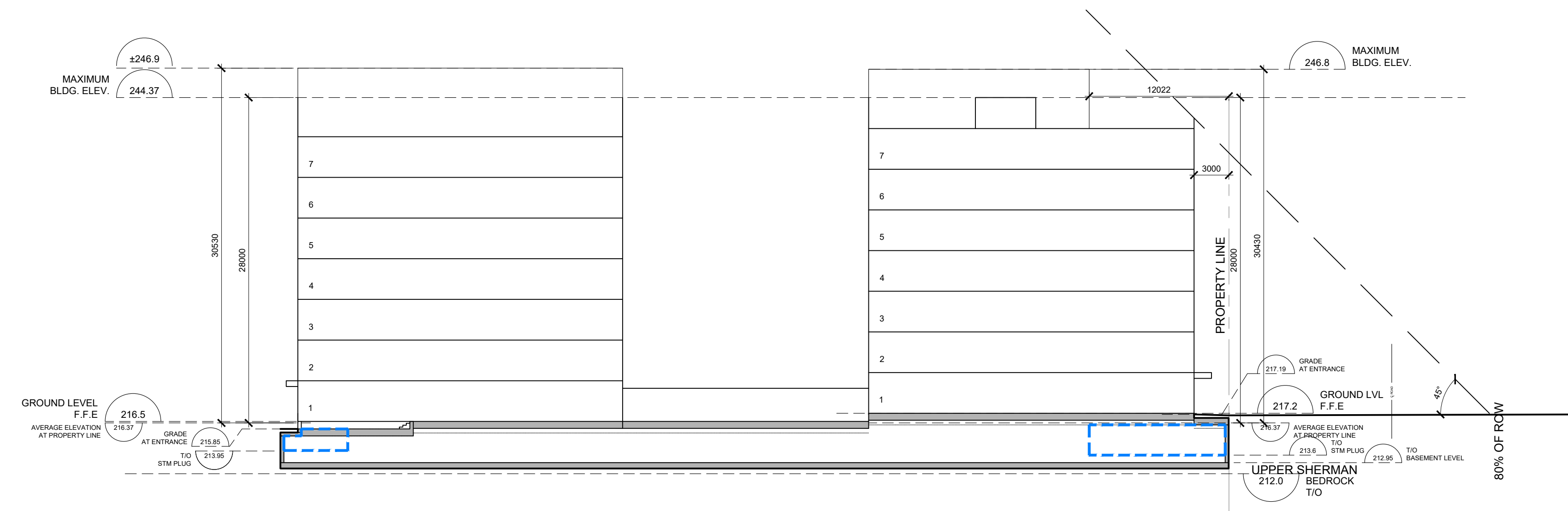
Seals

NOT FOR CONSTRUCTION

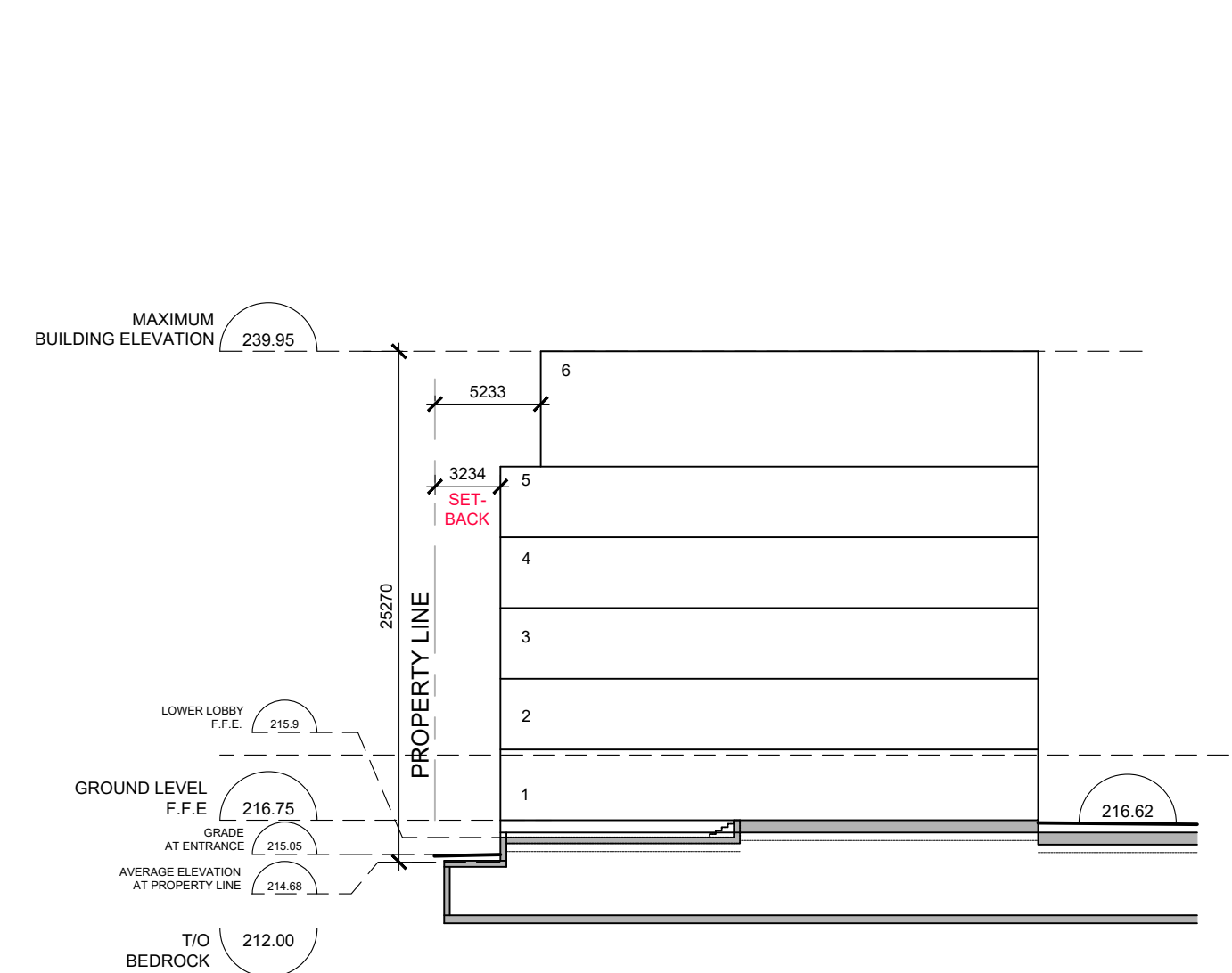
Key Plan



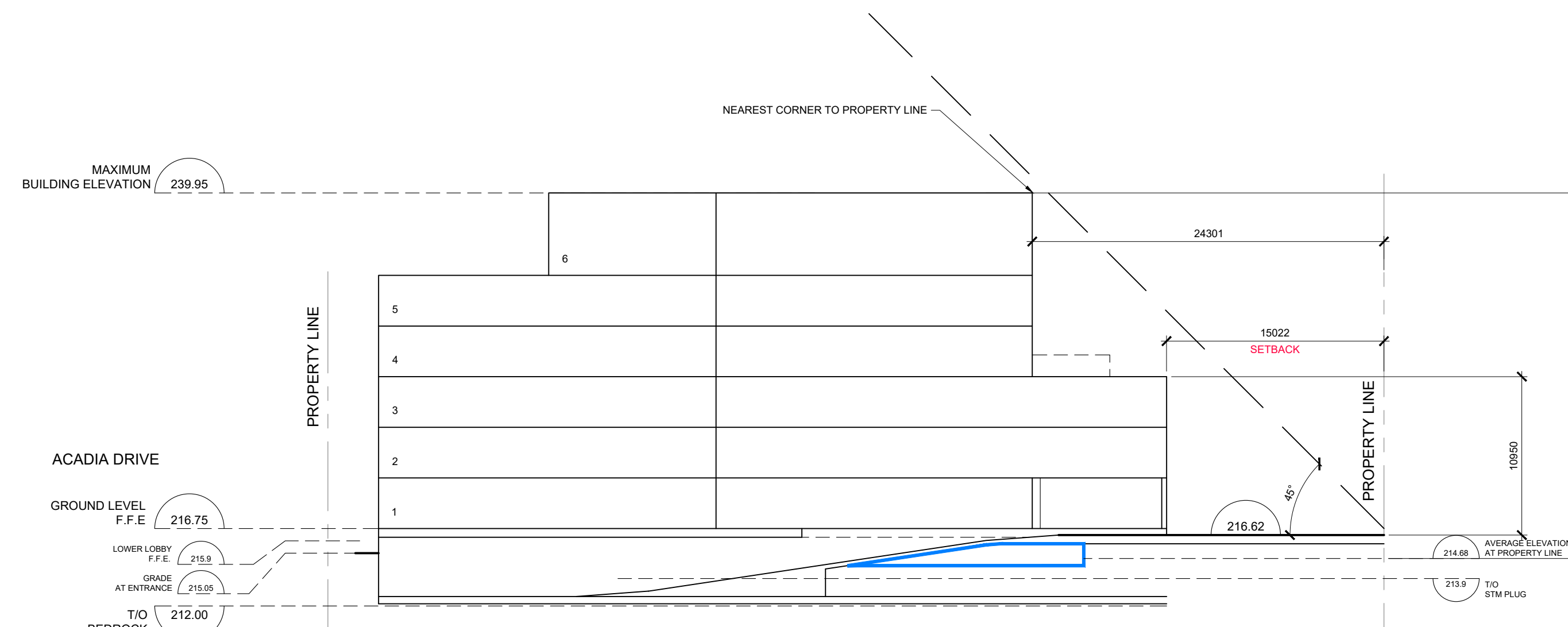
4 SCHEMATIC SECTION - BUILDING C (BUILDING B SIMILAR)
SCALE: 1:300



3 SCHEMATIC SECTION - BUILDINGS B + C
SCALE: 1:300



2 SCHEMATIC SECTION - BUILDING A
SCALE: 1:300

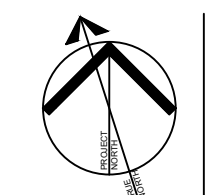


1 SCHEMATIC SECTION - BUILDING A
SCALE: 1:300

final rezoning drawings - without prejudice	2019/11/04
final rezoning drawings - without prejudice	2019/09/10
rezoning revisions 3	2019/08/26
issued for rezoning application	2019/05/24
No. Issues/Revisions	Date

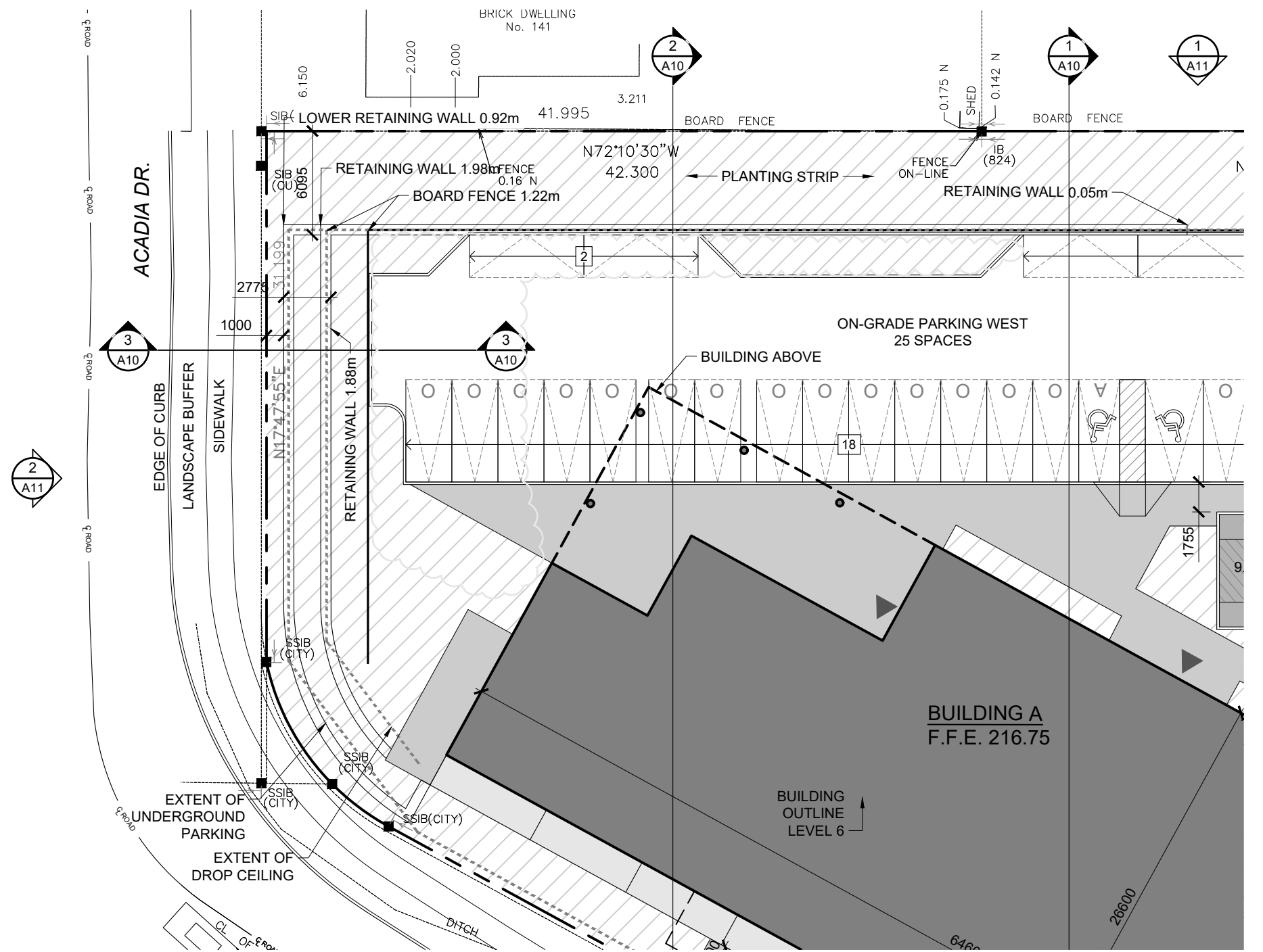
Drawing Title:
NORTHERN PARCEL
SCHEMATIC SECTIONS

Issue Date: 2019-11-04
Drawn by: _____ Checked by: _____
Project No.: 11645 Scale: 1:300

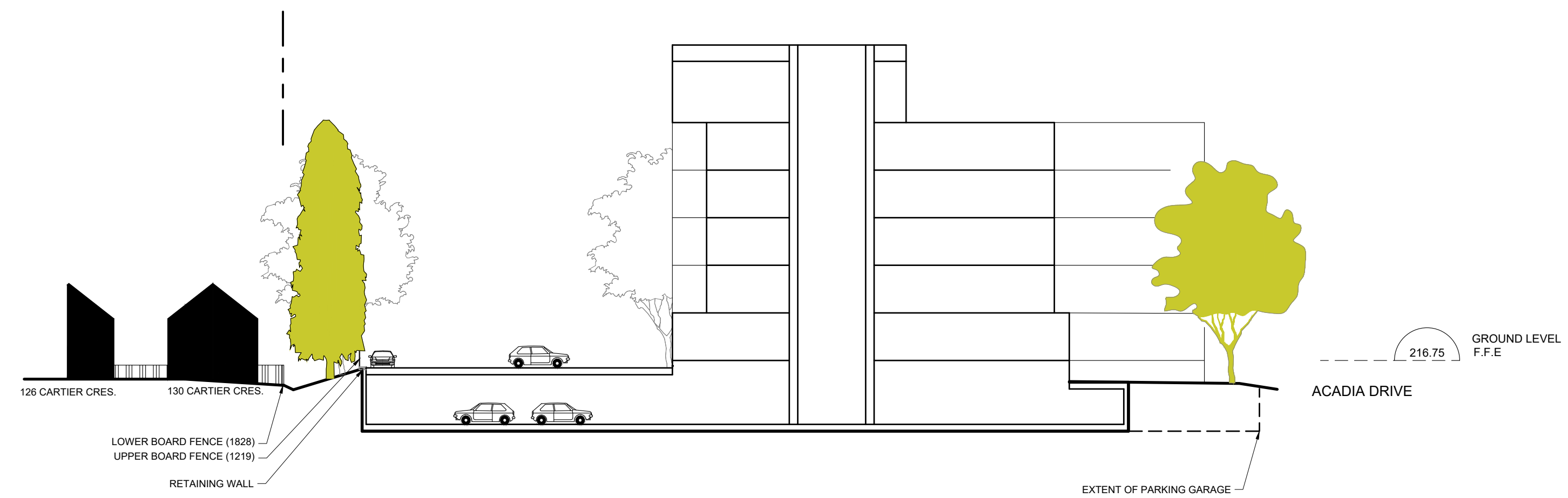


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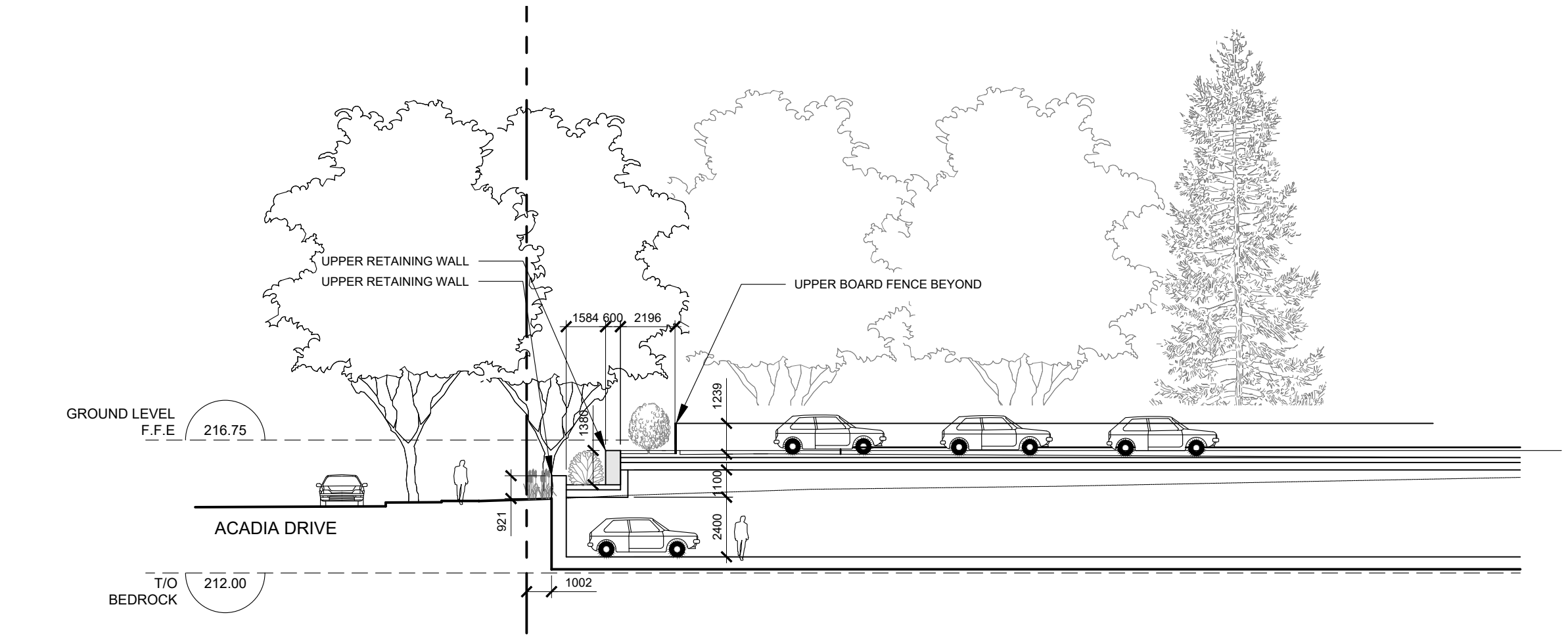
Seals
NOT FOR CONSTRUCTION



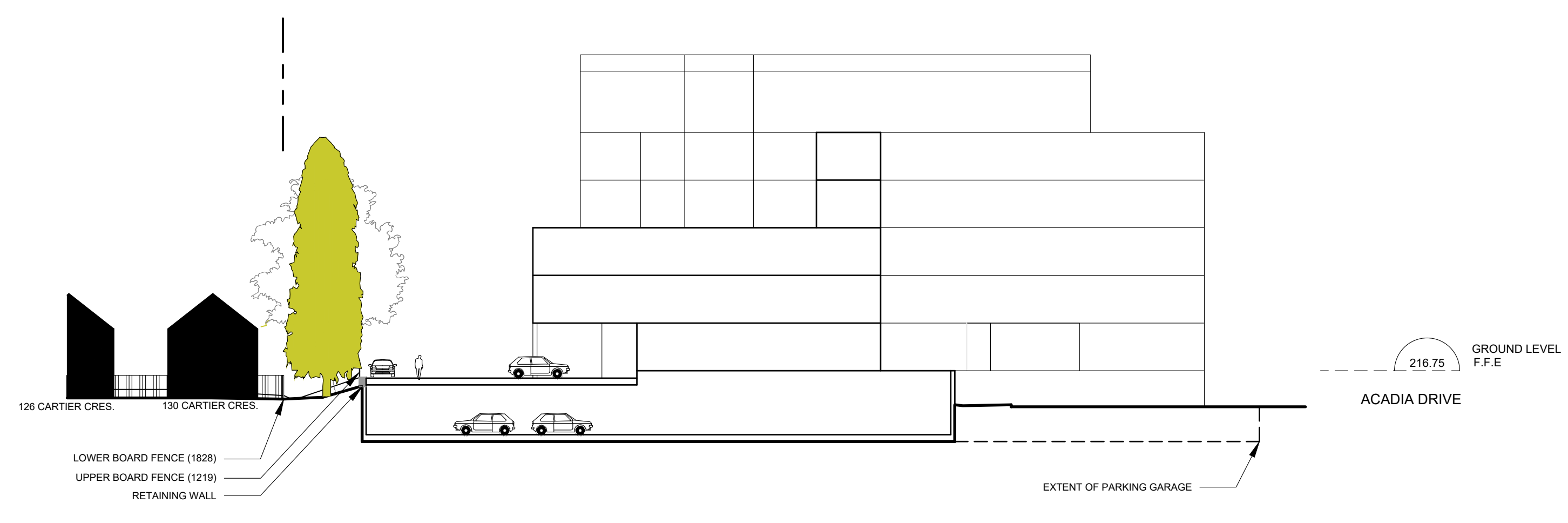
4 KEY PLAN - BUILDING A - RETAINING WALL
SCALE: 1:300



1 SECTION 1 - BUILDING A
SCALE: 1:300



3 SECTION 3 - BUILDING A - RETAINING WALL (PROPOSED MODIFICATION)
SCALE: 1:200



2 SECTION 2 - BUILDING A
SCALE: 1:300

final rezoning drawings - without prejudice	2019/11/04	
final rezoning drawings - without prejudice	2019/09/10	
rezoning revisions 3	2019/08/26	
issued for rezoning application	2019/05/24	
No.	Issues/Revisions	Date

Drawing Title:
NORTHERN PARCEL SECTIONS

Issue Date: 2019-11-04
Drawn by: _____ Checked by: _____
Project No.: 11645 Scale: 1:300

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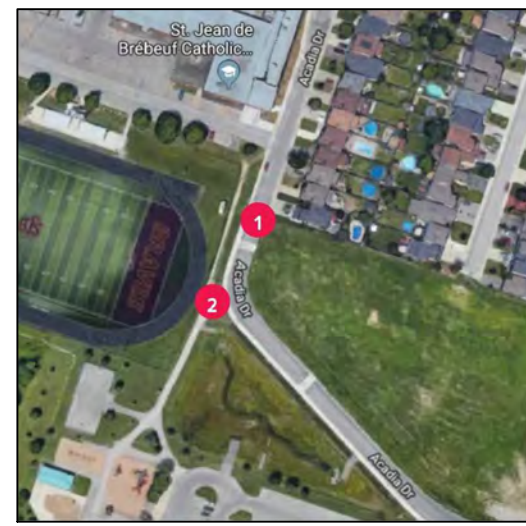
All drawings and specifications are the property of the architect and must be returned at the completion of the work.

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Seals

NOT FOR CONSTRUCTION

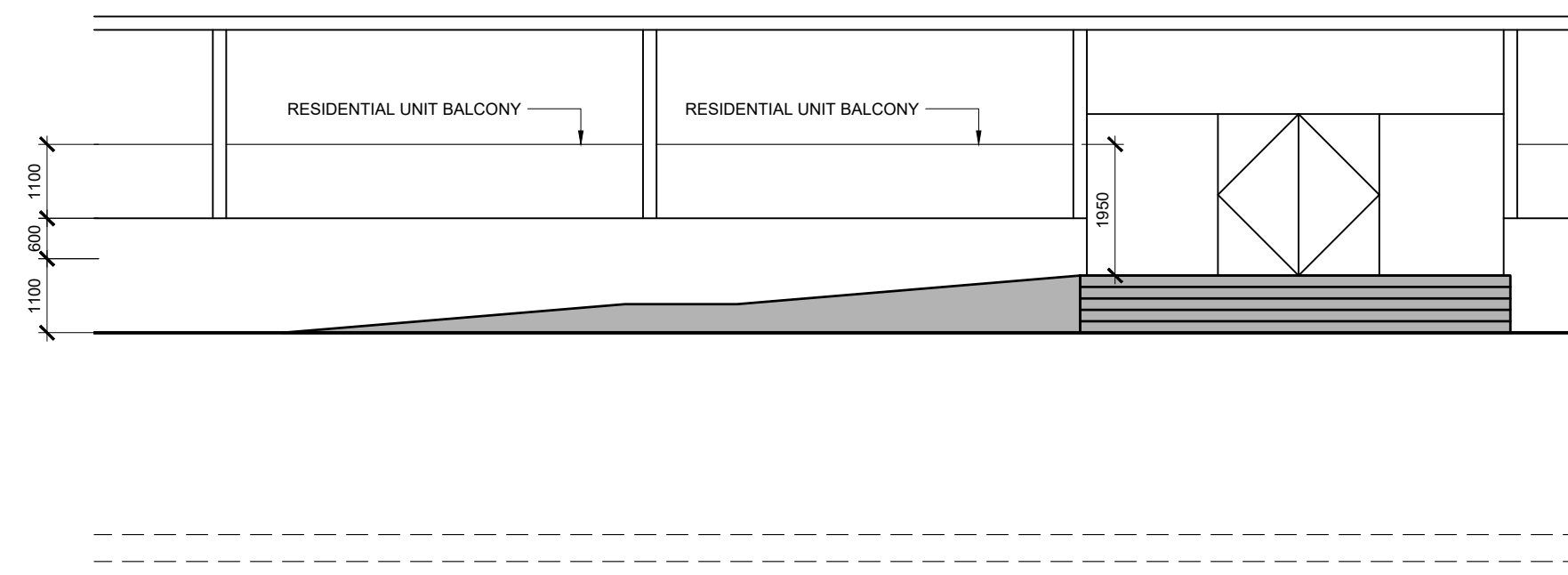
Key Plan



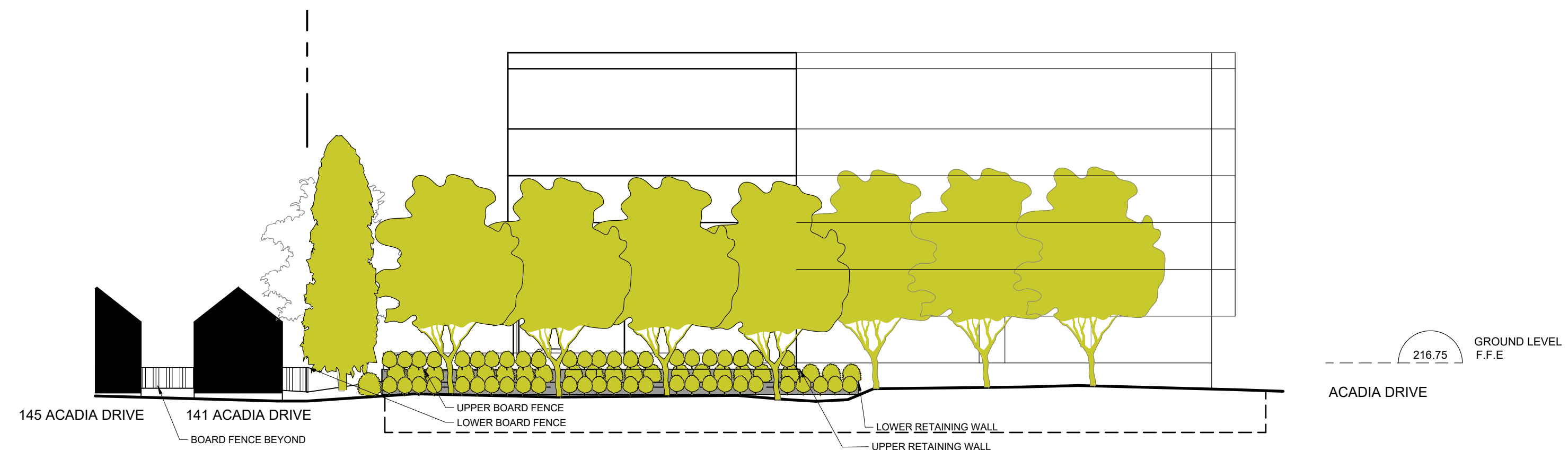
5 VIEW 2 - STREET VIEW FROM CORNER OF ACADIA DRIVE LOOKING NORTH
A11 SCALE: NTS



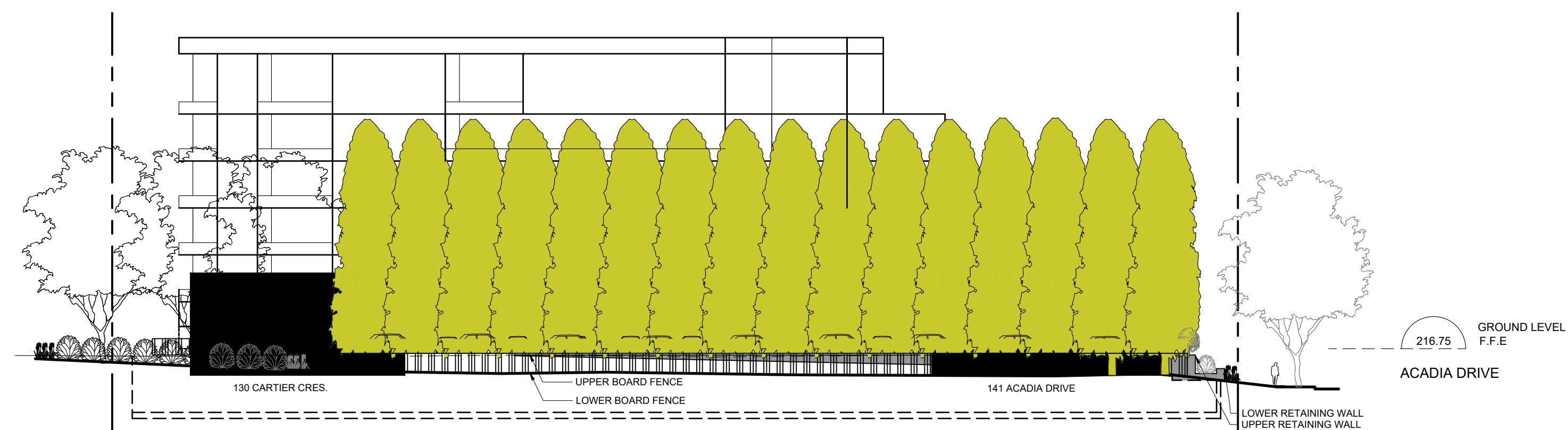
4 VIEW 1 - STREET VIEW FROM ACADIA DRIVE LOOKING SOUTH
A11 SCALE: NTS



3 SCHEMATIC ELEVATION - BUILDING A - RAMP AT ENTRANCE
A11 SCALE: 1:300



2 ELEVATION 2 - BUILDING A
A11 SCALE: 1:300



1 ELEVATION 1 - BUILDING A
A11 SCALE: 1:300

final rezoning drawings - without prejudice	2019/11/04	
final rezoning drawings - without prejudice	2019/09/10	
rezoning revisions 3	2019/08/26	
issued for rezoning application	2019/05/24	
No.	Issues/Revisions	Date

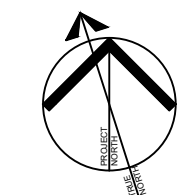
Drawing Title:
**NORTHERN PARCEL
BUILDING A
RETAINING WALL
VISUAL STUDY**

Issue Date: 2019-11-04

Drawn by: Checked by:

Project No.: 11645 Scale: 1:300

Drawing No.:



Drawings are not to be scaled.
Contractor must verify all dimensions on the job and report any discrepancy to architects before proceeding with the work.

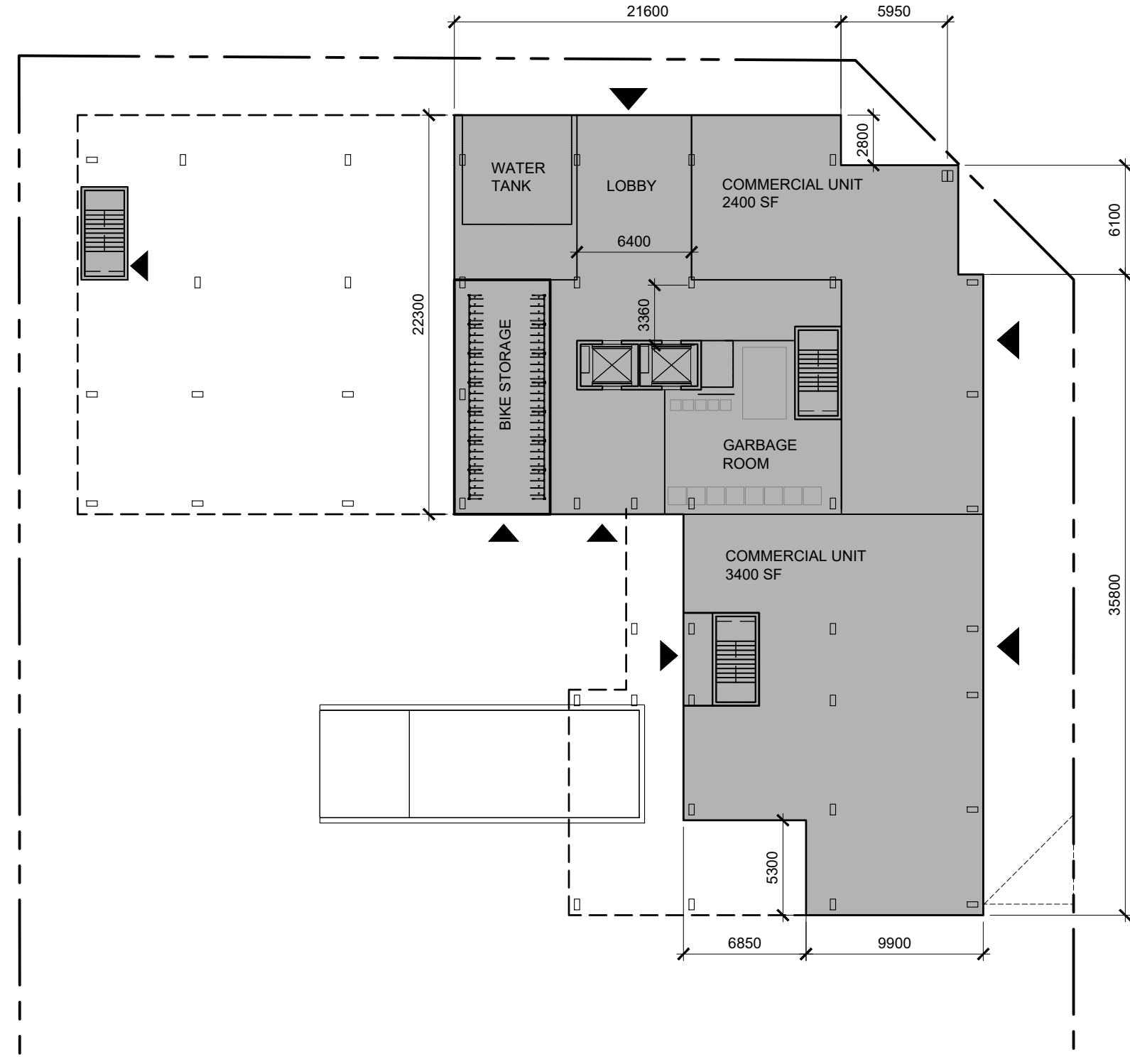
All drawings and specifications are the property of the architect and must be returned at the completion of the work.

This drawing is not to be used for construction until countersigned. Date:

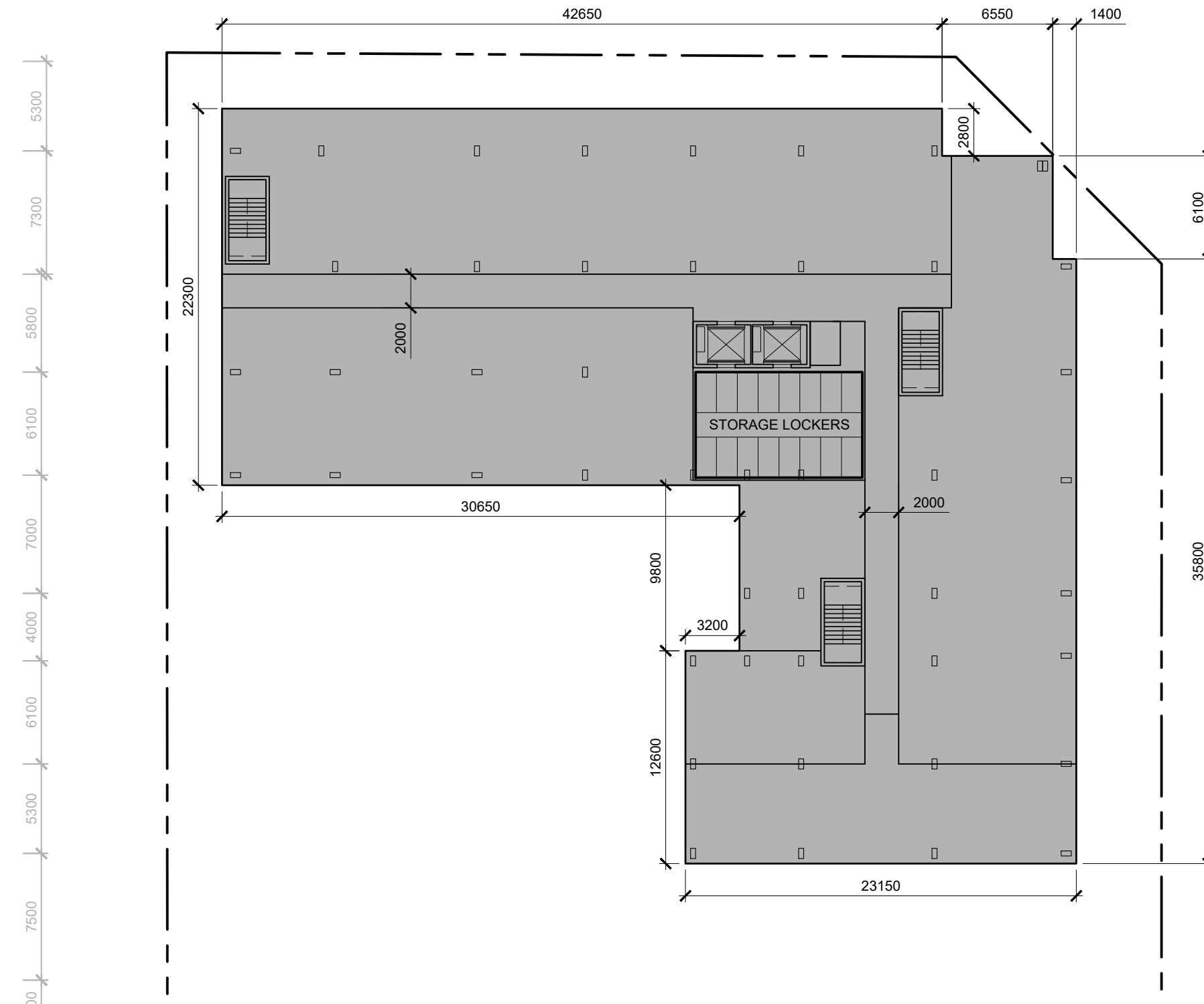
Seals

NOT FOR CONSTRUCTION

Key Plan



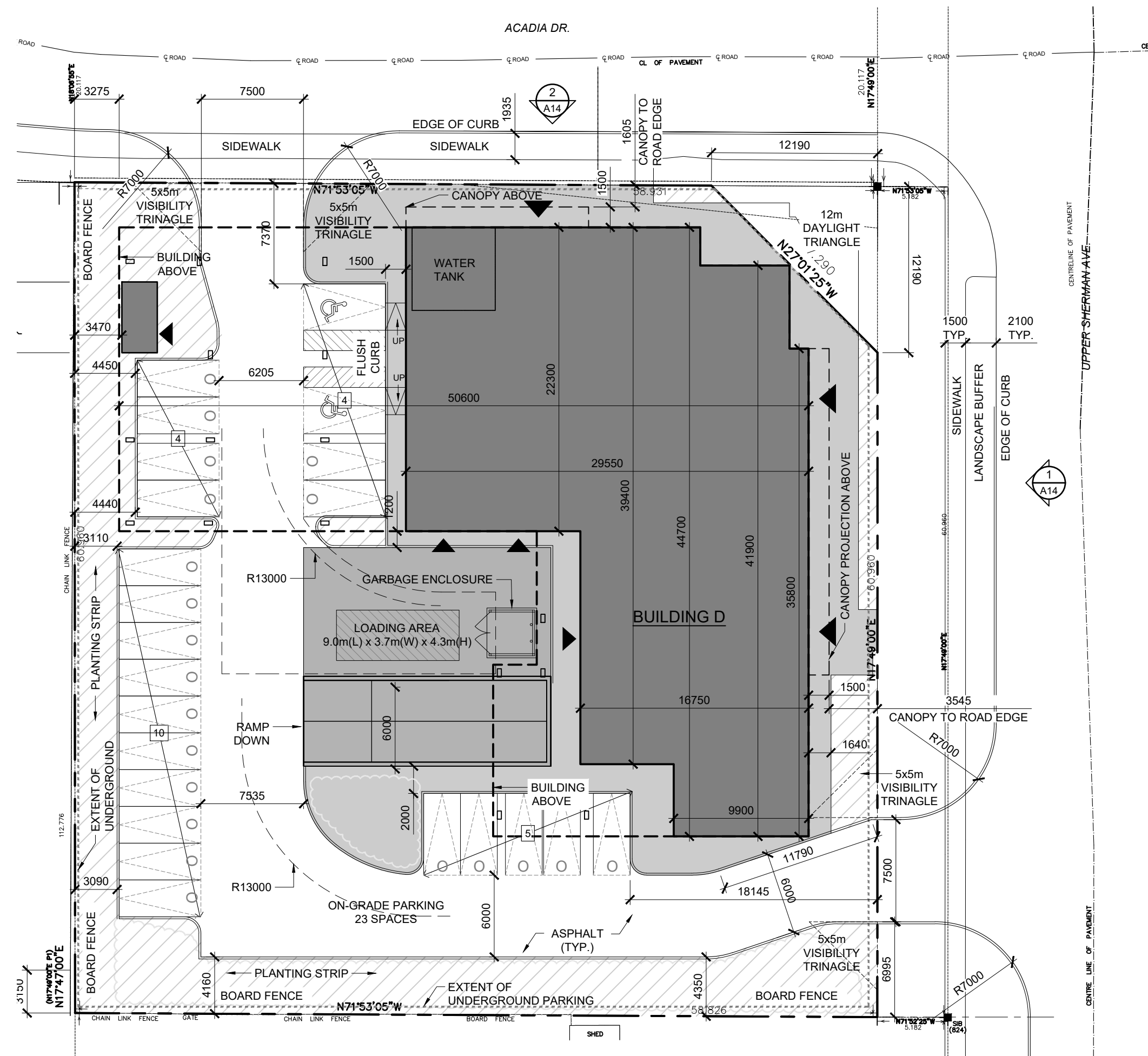
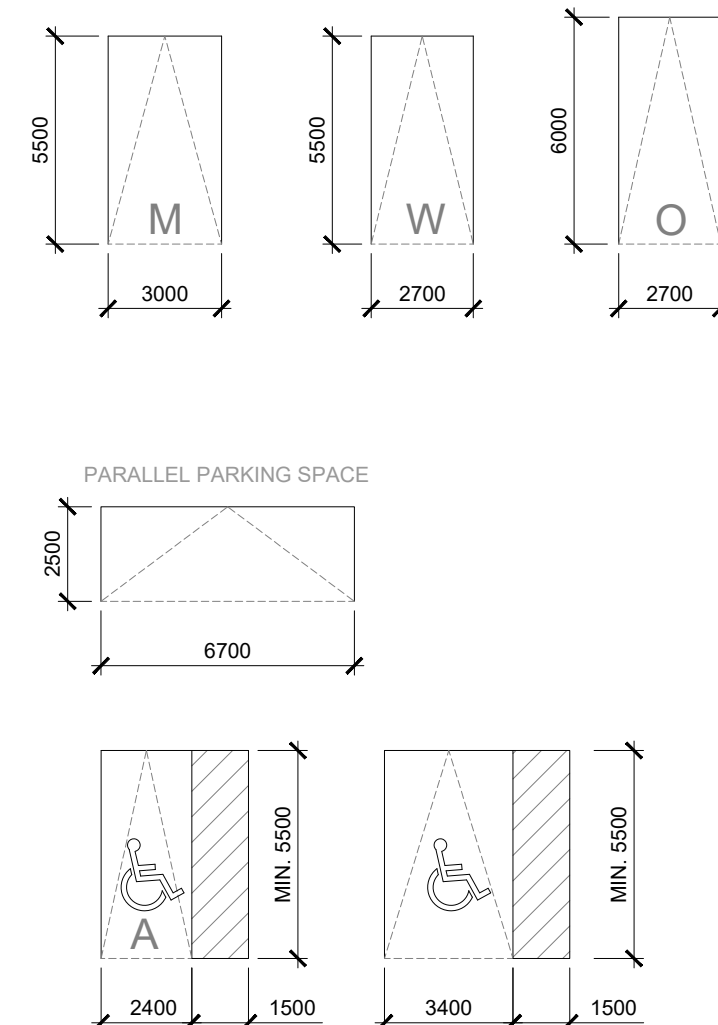
3 GROUND LEVEL FLOOR PLAN
SCALE: 1:300



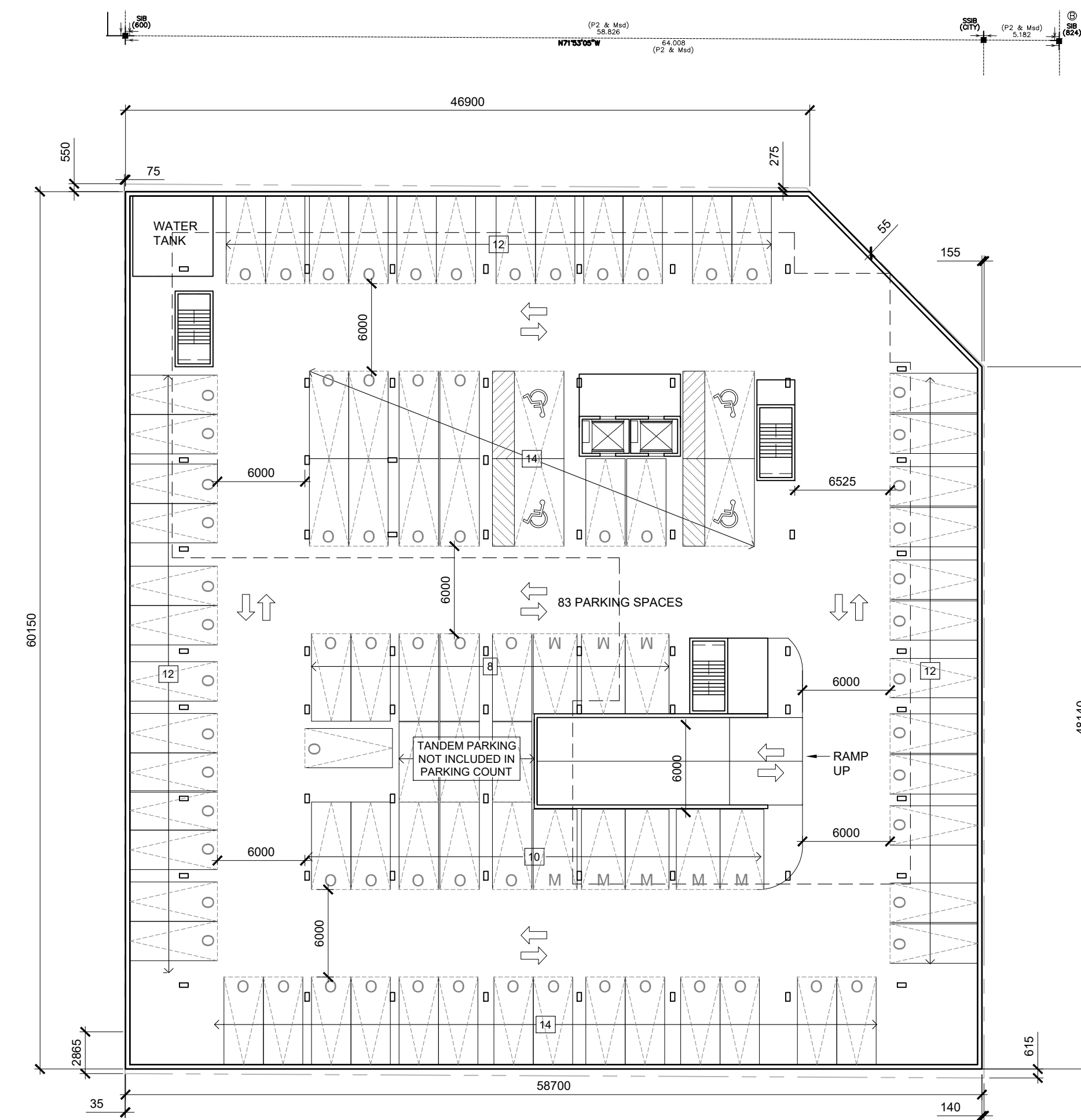
4 LEVELS 2 AND 3 FLOOR PLAN
SCALE: 1:300

- SITE PLAN HATCH LEGEND:**
- SOFTSCAPE
 - HARDSCAPE
 - CONCRETE
 - ASPHALT
 - SNOW STORAGE AREA

PARKING LEGEND:



1 SITE PLAN
SCALE: 1:300

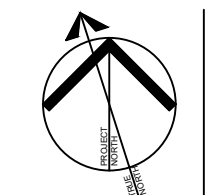


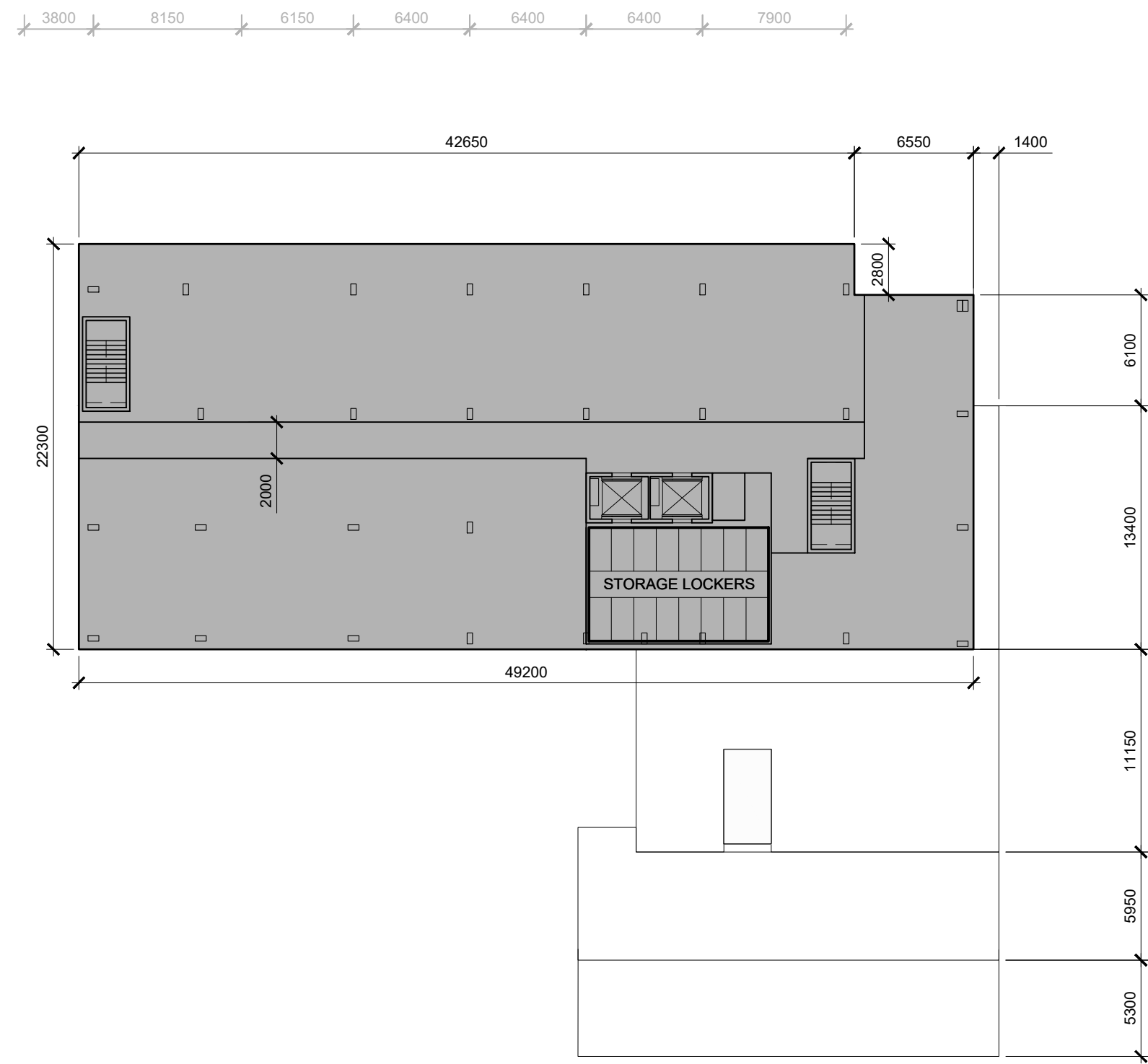
2 BASEMENT LEVEL FLOOR PLAN
SCALE: 1:300

final rezoning drawings - without prejudice	2019/11/04
final rezoning drawings - without prejudice	2019/09/10
rezoning revisions 3	2019/08/26
rezoning revisions 2	2019/07/12
rezoning revisions	2019/06/13
issued for rezoning application	2019/05/24
No. Issues/Revisions	Date

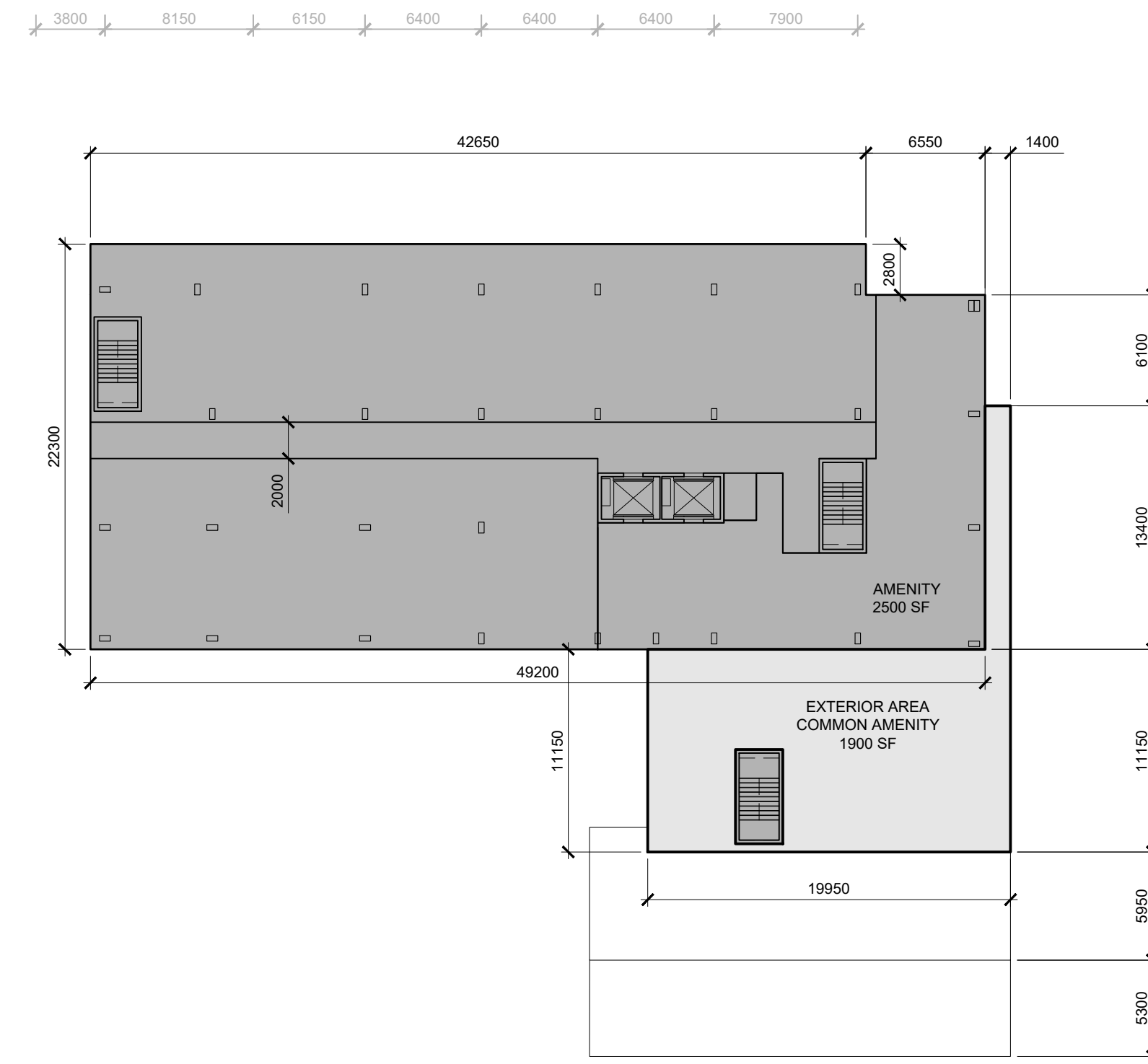
Drawing Title:
**SOUTHERN PARCEL
BUILDING D
SITE PLAN
AND
FLOOR PLANS**

Issue Date: 2019-11-04
Drawn by: _____ Checked by: _____
Project No.: 11645 Scale: 1:300

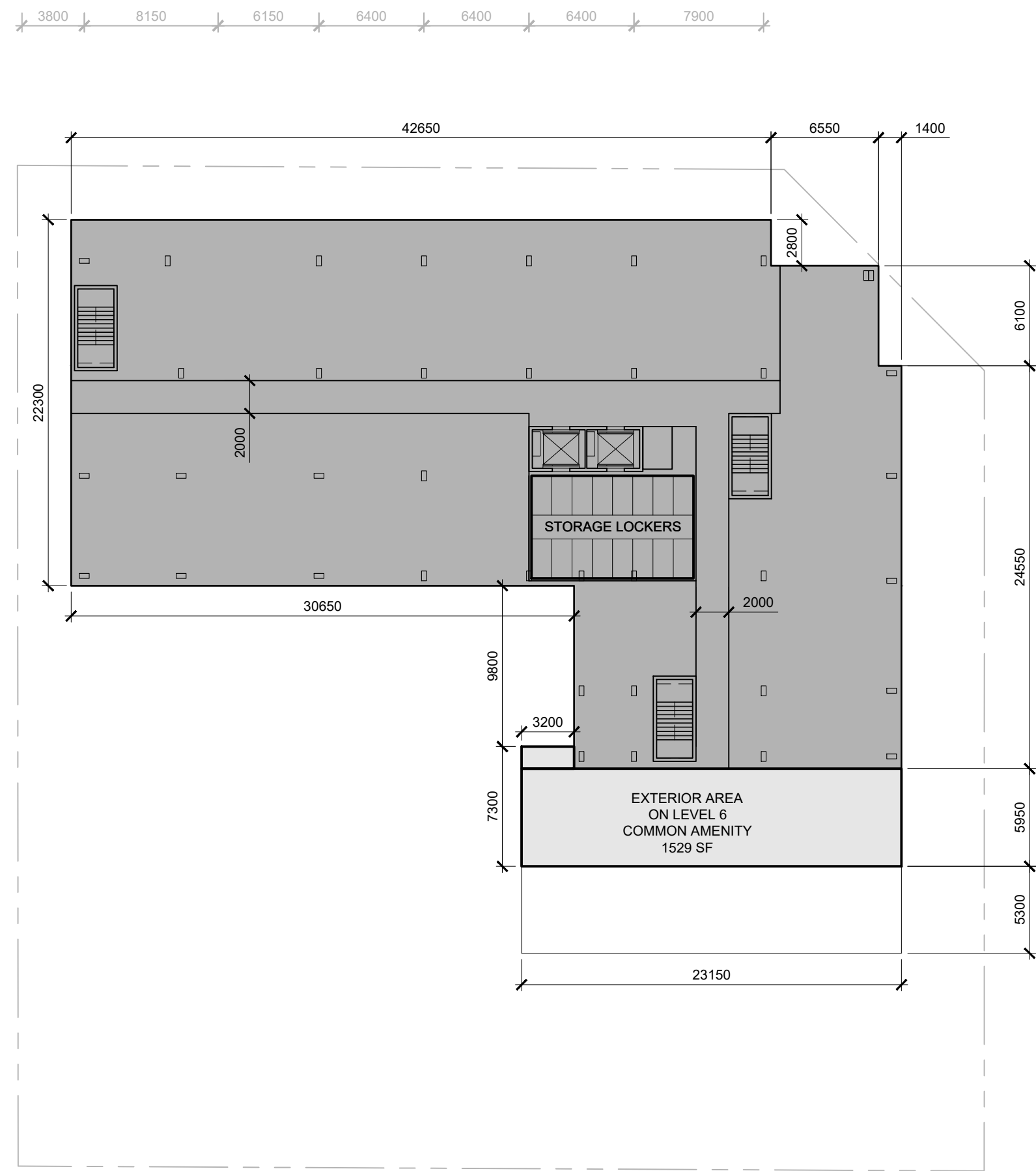




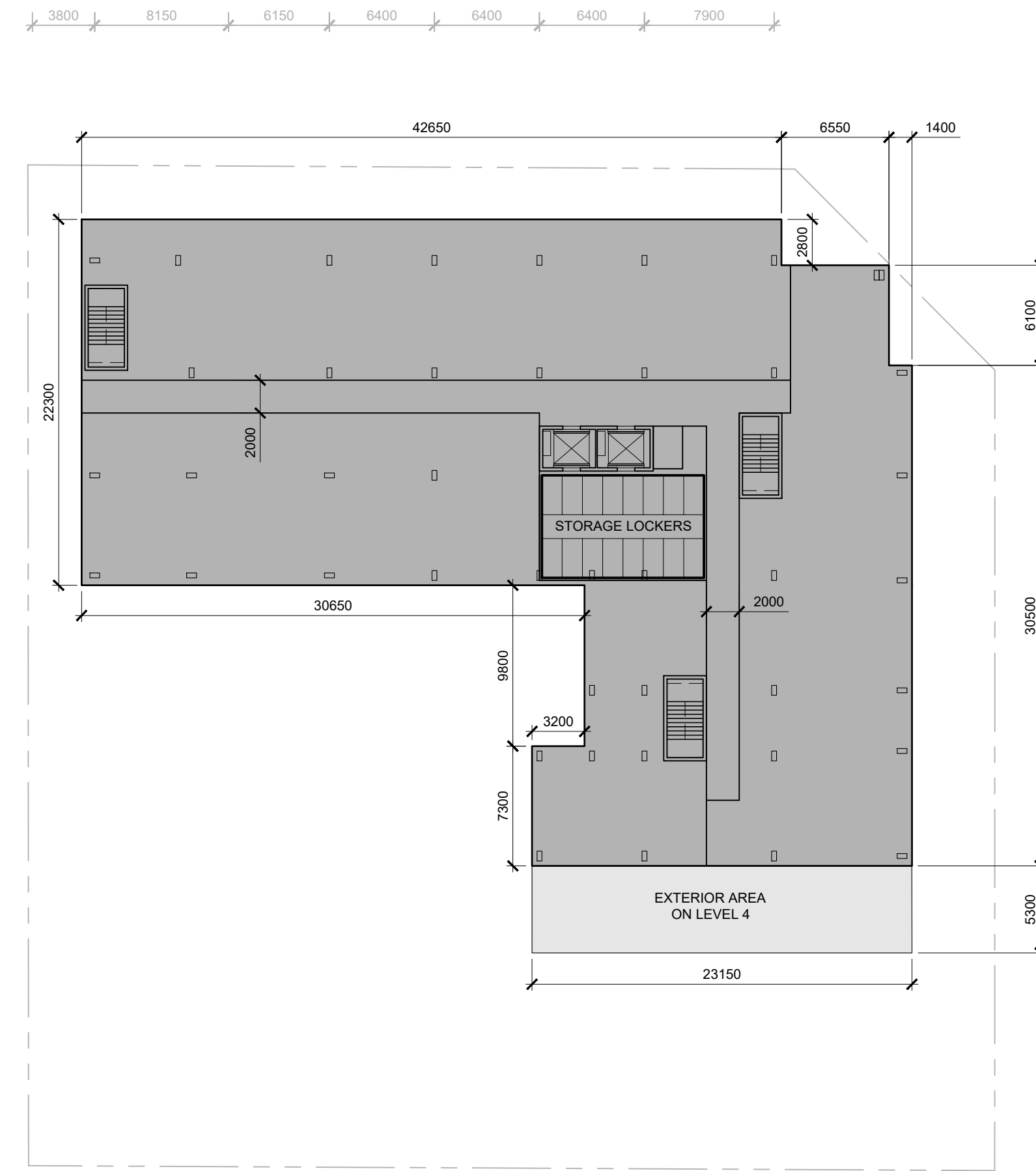
4 LEVEL 8 FLOOR PLAN
A13 SCALE: 1:300



3 LEVEL 7 FLOOR PLAN
A13 SCALE: 1:300



2 LEVEL 6 FLOOR PLAN
A13 SCALE: 1:300



1 LEVEL 4 & 5 FLOOR PLANS
A13 SCALE: 1:300



SONOMA HOMES
UPPER SHERMAN AND ACADIA
HOUSING COMPLEX

1518 & 1540 UPPER SHERMAN AVE RESIDENTIAL COMPLEX
HAMILTON, ONTARIO, L8Z 1C5, CANADA

dpai 905-522-0220
info@dpai.ca
25 main st w, suite 1800
hamilton, ON L8P 1H1

architecture
interiors
urban design

Drawings are not to be scaled.
Contractor must verify all dimensions on the job and report any discrepancy to architects before proceeding with the work.
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Seals
NOT FOR CONSTRUCTION



No.	Issues/Revisions	Date
final rezoning drawings - without prejudice		2019/11/04
final rezoning drawings - without prejudice		2019/09/10
rezoning revisions 3		2019/08/26
rezoning revisions 2		2019/07/12
issued for rezoning application		2019/05/24

Drawing Title:
SOUTHERN PARCEL
BUILDING D
FLOOR PLANS

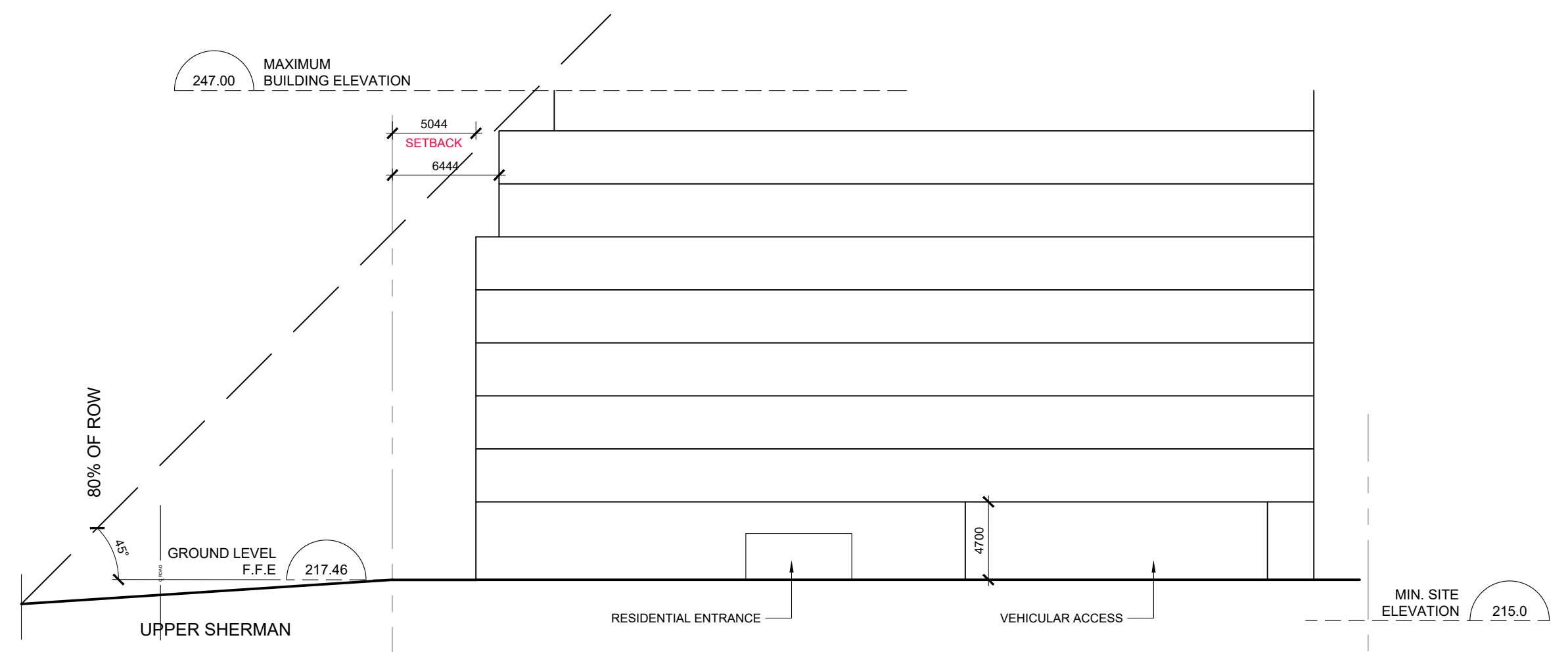
Issue Date: 2019-11-04
Drawn by: _____ Checked by: _____
Project No.: 11645 Scale: 1:300

Drawing No.: _____
A13

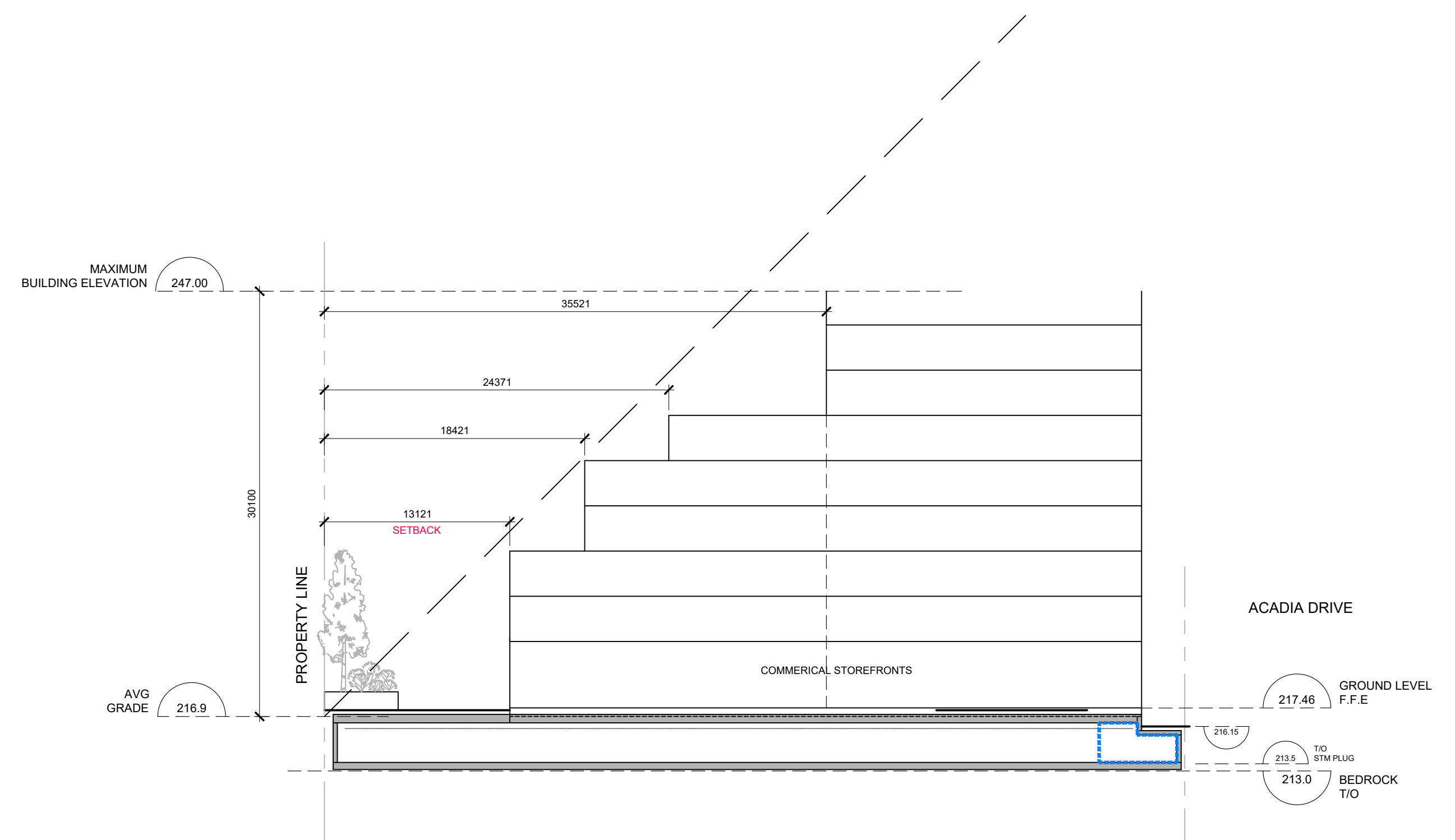
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Seals

NOT FOR CONSTRUCTION



2 SCHEMATIC ELEVATION FROM ACADIA
A14 SCALE: 1:300



1 SCHEMATIC ELEVATION FROM UPPER SHERMAN
A14 SCALE: 1:300

final rezoning drawings - without prejudice	2019/11/04
final rezoning drawings - without prejudice	2019/09/10
rezoning revisions 3	2019/08/26
rezoning revisions 2	2019/07/12
issued for rezoning application	2019/05/24
No. Issues/Revisions	Date

Drawing Title:
SOTHERN PARCEL
BUILDING D
SCHEMATIC ELEVATIONS

Issue Date: 2019-11-04
 Drawn by: _____ Checked by: _____
 Project No.: 11645 Scale: 1:300

Drawings are not to be scaled.

Contractor must verify all dimensions on the job and report any discrepancy to architects before proceeding with the work.

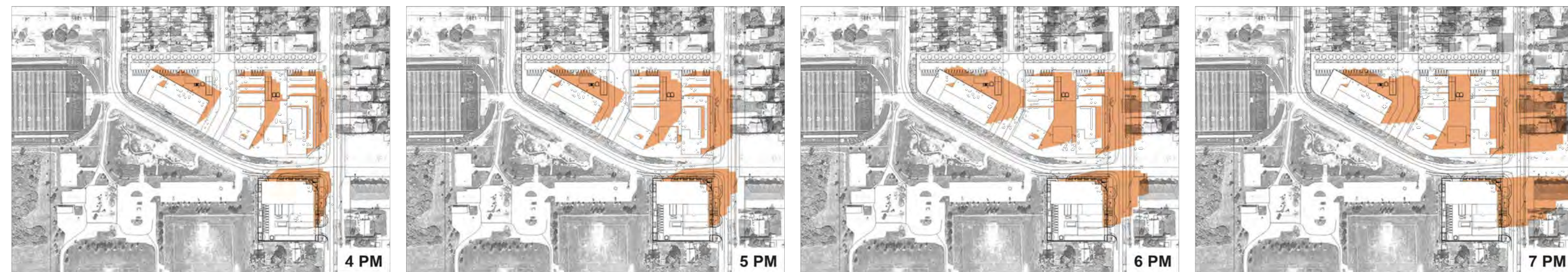
All drawings and specifications are the property of the architect and must be returned at the completion of the work.

This drawing is not to be used for construction until countersigned. Date:

Seals

NOT FOR CONSTRUCTION

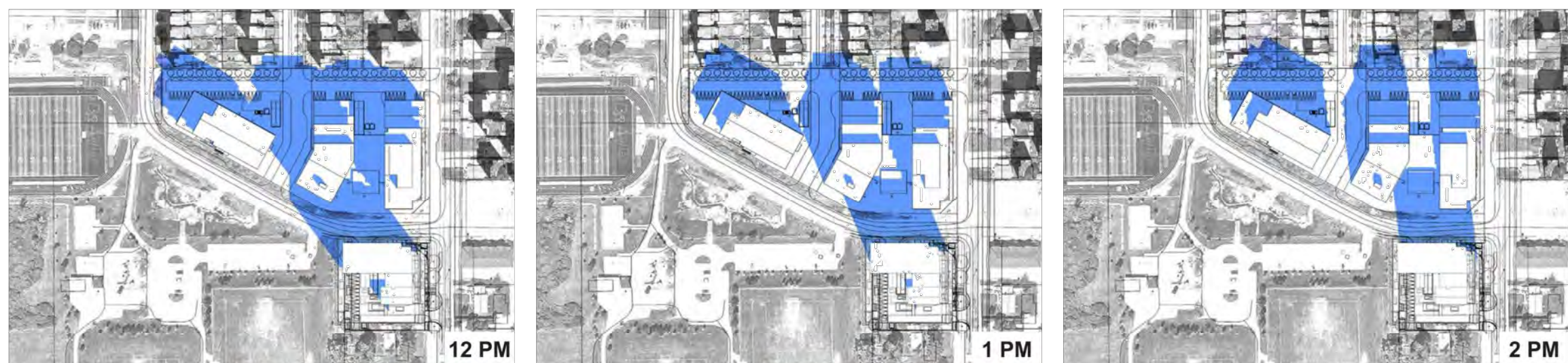
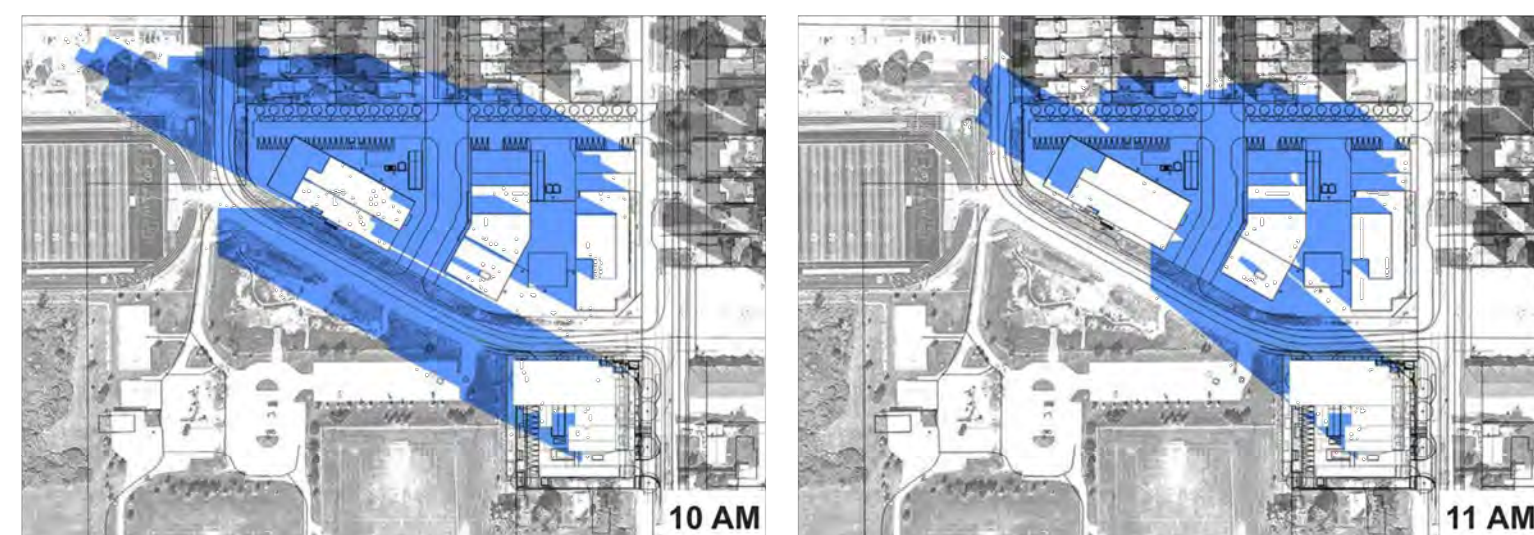
Key Plan



2 SUN SHADOW STUDY - JUNE
SCALE: NTS



1 SUN SHADOW STUDY - SEPTEMBER / MARCH
SCALE: NTS



6 PM

7 PM

3 SUN SHADOW STUDY - DECEMBER
SCALE: NTS

final rezoning drawings - without prejudice	2019/11/04
final rezoning drawings - without prejudice	2019/09/10
rezoning revisions 3	2019/08/26
rezoning revisions 2	2019/07/12
issued for rezoning application	2019/05/24

No. Issues/Revisions Date

Drawing Title:

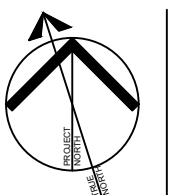
SUN SHADOW STUDIES

Issue Date: 2019-11-04

Drawn by: Checked by:

Project No.: 11645 Scale: NTS

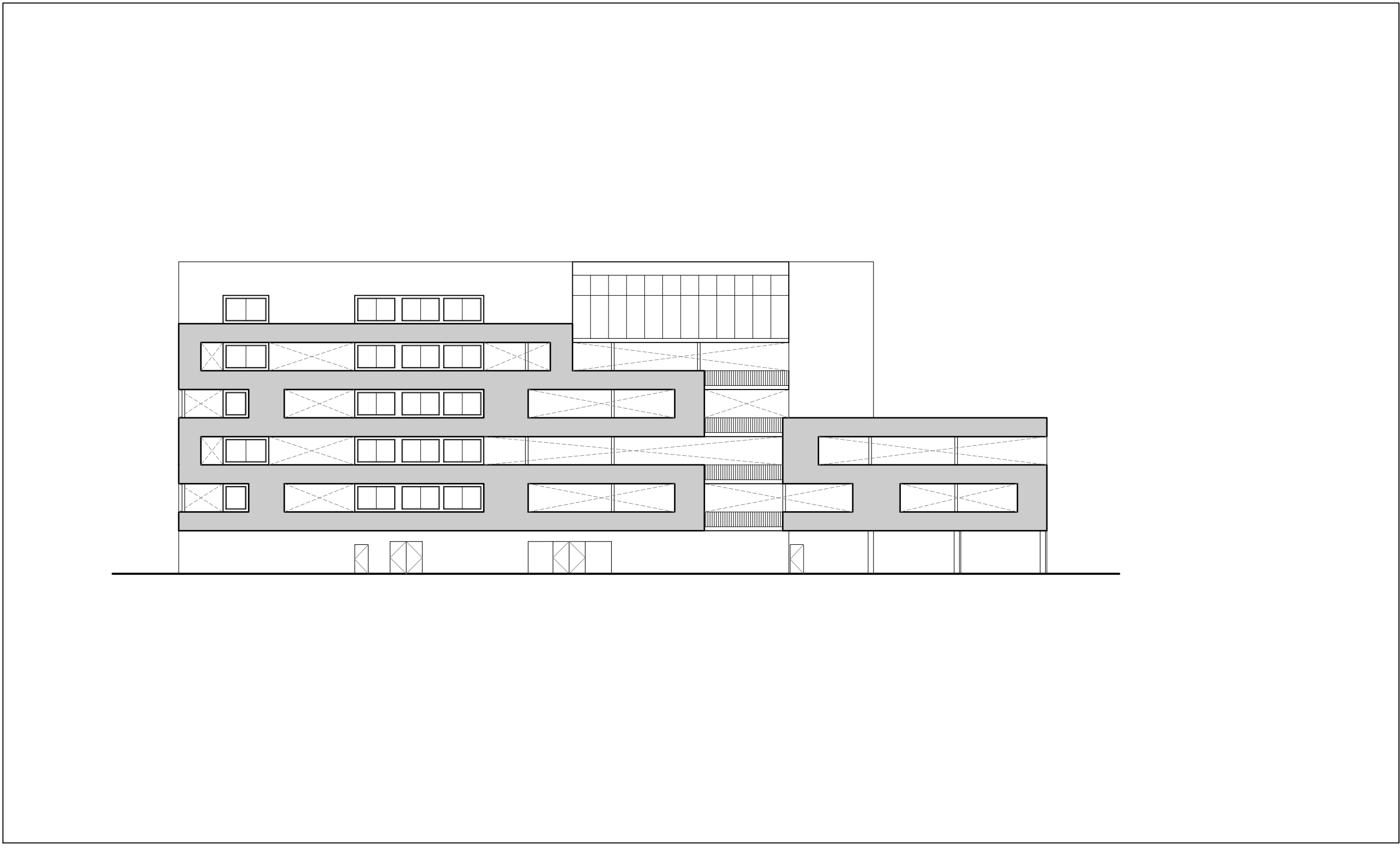
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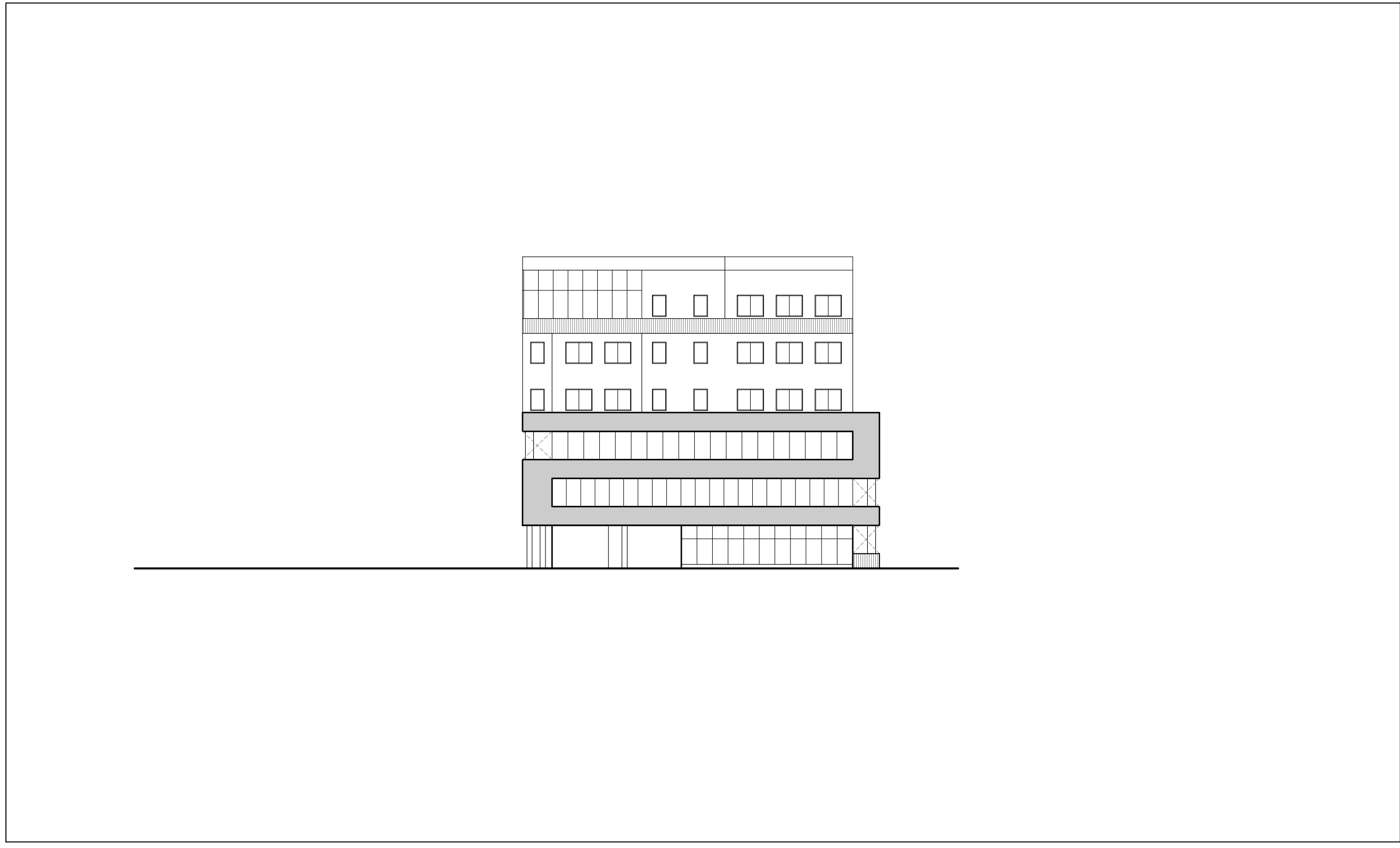
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Seals

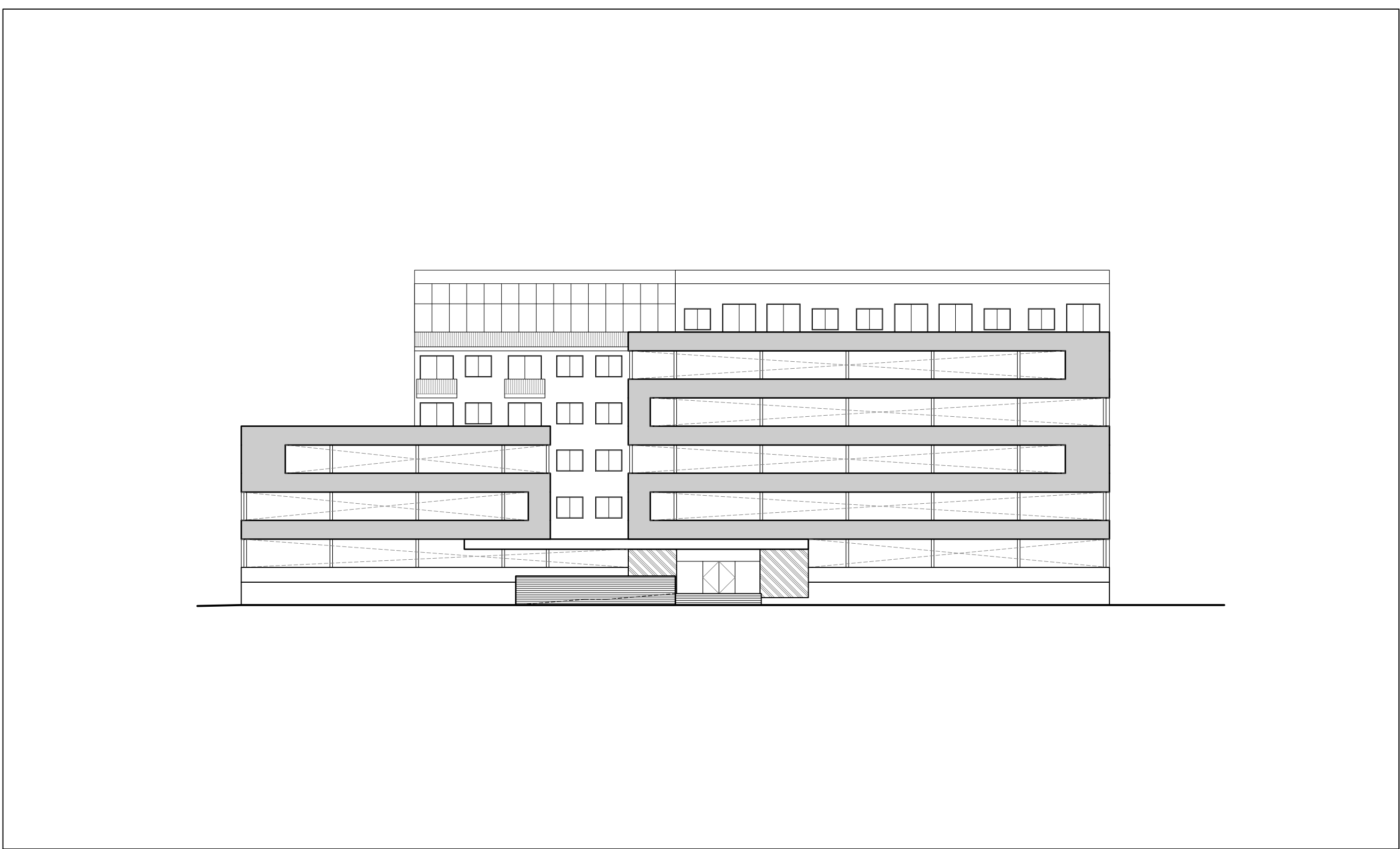
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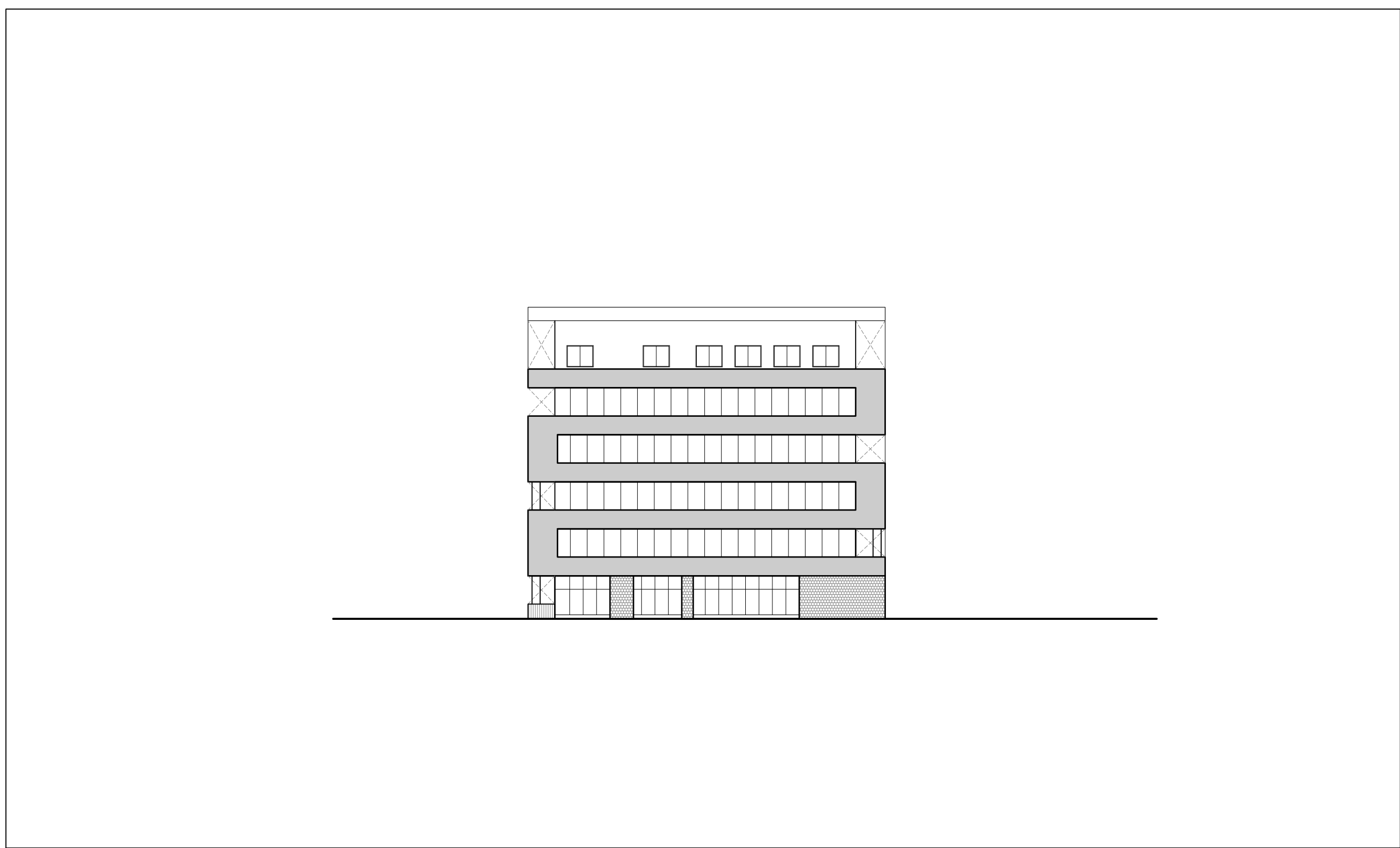
1 NORTH ELEVATION - BUILDING A
A14 SCALE: 1:300



2 WEST ELEVATION - BUILDING A FRONTING ONTO ACADIA DRIVE
A14 SCALE: 1:300



3 SOUTH ELEVATION - BUILDING A FRONTING ONTO ACADIA DRIVE
A14 SCALE: 1:300



4 EAST ELEVATION - BUILDING A FRONTING ONTO CARTIER CRES.
A14 SCALE: 1:300

final rezoning drawings - without prejudice	2019/11/04
No. Issues/Revisions	Date

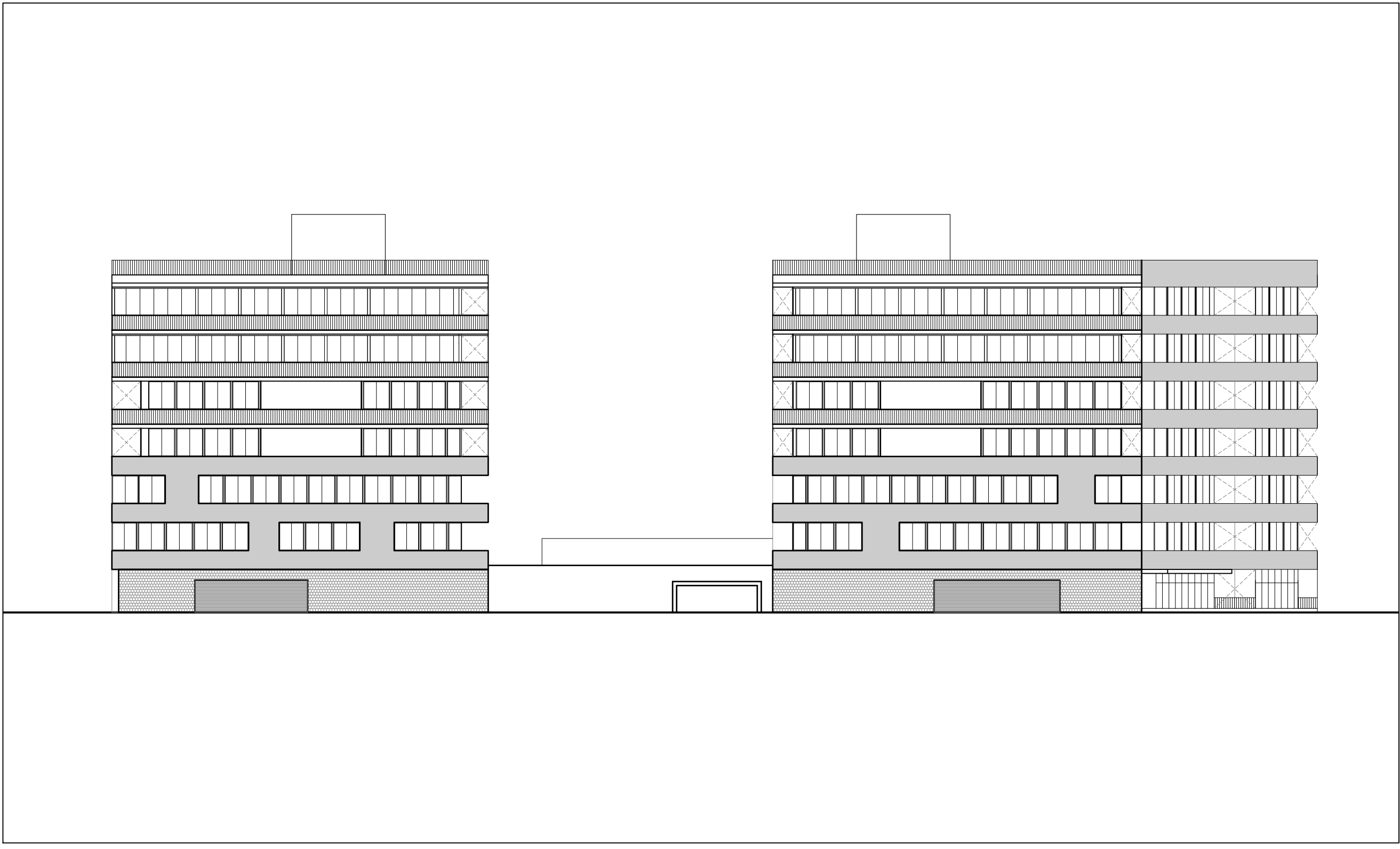
Drawing Title:
SOTHERN PARCEL
BUILDING A
SCHEMATIC ELEVATIONS

Issue Date: 2019-11-04
Drawn by: _____ Checked by: _____
Project No.: 11645 Scale: 1:300

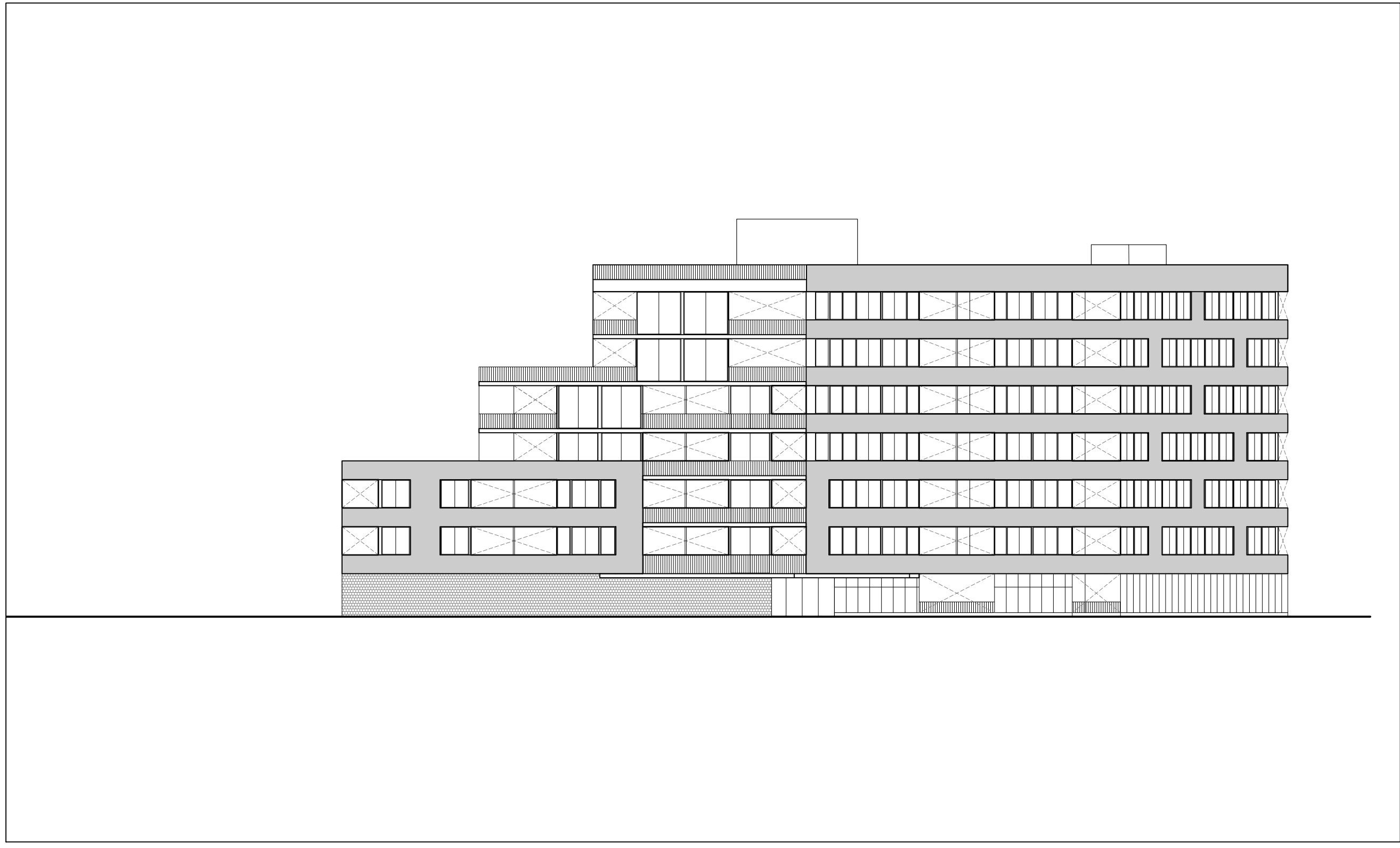
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Seals

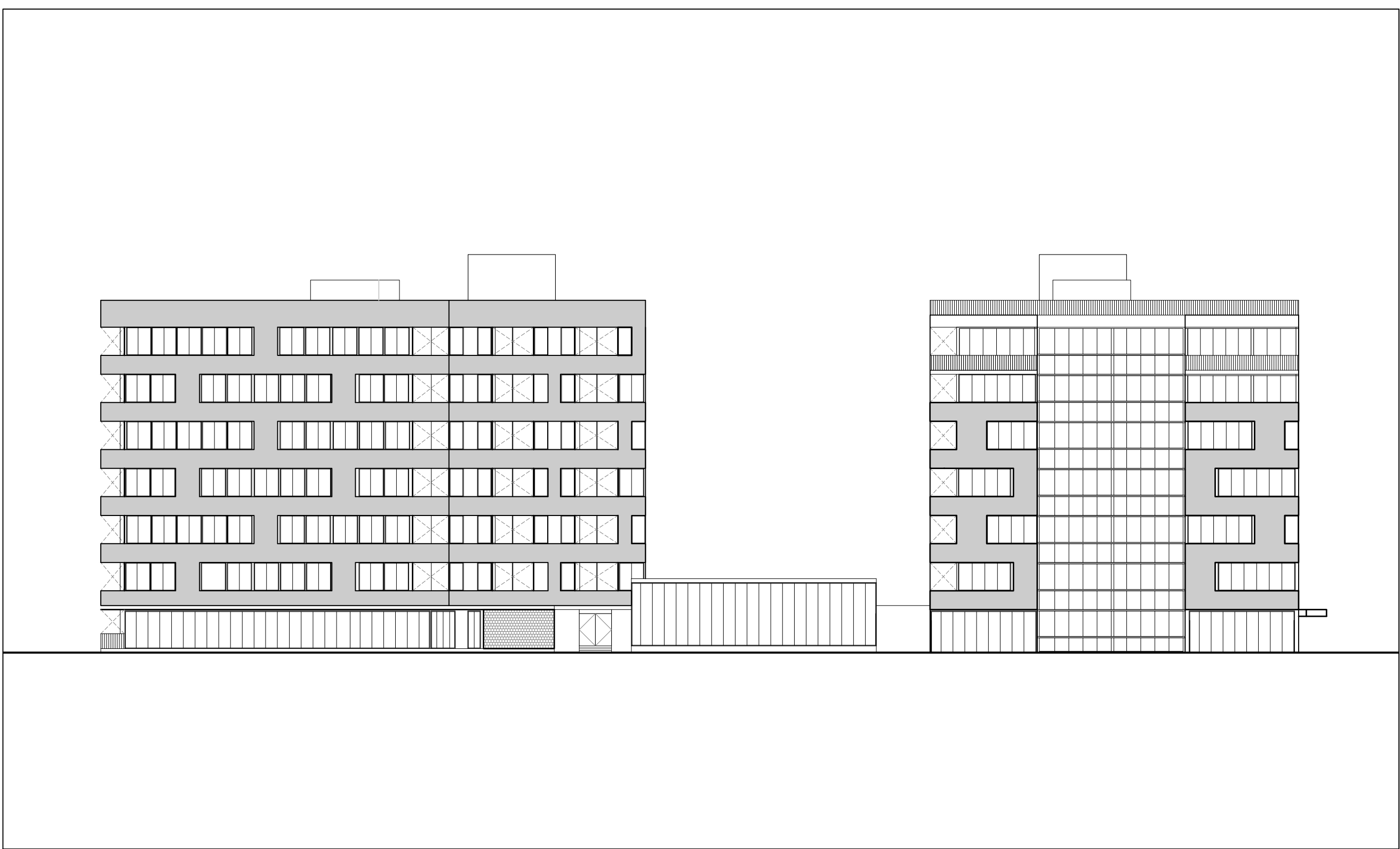
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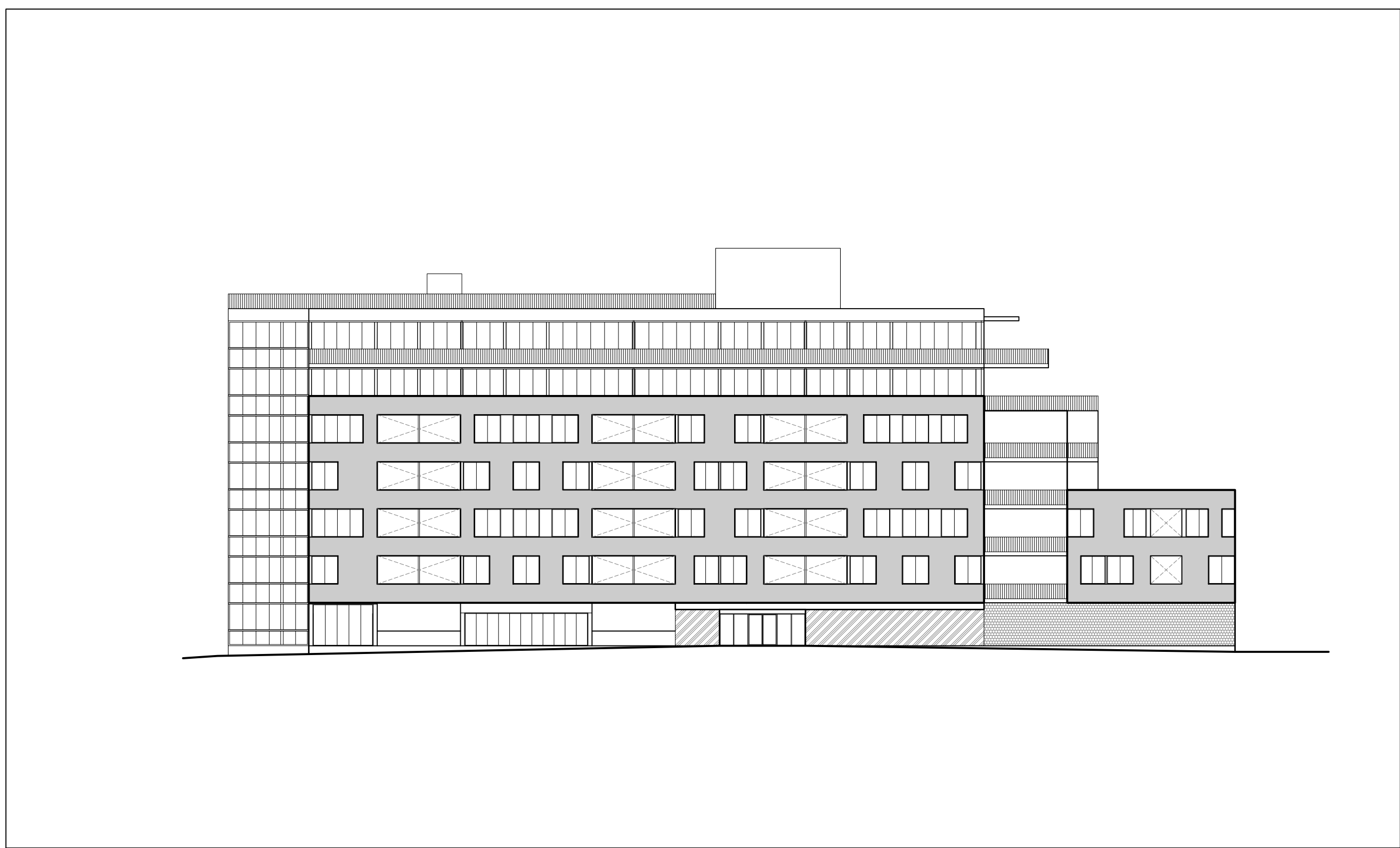
1 NORTH ELEVATION - BUILDINGS B,C
A14 SCALE: 1:300



2 WEST ELEVATION - BUILDINGS B FRONTING ONTO CARTIER CRES.
A14 SCALE: 1:300



3 SOUTH ELEVATION - BUILDINGS B,C FRONTING ONTO ACADIA DRIVE
A14 SCALE: 1:300



4 EAST ELEVATION - BUILDINGS C ONTO UPPER SHERMAN
A14 SCALE: 1:300

final rezoning drawings - without prejudice	2019/11/04
No. Issues/Revisions	Date

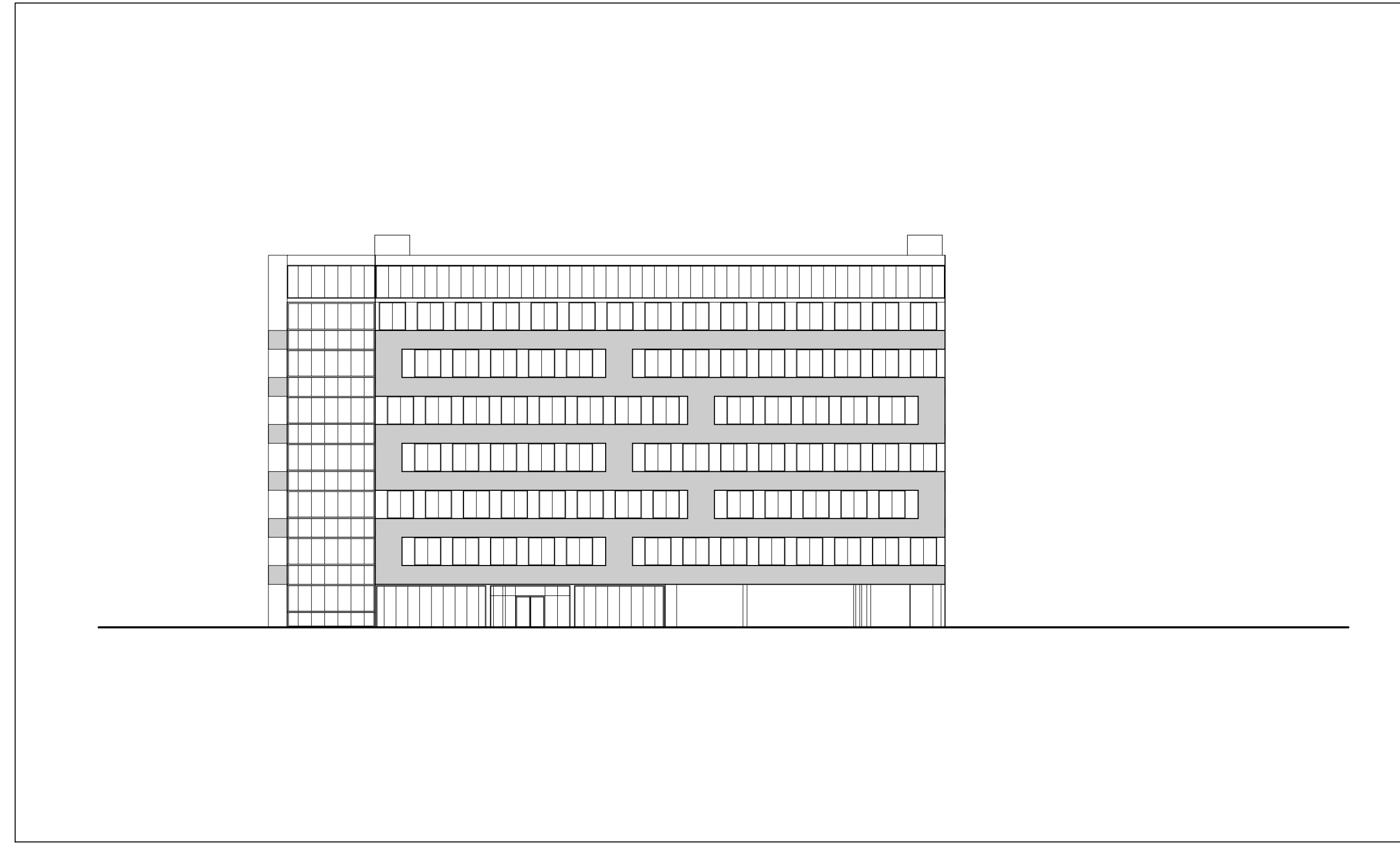
Drawing Title:
**SOTHERN PARCEL
BUILDING B, C
SCHEMATIC ELEVATIONS**

Issue Date: 2019-11-04
Drawn by: _____ Checked by: _____
Project No.: 11645 Scale: 1:300

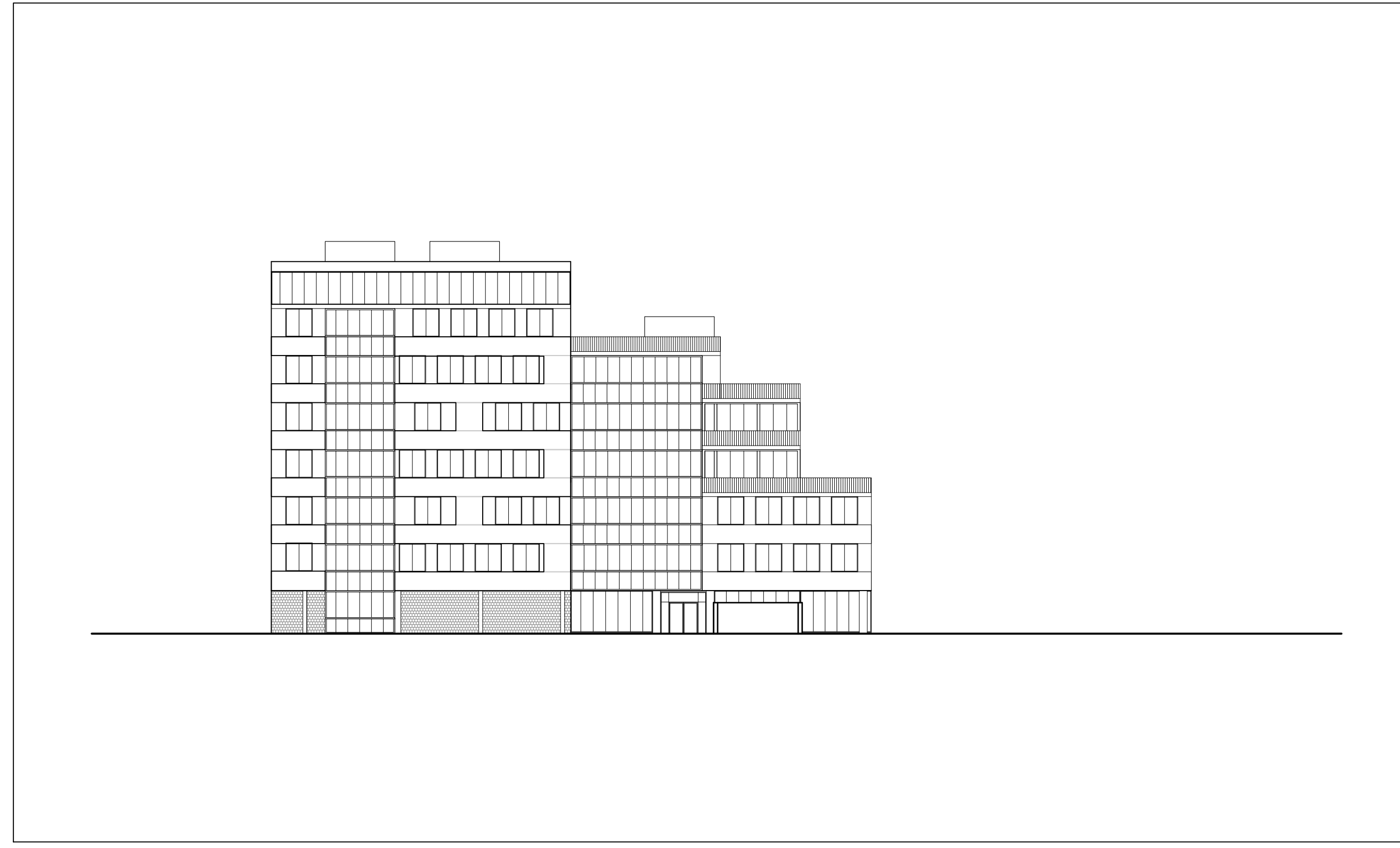
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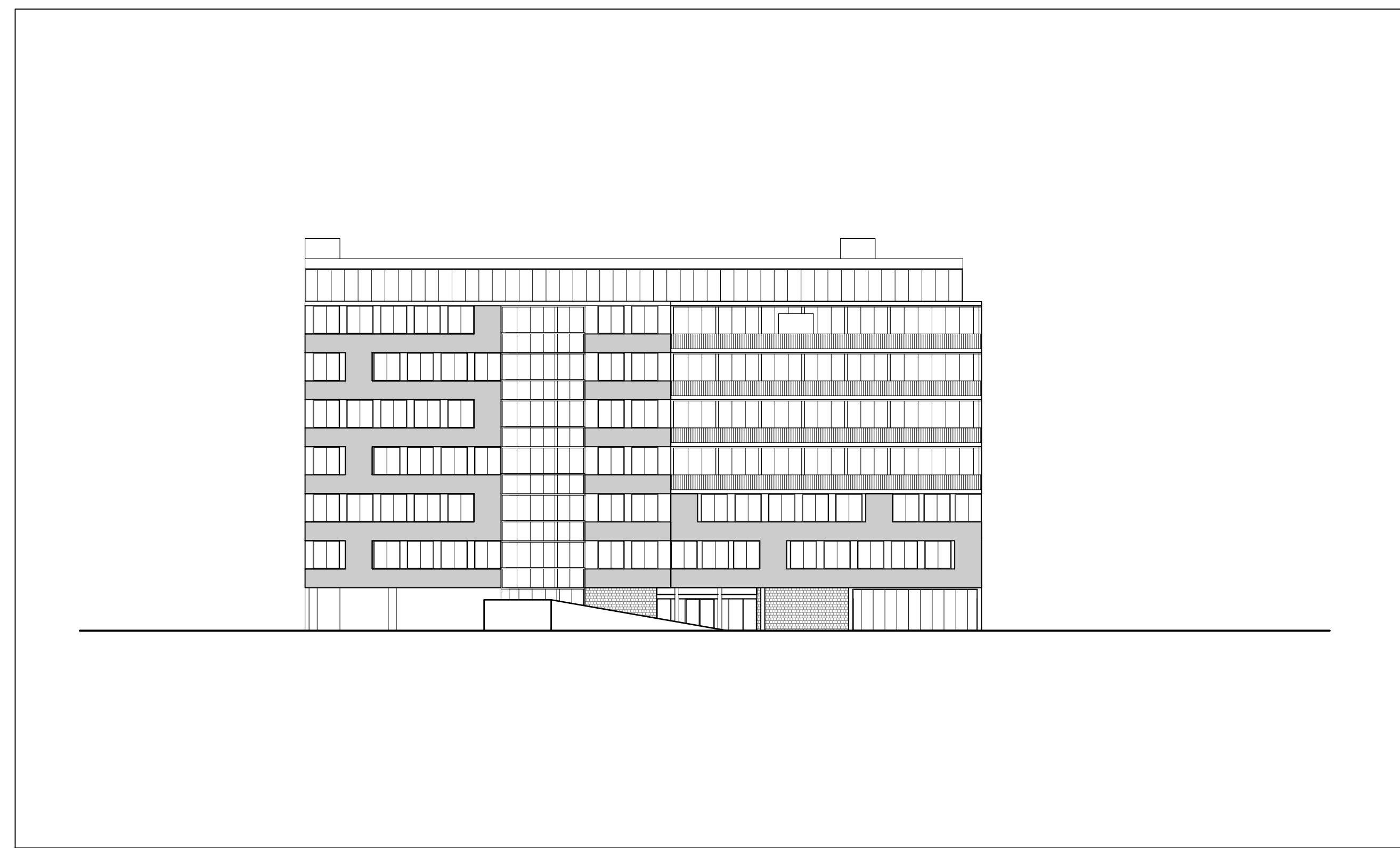
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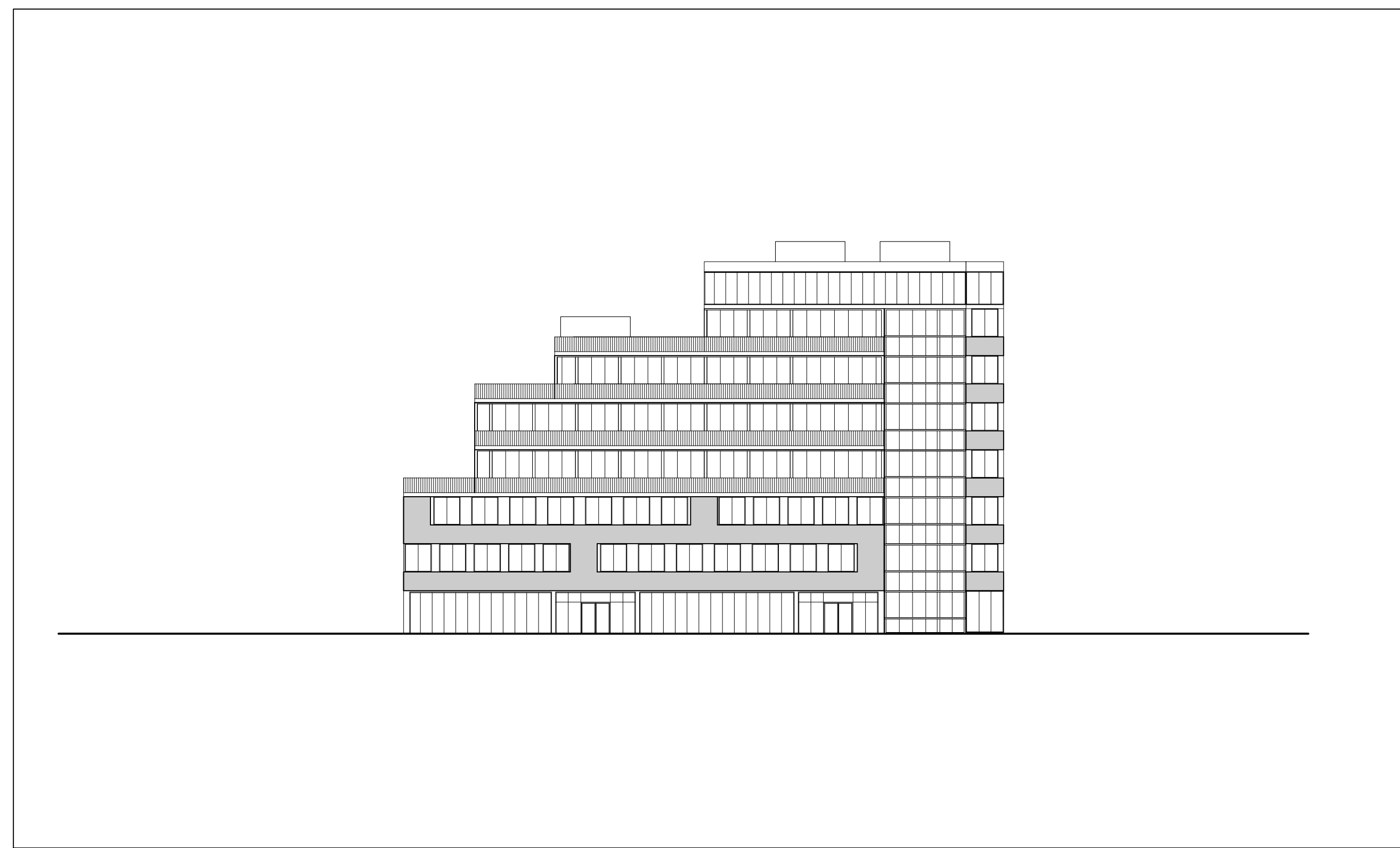
1 NORTH ELEVATION - BUILDING D FRONTING ONTO ACADIA DRIVE
A14 SCALE: 1:300



2 WEST ELEVATION - BUILDING D
A14 SCALE: 1:300



3 SOUTH ELEVATION - BUILDING D
A14 SCALE: 1:300



4 EAST ELEVATION - BUILDING D FRONTING ONTO UPPER SHERMAN
A14 SCALE: 1:300

final rezoning drawings - without prejudice	2019/11/04
No. Issues/Revisions	Date

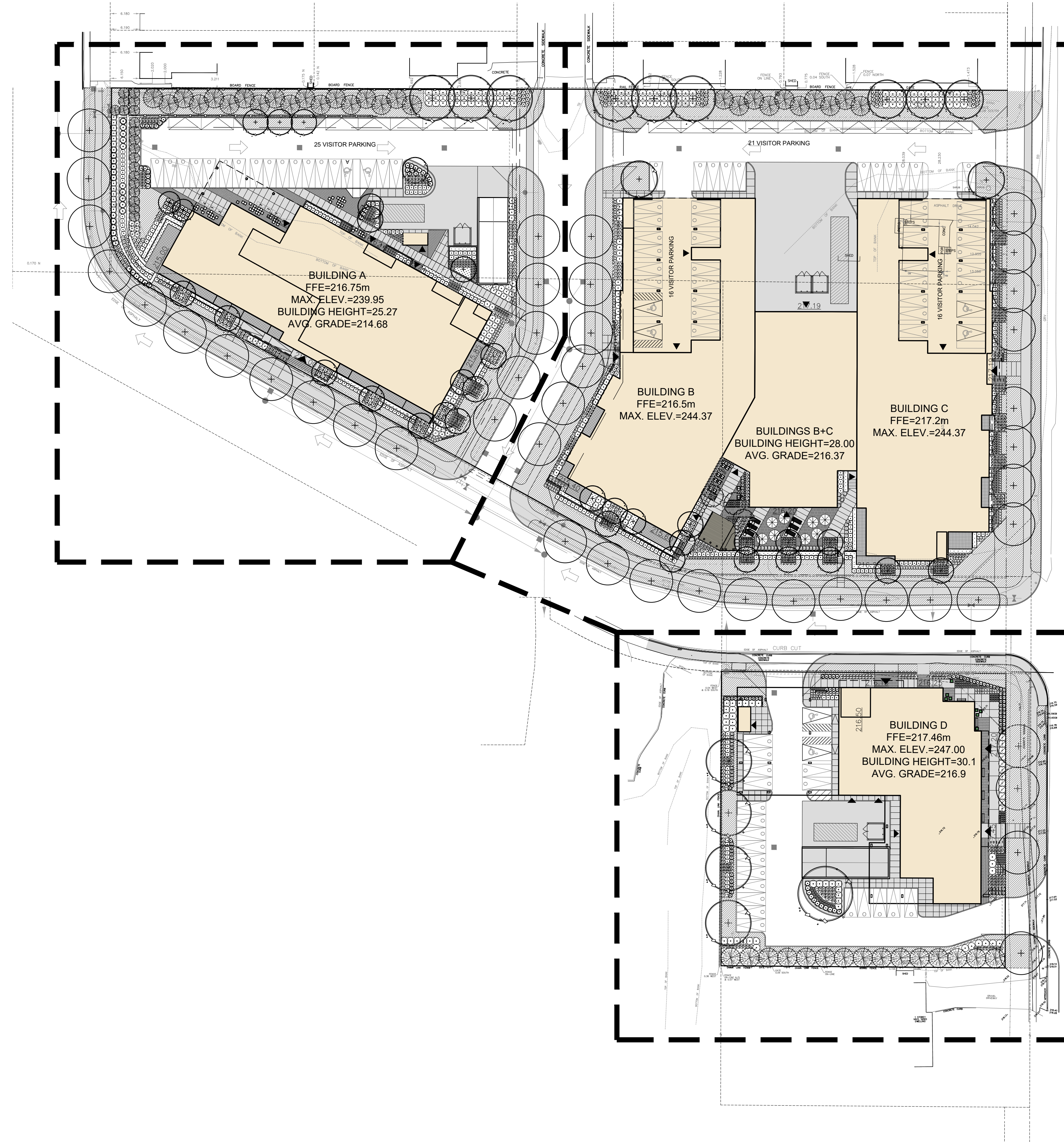
Drawing Title:
SOTHERN PARCEL
BUILDING D
SCHEMATIC ELEVATIONS

Issue Date: 2019-11-04
Drawn by: _____ Checked by: _____
Project No.: 11645 Scale: 1:300

SCHEDULE "D"

Upper Sherman & Acadia Housing Complex LANDSCAPE

ISSUED FOR SUBMISSION
JANUARY, 2020



DRAWING SCHEDULE:

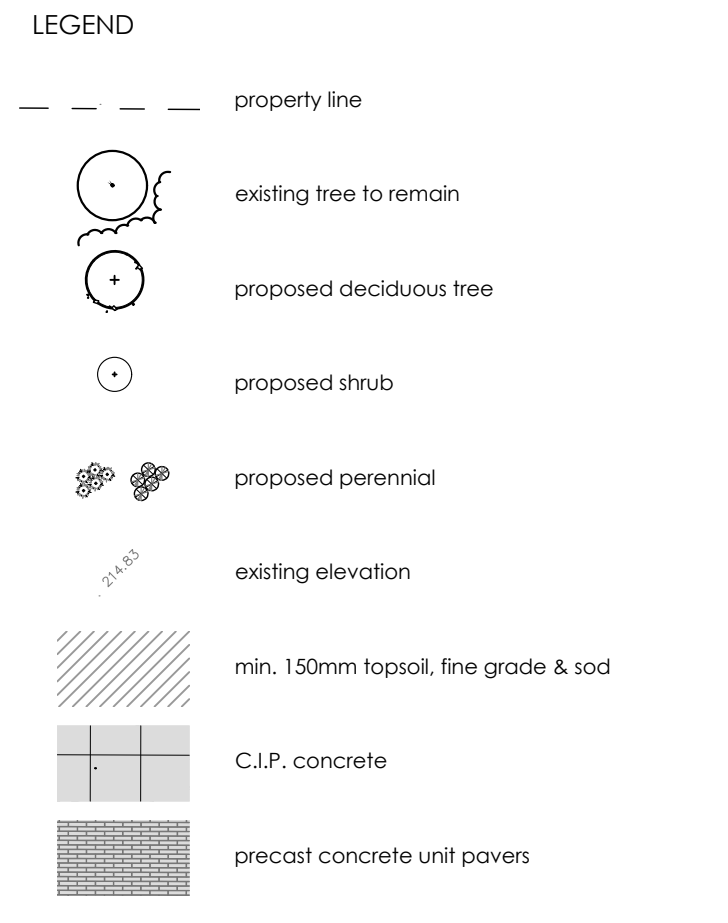
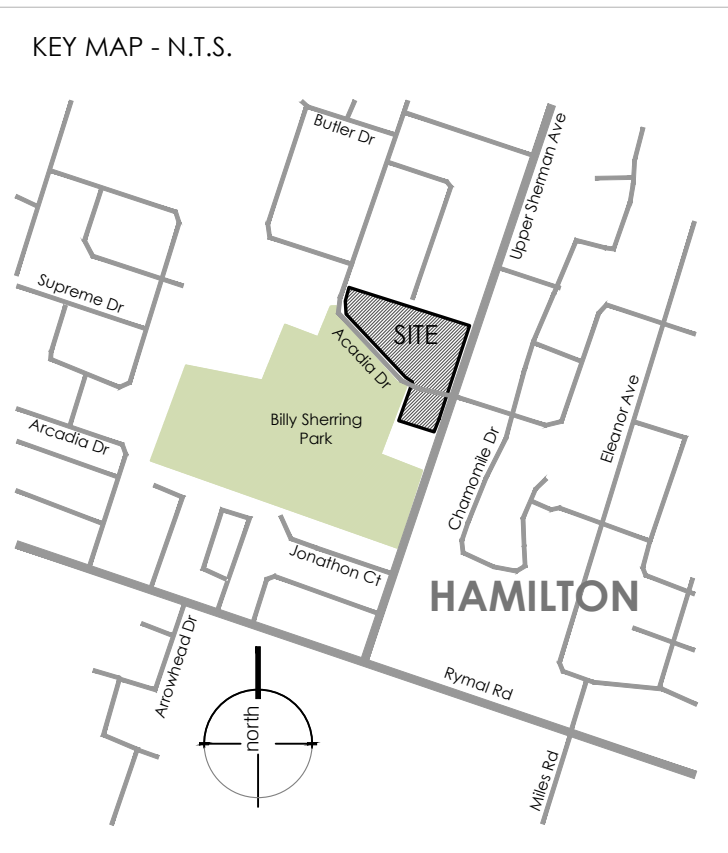
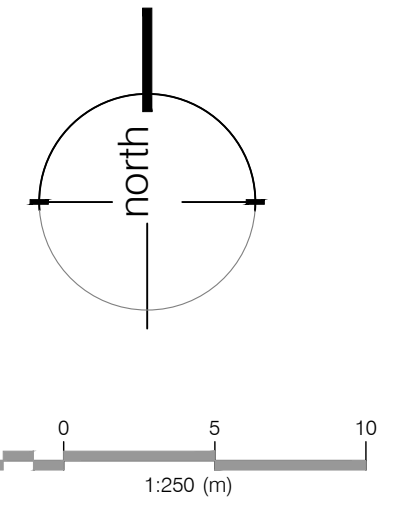
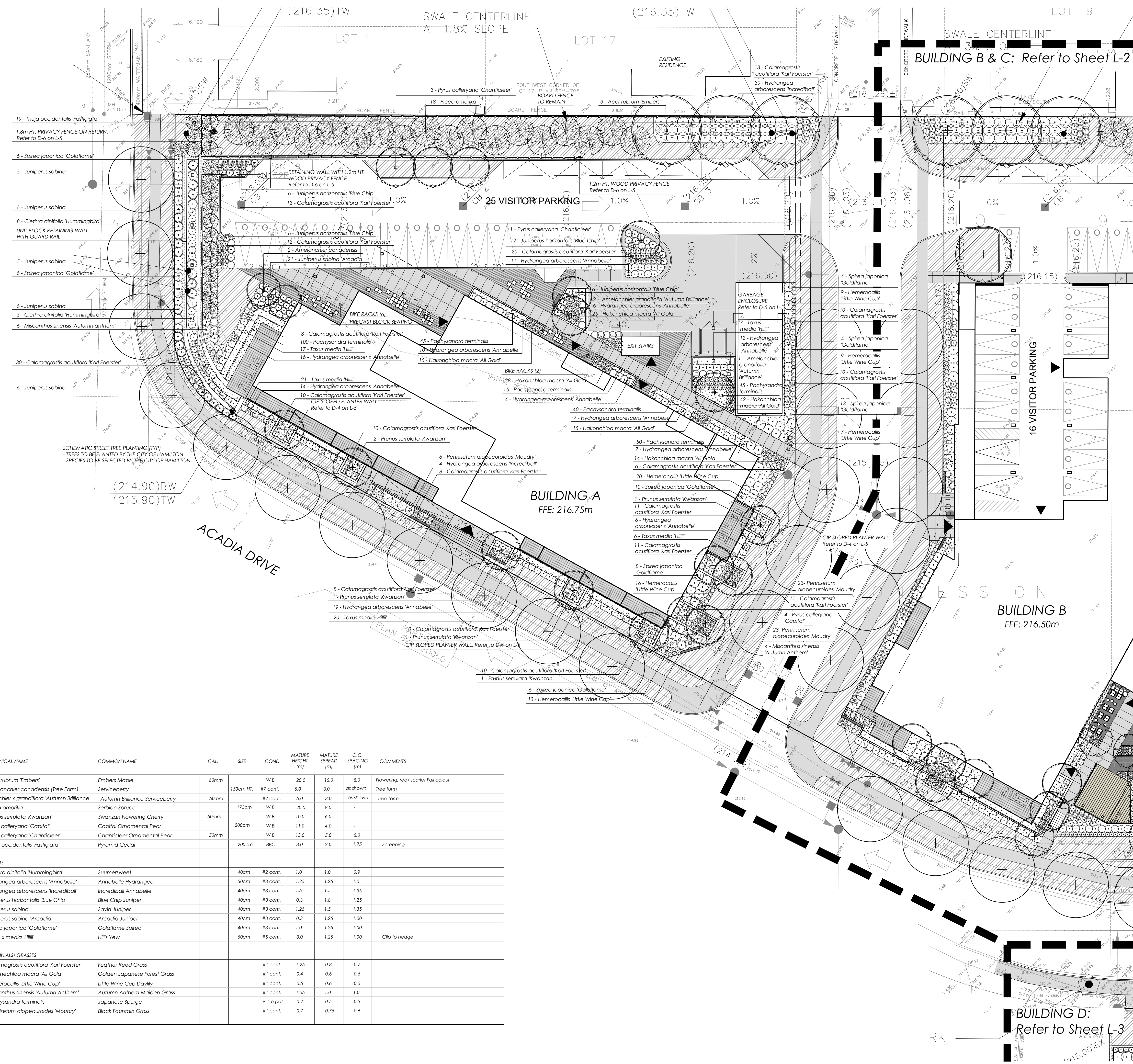
SHEET	DRAWING
L-1	Building A Landscape Plan & Notes
L-2	Building B & C Landscape Plan
L-3	Building D Landscape Plan & Amenity Enlargement
L-4	Planting Details
L-5	Details

CLIENT:
Sonoma Homes

CONSULTANT:
adesso design inc.
landscape architecture



218 Locke Street South, 2nd Floor
Hamilton, ON L8P 4B4
t. 905.526.8876
www.adessodesigninc.ca



- LANDSCAPE NOTES: 1. All work to be carried out in accordance with by-laws and codes having jurisdiction over site location. 2. Complete all work to the satisfaction of the Landscape Architect. 3. Report any changes, discrepancies or substitutions to the Landscape Architect for review. Obtain approval from the Landscape Architect before proceeding. 4. It is the contractor's responsibility to determine existing service locations. 5. Exact locations of plant material will be determined by placement of site services such as hydro vaults, meters, utilities roof rain water leaders, driveways, etc. 6. All plant material locations to be staked or marked out and approved by Landscape Architect prior to installation. 7. Supply all plant material in accordance with the Canadian Standards for Nursery Stock (B.S. and J.). 8. Install plant material according to details shown. 9. Supply and place mulch in accordance with Canadian Landscape Standard (Section 10, Mulching). Disturbed soil areas around trees and shrubs are to be covered with presided conifer bark mulch such as Cedar Bark Mulch by All Treat Farms or Classic Cedar Mulch by Gro-Bark, or approved equivalent. Alternative mulches must be approved by the Landscape Architect. 10. Contractor to utilize layout dimensions where provided. 11. Provide planting bed area as noted on the drawing or to accommodate mature size of plant material. 12. All support systems must be removed by the contractor at time of final acceptance. No extras will be paid to complete this work. 13. Supply and place topsoil in accordance with Canadian Landscape Standard (Section 4, Grading & Drainage and Section 6, Growing Medium) to a minimum depth of 150mm unless otherwise specified. 14. Supply and place seed in accordance with Canadian Landscape Standard (Section 7, Lawns & Grass and Section 8, Turfgrass Sod/units otherwise specified). 15. Supply and place seed in accordance with Canadian Landscape Standard (Section 4, Grading & Drainage and Section 6, Growing Medium) unless otherwise specified. All 5:1 or greater slopes to be seeded with facier. Contractor to provide necessary erosion control protection as required to ensure soil stabilization and proper seed germination. 16. All dimensions in meters unless otherwise noted. 17. If discrepancies arise between plant material count shown on drawing and plant list, the drawing shall be considered correct. 18. Contractor to provide minimum one (1) year warranty (including trees on municipal property) from date accepted on all work unless otherwise specified. 19. Any site plan or grading and servicing shown is for information only. Refer to approved drawings. 20. Not for construction unless stamped, signed and dated by Landscape Architect. 21. Drawings not to be reproduced without written consent from Landscape Architect. 22. Approval of landscape plan to be obtained from municipality. 23. All plant material to be planted a minimum of 1.0m from any swales or ditches. 24. For grading and servicing information refer to the consulting Engineer's drawings. 25. For lighting information and power distribution refer to the electrical consultant's drawings.

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

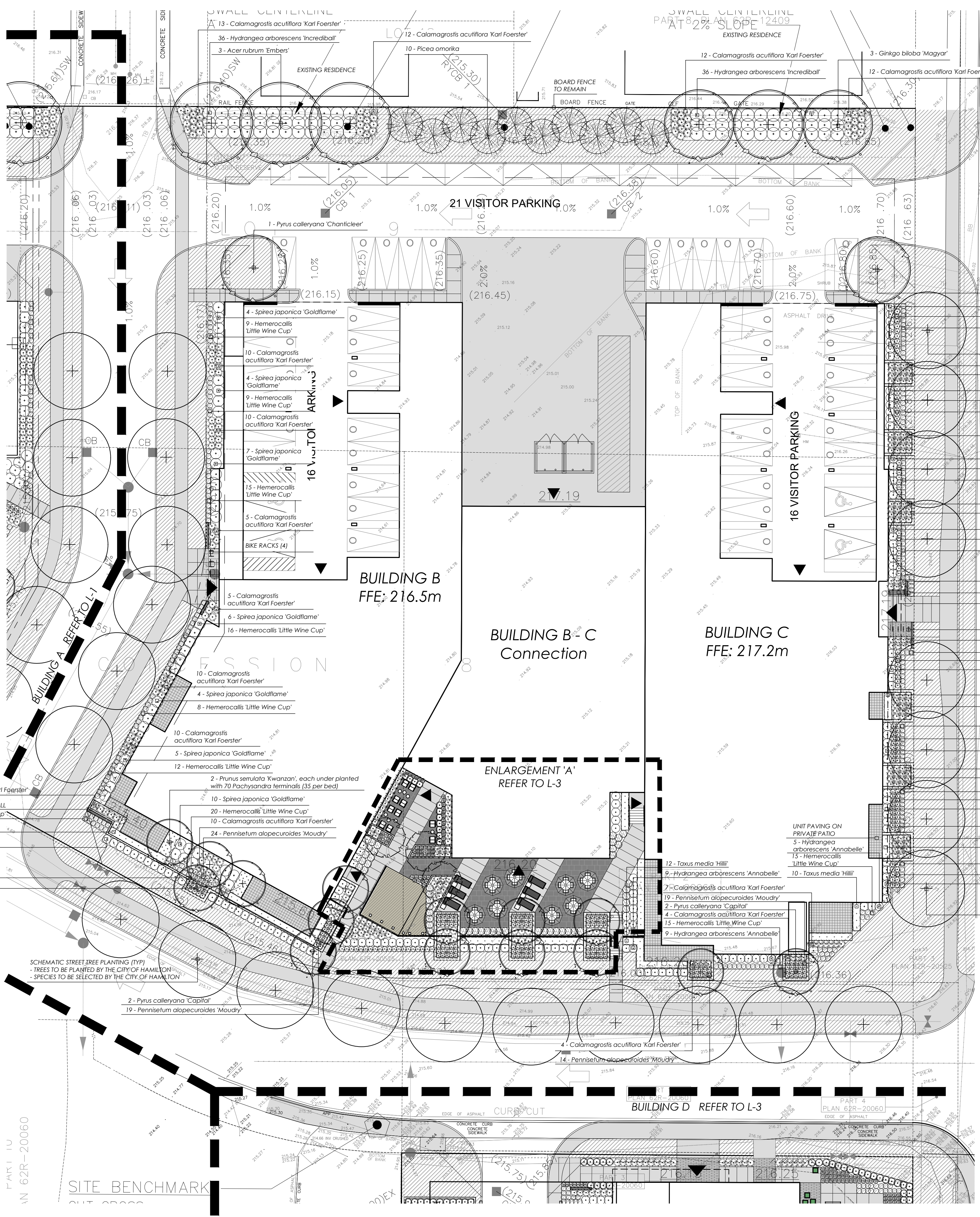
REVISIONS/ SUBMISSIONS table with columns: #, DATE, DESCRIPTION. Includes two revisions: 1. 2020-01-13 Issued for Submission, 2. 2020-01-28 1.2m ht. Wood screen fence added.



CLIENT: Sonoma Homes
MUNICIPALITY: City of Hamilton
PROJECT: Upper Sherman and Acadia Housing Complex
1518 & 1540 Upper Sherman Ave.
Hamilton ON

SHEET: Landscape Plan L-1
adeso design inc. landscape architecture
218 Locke Street South, 2nd Floor
Hamilton, ON L8P 4B4
t. 905.526.8876
www.adesodesigninc.ca

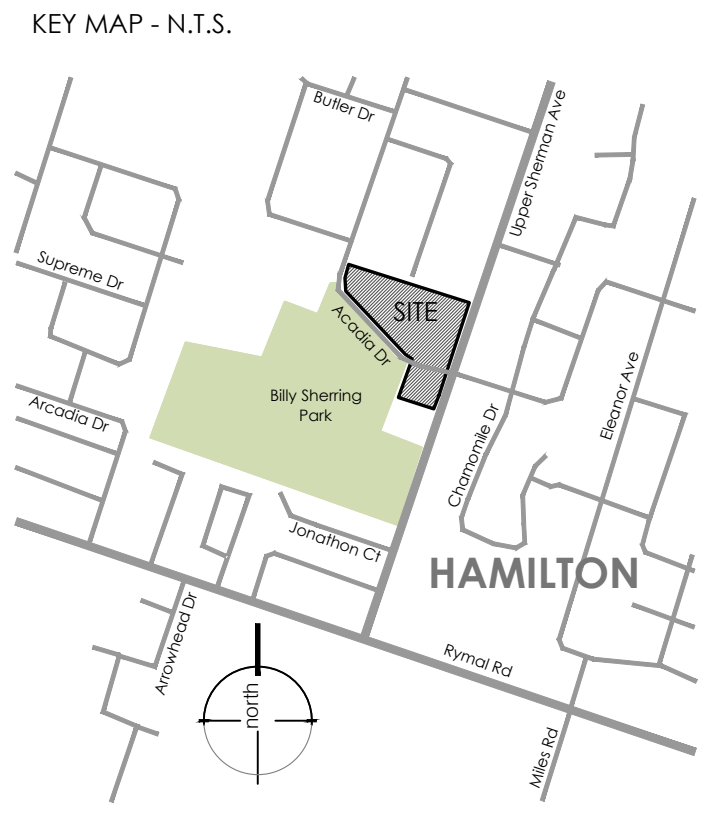
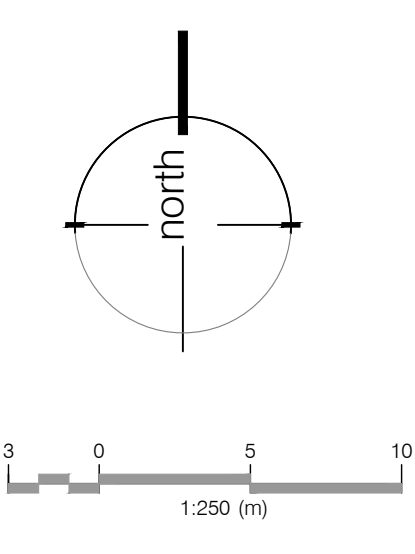
PLANT LIST table with columns: QNTY, BOTANICAL NAME, COMMON NAME, CAL, SIZE, COND., MATURE HEIGHT (m), MATURE SPREAD (m), O.C. SPACING (m), COMMENTS. Lists various trees, shrubs, and perennials/grasses.



- 1 - Pyrus calleryana 'Chanticleer'
- 8 - Hydrangea arborescens 'Annabelle'
- 11 - Pennisetum alopecuroides 'Mouduy'
- 12 - Hemerocallis 'Little Wine Cup'
- SCHMATIC STREET TREE PLANTING (TYP)
- TREES TO BE PLANTED BY THE CITY OF HAMILTON
- SPECIES TO BE SELECTED BY THE CITY OF HAMILTON
- 16 - Calamagrostis acutiflora 'Karl Foerster'
- CIP SLOPED PLANTER WALL. Refer to D-4 on L-5
- 6 - Hydrangea arborescens 'Annabelle'
- 10 - Pennisetum alopecuroides 'Mouduy'
- 9 - Hemerocallis 'Little Wine Cup'
- 16 - Calamagrostis acutiflora 'Karl Foerster'
- CIP SLOPED PLANTER WALL. Refer to D-4 on L-5
- 7 - Hydrangea arborescens 'Annabelle'
- 10 - Pennisetum alopecuroides 'Mouduy'
- 17 - Hemerocallis 'Little Wine Cup'
- 6 - Calamagrostis acutiflora 'Karl Foerster'
- CONCRETE ENTRY SIGNAGE WALL
BENCH
- BIKE RACKS (4)
- 8 - Calamagrostis acutiflora 'Karl Foerster'
- 10 - Hemerocallis 'Little Wine Cup'
- 9 - Pennisetum alopecuroides 'Mouduy'
- 5 - Hydrangea arborescens 'Annabelle'
- 4 - Taxus media 'Hill'
- 15 - Calamagrostis acutiflora 'Karl Foerster'
- 9 - Hemerocallis 'Little Wine Cup'
- 18 - Pennisetum alopecuroides 'Mouduy'
- 5 - Hydrangea arborescens 'Annabelle'
- 16 - Calamagrostis acutiflora 'Karl Foerster'
- CIP SLOPED PLANTER WALL. Refer to D-4 on L-5
- 10 - Hemerocallis 'Little Wine Cup'
- 20 - Pennisetum alopecuroides 'Mouduy'
- 6 - Hydrangea arborescens 'Annabelle'
- CIP SLOPED CONCRETE PLANTER WALL
- 12 - Pennisetum alopecuroides 'Mouduy'
- 3 - Taxus media 'Hill'
- 5 - Hemerocallis 'Little Wine Cup'
- 10 - Pennisetum alopecuroides 'Mouduy'
- 6 - Hydrangea arborescens 'Annabelle'
- SCHMATIC STREET TREE PLANTING (TYP)
- TREES TO BE PLANTED BY THE CITY OF HAMILTON
- SPECIES TO BE SELECTED BY THE CITY OF HAMILTON

PLANT LIST

QNTY.	BOTANICAL NAME	COMMON NAME	CAL.	SIZE	COND.	MATURE HEIGHT (FT)	MATURE SPREAD (FT)	O.C. SPACING (FT)	COMMENTS
TREES									
3	Acer rubrum 'Embers'	Embers Maple	60mm		W.B.	20.0	15.0	8.0	Flowering: red Fall colour
3	Ginkgo biloba 'Magyar'	Magyar Maidenhair Tree	50mm		W.B.	17.0	12.0	-	
10	Picea omorika	Serbian Spruce		175cm	W.B.	20.0	8.0	-	
2	Prunus serotina 'Xwanzan'	Swanzan Flowering Cherry	50mm		W.B.	10.0	6.0	-	
6	Pyrus calleryana 'Capitol'	Capitol Ornamental Pear		200cm	W.B.	11.0	4.0	-	
2	Pyrus calleryana 'Chanticleer'	Chanticleer Ornamental Pear	50mm		W.B.	13.0	5.0	5.0	
SHRUBS									
101	Hydrangea arborescens 'Annabelle'	Annabelle Hydrangea	50cm		#3 cont.	1.25	1.25	1.0	
72	Hydrangea arborescens 'Incrediball'	Incrediball Annabelle	40cm		#3 cont.	1.5	1.5	1.35	
40	Spiraea japonica 'Goldflame'	Goldflame Spirea	40cm		#3 cont.	1.0	1.25	1.00	
56	Taxus x media 'Hill'	Hill's Yew	50cm		#5 cont.	3.0	1.25	1.00	Clip to hedge
PERENNIALS/ GRASSES									
224	Calamagrostis acutiflora 'Karl Foerster'	Feather Reed Grass			#1 cont.	1.25	0.8	0.7	
212	Hemerocallis 'Little Wine Cup'	Little Wine Cup Daylily			#1 cont.	0.5	0.6	0.5	
70	Pachysandra terminalis	Japanese Spurge			9 cm pot	0.2	0.5	0.3	
180	Pennisetum alopecuroides 'Mouduy'	Black Fountain Grass			#1 cont.	0.7	0.75	0.6	

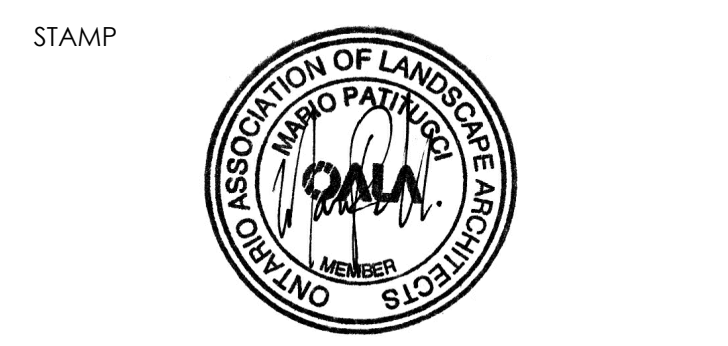


- LEGEND**
- property line
 - existing tree to remain
 - proposed deciduous tree
 - proposed shrub
 - proposed perennial
 - existing elevation
 - ▨ min. 150mm topsoil, fine grade & sod
 - ▩ C.I.P. concrete
 - ▩ precast concrete unit pavers

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

REVISIONS/ SUBMISSIONS

#	DATE	DESCRIPTION
1	2020-01-13	Issued for Submission
2	2020-01-28	1.2m ht. Wood screen fence added



CLIENT
Sonoma Homes

MUNICIPALITY
City of Hamilton

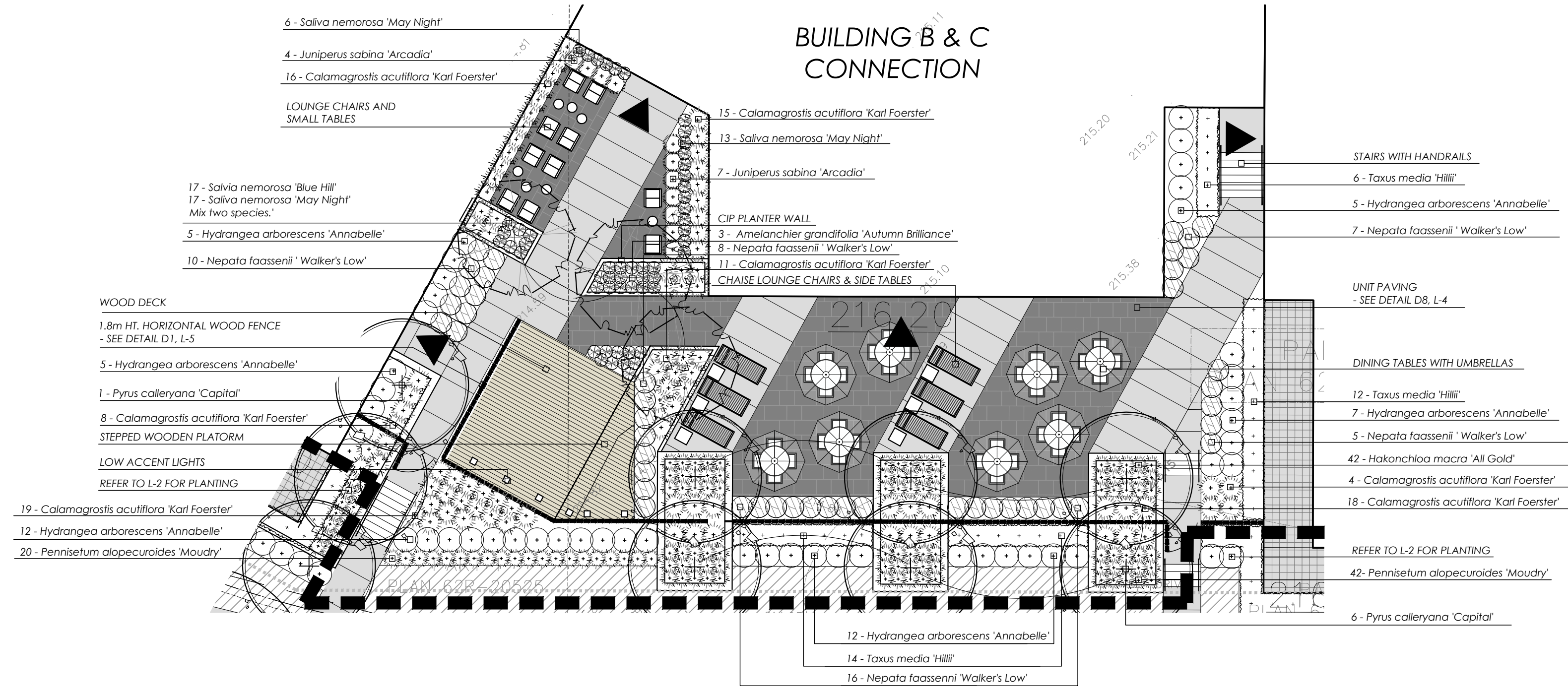
PROJECT
Upper Sherman and Acacia
Housing Complex
1518 & 1540 Upper Sherman Ave.
Hamilton ON

MUNICIPAL FILE NUMBER

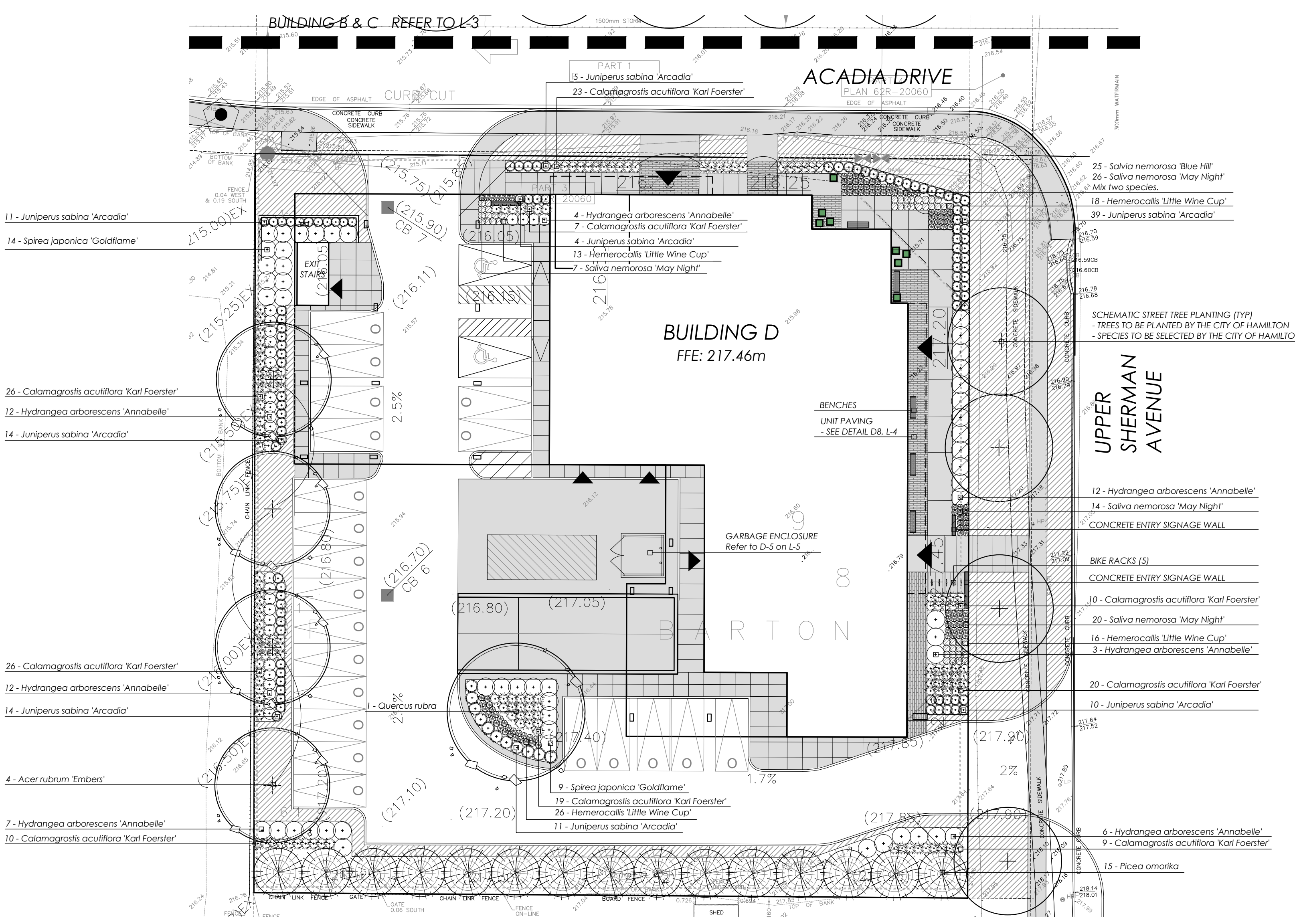
SHEET
Landscape Plan

adesso design inc.
landscape architecture

218 Locke Street South, 2nd Floor
Hamilton, ON L8P 4B4
t. 905.526.8876
www.adessodesigninc.ca



ENLARGEMENT 'A' - BUILDING B & C Amenity Area
SCALE 1:150



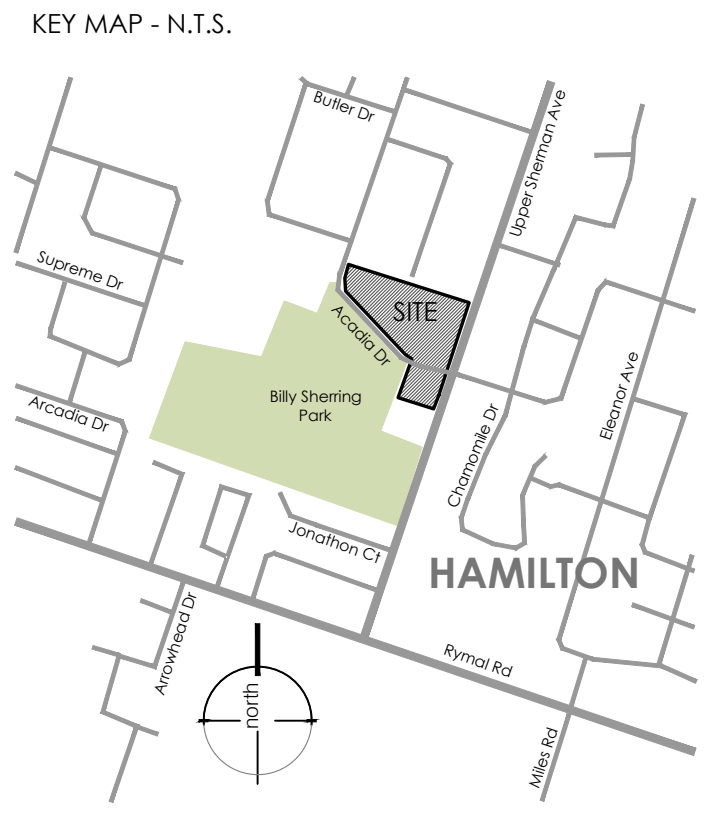
BUILDING D
SCALE 1:250

PLANT LIST

QNTY.	BOTANICAL NAME	COMMON NAME	CAL.	SIZE	COND.	MATURE HEIGHT (m)	MATURE SPREAD (m)	O.C. SPACING (m)	COMMENTS
TREES									
3	Amelanchier x grandiflora 'Autumn Brilliance'	Autumn Brilliance Serviceberry	50mm	200cm	#7 cont.	5.0	3.0	as shown	tree form
7	Pyrus calleryana 'Capitol'	Capitol Ornamental Pear			W.B.	11.0	4.0		
SHRUBS									
41	Hydrangea arborescens 'Annabelle'	Annabelle Hydrangea	50cm		#3 cont.	1.25	1.25	1.0	
11	Juniperus sabina 'Arcadia'	Arcadia Juniper	40cm		#3 cont.	0.3	1.25	1.00	
32	Taxus x media 'Hill'	Hill's Yew	50cm		#5 cont.	3.0	1.25	1.00	Clip to hedge
PERENNIALS/ GRASSES									
73	Calamagrostis acutiflora 'Karl Foerster'	Feather Reed Grass			#1 cont.	1.25	0.8	0.7	
42	Hakonechloa macra 'All Gold'	Golden Japanese Forest Grass			#1 cont.	0.4	0.6	0.5	
46	Nepeta faassenii 'Walker's Low'	Catmint			#1 cont.	0.5	0.9	0.9	
42	Pennisetum alopecuroides 'Mouduy'	Black Fountain Grass			#1 cont.	0.7	0.75	0.6	
17	Salvia nemorosa 'Blue Hill'	Blue Hill Meadow Sage			#1 cont.	0.5	0.5	0.5	
36	Salvia nemorosa 'May Night'	May Night Meadow Sage			#1 cont.	0.5	0.5	0.5	

PLANT LIST

QNTY.	BOTANICAL NAME	COMMON NAME	CAL.	SIZE	COND.	MATURE HEIGHT (m)	MATURE SPREAD (m)	O.C. SPACING (m)	COMMENTS
TREES									
4	Acer rubrum 'Embers'	Embers Maple	60mm		W.B.	20.0	15.0	8.0	Flowering: red; scarlet Fall colour
15	Picea omorika	Serbian Spruce		175cm	W.B.	20.0	8.0	-	
1	Quercus rubra	Red Oak	50mm		W.B.	20m	18.0	-	
SHRUBS									
56	Hydrangea arborescens 'Annabelle'	Annabelle Hydrangea	50cm		#3 cont.	1.25	1.25	1.0	
108	Juniperus sabina 'Arcadia'	Arcadia Juniper	40cm		#3 cont.	0.3	1.25	1.00	
23	Spiraea japonica 'Goldflame'	Goldflame Spiraea	40cm		#3 cont.	1.0	1.25	1.00	
PERENNIALS/ GRASSES									
150	Calamagrostis acutiflora 'Karl Foerster'	Feather Reed Grass			#1 cont.	1.25	0.8	0.7	
73	Hemerocallis 'Little Wine Cup'	Little Wine Cup Daylily			#1 cont.	0.5	0.6	0.5	
25	Salvia nemorosa 'Blue Hill'	Blue Hill Meadow Sage			#1 cont.	0.5	0.5	0.5	
67	Salvia nemorosa 'May Night'	May Night Meadow Sage			#1 cont.	0.5	0.5	0.5	



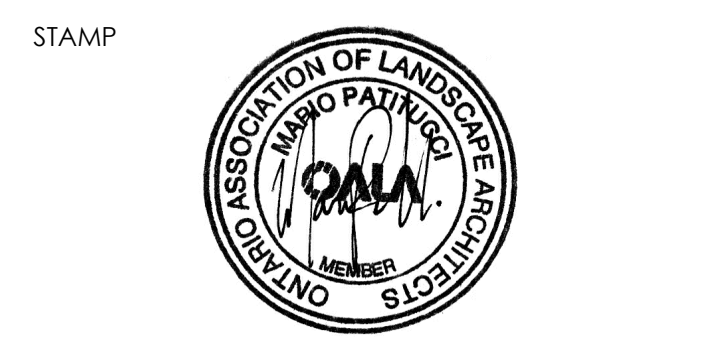
LEGEND

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Housing Complex
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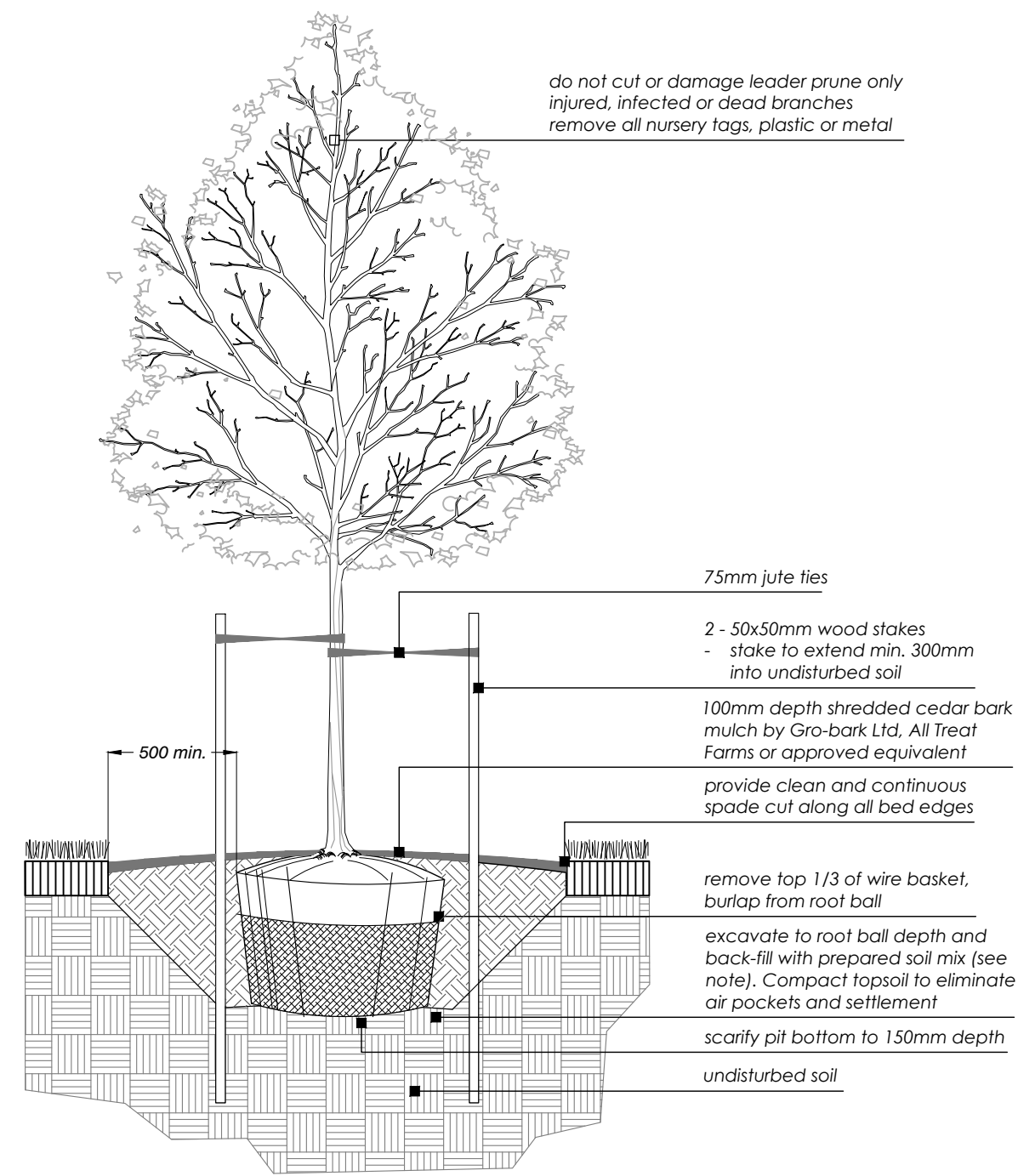
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SHEET
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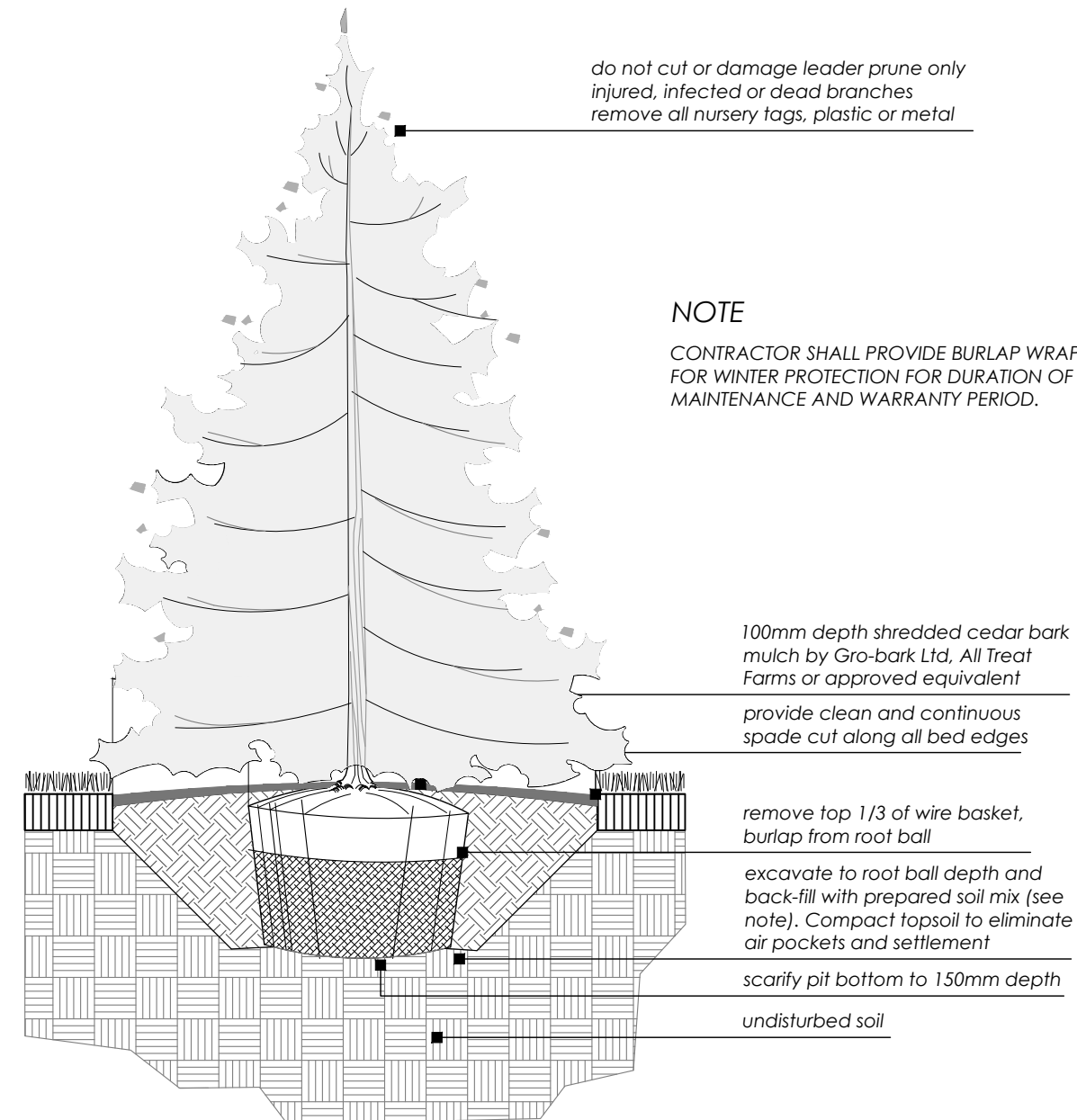
L-3



Balled & Burlapped/ Wire Basket Deciduous Tree

SCALE: NTS

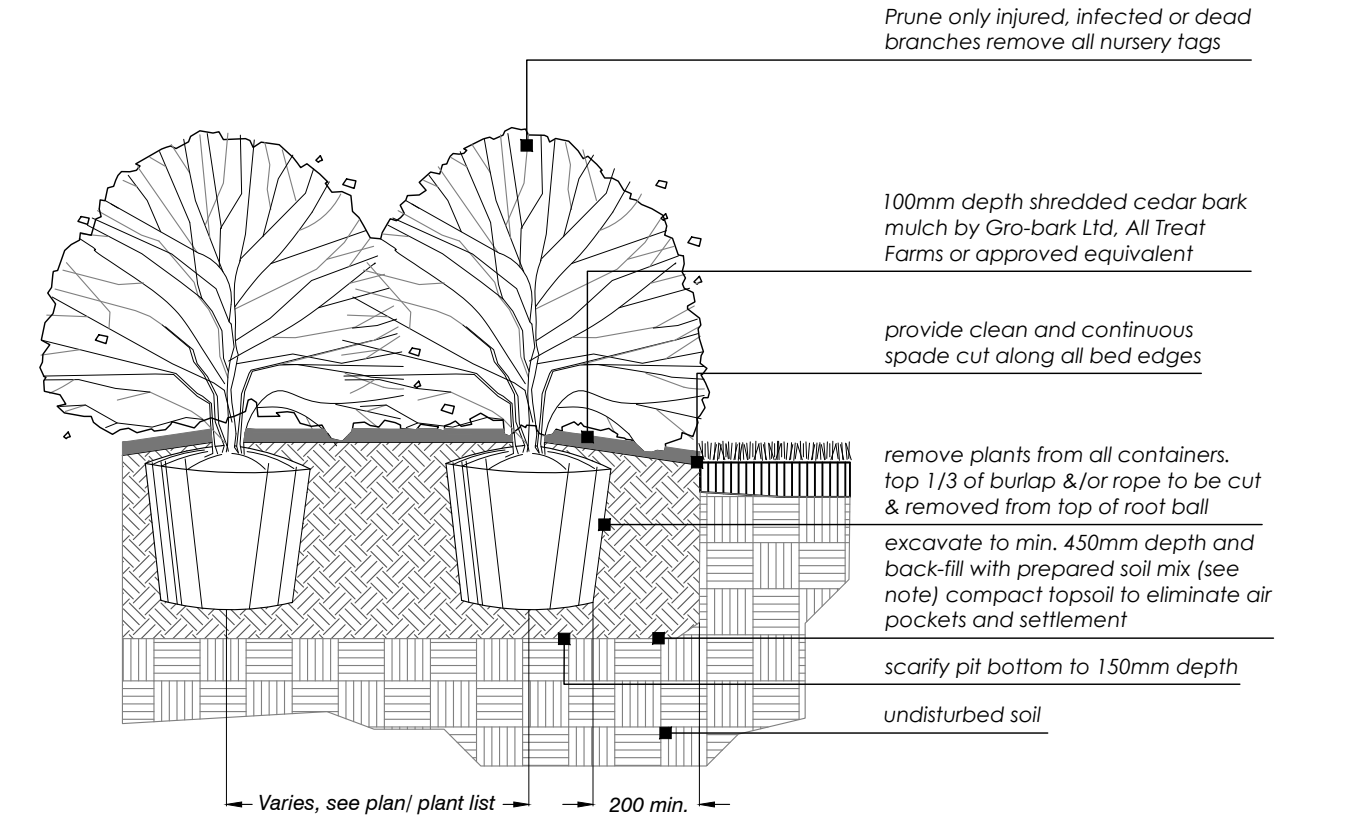
1
L-4



Balled & Burlapped/ Wire Basket Coniferous Tree

SCALE: NTS

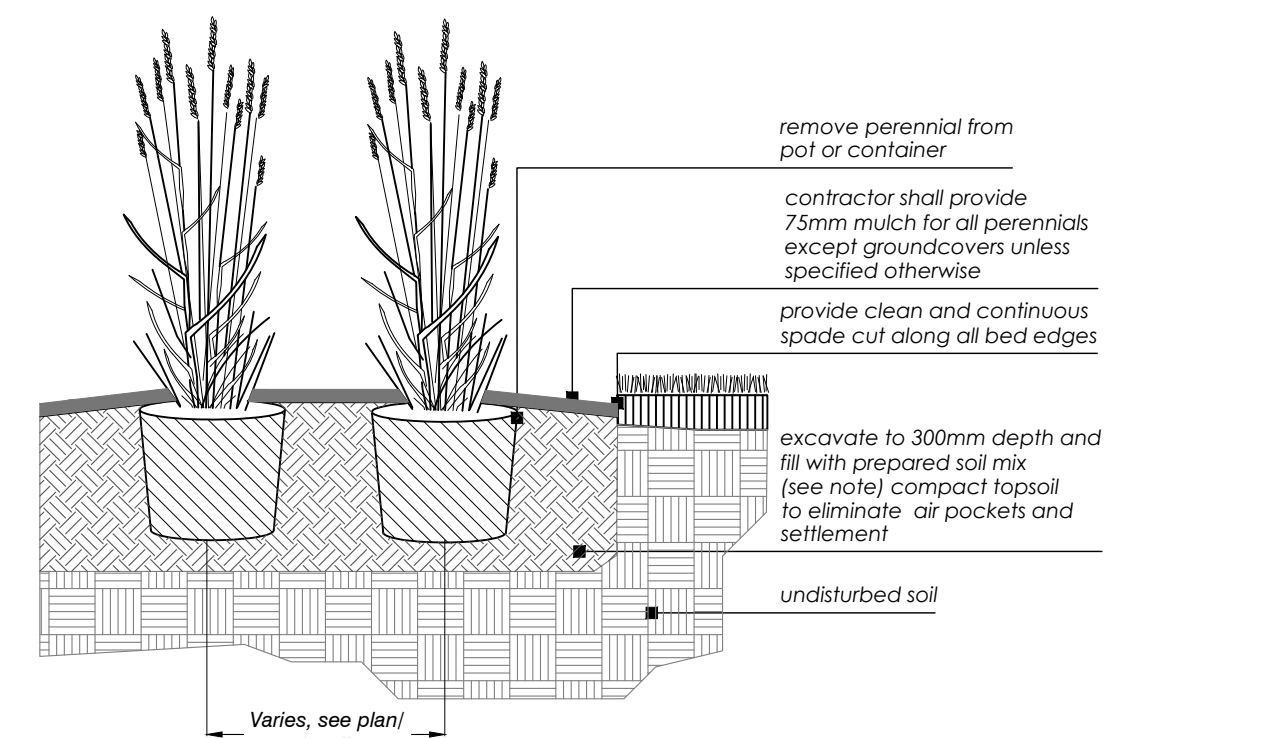
2
L-4



Container Grown Shrub

SCALE: NTS

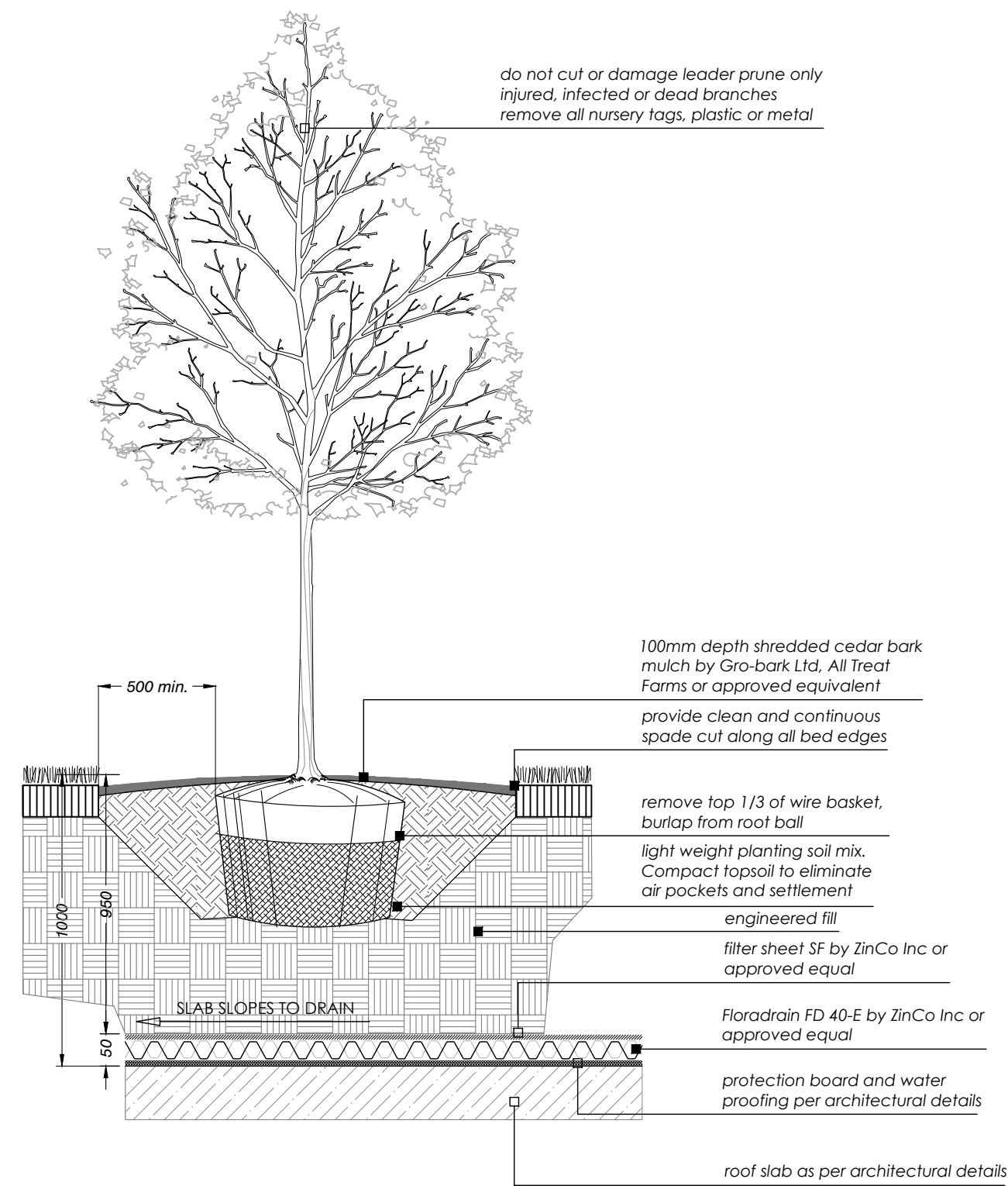
3
L-5



Container Grown Perennial

SCALE: NTS

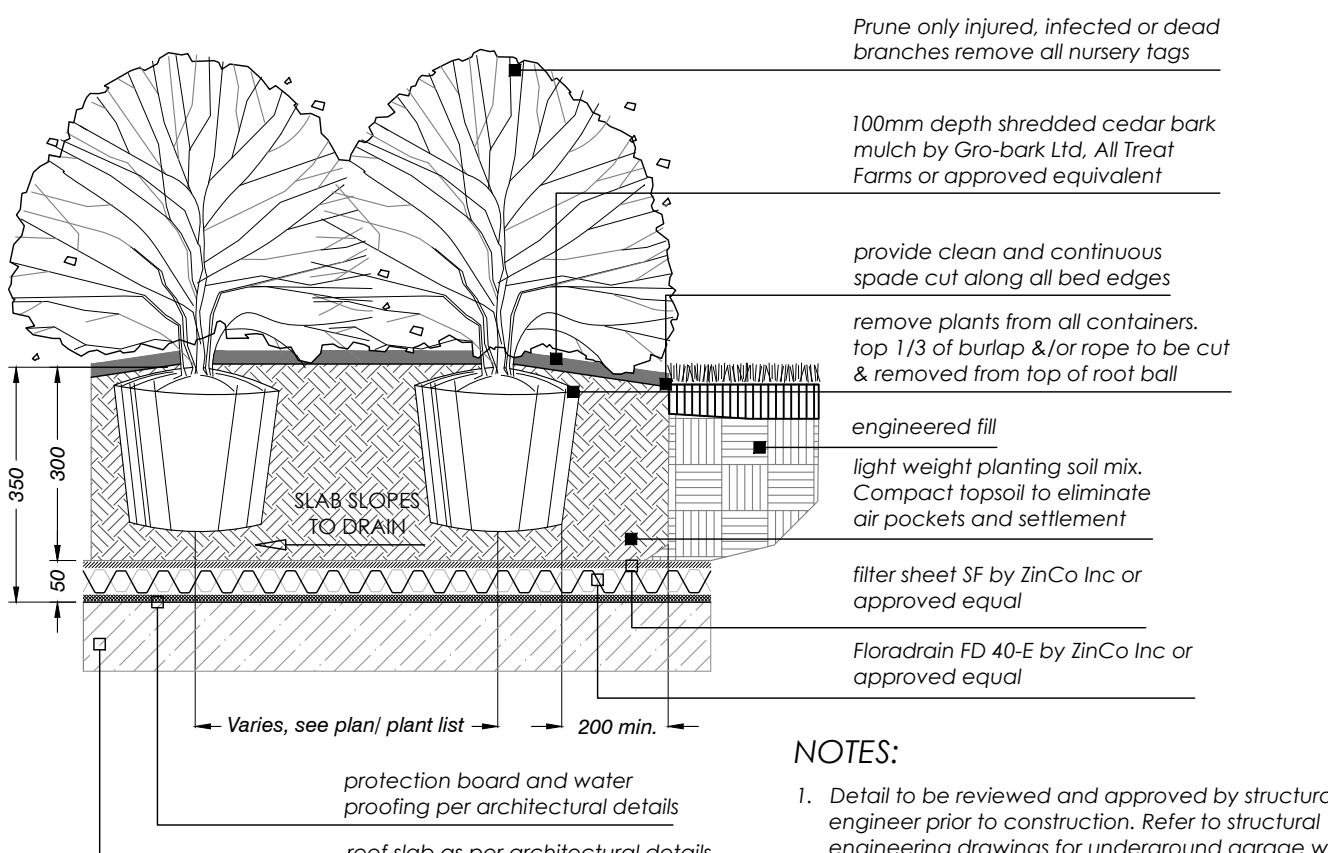
4
L-4



Balled & Burlapped/ Wire Basket Deciduous Tree (on slab)

SCALE: NTS

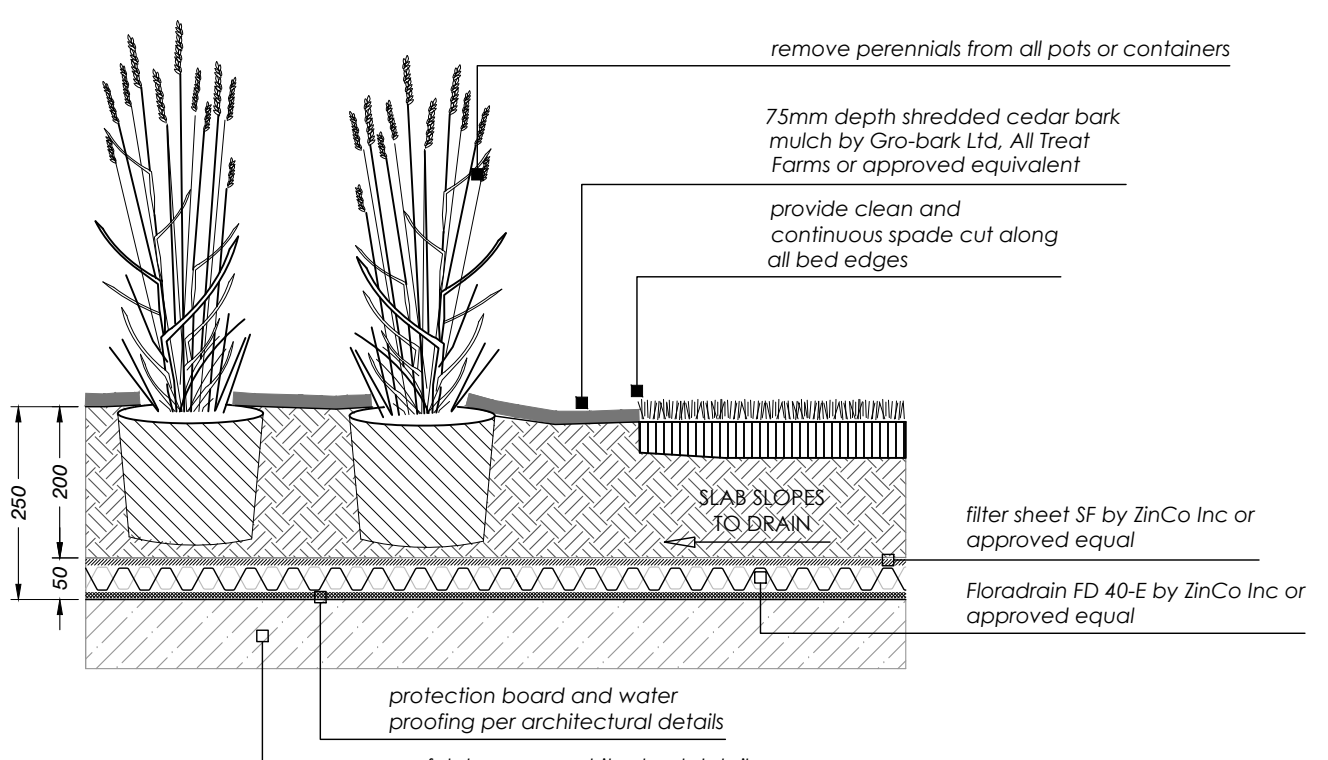
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L-4



Container Grown Shrub (on slab)

SCALE: NTS

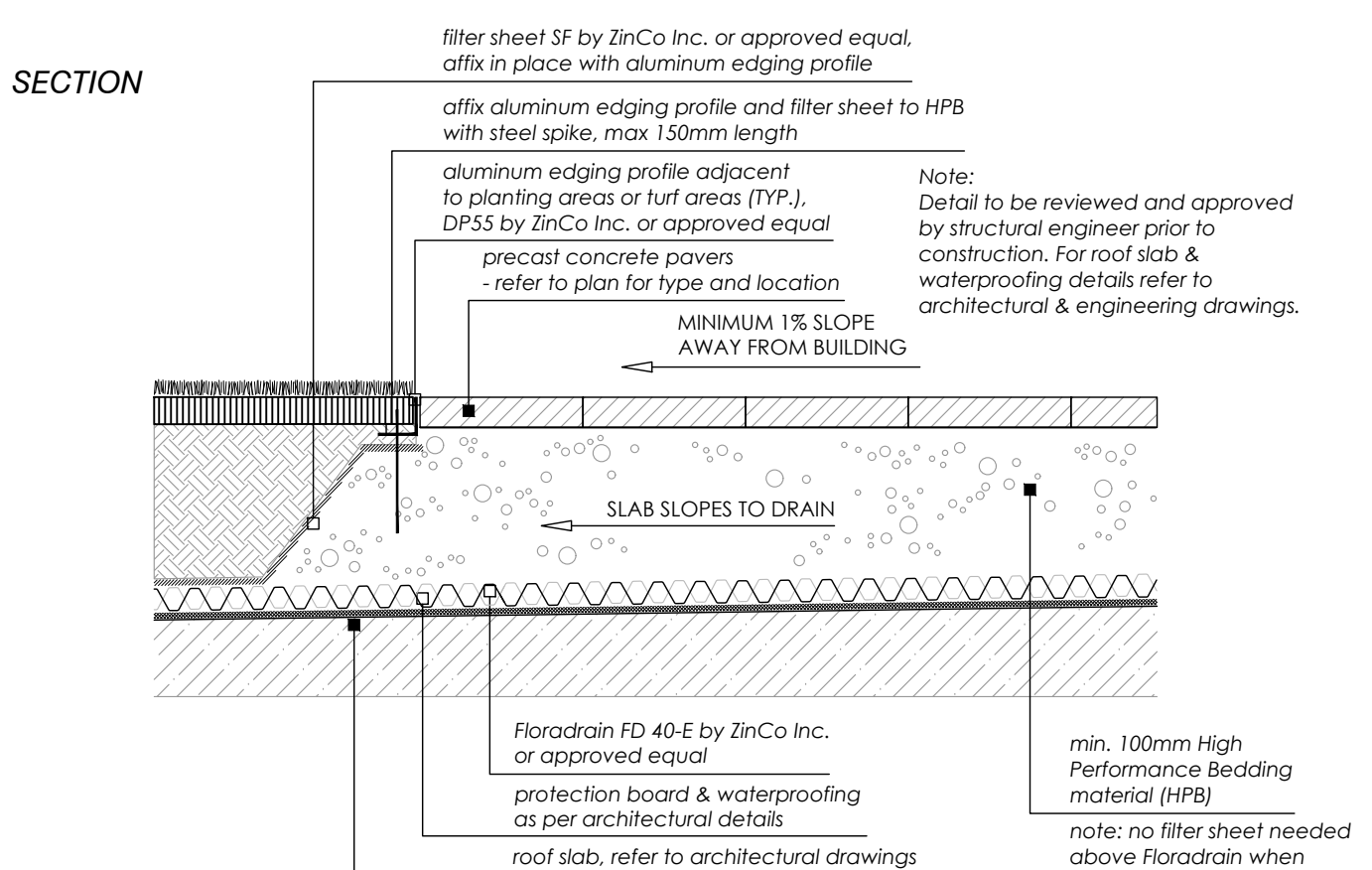
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L-4



Balled & Burlapped/ Wire Basket Deciduous Tree (on slab)

SCALE: NTS

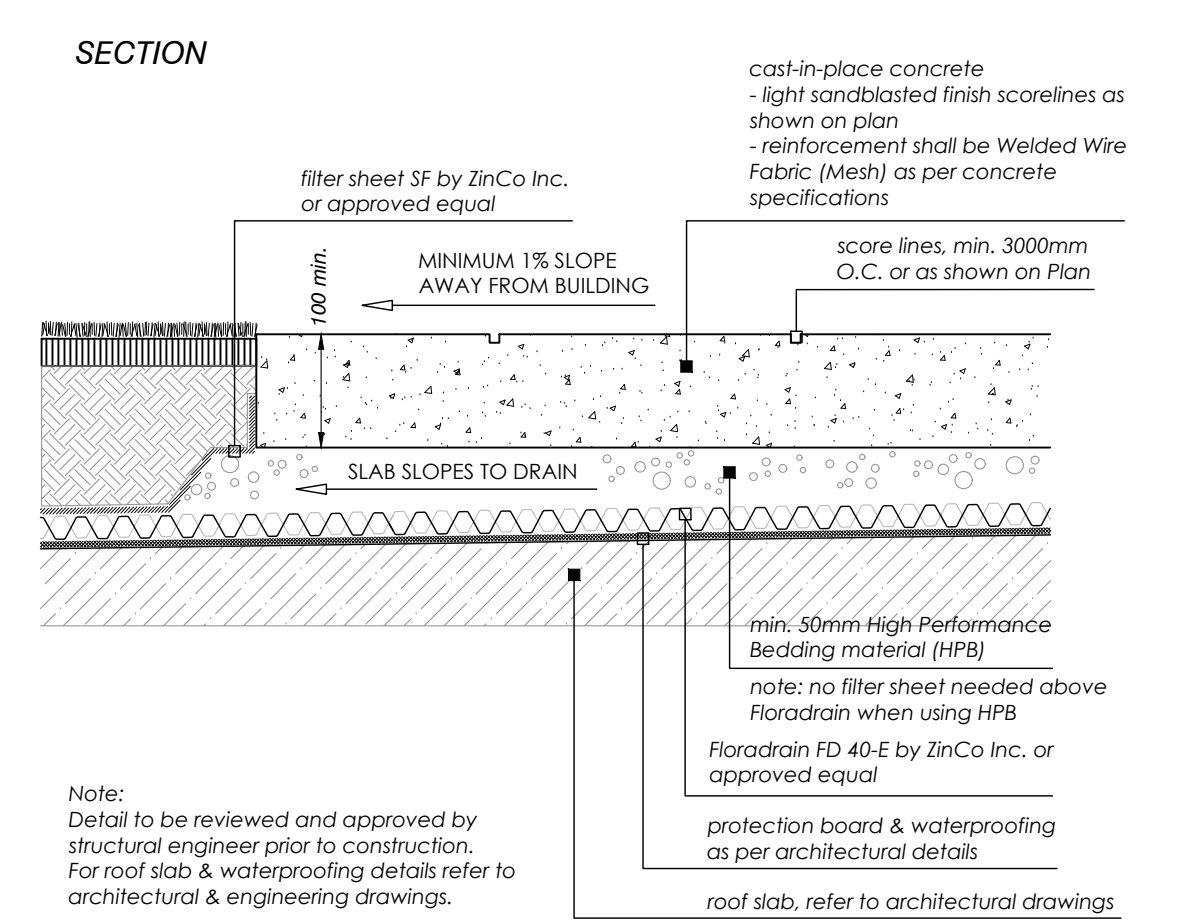
7
L-4



Precast Concrete Pavers on Slab - Typical

SCALE: NTS

8
L-4



Cast-In-Place Concrete on Slab

SCALE: NTS

9
L-4

- NOTES:
1. Detail to be reviewed and approved by structural engineer prior to construction. Refer to structural engineering drawings for underground garage wall and roof slab details.
 2. Staking of trees will not occur on roof top.

- NOTES:
1. Detail to be reviewed and approved by structural engineer prior to construction. Refer to structural engineering drawings for underground garage wall and roof slab details.

NOTES:

1. Paver types are as follows (or approved equal):
- | TYPE | DESCRIPTION | PATTERN | SIZE | COLOR | LOCATION |
|------|----------------------------|--------------|---------|------------|----------------------|
| 'A' | Unilock Promenade | Pattern A | 4 x 16 | Opal Blend | Walkways & Entrances |
| 'B' | Unilock Beacon Hill Smooth | Running Bond | 14 x 21 | Opal Blend | Amenity Space |
2. Unit pavers are 100mm & 80mm thick. Contractor to provide samples on site to be approved by Landscape Architect and/or Owner.

- PLANTING NOTES (HAMILTON):
1. Soil mixture: four (4) parts native soil, one (1) part well rotted compost. If existing soil is not suitable provide triple mix topsoil or approved equal.
 2. Saucer shall be soaked with water and mulched immediately following planting.
 3. Massed shrubs shall be planted in continuous mulched beds unless otherwise noted.
 4. Staking schedule:
 - < 30mm caliper size/ 2000mm ht. - one stake
 - 30-50mm caliper size/ 2500mm ht. - two stakes
 - > 50mm caliper - no stakes
 5. All support systems must be removed once tree is established.
 6. All trees to be straight and planted vertically regardless of slope.
 7. Top of root flare shall be positioned 50mm above grade.
 8. As per the City of Hamilton Planting Policy ensure that the root ball of the proposed trees is large enough to accommodate at least 75 percent of the fibrous root system (e.g. for 50mm caliper trees the root ball diameter must be 70cm minimum).
 9. No single species shall make up more than 20% of the total street tree population, where the development includes 20 or more tree plantings.
 10. Shall be spaced a minimum of 8 meters and maximum of 10 meters apart where proposed along non-residential frontages, such as park benches.
 11. New sidewalks, paving or asphalt shall allow 1.5 m² of breathing space for tree roots, and shall include such construction materials such as interlocking stone, rubber mats and steel grating to allow for this breathing space.
 12. Individually planted trees in new sidewalk installations shall include 1m² of soil and a grouping of 2 or more trees in a soil bed shall include 1m² of soil per tree.

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City of Hamilton

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1518 & 1540 Upper Sherman Ave.
Hamilton ON

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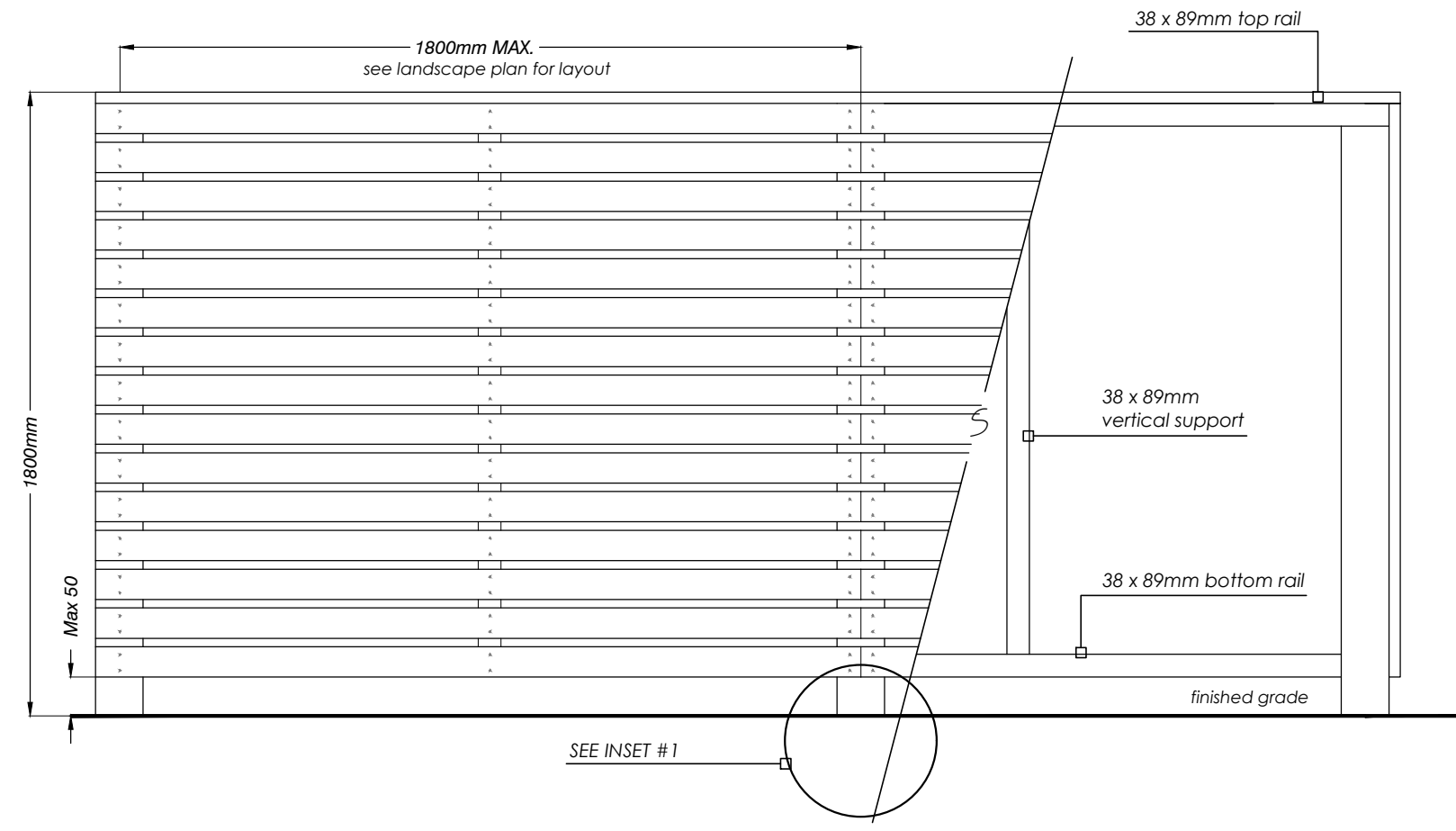
SHEET
Details

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landscape architecture

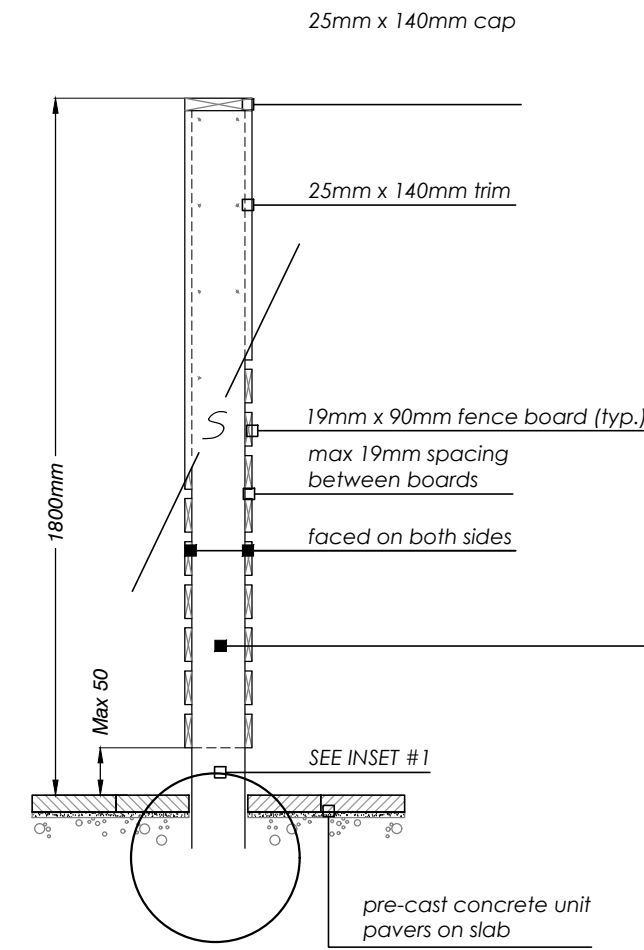
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L-4

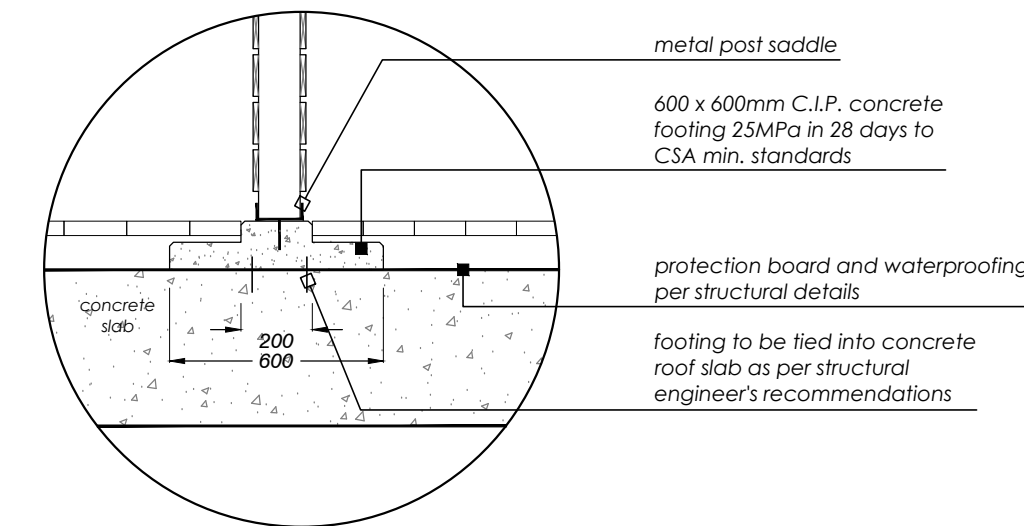
1800mm HIGH SCREEN BETWEEN UNITS
ELEVATION



1800mm HIGH SCREEN BETWEEN UNITS
SECTION



INSET #1



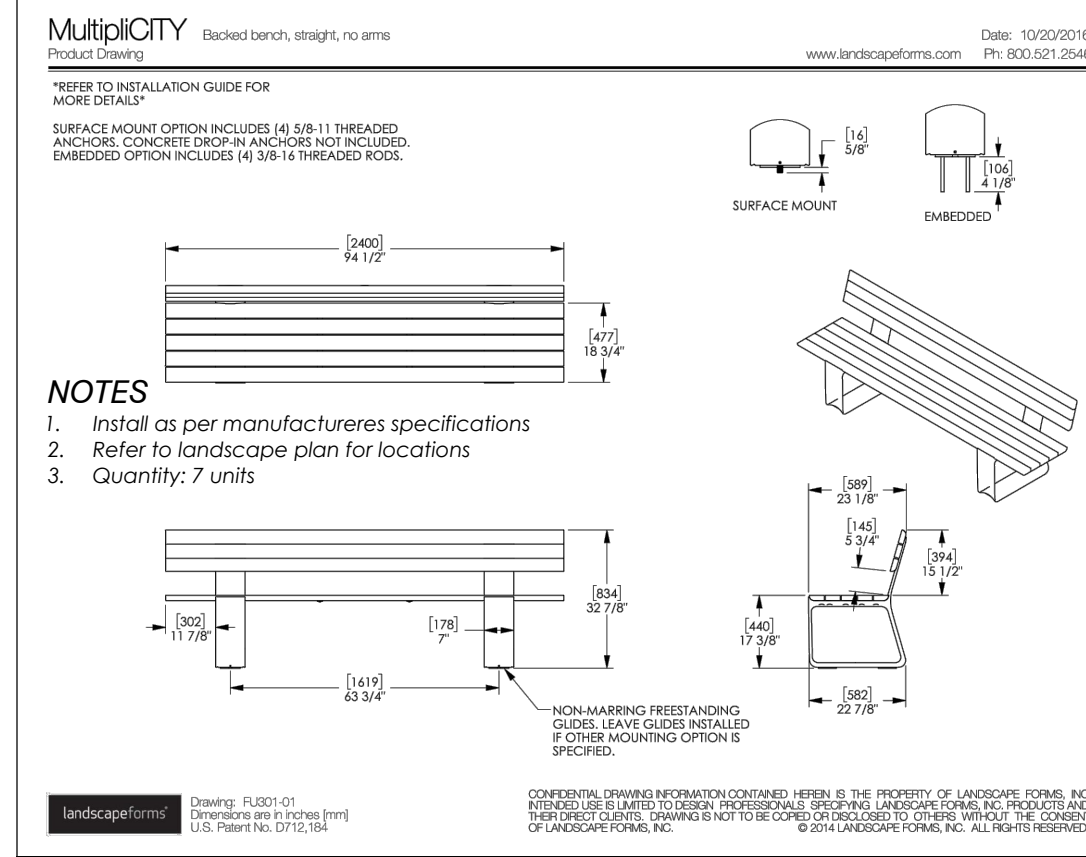
NOTES

1. Detail to be reviewed and approved by structural engineer prior to construction.
2. All materials, components and workmanship to conform to building and local by-laws.
3. All wood to be clear western red cedar (or approved equal) and selected mainly for good appearance. All members shall be free of wane and bark pockets. All torn grain shall be eliminated by sanding and planning.
4. Stained to match architectural finish.
5. All wood to bear lumber grading stamp.
6. All fasteners shall have exterior grade finishes suitable for use with clear western red cedar.
7. All galvanizing to be hot dipped in conformance to CSA standard C164.
8. Drive all fastener heads below surface of wood. Use sufficient size and quantity of fasteners to ensure a stable, secure structure.
9. Lumber sizes are actual sizes rather than nominal sizes.
10. Concrete to have minimum compressive strength of 25 Mpa @ 28 days with 5-7% air entrainment.
11. See landscape plan for privacy screen location.

Wood Privacy Screen (1800mm height)

SCALE: NTS

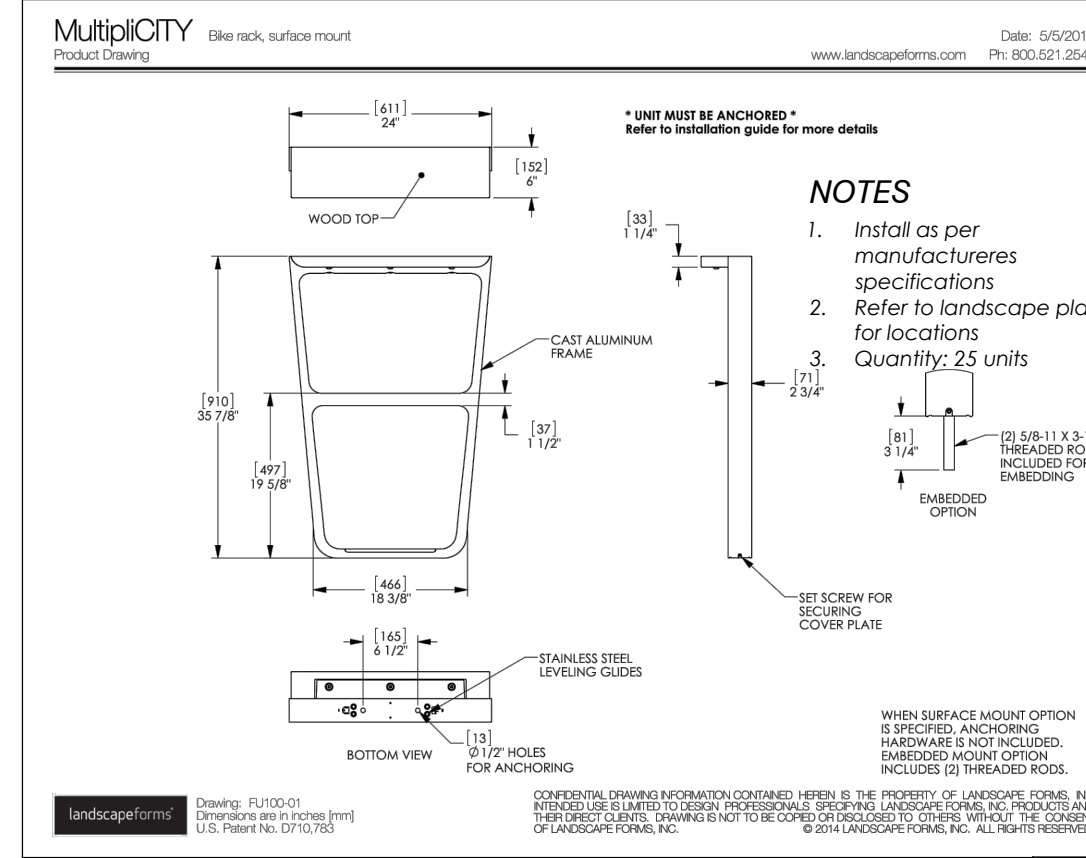
1
L-5



Multiplicity Bench by Landscapeforms - or approved equal

SCALE: NTS

2
L-5



Multiplicity Bench by Landscapeforms - or approved equal

SCALE: NTS

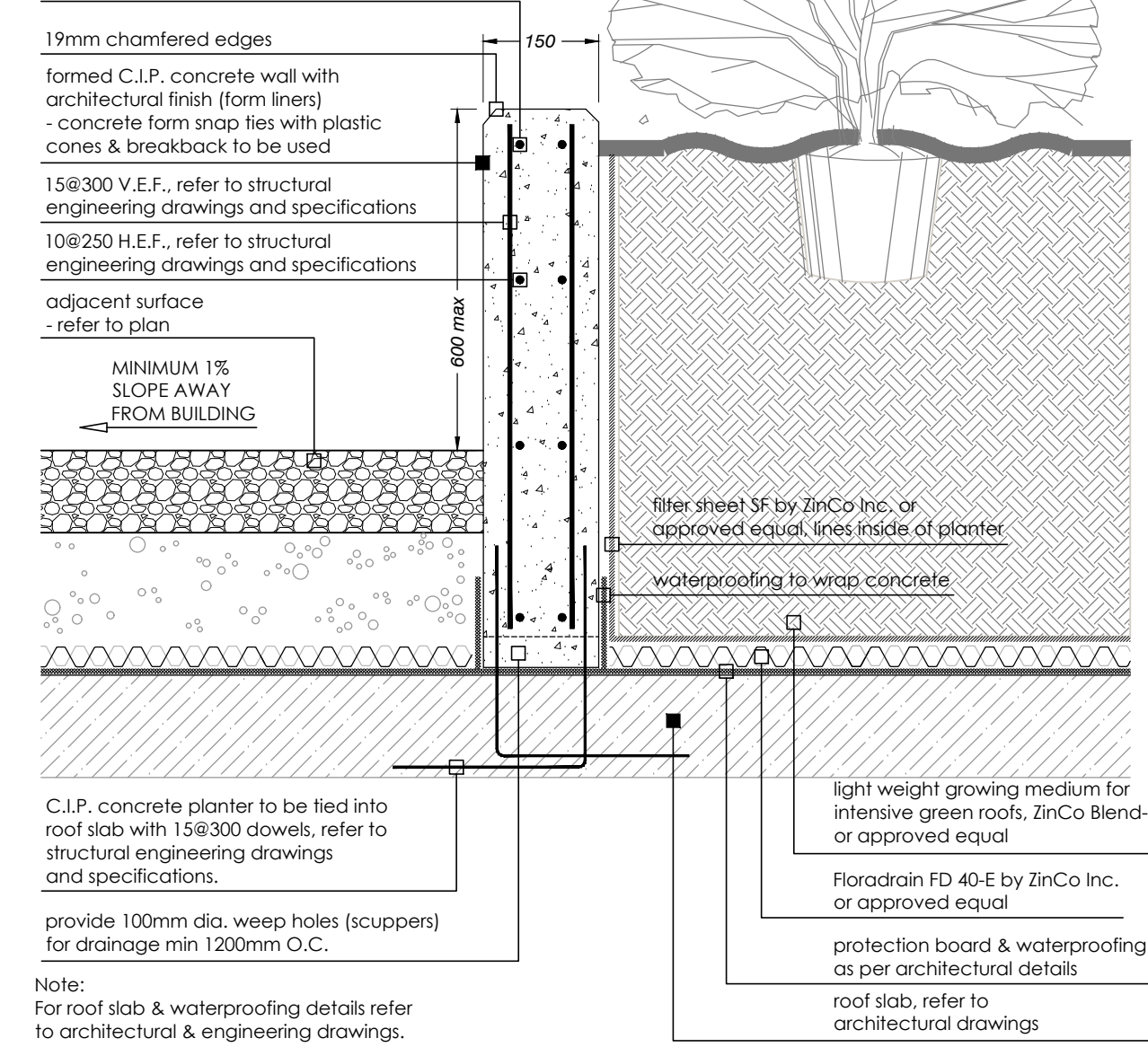
3
L-5



RENDERING

SECTION - ON SLAB

2-15 CONT., refer to structural engineering drawings and specifications

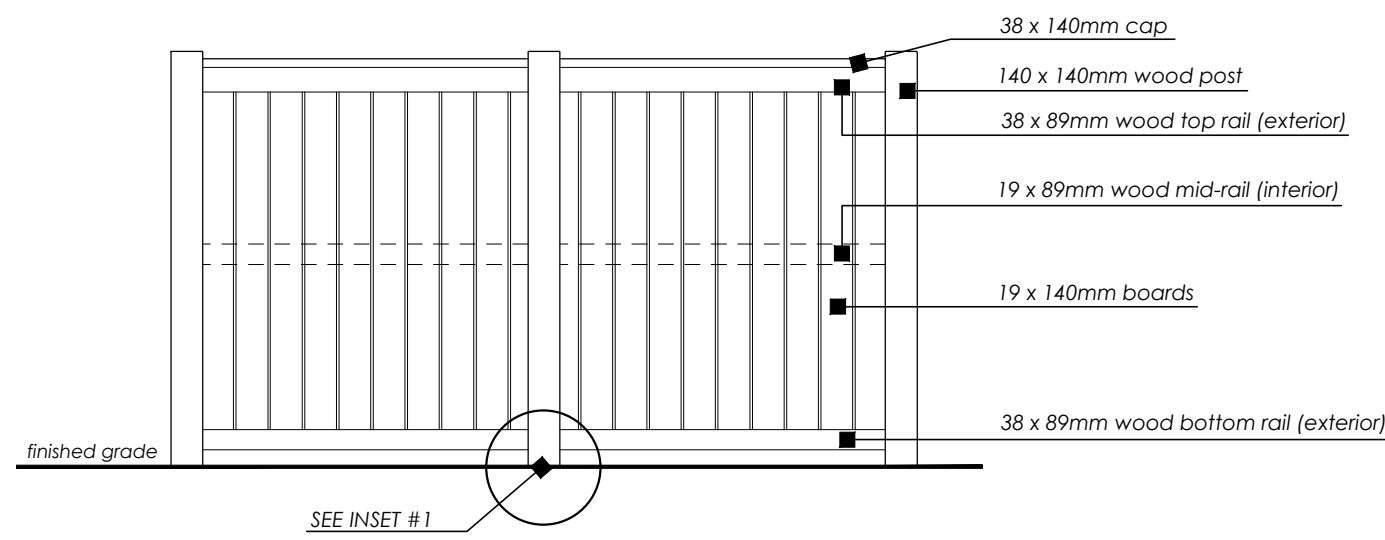


Sloped Cast in Place Concrete Planter on Slab - Typical

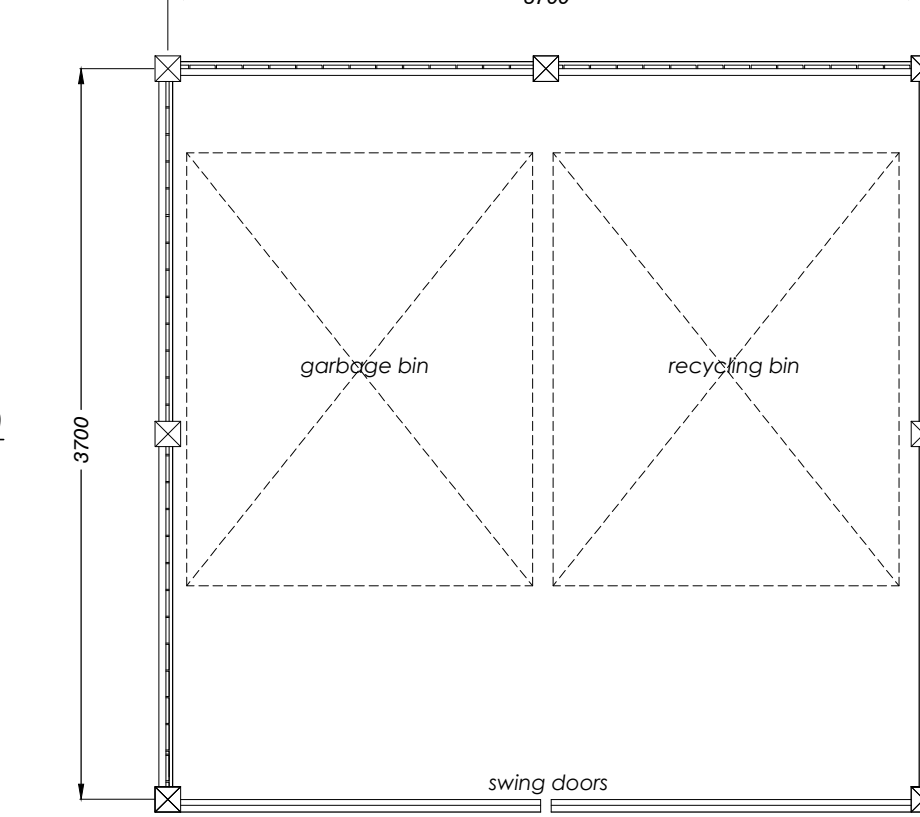
SCALE: NTS

4
L-5

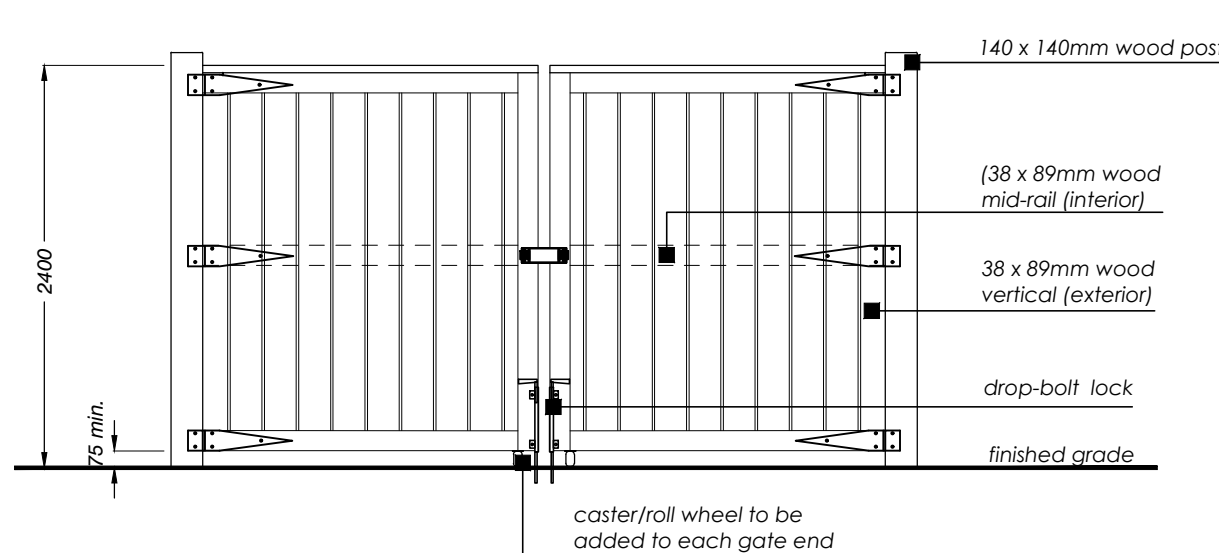
ELEVATION (SIDE EXTERIOR)



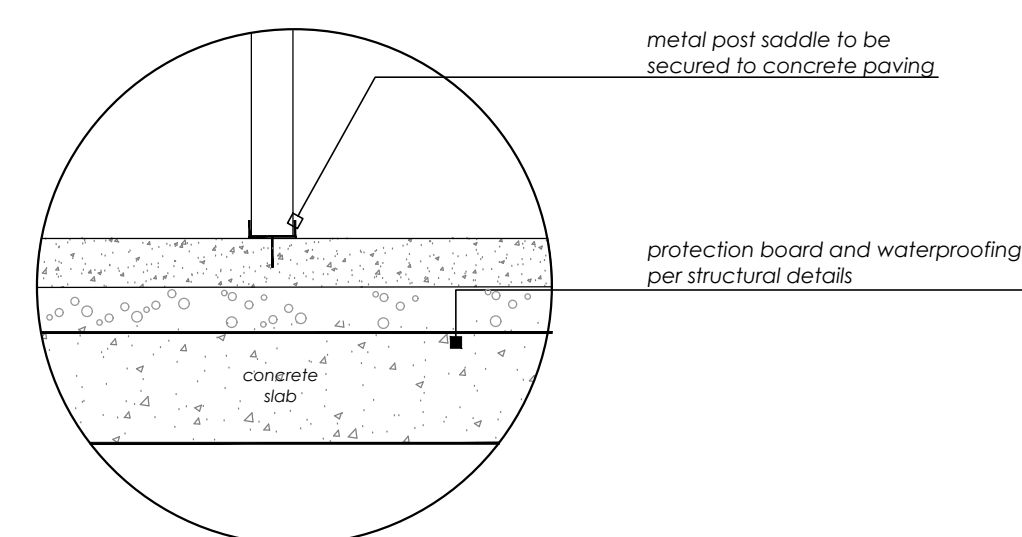
PLAN



ELEVATION (GATE EXTERIOR)



INSET #1



NOTES

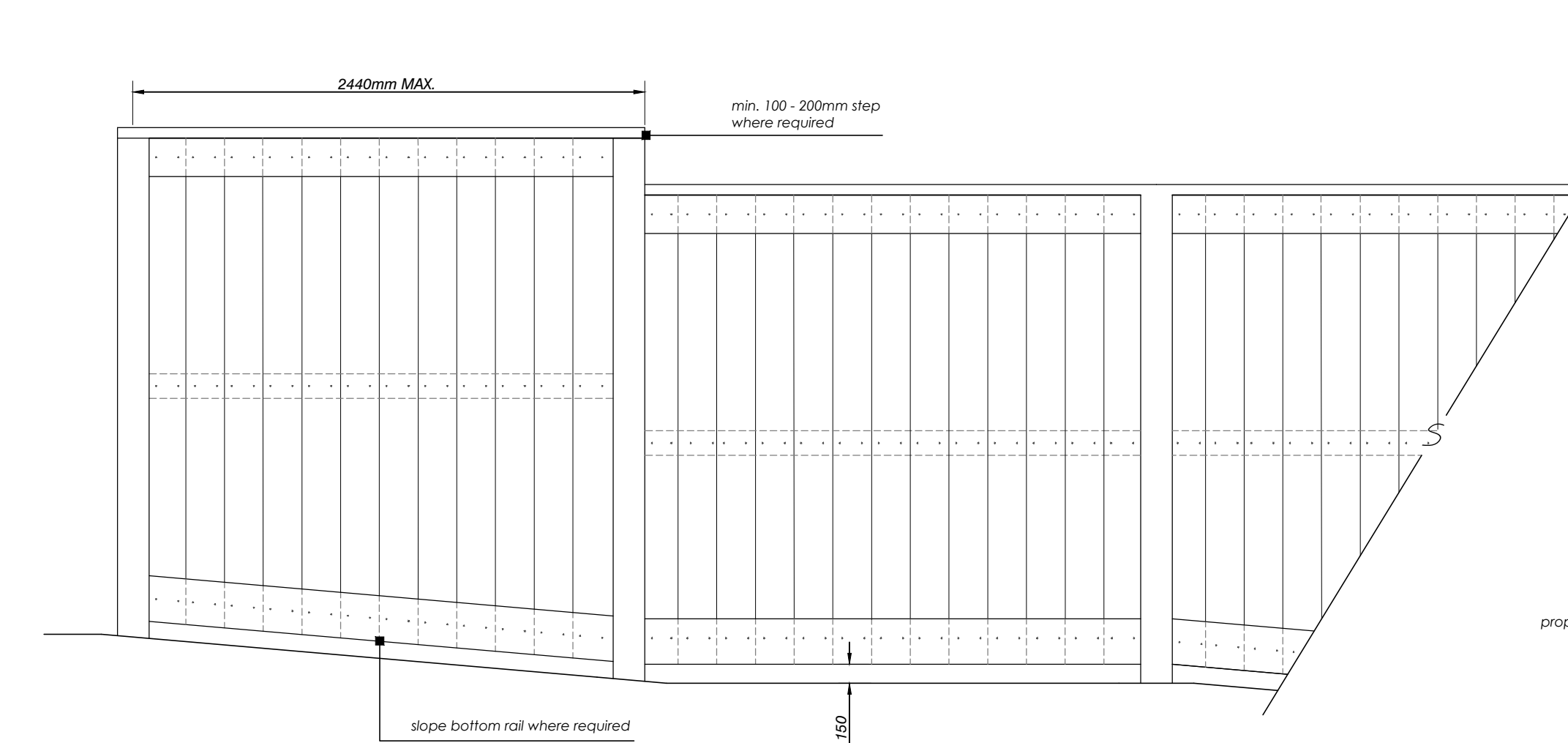
1. All materials, components and workmanship to conform to building and local by-laws.
2. All wood to be pressure treated selected mainly for good appearance all members shall be free of wane and bark pockets. All torn grain shall be eliminated by sanding and planning. Members exhibiting moderate to heavy knots shall be well distributed throughout the site.
3. All wood to bear lumber grading stamp.
4. All fasteners shall have exterior grade finishes suitable for use with pressure treated lumber.
5. All galvanizing to be hot dipped in conformance to CSA standard C164.
6. Drive all fastener heads below surface of wood. Use sufficient size and quantity of fasteners to ensure a stable, secure structure.
7. Step fence panels minimum of 100 - 200mm at posts as required by grade conditions. Sloping of panels may be required for certain grade conditions - Consultant's approval required.
8. Lumber sizes are actual sizes rather than nominal sizes.
9. Concrete to have minimum compressive strength of 25 Mpa @ 28 days with 5-7% air entrainment.
10. See landscape plan for enclosure location.

Garbage & Recycling Enclosure

SCALE: NTS

5
L-5

ELEVATION



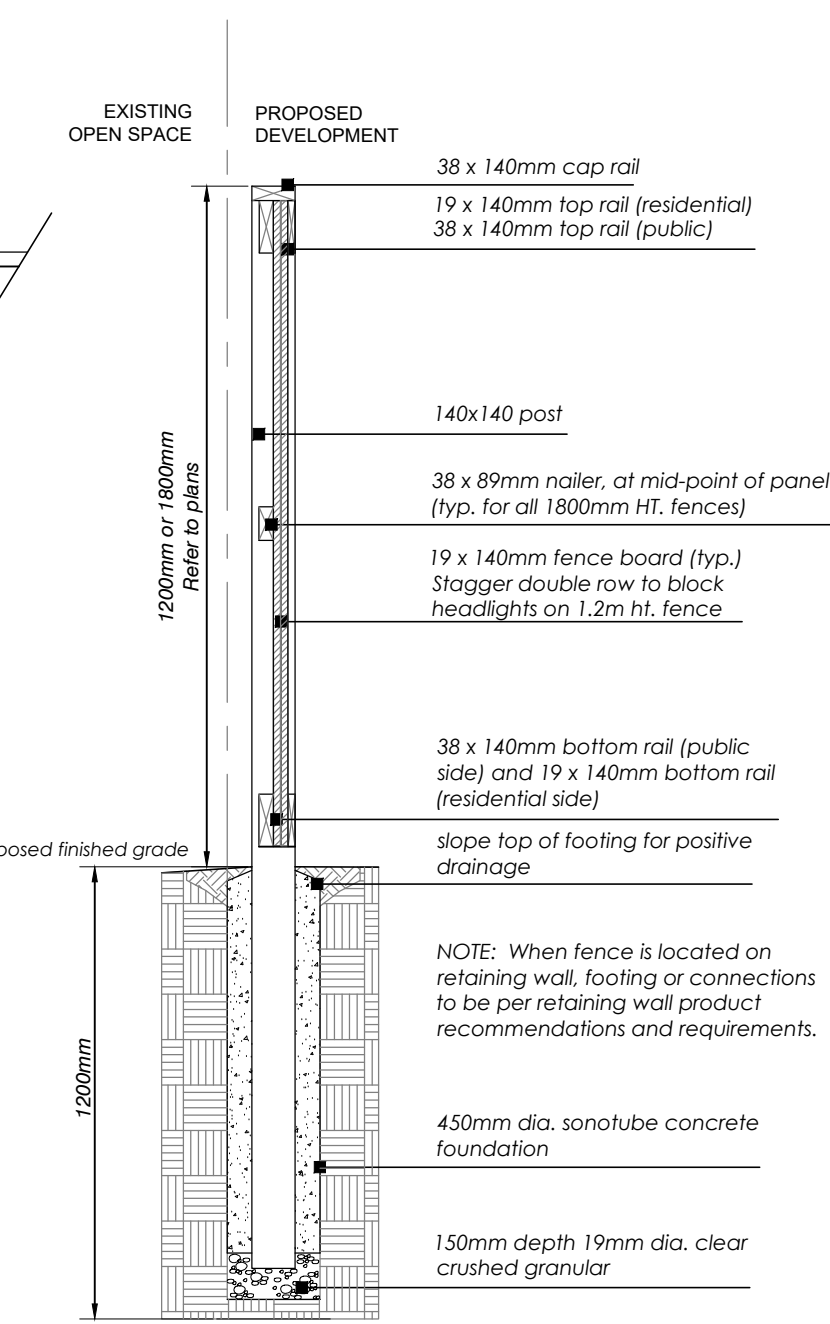
NOTES:

1. All materials, components and workmanship to conform to building and local by-laws.
2. All wood to be Pressure Treated (Spruce, Pine Fir) selected mainly for good appearance all members shall be free of wane and bark pockets. All torn grain shall be eliminated by sanding and planning. Members exhibiting moderate to heavy knots shall be well distributed throughout the site.
3. All cuts and holes that expose untreated wood should be liberally brush-coated with two applications of an end-cut preservative (copper naphthenate in ground contact or zinc naphthenate above ground) before the wood is installed. Follow the manufacturer's recommendations re: the application of suitable preservatives.
4. All wood to bear lumber grading stamp.
5. All fasteners shall have exterior grade finishes suitable for use with Pressure Treated Lumber. Stainless steel, galvanized, zinc-dipped or ceramic-coated wooddeck screws are acceptable.
6. All galvanizing to be hot dipped in conformance to CSA standard C164.
7. Drive all fastener heads below surface of wood. Use sufficient size and quantity of fasteners to ensure a stable, secure structure.
8. Step fence panels minimum of 100 - 200mm at posts as required by grade conditions. Sloping of panels may be required for certain grade conditions - Consultant's approval required.
9. Lumber sizes are actual sizes rather than nominal sizes.
10. Concrete to have minimum compressive strength of 25 Mpa @ 28 days with 5-7% air entrainment.
11. When fence is located on retaining wall, footing or connections to be per retaining wall product recommendations and requirements.
12. See landscape plan for fence location.

Wood Privacy Fence (1.2m & 1.8m height - pressure treated)

SCALE: NTS

SECTION



GENERAL LAYOUT NOTES

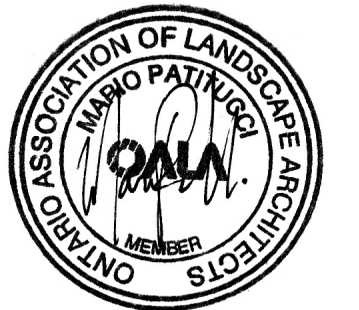
1. All fences adjacent to road allowances and walkways to be erected 0.5m onto private property. Fencing is not to be erected on the lot line or into any road allowance or easement.
2. Footing and excavation to be entirely on proposed development lands.

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STAMP



CLIENT

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MUNICIPALITY

City of Hamilton

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SHEET

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SCHEDULE "E"- ASSUMPTION AGREEMENT

ASSUMPTION AGREEMENT

TO: THE CITY OF HAMILTON

RE: MINUTES OF SETTLEMENT dated [INSERT] between Sonoma Homes Inc. and
The City of Hamilton (the "Minutes")

1. The undersigned, [INSERT NAME OF TRANSFEREE], has an agreement with SONOMA HOMES INC. to acquire the lands described in Schedule "A" attached to this Agreement (the "Lands").
2. [INSERT NAME OF TRANSFEREE] acknowledges having received and reviewed a copy of the Minutes and has made any inquiries it deems necessary to satisfy itself that it understands the Minutes and any obligations that it will assume upon becoming the owner of the Lands.
3. In consideration of the sum of Two (\$2.00) Dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, [INSERT NAME OF TRANSFEREE] hereby agrees that upon becoming the owner of the Lands it will be bound by the Minutes and assume all of the obligations of SONOMA HOMES INC. in accordance with the terms of the Minutes, as if an original signatory to the Minutes.

DATED at [INSERT] this [INSERT] day of [INSERT].

[INSERT NAME OF TRANSFEREE]

Per:

Name:

Title:

I have authority to bind the corporation