CITY OF HAMILTON

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO: Chair and Members
Economic Development and Planning Committee

WARD(S) AFFECTED: WARD 12

COMMITTEE DATE: February 16, 2010

SUBJECT/REPORT NO:
Application for Approval of a Draft Plan of Subdivision, “Dussin Estates”, Draft Plan of Condominium and Amendments to the Town of Ancaster Zoning By-law No. 87-57 and City of Hamilton By-law No. 05-200, for Lands Located Within Part of Lot 50, Concession 3, Geographic Township of Ancaster (Ancaster) (PED10030) (Ward 12)

SUBMITTED BY:
Tim McCabe
General Manager
Planning and Economic Development Department

PREPARED BY:
Chris Bell
(905) 546-2424, Ext.1262

SIGNATURE:

RECOMMENDATION:

(a) That approval be given to Amended Draft Plan of Subdivision Application 25T-200716, by Antonio and Joel Dussin, 603997 Ontario Ltd. and 766272 Ontario Inc., Owners, to establish a draft plan of subdivision, known as “Dussin Estates”, on the property located at 250, 252, and 270 Springbrook Avenue (Ancaster), as shown on Appendix “A” to Report PED10030, subject to the following conditions:

(i) That this approval apply to Draft Plan of Subdivision 25T-200716, “Dussin Estates”, prepared by Urbex Engineering Limited, and certified by S.D. McLaren, OLS, originally dated February 15, 2008, and amended as Revision 4, dated June 24, 2009, showing 9 single detached dwelling lots (Lots 1 to 9), 4 semi-detached dwellings lots (Lots 10 to 13), 1 development block for semi-detached dwelling lots on a condominium road (Block 14), a Stormwater Management Block (Block 15), and the

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creation of 1 internal road (Street “A”), attached as Appendix “B” to Report PED10030, subject to the Owner entering into a Standard Form Subdivision Agreement, as approved by City Council and the special conditions attached as Appendix “C” to Report PED10030;

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

(1) That the City agrees to pay for the stormwater management facility from an approved Capital Budget Source, in accordance with applicable Council policies.

(iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the Planning Act, prior to the issuance of each building permit. The calculation of the Cash-in-Lieu payment shall be based on 5% of the value of the lands on the day prior to the day of issuance of each building permit.

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

(b) That approval be given to Amended Zoning Application ZAC-07-061, by Antonio and Joel Dussin, 603997 Ontario Ltd. and 766272 Ontario Inc., Owners, for changes in zoning from the Agricultural “A” Zone to a Residential “R4-598” Zone, with a Special Exception, for Block 1; to a Residential “H-R4-598” Zone, with a Special Exception and Holding Provision, for Block 2; to a Residential “H-R5-599” Zone, with a Special Exception and Holding Provision, for Blocks 3 and 4; to a Residential “R5-600” Zone, with a Special Exception, for Block 5, all as shown on Appendix “E” to Report PED10030, and a Conservation/Hazard Lands “P5” Zone for Block 1, as shown on Appendix “F” to Report PED10030, to permit the future development of single detached dwellings and semi-detached dwellings on lands located at 250, 252, and 270 Springbrook Avenue (Ancaster), as shown on Appendix “A” to Report PED10030, on the following basis:

(i) That the draft By-law, attached as Appendix “E” to Report PED10030, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(ii) That the amending By-law, attached as Appendix “E”, be added to Schedule “B” of Zoning By-law No. 87-57.

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(iii) That the draft By-law, attached as Appendix “F” to Report PED10030, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(iv) That the amending By-law, attached as Appendix “F”, be added to Schedule “1284” of Zoning By-law No. 05-200.

(v) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan; the Official Plan for the Town Ancaster, and the Meadowlands Secondary Plan Neighbourhood IV.

That approval be given to Condominium Application 25CDM-200904, by Antonio and Joel Dussin, 603997 Ontario Ltd. and 766272 Ontario Inc., Owners, to establish a draft plan of condominium (Common Elements Condominium) to create a condominium road for a 26 unit semi-detached development, on lands located within Part of Lot 50, Concession 3, Geographic Town of Ancaster, as shown on Appendix “D” to Report PED10030, subject to the following conditions:

(i) That this approval applies to the plan prepared by A.T. McLaren Ltd., and certified by S.D. McLaren, O.L.S., dated July 2, 2009, showing the condominium road (Block 1), attached as Appendix “D” to Report PED10030.

(ii) That the Final Plan of Condominium complies with all the applicable provisions of Zoning By-law No. 87-57, as amended.

(iii) That the Owner enters into a Development Agreement to ensure that the tenure of each of the proposed 26 freehold units has legal interest, in common, to the Common Elements Condominium, to the satisfaction of the City Solicitor.

(iv) That the Owner receives final approval of a Part Lot Control Application, and the implementing By-law, to the satisfaction of the Director of Planning.

(v) That the Owner includes the following warning clause in the Development Agreement, all Purchase and Sale Agreements, and any rental or lease agreements required for occupancy:
“Purchasers are advised that the City of Hamilton will not be providing maintenance, garbage collection, or snow removal service for the private condominium road”.

(vi) That the Owner provides the Director of Development Engineering with evidence that satisfactory arrangements, financial or otherwise, have been made with a telecommunication service provider, approved by the Canadian Radio and Telecommunication Commission (CRTC), that adequate telecommunication service will be provided to the condominium, including 9-1-1 emergency calling service that identifies, at a minimum, the caller’s name and location information.

(vii) That the Owner satisfies any conditions, financial or otherwise, of the City of Hamilton.

EXECUTIVE SUMMARY

The proponent originally submitted applications for a Zoning By-law Amendment and draft plan of subdivision in October, 2007 that originally sought to create 29 single detached dwelling lots fronting onto a public road that connected to Stonehenge Drive, together with a stormwater management pond. In response to concerns expressed by the public, and input from commenting agencies, the proponents revised their zoning and draft plan of subdivision applications and submitted a new common element condominium application. The revised applications are the subject of this report.

The purpose of these applications is to amend the Town of Ancaster Zoning By-law, and for approval of a draft plan of subdivision known as “Dussin Estates” (see Appendix “B”) to permit the development of the lands for 9 single detached dwelling lots (Lots 1-9), 2 semi-detached dwelling lots allowing 4 dwellings (Lots 10 - 13), a 0.99 ha. block for up to 26 semi-detached dwellings on a private road (Block 14), a 0.85 ha. stormwater management block (Block 15), and the creation of 1 new public road (Street “A”).

The 8.5 metre private road proposed for access for the 26 semi-detached dwelling lots is intended to be created as a common-element condominium block for the purpose of shared ownership with all of the lots. The common-element land is to be created by Plan of Condominium Application 25CDM200904, and will include the road, curbing, and municipal servicing for the subdivision.
The Zoning By-law Amendment (File No. ZAC-07-061) proposes to change the zoning from the Agricultural “A” Zone to a Modified Residential “R4” Zone for the single detached dwelling lots, and Modified “R5” zoning with separate site-specific special provisions for both the semi-detached dwelling lots fronting on Street “A” and fronting on the common-element condominium lane. Additionally, the lands that are to be set aside for stormwater management purposes (Block 15) will be rezoned to the Conservation/Hazard Land “P5” Zone.

The proposal has merit and can be supported since the changes in Zoning, draft plan of subdivision, and draft plan of condominium are consistent with the Provincial Policy Statement and conform with the Town of Ancaster and Hamilton-Wentworth Official Plans. The proposed development is considered to be a compatible and complementary logical extension of existing development.

Alternatives for Consideration - See Page 25.

**FINANCIAL / STAFFING / LEGAL IMPLICATIONS** (for Recommendation(s) only)

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

Staffing: N/A.

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

**HISTORICAL BACKGROUND** (Chronology of events)

October 3, 2007 - Applications for Zoning By-law Amendment and Draft Plan of Subdivision deemed complete.

October 15, 2007 - Applications circulated to agencies and departments for initial review.

October 16, 2007 - Notice of Complete Applications and Preliminary Circulation distributed to neighbouring residents within 120 metres of the subject lands.
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July 17, 2009 - Amended Zoning By-law application, Amended Draft Plan of Subdivision and Draft Plan of Condominium circulated to agencies and departments for review.

July 24, 2009 - Preliminary Circulation of Revised Applications and Notice of Complete Application (for Condominium Application) distributed to neighbouring residents within 120 metres of the subject lands.

November 2, 2009 - Applications discussed at Ancaster Community Council meeting.

POLICY IMPLICATIONS

Provincial Policy Statement:

These applications have been reviewed to confirm compliance with the Provincial Policy Statement (PPS). Staff has determined that the application is consistent with the policies found in Subsection 1.1.3.1. of the PPS respecting growth in Settlement Areas.

Policy 2.6.2 outlines that development and site alteration may be permitted on lands containing archaeological resources or areas of archaeological potential if significant archaeological resources have been conserved by removal and documentation, or preservation on site. Where significant archaeological resource must be preserved on site, only development and site alteration, which maintains the heritage integrity of the site, may be permitted. The applicant provided a Stage 1 and 2 archaeological assessment for the entire property, which determined that no further archaeological work is required. The Ministry of Culture (MoC) has issued its clearance advising that there are no further concerns with respect to archaeological resources.

Growth Plan for the Greater Golden Horseshoe (Places to Grow):

Section 1.2.2 of the Growth Plan for the Greater Golden Horseshoe 2006 indicates that some of the guiding principles of the Plan are to “build compact, vibrant, and complete communities”, and to “optimize the use of existing and new infrastructure to support growth in a compact, efficient form”. The application is consistent with these principles, as it proposes to build a more compact community by allowing a development which will maximize the development potential of the site.
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Hamilton-Wentworth Official Plan:

The subject property is designated as “Urban Area” in the Hamilton-Wentworth Official Plan. Policy C-3.1 outlines that a wide range of urban uses, defined through Area Municipal Official Plans and based on full municipal services, will be concentrated in the Urban Areas. Urban Areas are intended to accommodate approximately 96% of new residential housing units in the Region to the year 2020.

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

Therefore, as the nature of the applications is for amendments to the Zoning By-law to permit the development of a draft plan of subdivision with various urban uses, the proposal conforms to the general intent of the Hamilton-Wentworth Official Plan as the proponent has received clearance from the Ministry of Culture (MoC) that all archaeological resource concerns have been addressed.

New Urban Official Plan:

The site is located within the “Neighbourhoods” designation of the Council adopted Urban Official Plan, which is currently awaiting Ministerial approval. The current Ancaster Meadowlands Neighbourhood IV Secondary Plan policies, found in the Town of Ancaster Official Plan, will also continue to apply to this property. While the subject development applications pre-date the local adoption of the new Urban Official Plan, staff is of the opinion that the proposal would comply with the policies of the Plan.

Town of Ancaster Official Plan:

The subject lands fall within the Ancaster Meadowlands Neighbourhood IV Secondary Plan and are designated “Low Density Residential” and “Stormwater Management Pond”. Therefore, the following land use-related policies apply:

“6.8.6 Residential Policies

(a) Development within the Meadowlands Neighbourhood IV is intended to provide a mix and diversity of housing opportunities in terms of lot size, unit size, style, and tenure that are suitable for different age levels, income groups, lifestyles, and household structures.
In an effort to make the best use of lands currently located within the City’s urban area, higher densities will be encouraged throughout this neighbourhood. This can be achieved through the provision of smaller lots in interior locations and higher density developments located at external locations within the neighbourhood.

The Residential densities within the respective Residential land use designations, identified on Map 1 - Land Use, shall be as follows:

(i) **Low Density**: Approximately 1 to 30 units per Net Residential Hectare. This designation permits predominantly single family detached dwellings, duplex and semi-detached dwellings. These types of uses are to be generally located at the interior of residential neighbourhoods adjacent to local and/or collector roads.

For the purposes of this Secondary Plan, Net Residential Density refers to the number of dwelling units per Net Residential Hectare of any particular development or re-development. In the case of single family, duplex and semi-detached dwellings, Net Residential Hectare includes only the land for residential lots, and excludes lands for public roads, public parks, and hazard lands. In the case of any other housing form other than single family, duplex, or semi-detached dwellings, Net Residential Density includes the lands for dwellings, private internal roads, parking areas, open space, and other associated amenities directly related to and forming part of the development and/or re-development."

Planning staff is satisfied that the proposal conforms with the Low Density Residential policies of the Secondary Plan for the reasons outlined in the Analysis/Rationale for Recommendation section of this report.

In addition to the policies relating to specific land use designations, the Secondary Plan also contains policies intended to deal with implementation, considering such items as urban design and phasing. These relevant policies include:

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6.8.7 Design Policies
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This Secondary Plan incorporates a number of design considerations in order to take advantage of the unique physical setting of the area and to create a visually and aesthetically distinct neighbourhood. Principles embodied in the
design of this area, and which should be addressed during the processing of a development application, shall include:

(a) A local road pattern consisting of a generalized grid style local road pattern, which promotes pedestrian movements, friendlier streetscapes, and neighbourhood connectivity.

(b) Traffic calming features such as reduced road way widths, curbing incorporating on street parking, formal boulevard landscaping, and special intersection treatments and roundabouts.

(c) Where appropriate, alternative development standards (i.e. 18 metre wide road allowances for local roads) will be implemented in an effort to maximize the use of urban land and municipal services in accordance with the Provincial Policy Statement on Housing.

(d) Streetscape features such as decorative streetlamps, landscaped traffic circle islands, reduced front yards, front and side yard porches, recessed or detached garages.

(e) Existing trees, significant vegetation, and distinctive site views should be protected and preserved through sensitive subdivision design.

(f) Building and site design, setbacks, landscaping, screening, and buffering techniques shall be applied to minimize potential conflicts between new and existing uses.

(g) N/A.

(h) N/A.

(i) N/A.

(j) N/A.

(k) The Background Report: Meadowlands Neighbourhoods 3, 4, and 5, Class Environmental Assessment Master Plan (EMP), prepared for this neighbourhood, identifies the location of stormwater management ponds within this neighbourhood. Should the location of these ponds change as the result of a conceptual stormwater management report, prepared by a qualified engineer, then the lands designated as stormwater
management ponds on Map 1 - Land Use may be developed in accordance with the provisions of this Plan without further amendment to it. If additional area for stormwater management is required as a result of a conceptual stormwater management report and the results of the monitoring plan for “Meadowlands - Phase 7”, then the additional lands can be used for this purpose without further amendment to this plan.

As part of a development application, the stormwater management pond located on Garner Road, east of Springbrook Avenue, shall be considered for relocation westerly towards Springbrook Avenue, subject to the submission of a preliminary stormwater management report, prepared by a qualified engineer, to the satisfaction of the City and the Hamilton Conservation Authority. Should the location of this pond change, then the lands designated as stormwater management pond on Map 1 - Land Use may be developed in accordance with the provisions of this Plan without further amendment to it.”

The 18.0 metre crescent road and proposed zoning regulations sought by the applicant as part of the subject application will result in a built form consistent with the urban design policies of the Secondary Plan. In addition, the Tree Management Plan required as a condition of draft plan approval and the implementation of the City’s street tree policy will address secondary plan policies relating to landscaping and vegetation. Finally, the specifications for streetlamps to be included within this subdivision will be consistent with those of earlier phases of development within the Meadowlands neighbourhood, the arrangements for which have been included as Item “2” of the Special Condition of Draft Plan Approval found in Appendix “C”.

It should be noted that the semi-detached dwelling block to be serviced by the private condominium road will be subject to Site Plan Control for the purposes of controlling access to Stonehenge Drive. This Site Plan Control process can also be used to implement streetscape features at the entrances to public roads, as noted in the Secondary Plan within the private lane.

For the information of Committee, Items 6.8.7 g) through i) have not been noted as relevant to this proposal as these policies deal with entrance features and turning circles on lands and future roads that are not subject to this application.

Subsection 6.8.7 k) provides the policy basis to consider the reorientation of the stormwater management pond and use of the lands for Low Density Residential Uses without the need to seek an amendment to the Secondary Plan subject to demonstrating that the reorientation is feasible from an engineering perspective.
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The proposal conforms with the policies of this Plan.

RELEVANT CONSULTATION

The following Departments and Agencies had no comments or objections:

- Waste Management Division, Public Works Department.
- Open Space Development and Park Planning Section, Capital Planning and Implementation Division, Public Works Department.
- Public Health Department.
- Hydro One.
- Horizon Utilities.
- Hamilton Wentworth District School Board.

**Bell Canada** is interested in ensuring that appropriate levels of communication / telecommunication facilities are installed to service the subject lands. The Standard Form Subdivision Agreement and Recommendation (c)(vi), respecting the Draft Plan of Condominium, contain conditions that adequately deal with this matter.

**Canada Post** has advised that mail delivery will be via a centralized mailbox facility. Conditions of draft plan approval have been included as Item “20” of the Special Conditions of Draft Plan Approval to ensure that the location and construction standards of mailbox facility are to the satisfaction of Canada Post.

**Public Consultation**

In accordance with the Bill 51 changes to the Planning Act and Council’s Public Participation Policy, a first Notice of Complete Application and Preliminary Circulation of the applications was circulated to 166 property owners within 120 metres of the subject property on October 16, 2007. A Public Notice Sign was also posted on the subject lands at that time. As a result of preliminary circulation and notice, staff received 9 responses. Copies of the comments received in response to the 2007 proposal are found in Appendix “G”. The issues raised in resident’s correspondence as a result of the first notice to neighbours are discussed in the Analysis/Rationale for Recommendation section of this report.
More recently, on July 24, 2009, a second notice advising of the revised proposal that is now before Economic Development and Planning Committee was circulated to residents. Staff did not receive any written responses as a result of this notice. The proposal was also considered at the Ancaster Community Council meeting of November 2, 2009.

Finally, Notice of the Public Meeting was given in accordance with the requirements of the Planning Act.

ANALYSIS / RATIONALE FOR RECOMMENDATION

1. The amended changes in zoning, draft plan of subdivision, and draft plan of condominium have merit, and can be supported for the following reasons:
   
   (i) They are consistent with the Provincial Policy Statement, as they represent an opportunity for growth in a settlement area;
   
   (ii) They conform to the Hamilton-Wentworth Official Plan, Town of Ancaster Official Plan, and the Meadowlands Neighbourhood IV Secondary Plan;
   
   (iii) The proposed development is considered to be compatible with the existing and planned development in the immediate area; and,
   
   (iv) The proposed development represents good planning by providing a compact urban form.

2. PROPOSED PLAN OF SUBDIVISION:

The proposed plan of subdivision (see Appendix “B”) will consist of 9 single detached dwelling lots (Lots 1-9) and 2 semi-detached dwelling lots for 4 units (Lots 10 - 13), accessed by an internal public road with a width of 18 metres (Street “A”) connecting to the future roads to be developed to the south road network. A 0.99 ha. block on the most north-western portion of the site is to be used for 26 semi-detached dwelling units and a private lane connecting to both the new internal Street “A” and Stonehenge Drive (see Appendix “D”). Once further development occurs to the south, the proposed internal roads will ultimately connect to Springbrook Avenue.
According to the proponents’ Functional Servicing Report, the lands will acquire sanitary services from an existing 300mm sanitary sewer, located within the Stonehenge Drive right-of-way, and a future sanitary sewer to be located within the Springbrook Avenue road allowance. Water services will be provided by a 400mm watermain on Springbrook Avenue and a 200mm watermain that may service Lots 1 to 7. Storm drainage is to be conveyed to a proposed municipal stormwater management pond to be located on Block 15 of the draft plan.

Development Engineering staff is satisfied that the lands can be adequately serviced by existing municipal services and future planned services. The timing, phasing, and cost arrangements for the installation of services not yet provided are discussed later in this report.

3. Staff has had consideration for the criteria contained in Subsection 51 (24) of the Planning Act to assess the appropriateness of the proposed subdivision and advise that:

(a) It complies with the Provincial Policy Statement;

(b) With the imposition of conditions of draft plan approval respecting phasing, it will be a logical and timely extension of existing development and services, and is in the public interest;

(c) It conforms with the policies of the Official Plan;

(d) The lands can be appropriately used for the use for which it is to be subdivided;

(e) The proposed roads will adequately service the proposed subdivision and can connect with the current road system;

(f) The dimensions and shape of the lots are appropriate;

(g) Restrictions and regulations for the development of the subdivision may be included in the implementing Zoning By-law Amendment, conditions of draft plan approval, and Subdivision Agreement;

(h) No substantial natural resources are evident on site, and flood control will be addressed through stormwater management plans that will be required as a standard condition of draft plan approval;
(i) Adequate municipal services are available, the particulars of which will be determined as part of the standard conditions of draft plan approval and Subdivision Agreement;

(j) School Boards have advised that adequate school sites are available to accommodate the anticipated student yield of this subdivision;

(k) Public land will be conveyed to create road rights-of-way and stormwater management facilities, the particulars of which will be determined as part of the standard Subdivision Agreement and final registration of the plan of subdivision;

(l) Efforts will be made, where possible, during development and thereafter to efficiently use and conserve energy; and,

(m) Site Plan Control may be applied to Block 14 to address site-specific road design standards.

Therefore, staff is satisfied that the proposed subdivision is in conformity with the requirements of the Planning Act.

4. ANCASTER OFFICIAL PLAN AND MEADOWLANDS NEIGHBOURHOOD IV SECONDARY PLAN

The subject lands are designated “Low Density Residential” and “Stormwater Management Pond” in the Secondary Plan. The “Low Density Residential” designation permits single and semi-detached dwelling lots with a development density of up to 30 units per residential hectare net of public roads, parks, and hazard lands such as stormwater management ponds. Both the unit types and development density proposed by the applicant conform to the “Low Density Residential” policies of the Secondary Plan.

The secondary plan currently envisions all of the lands along the frontage of Stonehenge Drive being required for stormwater management purposes. These lands were designated at the time of drafting to the Secondary Plan, to ensure that stormwater facilities were identified on a larger neighbourhood scale to avoid the incremental creation of a stormwater management system on a site-by-site basis that would be inefficient for the City to operate and maintain. Once more site-specific analysis was undertaken for this development proposal, it was determined by the proponent that fulfilling these objectives would best be achieved by creating a stormwater management pond, as identified as Block 15
on the Draft Plan of Subdivision. While the location and size of the stormwater management pond varies from that shown in the Secondary Plan, Subsection 6.8.7 k) acknowledges that the location of stormwater management ponds may change based on further analysis, and that an alternative land use consistent with the Plan may proceed in its place without the need to amend the Plan.

In this case, the relocated stormwater management plan more appropriately respects the existing topography of the site and allows for the existing residence at 250 Springbrook Avenue to be retained. Further, the lands that were originally identified as needed for stormwater management purposes are now proposed to be used for low density residential purposes. Planning staff is satisfied that the development proposal conforms to the intent of the approved Secondary Plan.

5. ZONING BY-LAW AMENDMENT:

The applicant has requested amendments to Town of Ancaster Zoning By-law No. 87-57 in order to include regulations to ensure the land uses and built form of the proposed draft plan of subdivision conform to the policies of the Town of Ancaster Official Plan and the Meadowlands Neighbourhood IV Secondary Plan. The requested amendments include the following changes in Zoning categories:

- Change the zoning of Blocks 1 and 2 on Schedule “A” to Appendix “E” from the Agricultural “A” Zone to the Residential “R4-598” Zone, Modified.
- Change the zoning of Blocks 3 and 4 on Schedule “A” to Appendix “E” from the Agricultural “A” Zone to Residential “R5-599” Zone, Modified.
- Change the zoning of Block 5 on Schedule “A” to Appendix “E” from the Agricultural “A” Zone to Residential “R5-600” Zone, Modified.
- Change the zoning of Block 1 on Schedule “A” to Appendix “F” from the Agricultural “A” Zone to the Conservation/Hazard Lands “P5” Zone.

The particular land use objectives of the Zoning regulations for each new Zoning category are outlined below:
Blocks 1 and 2 - Residential “R4-598” Zone and Special Provisions:

The proposed “R4-598” Zone will allow single detached dwelling lots, as shown on the draft plan of subdivision. The site-specific special provisions are intended to provide more contemporary regulations than those found in the current By-law, and more particularly, include the following:

- 45% lot coverage, whereas the current Zoning regulations for the “R4” Zone permit a maximum lot coverage of 35% for one-storey dwellings and 40% for a two story dwelling;

- Minimum Frontage on corner lots of 13 metres, whereas 16 metres is currently required;

- Minimum Lot Area on corner lots of 420m², whereas 500m² is currently required;

- Minimum Front Yard of 3.0m. to the dwelling unit, and 6.0m. to an attached garage, whereas 7.5m. is currently required;

- Minimum Flankage Yard setback of 1.2 metres on a corner lot, whereas 5.2m. is currently required;

- Recognize the location of the existing wooden deck associated with the existing dwelling located at 270 Springbrook Avenue on proposed Lot 2 by permitting a setback of 5.7 metres; and,

- Recognize the location of the existing garage located at 270 Springbrook Avenue on Lot 3 by permitting a 0.5 metre setback for the garage.

In addition, a Holding (H) provision has been affixed to Block 2 to ensure that development does not proceed until Street “A” has been constructed and provides access to Springbrook Avenue through future development to the south.

Planning staff is satisfied that the first five items noted above will allow Zoning regulations that are commonly applied to more contemporary development. The regulations will result in development that is in keeping with the character of other similar developments within the Meadowlands Secondary Plan area in terms of massing of buildings in proportion to the street.
The remaining two points are considered housekeeping amendments to recognize the location of existing buildings and structures.

Blocks 3 and 4 - Residential “R5-599” Zone and Special Provisions:

The proposed “R5-599” Zone will allow semi-detached dwelling lots fronting onto Street “A”, as shown on the draft plan of subdivision. Similar to the R4-598 special provisions, the site-specific special provisions are intended to provide more contemporary regulations than those found in the current By-law, and more particularly, include the following:

- 45% lot coverage, whereas the current Zoning regulations for the “R5” Zone permit a maximum lot coverage of 40%;

- Minimum front yard of 3.0m. to the dwelling unit, and 6.0m. to an attached garage, whereas 7.0m. is currently required; and,

- Minimum Flankage Yard setback of 1.2 metres on a corner lot, whereas the 5.2m. is currently required.

In addition, a Holding (H) provision has been affixed to both Blocks to ensure that development does not proceed until Street “A” has been constructed and provides access to Springbrook Avenue through future development to the south.

Planning staff supports these special provisions for the same reasons as those applicable to the “R4-598” Zone.

Block 5 - Residential “R5-600” Zone and Special Provisions:

The proposed “R5-600” Zone will apply to Block 14 of the draft plan of subdivision and will allow 26 semi-detached lots. This Zoning category will contain similar requirements as the “R5-599”, with the exception that the frontage and front yard setbacks will be from the boundary of the private common element condominium road, rather than a public road right-of-way, and the minimum front yard setback has been increased to 4.5 metres to allow a greater distance (2.75 metres) from the municipal services and associated maintenance easement.
Staff is satisfied that the Zoning By-law Amendments, together with site-specific special provisions, are appropriate for the subject lands. The development regulations being sought through the Zoning By-law Amendment application will be used as a tool to implement the principals contained in the Meadowlands Secondary Plan. Draft implementing Zoning By-law Amendments have been attached to this report as Appendices “E” and “F”.

**Block 6 - Conservation/Hazard Lands “P5” Zone:**

The Conservation/Hazard Lands “P5” Zone is intended to be applied to lands used for stormwater management purposes and will preclude uses that will conflict with this intent.

6. The proposed draft plan of condominium (Common Elements Condominium) would comprise one 8.5 metre wide condominium road to provide vehicular access from Stonehenge Drive and the future Street “A” to the proposed 26 semi-detached dwellings.

As previously mentioned, the condominium road will be created through this draft plan of condominium; however, the 26 individual lots within the large blocks fronting onto the private road will have to be created through a future application for exemption from Part Lot Control. Final approval and registration of the Common Elements Condominium cannot occur until such time as a Part Lot Control application is submitted and approved and the By-law removing the lands from Part Lot Control have been passed. As Part Lot Control exemptions can only be considered on lands within a registered plan, the plan of subdivision will also be required to be registered first. Therefore, in terms of sequence of approvals, the subdivision must first be registered (at least on this portion of the site), the Part Lot Control By-law must be passed by Council and registered, and then the Condominium may be registered.

The applicant must also enter into a Development Agreement with the City of Hamilton as a condition of draft plan approval of the condominium road. This Agreement is required to ensure that all of the associated semi-detached residential parcels become “tied” to the proposed draft plan of condominium (Common Elements Condominium). This will have the effect of ensuring that individual semi-detached dwelling lots are not sold until the condominium road has been registered as a common element under the Condominium Act (see Recommendation (d)(iii)).
The proposed condominium road will be privately owned and maintained. As a condition of approval, the applicant must include a warning clause in the Development Agreement and the Purchase and Sale Agreements to advise perspective purchasers of the following (see Recommendation (c)(v)):

“Purchasers are advised that the City of Hamilton will not be providing any maintenance, garbage collection, or snow removal service for the private condominium road.”

7. Staff notes that the proposed Zoning changes, draft plan of subdivision and private condominium lane sought by the proponent are intended to implement the policies of the Ancaster Meadowlands Neighbourhood IV Secondary Plan. As such, staff supports the proposed plans and Zoning By-law Amendment. However, a number of additional issues and policies of the Secondary Plan must still be adhered to as the development proposal proceeds towards final construction, but are more appropriately addressed at later stages. Other such post-draft plan matters are identified below, including discussion about how such matters will be addressed by the proponent and the City:

Tree Management Plan:

Urban Forestry Division staff has identified municipal tree assets adjacent to the property that will require removal as part of this development. In addition, a remnant woodlot is located on the subject lands. As such, a Tree Management Plan, prepared by a qualified Landscape Architect, will be required as Item 1 of the conditions of draft plan approval found at Appendix "C". The Tree Management Plan will inventory all trees and identify relocation and protection opportunities. If existing trees can remain, steps will be taken to protect them during grading and construction, as per the City’s Tree Preservation and Protective Measures for Trees Affected by Construction Policy.

In addition, new street trees will be required, as per the conditions in the Standard Form Subdivision Agreement.

Timing, Phasing, and Urbanization:

The lots fronting onto Street “A” (Lots 8 to 13, inclusive), cannot be developed until such a time as access has been provided to Springbrook Avenue through the development of lands to the south, in accordance with the Meadowlands Neighbourhood IV Secondary Plan. Therefore, it is expected that the subdivision will be phased in a manner that will allow the stormwater management pond, the
semi-detached dwellings on the private condominium road, and lots fronting onto Springbrook Drive to proceed prior to Lots 8 to 13. In addition, to avoid land-locking the lands associated with Street “A” and Lots 8-12, the Owners will retain a 6.0 metre wide strip of land adjacent to Block 14 that will be dedicated to the City as a condition of registration of the later phase of the subdivision. Special conditions have been included as Items “10” to “17” of Appendix “C” to ensure these phasing arrangements are included in the Subdivision Agreement and, subsequently, registered on title, as well as to ensure that there remains access to the lands to be developed at a later phase.

Additional lands to the east and southeast will be fully urbanized as they proceed towards development. Should the Owner of the subject lands wish to proceed with their development plans ahead of the urbanization of Springbrook Avenue by adjacent landowners, the Owner of the subject lands will be required to design and construct Springbrook Avenue, with full municipal services, adjacent to Lots 1 to 7. Alternatively, should the reconstruction of Springbrook Avenue be initiated and funded by adjacent landowners to advance their development projects, then the Owners of the subject lands will be required to pay their proportionate share of the urbanization costs prior to registration of their final plan. These alternative arrangements have been included as Item “7” of the Special Conditions of Draft Plan approval found in Appendix “C”.

There is an existing 0.3m reserve along the Stonehenge Drive frontage adjacent to 262 Springbrook Avenue. The existing storm sewer, sanitary sewer, and watermain within this portion of Stonehenge Drive that will service the subject lands were constructed by the developer of “Meadowlands of Ancaster - Phase 4b”. As part of the arrangements for this earlier development, the former Region, now City of Hamilton, agreed to recover the urbanization costs from the Owner of the subject lands prior to development proceeding. Item “15” of the Special Conditions of Draft Plan Approval found in Appendix “C” requires that the Owner pay their proportionate share of the actual cost, less over-sizing, for the urbanization that took place within Stonehenge Drive, adjacent to Block 14 and Lot 7 of the draft plan, prior to registration of the final plan.

**Stormwater Management Pond Funding:**

As noted earlier in this report, the storm drainage from the subject lands and additional lands within the subwatershed will be collected and directed to the stormwater management pond to be located on Block 15 of the Draft Plan of Subdivision (Appendix B). This pond has been identified as a facility to be funded by growth-related development charges from an approved capital budget source.
The City’s responsibility to partially fund this facility has been noted in Recommendation (a)(ii)(1) of this report.

The 2009 Development Charge Background Study identifies a value to an upset limit of $710,889.00, including land costs, construction engineering, and inspection fees. However, due to a Council decision in June 2009, to freeze Development Charge fees at their current rates, the upset limit payable will be proportionately reduced to reflect the reduction in the stormwater management component of the development charge fees that will be collected if the freeze is not lifted. The effect of the freeze equates to potentially a 27% decrease in the upset limit payable for the pond if all building permits for units draining to the pond are issued prior to the freeze being removed.

**Servicing Easements:**

A number of easements in favour of the City are required to secure access for future maintenance of municipal services. Firstly, a 12.0 metre sanitary sewer and watermain maintenance easement will be required across the future semi-detached dwelling block serviced by the condominium road. A substantial portion of the easement will coincide with the location of the 8.5 wide common element lane, while the remainder of the easement will fall in the front yard of individual lots. As noted earlier in this report, as an added measure to limit disruption for future residents in the event that the City must access services, the 4.5 metre front yard setback included in the implementing Zoning By-law Amendment will also ensure dwellings are set back an additional 2.75 metres from the easement. The precise location of the easement will be determined prior to registration of the final plan of subdivision.

A second 9.0 metre wide easement will be required across Lot 2 of the Draft Plan of Subdivision (see Appendix “B”) in order to access and maintain the stormwater management pond. The Owner has been aware of the need for this easement since the early stage of this application and has oversized Lot 2 to ensure there is area for an appropriate building envelope outside of the lands required for the easement.

Conditions of Approval for the transfer of these easements to the City are found in the Standard Form Subdivision Agreement. In addition, Item “17” of the Special Conditions of Draft Plan Approval found in Appendix “C” specifically refers to the 12.0 metre easement associated with Block 14.
8. While the proponent is not proposing to dedicate parkland as part of the development, the proposal is consistent with the Ancaster Meadowlands Neighbourhood IV Secondary Plan policies with respect to parkland dedication. As no parkland is being dedicated, in accordance with the City’s Parkland Dedication and Cash-in-Lieu of Parkland By-law, the proposed development is subject to a Cash-in-Lieu of parkland dedication payment.

For this proposal, the payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the Planning Act, prior to the issuance of each building permit. The calculation of Cash-in-Lieu payment shall be based on 5% of the value of the lands on the day prior to the day of issuance of each building permit. This requirement is included in recommendation (a)(iii) of this report and the Standard Form Subdivision Agreement (Section 1.6).

9. Staff received nine letters and e-mails from neighbouring residents (see Appendix “G”) in response to the pre-circulation of the original application on October 16, 2007. Upon review of the various correspondence received from residents, it was evident that concerns fell into three general categories, which included: a) traffic issues; b) environmental issues; and c) process issues.

In response to neighbourhood concerns, as well as concerns raised by commenting agencies during the circulation of the original proposal, the proponents submitted the amended subdivision plan, zoning application, and condominium application. The recommendations contained in this report are based on this most recent proposal. This amended proposal was re-circulated to neighbouring residents on July 24, 2009.

While no correspondence was received from residents with respect to the amended proposal, a description of the concerns raised as a result of the original proposal of October 2007, and staff discussion respecting the concerns, is contained below:

(a) Traffic:

Of particular concern was the increase in traffic volume due to the development density of the site and the impact on turning movements from public roads and private driveways (i.e. nearby townhouse blocks and the abutting Church) onto Stonehenge Drive. A third traffic-related concern expressed by residents is the possibility of pass-through traffic between Garner Road, Stonehenge Drive, and the Meadowlands beyond.
While staff agrees that an increase in traffic is inevitable, it must be noted that Stonehenge Drive is designated and constructed as an Arterial Road, wherein planned traffic volumes are based on the understanding that the road is to carry higher volumes of traffic through Ancaster and provide access to higher order roads such as Provincial highways. City Traffic Department staff has advised that Stonehenge Drive can accommodate the anticipated traffic volumes.

It should be noted that these traffic concerns were in response to the original plan that was submitted in 2007, which included an 18 metre wide public right-of-way adjoining Street “A” to Stonehenge Drive. The draft plan has been amended and now includes an 8.5 metre private lane, which will be signed as such, and can also be designed with features that will reinforce its use as a private condominium lane (i.e. narrowed entrance way, alternative surface treatments, landscaping).

With the current design standard of Stonehenge Drive and the diminished prominence of the private condominium lane, City Traffic Department staff is satisfied that concerns with respect to traffic volumes, turning movements, and cut-through traffic may be reasonably mitigated.

(b) Environmental Issues:

Vegetation:

Some residents expressed concerns about the removal of vegetation on site and its resultant impact on both habitat and views from the church property.

Vegetation existing on site consists of a number of coniferous trees adjacent to the Stonehenge Drive road allowance and a wooded area at the southwest portion of the property. These lands have not been identified as either a significant woodlot or habitat. However, given the location of the existing trees and the configuration of the lots and blocks within the proposed subdivision, there will be opportunities to retain portions of the existing vegetation along the Stonehenge right-of-way and plant additional vegetation within the stormwater management block. As noted earlier in this report, in order to identify more particularly where these preservation and regeneration opportunities exist, a Tree Management Plan has been included as a requirement in Item “1” of the conditions of draft plan approval found in Appendix “C”.
Vision: To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.

Values: Honest, Accountability, Innovation, Leadership, Respect, Excellence, Teamwork

Stormwater Management:

Some residents expressed concerns about the impact of stormwater flows on their properties as a result of regrading and development on the subject lands.

In response, staff can advise that a portion of the subject land has been identified in the Ancaster Meadowlands Neighbourhood IV Secondary Plan, as required for stormwater management purpose, not only for the development of the subject lands but to accommodate off-site flows from elsewhere within the subwatershed/secondary plan area. In fact, the stormwater management pond to be located on the subject lands has been identified as “growth related” and included as a facility to be funded by Development Charges.

The proponent has demonstrated, to the satisfaction of the City’s Development Engineering staff, that the proposed storm block is adequately sized. Further, as is the case with all subdivision proposals, the proponent will be responsible for demonstrating that stormwater management facilities may be installed in a manner that will not affect others either upstream or downstream, and will be implemented in accordance with the approved secondary plan. These stormwater management arrangements are contained in the Standard Form Subdivision Agreement that will be required to be executed prior to any grading or development occurring on the property.

(c) Process:

Some residents expressed concerns about the approval of the application being a foregone conclusion once the public notice sign was posted on the property.

In response, Planning staff notes that the lands have been designated for both residential and stormwater management purposes within the Ancaster Meadowlands Neighbourhood IV Secondary Plan since its adoption in September of 2004. Prior to the adoption of the Secondary Plan, the lands were designated for urban residential purposes. Considering this history, the lands have been generally earmarked for residential purposes for quite some time.
While the fundamental aspects of the application have not changed since the posting of the notice sign, some of the particulars of the application have evolved as a result of technical review and agency/neighbourhood input. Such revisions include such things as the removal of a public road, in favour of a private condominium lane, the need for a Tree Management Plan, minor revisions to lot layout to accommodate stormwater management requirements, and access issues.

Further, the Planning Act provides a public process to ensure that adequate technical review and public input is undertaken prior to making a decision to amend a Zoning By-law and draft approval of a subdivision. Planning staff is satisfied that the development application review process, which, in this case, included additional public consultation above and beyond the minimum statutory requirements of the Planning Act at the Ancaster Community Council Meeting of November 2, 2009, has resulted in a development proposal that represents good land use planning and is responsive to the issues and concerns raised by the technical agencies and the Community.

**ALTERNATIVES FOR CONSIDERATION:**

(include Financial, Staffing, Legal and Policy Implications and pros and cons for each alternative)

The subject lands are zoned Agricultural “A” Zone in the Town of Ancaster Zoning By-law. Should the proposed draft plan of subdivision and change in zoning be denied, the subject lands could be developed for only one single detached dwelling unit per existing lot of 1,850 square metres or larger.

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


**Financial Sustainability**

- Effective and sustainable Growth Management.
- Generate assessment growth/non-tax revenues.

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Values: Honest, Accountability, Innovation, Leadership, Respect, Excellence, Teamwork

Social Development
- Everyone has a home they can afford that is well maintained and safe.

Environmental Stewardship
- Natural resources are protected and enhanced.
- Aspiring to the highest environmental standards.

Healthy Community
- Plan and manage the built environment.

APPENDICES / SCHEDULES

Appendix “A” to Report PED10030: Location Map
Appendix “B” to Report PED10030: Proposed Plan of Subdivision
Appendix “C” to Report PED10030: Special Conditions of Draft Plan of Subdivision Approval
Appendix “D” to Report PED10030: Proposed Plan of Condominium
Appendix “E” to Report PED10030: Draft By-law (Zoning By-law 87-57)
Appendix “F” to Report PED10030: Draft By-law (Zoning By-law 05-200)
Appendix “G” to Report PED10030: Neighbourhood Letters

:CB
Attachs. (7)
Appendix "A" to Report PED10030 (Page 1 of 1)

Location Map

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number: ZAC-07-081/2ST-2007/10/25CDM-200904
Date: July 15, 2009

Appendix "A"  Scale: N.T.S.  Planner/Technician: CB/IN

Subject Property: 250, 262 & 270 Springbrook Avenue, Ancaster

Ward 12 Key Map  N.T.S.
Special Conditions of Draft Plan of Subdivision Approval for “Dussin Estates”

DEVELOPMENT PLANNING CONDITIONS:

1. That, **prior to preliminary grading or servicing**, the Owner submit a tree management plan, prepared by a certified arborist or landscape architect, for review and approval by the Director of Planning, and provide written certification from the Owner’s landscape architect/arborist to the Director of Planning that all measures for the protection of isolated trees, tree clusters, and woodlands, in accordance with the Detailed Tree Preservation Plan approved by the Director of Planning, have been implemented and inspected, prior to any clearing or grubbing of the lands within the draft plan.

DEVELOPMENT ENGINEERING CONDITIONS:

2. That, **prior to servicing**, the Owner include in the engineering design for the draft plan, land provisions for street lighting on Springbrook Avenue, along its frontage, where deemed necessary, to the satisfaction of the Manager of Development Engineering.

3. That, **prior to servicing**, the Owner include in the engineering design drawings and cost estimate schedules, provision for a landscape design of the storm water management facility, as per City of Hamilton Landscape Design Guidelines for Stormwater Management Facilities (May 2009), and erection of a 1.5 metre high chain link fence along the property boundary line which separates the stormwater management facility from all abutting residential lands and municipal road allowances, to the satisfaction of the Manager of Development Engineering.

4. That, **prior to servicing**, the Owner submit a Stormwater Management Report, prepared by a qualified professional engineer, to demonstrate how quality and quantity control criteria will be handled in accordance with the MOE Stormwater Management Planning and Design Manual - 2003, the Meadowlands Neighbourhood 3, 4, and 5 Class Environmental Assessment Master Plan, and the City of Hamilton Criteria and Guidelines for Stormwater for Stormwater Infrastructure Design, August 2007, to the satisfaction of the Manager of Development Engineering.

Such Stormwater Management Report must include an analysis of all external lands draining to Dussin Estates, to insure that all stormwater will be properly conveyed and controlled.
5. That, prior to servicing, the Owner agree to provide, to the satisfaction of the Director of Development Engineering, a plan or procedure for dealing with issues concerning dust control and street cleaning (external roads included) throughout construction within the subdivision, including homes. This document will also include, first point of contact, a schedule for regular cleaning of streets that is specific to the methods to be used, the source of water, and the contractor or agent to be used to undertake the works, as well as the contractor/agent contact information so that the City can direct works be completed, as necessary.

6. That, prior to servicing, the Owner shall submit a Hydrogeological report to the City, prepared by a qualified professional, to assess impacts, identify any significant recharge and discharge zone, and provide recommendations to mitigate the groundwater impacts during any construction within the subdivision, including but not limited to house construction, and to undertake the works, as recommended, including monitoring. The report shall also provide a groundwater contingency plan to ensure that an appropriate mitigation strategy is available to be implemented in the case whereof: i) an aquifer is breached during excavation; ii) groundwater is encountered during any construction within the subdivision, including but not limited to house construction; iii) sump pumps are found to be continuously running; iv) water supply and sewage disposal systems and any surface and groundwater related infrastructure are negatively impacted, all to the satisfaction of the Director of Development Engineering.

7. That, prior to servicing, the Owner shall include in the engineering design for the draft plan, land provisions for the reconstruction of Springbrook Avenue, with full municipal services, adjacent to Lots 1 to 7 (inclusive), to the satisfaction of the Director of Development Engineering.

In the event that the reconstruction of Springbrook Avenue has been initiated by the Owners of “Springbrook Meadows” (25T200510) and “Meadowlands - Phase 10” (25T200613) subdivisions, then the Owner agrees, in writing, to pay their proportionate share of the actual cost, less over-sizing, to the satisfaction of the Director of Development Engineering.

8. That the Owner agree, in writing, to:

   (i) Inspect and monitor the stormwater management facility upon commencement of construction or pre-grading of the land;

   (ii) Create an operation and maintenance manual, and keep detailed logs concerning stormwater management facility performance and maintenance, including costs for cleaning and removal of sediment, and submit such logs to the City during pre-grading and construction activities in accordance with the operational manual;
(iii) Operate and maintain, at the Owner’s expense, the stormwater management facility, in a manner acceptable to the City, including any changes to conditions of the MOE’s approval, throughout servicing of all stages of draft plan registration and development of all registered lots and blocks, or until such time as determined by the Director of Development Engineering;

(iv) Remove sediment from the stormwater management facility attributed to development, carry out a bathymetric survey, and verify volumetric capacity of the stormwater management facility, prior to release of the Owner’s operation and maintenance responsibilities for the stormwater management facility; and,

(v) Submit an operation and maintenance manual, as per City of Hamilton Operation and Maintenance Report for Stormwater Management Facilities (May 2009), for approval by the Director of Development Engineering, prior to release of the Owner’s operation and maintenance responsibilities for the stormwater management facility.

All to the satisfaction of the Manager of Development Engineering.

9. That the Owner agree that all issues with respect to property standards, including maintenance of the grading and drainage within the block containing future Street “A” and Lots 8 to 13, inclusive, shall be the sole responsibility of the developer.

10. That, prior to registration of the final plan of subdivision, the final plan be revised to show Street “A” and Lots 8-13, inclusive, as a block which cannot be developed until such time as road access has been provided to Springbrook Avenue, to the satisfaction of the Director of Development Engineering.

11. That, prior to registration of the final plan of subdivision, the final plan be revised to show a 6.0m wide block along the west limit of Block 15 (Stormwater Management Pond), to be owned by the developer and transferred to the City when road access from Springbrook Avenue to service the future Street “A” and Lots 8 to 13, inclusive, has been established, to the satisfaction of the Director of Development Engineering.

12. That, prior to registration of the final plan of subdivision, the Owner will convey an easement, in favour of the City of Hamilton, over the 6.0m wide block along the west limit of Block 15 of the draft plan, for stormwater management purposes. The easement shall remain until such time as road access from Springbrook Avenue to service the future Street “A” and Lots 8 to 13, inclusive, has been established, to the satisfaction of the Director of Development Engineering.
13. That, **prior to registration of the final plan of subdivision**, the Owner will convey an easement in favour of the City of Hamilton, over Street “A” and Lots 8 to 13, inclusive, for the purpose of assuring surface drainage and constructing municipal storm sewers, sanitary sewers and watermain within Street “A”, to the satisfaction of the Director of Development Engineering.

14. That, **prior to registration of the final plan of subdivision**, the existing dwellings known as 250 and 270 Springbrook Avenue shall be serviced with a sanitary sewer, storm sewer (if required), and all septic systems shall be abandoned, to the satisfaction of the Director of Development Engineering.

15. That, **prior to registration of the final plan of subdivision**, the Owner pay their proportionate share of the actual cost, less over-sizing, for existing sanitary sewers and watermains on Stonehenge Drive adjacent to Block 14 and Lot 7 of the draft plan, to the satisfaction of the Director of Development Engineering.

16. That, **prior to registration of the final plan of subdivision**, the Owner shall submit the necessary transfer deeds to the City’s Legal Department to convey Block 15 of the draft plan to the City for stormwater management pond, to the satisfaction of the Director of Development Engineering.

17. That, **prior to registration of the final plan of subdivision**, the Owner shall convey to the City of Hamilton a 12.0m wide sanitary sewer and watermain maintenance easement over Block 14, if required, to the satisfaction of the Director of Development Engineering.

**TRAFFIC CONDITIONS:**

18. That the Owner **agree, in writing, prior to the registration of the final plan of subdivision**, that access to all units within Block 14 must be obtained through a future common element condominium road and not Stonehenge Drive or future Street A, to the satisfaction of the Manager of Traffic Engineering.

19. That the Owner **agree, in writing, prior to the registration of the final plan of subdivision**, that minimum 3m by 3m visibility triangles between the access limits and the ultimate road allowance limits of Stonehenge Drive and future Street A will be maintained within which the maximum height of any objects or mature vegetation cannot exceed a height of 0.70m above the corresponding perpendicular centreline elevation of the adjacent streets, to the satisfaction of the Manager of Traffic Engineering.
CANADA POST CONDITIONS:

20. That the Owner agree, in writing, to:

   (a) Include on offers of purchase and sale, a statement that advises the prospective purchaser:

       (1) That the home/business mail delivery will be from a designated Centralized Mail Box.

       (2) That the Owners be responsible for officially notifying the purchasers of the Centralized Mail Box locations prior to the closing of any home sales.

   (b) The Owner further agrees to:

       (1) Install a concrete pad in accordance with the requirements of, and in locations to be approved by, Canada Post to facilitate the placement of Community Mail Boxes.

       (2) Identify the pads above on the engineering servicing drawings. The pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.

       (3) Determine the location of all centralized mail facilities in cooperation with Canada Post (currently identified as Lot 17 on the site plan), and to post the location of these sites on appropriate maps, information boards, and plans.
CITY OF HAMILTON

BY-LAW NO. __________

To Amend Zoning By-law No. 87-57 Respecting Lands Located at 250, 262, and 270 Springbrook Avenue, in the former Town of Ancaster, now in the City of Hamilton

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

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

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

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

AND WHEREAS the Council of the City of Hamilton, in adopting Item ___ of Report 10-___ of the Economic Development and Planning Committee, at its meeting held on the ___ day of ____, 2010, recommended that Zoning By-law No. 87-57, be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster).

NOW THEREFORE the Council of the City of Hamilton enacts as follows:
1. That Map 1 of Schedule “B” of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended as follows:

   (a) By changing the zoning from the Agricultural “A” Zone to the Residential “R4-598” Zone, Modified, the lands comprised of Block 1;

   (b) By changing the zoning from the Agricultural “A” Zone to the Holding Residential “H-R4-598” Zone, Modified, the lands comprised of Block 2;

   (c) By changing the zoning from the Agricultural “A” Zone to the Holding Residential “H-R5-599” Zone, Modified, the lands comprised of Blocks 3 and 4; and,

   (d) By changing the zoning from the Agricultural “A” Zone to Residential “R5-600” Zone, Modified, the lands comprised of Block 5.

2. That Section 34: Exceptions of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by adding the following subsections:

**R4-598 and R4-598(H)**

(1) That notwithstanding the provisions of Subsection 12.2 “Regulations” of Zoning By-law No. 87-57 (Ancaster), the following special provisions shall apply to the lands zoned “R4-598”:

   **Development Regulations:**

   a) Minimum Lot Frontage: 12.0 metres for an interior lot. 13.0 metres for a corner lot.

   b) Minimum Lot Area: 400m$^2$ for an interior lot. 420m$^2$ for a corner lot.

   c) Minimum Front Yard: 3.0 metres to dwelling unit and 6.0 metres to an attached garage.

   d) Minimum Exterior Side Yard: 1.2 metres.

   e) Maximum Lot Coverage: 45%.

   f) Notwithstanding anything to the contrary, the location of any buildings or structures existing as of the date of the passing of this By-law, being the _____ day of _____, 2010, shall be deemed to comply with the relevant regulations of By-law 87-57.

   g) All other provisions of the Residential “R4” Zone shall continue to apply.
(2) On those lands zoned R4-598(H) by this By-law, the (H) symbol may be removed by a further amendment to this By-law at such time as road access has been provided to Springbrook Avenue, to the satisfaction of the Manager of Engineering Design and Construction and the Director of Planning.

City Council may remove the (H) symbol, and thereby give effect to the “R4-598” Zone, by enactment of an amending By-law once the above condition has been fulfilled.

R5-599(H)

(1) That notwithstanding the provisions of Subsection 13.2 “Regulations” of Zoning By-law No. 87-57 (Ancaster), the following special provisions shall apply to the lands zoned “R5-599(H)”:  

Development Regulations:

a) Minimum Front Yard: 3.0 metres to dwelling unit and 6.0 metres to an attached garage.

b) Minimum Exterior Side Yard: 1.2 metres.

c) Maximum Lot Coverage: 45%.

d) All other provisions of the Residential “R5” Zone shall continue to apply.

(2) On those lands zoned R5-599(H) by this By-law, the (H) symbol may be removed by a further amendment to this By-law at such time as road access has been provided to Springbrook Avenue, to the satisfaction of the Manager of Engineering Design and Construction and the Director of Planning.

City Council may remove the (H) symbol, and thereby give effect to the “R5-599” Zone, by enactment of an amending By-law once the above condition has been fulfilled.

R5-600

(1) That notwithstanding the provisions of Subsection 3.132 “Street” and Subsection 13.2 “Regulations” of Zoning By-law No. 87-57 (Ancaster), the following special provisions shall apply to the lands zoned “R5-600”:
Development Regulations:

a) For the purposes of this By-law, a common element condominium road shall be deemed to be a street, as defined by Subsection 3.132 “Street”.

b) Minimum Front Yard: 4.5 metres to dwelling unit and 6.0 metres to an attached garage.

c) Minimum Exterior Side Yard: 1.2 metres.

d) Maximum Lot Coverage: 45%.

e) All other provisions of the Residential “R5” Zone shall continue to apply.

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

PASSED and ENACTED this ☐ day of ☐, 2010.

__________________________   ________________________________
Fred Eisenberger  Kevin C. Christenson
Mayor  Clerk

ZAC-07-061
This is Schedule "A" to By-Law No. 10-
Passed the ........ day of .................., 2010

Schedule "A"
Map Forming Part of By-Law No. 10-_______
to Amend By-law No. 87-57

Subject Property
250, 262, and 270 Springbrook Avenue, Ancaster

- Block 1: Change in Zoning from the Agricultural "A" Zone to the Residential "R4-596" Zone
- Block 2: Change in Zoning from the Agricultural "A" Zone to the Holding Residential "H-R4-596" Zone
- Block 3 and 4: Change in Zoning from the Agricultural "A" Zone to the Holding Residential "H-R5-599" Zone
- Block 5: Change in Zoning from the Agricultural "A" Zone to the Residential "R5-800" Zone

Refer to By-Law 05-200
CITY OF HAMILTON

BY-LAW NO. __________

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 250, 262 and 270 Springbrook Avenue, Ancaster

WHEREAS the City of Hamilton has in force several Zoning By-laws which apply to the different areas incorporated into the City by virtue of the City of Hamilton Act, 1999, Statutes of Ontario, 1999, Chap. 14;

AND WHEREAS the City of Hamilton is the lawful successor to the former Municipalities identified in Section 1.7 of By-law No. 05-200;

AND WHEREAS it is desirable to enact a new Zoning By-law to comprehensively deal with zoning throughout the City;

AND WHEREAS the first stage of the Zoning By-law, being By-law No. 05-200, came into force on May 25, 2005;

AND WHEREAS the Council of the City of Hamilton, in adopting Item ___ of Report 10-___ of the Economic Development and Planning Committee, at its meeting held on the ___ day of ___, 2010, recommended that Zoning By-law No. 05-200, be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster), in accordance with the provisions of the Planning Act.

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

1. That Schedule “A”, Map No. 1284 of By-law 05-200, is amended by zoning the lands Conservation/Hazard Lands “P5”, the extent and boundaries of which are shown as “Block 1” on a plan hereto annexed as Schedule “A”.

2. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this [redacted] day of [redacted], 2010.

__________________________  ____________________________
Fred Eisenberger            Kevin C. Christenson
Mayor                      Clerk

ZAC-07-061
Appendix “F” to Report PED10030 (Page 3 of 3)

This is Schedule "A" to By-Law No. 10-
Passed the ........... day of .................., 2010

Schedule "A"

Map Forming Part of By-Law No. 10-____ to Amend By-law No. 05-200
Map 1284

Subject Property
250, 262, and 270 Springbrook Avenue, Ancaster

Block 1: Lands to be Zoned Conservation/Hazard Lands "P5" Zone

Refer to By-Law 87-57

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Clerk

Mayor

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
November 11, 2007

To: Greg MacDonald
Senior Planner MCIP, RPP

City of Hamilton, Planning and Economic Development Dept. Planning Division.

Re: Notice of Complete Applications and Preliminary Circulation to Amend the Zoning By-law and for Approval of a Plan of Subdivision, "Dussin Estates", 260,262, and 270 Springbrook Ave (Ancaster)

Files: ZAC-07-061/25T-200710

Dear Sir,

Regarding the above proposal, we are deeply concerned about the impact it will have not only on the condominium complex located at 212 Stonehenge Dr. (52 Units), but also on the condominium complex at 232 Stonehenge Dr. (40 Units), and the townhouses located at Olive Place (app. 57 Units). This submission is being made by the Board of Directors, on behalf of the residents of 212 Stonehenge Drive (52 units).

The planned development of additional surveys on Springbrook Ave. (61 lots, survey ZAC-05-05/25T200510 and 57 lots in survey ZAT-06-113/25T-200622) plus the Landmart development at 426 Springbrook Ave. using the Street "A" access will certainly result in much higher traffic volumes and congestion on Stonehenge Dr.

- The one city block running from Thoroughbred Blvd. to Meadowlands Blvd. already has a traffic circle at each end, and 4 street entrances/exists and 1 church entrance/exit. Adding an additional Street "A" entrance/exit especially opposite one of the roads of the Condominium complex at 212 Stonehenge Dr., will create a hazardous traffic area because the junction of Street "A" with Stonehenge Dr. is only approximately 20 feet west of one of the entrances/exists from our complex.
- There would be 4 entrances/exists within an approximate 150 foot span on this one block of Stonehenge Dr. This is a major concern for us in accessing and leaving our homes safely.
- The streets in these developments will be heavily used to access the Meadowlands Shopping centre by using Stonehenge Dr. and Meadowlands Blvd., thereby passing through a school zone which was already forced to install 4 way stop signs due to traffic volumes, parent parking and speeding.
- The proposed development at the corner of Kitty Murray Lane and Stonehenge Dr., plus the future Fairground survey which supposedly will have entrance/exists to Kitty Murray lane will also route traffic onto Stonehenge Dr., additionally increasing difficulties in left and right exits from our complexes.
- When the empty lot at the base of Meadowlands Blvd. and Stonehenge Dr. is developed for commercial or condominium use, the volume of traffic on an already high traffic area will no doubt create major problems around the traffic circle especially since Meadowlands Blvd. will be soon extended south of the same traffic circle.

How many street entrance/exists, traffic circles in an area with high density residences and elementary schools on Meadowlands Blvd and Thoroughbred Blvd can one block handle?
Of additional concern is the clear cutting of the stand of mature trees, which border Stonehenge Dr., which are among the last of the mature trees in this residential area. Ecologically the area now has many frogs and other amphibians and is a natural habitat. This construction could potentially destroy this habitat. Environmentally the potential for a flood coming from the new construction site is a real concern. This area is higher than our corporations.

Unless the planning department can prove that these issues are not of a concern, then this development should not be approved. The planning department should at least amend the plan so that Street "A" be made a cul-de-sac at Stonehenge Dr. so that traffic can be diverted to Springbrook Ave. and south to Garner Rd. which currently is a much more direct major thoroughfare. This would minimize the impact on traffic flow and also preserve some of the current landscape on this section of Stonehenge Dr.

Cc. Councillor Lloyd Ferguson Ward 12

Yours truly,

Don Campbell
Judy Alarie
Lina Cozens
Board of Directors, WCC 348
Unit 2 B
212 Stonehenge Dr.
Ancaster, ON, L9K 1H5
November 6, 2007

To: Greg MacDonaldd
Senior Planner MCIP ,RPP

City of Hamilton, Planning and Economic Development Dept., Planning Division.

Re: Notice of Complete Applications and Preliminary Circulation to Amend the Zoning
By-law and for Approval of a Plan of Subdivision, "Dussin Estates", 250,262, and
270 Springbrook Ave (Ancaster)

Files: ZAC-O7-061/25T-200710

Dear Sir,

Regarding the above proposal, we are deeply concerned about the impact it will have not
only on the condominium complex located at 212 Stonehenge Dr. (52 Units), but also on
the condominium complex at 232 Stonehenge Dr. (40 Units), and the townhouses located
at Olivia Place (app. 57 Units) for the following reasons:

1. The planned development of additional surveys on Springbrook Ave., (61 lots, survey
ZAC-05-55/25T200510 and 57 lots in survey ZAT-06-113/25T-200622 ) plus the
Landmart development at 425 Springbrook Ave. using the Street “A” access will
certainly result in much higher traffic volumes and congestion on Stonehenge Dr.

2. The one city block running from Thoroughbred Blvd. to Meadowlands Blvd.
already has a traffic circle at each end, and 4 street entrance/exits and 1 church
entrance/exit. Adding an additional Street “A” entrance/exit especially opposite one
of the roads of the Condominium complex at 212 Stonehenge Dr., will create a
hazardous traffic area because the junction of Street “A” with Stonehenge Dr. is
only approximately 20 feet west of one of the entrance/exits from our complex.
In addition, there would be 4 entrances/exits within an approximate 150 foot span
on this one block of Stonehenge Dr. This is a major concern for us in accessing and
leaving our homes safely.

3. Likewise, the proposed development at the corner of Kitty Murray Lane and
Stonehenge Dr., plus the future Fairground survey which supposedly will have
entrance/exits to Kitty Murray lane will also route traffic onto Stonehenge Dr.,
additionally increasing difficulties in left and right exits from our complexes.

4. Furthermore, the streets in these developments will be heavily used to access the
Meadowlands Shopping centre by using Stonehenge Dr. and Meadowlands Blvd.,
thereby passing through a school zone which was already forced to install 4 way stop
signs due to traffic volumes, parent parking and speeding.
5. When the empty lot at the base of Meadowlands Blvd. and Stonchenge Dr. is developed for commercial or condominium use, the volume of traffic on an already high traffic area will no doubt create major problems around the traffic circle especially since Meadowlands Blvd. will be soon extended south of the same traffic circle.

6. How many street entrance/exits, traffic circles with high density residences can one block handle?

Therefore, we strongly urge that Street "A" be made a cul-de-sac at Stonehenge Dr. so that traffic can be diverted to Springbrook Ave. and south to Garner Rd. which currently is a much more direct major thoroughfare. This would minimize the impact on traffic flow and also preserve some of the current landscape on this section of Stonehenge Dr.

Cc. Councillor Lloyd Ferguson Ward 12

Yours truly,

[Signature]

(name)

9 - 212 Stonehenge Dr (address)
November 6, 2007

To: Greg MacDonald
Senior Planner MCIP ,RPP

City of Hamilton, Planning and Economic Development Dept. Planning Division.

Re: Notice of Complete Applications and Preliminary Circulation to Amend the Zoning By-law and for Approval of a Plan of Subdivision, "Dussin Estates", 250,262, and 270 Springbrook Ave (Ancaster)

Files: ZAC-07-061/25T-200710

Dear Sir,

Regarding the above proposal, we are very concerned that the impact it will have, not only on the condominium complex located at 212 Stonehenge Dr. (52 Units), but also on the condominium complex at 232 Stonehenge Dr. (40 Units), and the townhouses located at Olivia Place (app. 57 Units) for the following reasons:

1. The planned development of additional surveys on Springbrook Ave., (61 lots, survey ZAC-05-55/25T200510; the 57 lots in survey ZAT-06-113/25T-200622), and the Landmart development at 425 Springbrook Ave. using the Street “A” access will certainly result in extremely higher traffic volumes and congestion on Stonehenge Dr.

2. The one city block running from Thoroughbred Blvd. to Meadowlands Blvd. already has a traffic circle at each end, and 4 street entrance/exits and 1 church entrance/exit. Adding an additional Street “A” entrance/exit especially opposite one of the roads of the Condominium complex at 212 Stonehenge Dr., will create a hazardous traffic area because the junction of Street “A” with Stonehenge Dr. is only approximately 6-7 meters west of one of the entrances/exits from our complex.

Further, when the vacant land at the N/W corner of Stonehenge and Meadowlands is developed, there no doubt will be additional entrances/exits on Stonehenge Dr.

In addition, there would be 4 entrances/exits within an approximate 15-16 metre distance on this one block of Stonehenge Dr. This is a major concern for us in accessing and leaving our homes safely.

3. The proposed development at the corner of Kitty Murray Lane and Stonehenge Dr., plus the future Fairground survey that supposedly will have entrance/exits to Kitty Murray Lane will also route traffic onto Stonehenge Dr., additionally increasing difficulties in left and right exits from our complexes.

4. The streets in these developments will have heavy traffic use for access to the
Meadowlands Shopping centre by using Stonehenge Dr. and Meadowlands Blvd. thereby passing through a school zone, which was already forced to install 4 way stop signs due to traffic volumes, parent parking and speeding.

5. The question that the City must seriously address is the number of entrances/exits that will ultimately exist in the short distance from Kitty Murray Lane and Meadowlands Blvd. and the significant increase in traffic generated by all the proposed developments.

6. Of an equal concern is the destruction of a treed environment. This area has already been virtually denuded of vegetation and removal of a natural green space is NOT in the best interests of the residents nor (hopefully) of the City of Hamilton.

Therefore, we strongly opposed the proposed development.

If the development does proceed, we strongly advise that Street "A" be made a cul-de-sac at Stonehenge Dr. with traffic diverted to Springbrook Ave., then south to Garner Rd., which currently is a much more direct major thoroughfare. This would minimize the impact on traffic flow and also preserve some of the current landscape on this section of Stonehenge Dr.

Yours truly,

[Signature]
Al Wood

[Signature]
Karen Wood

Cc. Councillor Lloyd Ferguson Ward 12
October 31, 2007

Mr. Greg Macdonald, Senior Planner, MCIP, RPP
City of Hamilton, Planning and Economic Development Department
Planning Division
Hamilton City Centre
77 James Street North
Suite 400 4th Floor
Hamilton, ON L8R 2K3

Dear Mr. Macdonald:

RE: Comments Regarding Preliminary Circulation Letter
ZAC-07-061/25T-200710

We are in receipt of the preliminary circulation letter dated October 16, 2007. Meadowlands Fellowship Christian Reformed Church directly abuts the subject properties and therefore we have a vested interest in its development.

Although we are supportive of the proposed land use, we provide the following comments and concerns:

- Under the Neighbourhood IV Secondary Plan, the area at the northern edge of the plan was to be a Storm Water Management (SWM) Pond. It is heavily treed and, as we understood it, would be materially unchanged as development progressed. When designing our building, we purposely located the Fellowship Hall to overlook this area and placed large windows to take advantage of this view of a treed and green area. This Plan destroys the view. We would like to suggest at the very least a tree conservation plan with the focus on preserving these trees and providing a suitable buffer to maintain the view that had been expected based on the plan.

- The Neighbourhood IV Secondary Plan also showed a looped road at the northern (top) of the plan, south of the SWM pond. We were required to move our planned entrance as far east as practical to avoid cars entering onto Stonehenge near the traffic circle. It was suggested that we match the entrance with the condominium entrance on the north side of the roadway. This plan shows a new road exiting onto Stonehenge immediately east of our driveway far closer than our original proposed entrance was to the traffic circle. This traffic entrance will impede the safety of those entering and exiting the Church driveway.

- There is a significant grade differential between our driveway and the property line which is also treed. With this development we would hope that the trees would be preserved as noted above along the property line.

Come and See

211 Stonehenge Drive, Aacaster, ON, L9K 1R4
• Since there is a grade differential we would be concerned with water runoff and erosion of the embankment. Grading runoff and drainage are three crucial components of this development that may affect Meadowlands Fellowship Christian Reformed Church. As such, we request that these issues be looked at closely to remove any negative impact on the Church lands.
• We would expect that suitable fencing would be installed along the property line.

Your attention to our comments and concerns is greatly appreciated. Should you have any questions or require additional information, please do not hesitate to contact our office.

Yours very truly,

[Signature]

Judy Cook
Chair of Council
November 12, 2007

Subject: Zoning By-Law Change of Dussin Estates

I, William S Dalley am opposed to the zoning by-law change of said property for the following reasons.

1) The additional traffic will create a safety concern for the proposed re-zoning of the high-density property. During the construction and the additional road access from Garner Road will add to more congestion on Stonehenge Road.

2) The proposed re-zoning will create a flood zone at 212 Stonehenge Dr. without the pond on the on said Dussin Estates. The consideration of our property site as appose the higher elevation of the intended construction site, will create undue pressure for run off and possible fluid property damage.

3) The ecological damage to the proposed site will be irreversible. The loss of mature green space and wild life will create a sterile environment to the neighborhood. The impact of this development will be negative to Ancaster and the surrounding area.

If the planning department cannot provide evidence that the impact of the proposed re-zoning will not harm or damage the surrounding area, then the re-zoning should be negated or redesigned with more sensitivity to the neighborhood.

Sincerely,

William S Dalley
November 11, 2007

To: Greg MacDonald
Senior Planner MCIP,RPP
City of Hamilton, Planning and Economic Development Dept.
Planning Division.

Re: Notice of Complete Applications and Preliminary
Circulation to Amend the Zoning By-law and for
Approval of a Plan of Subdivision, “Dussin Estates”,
250, 262, and 270 Springbrook Ave (Ancaster)

Files : ZAC-07-061/25T-200710

Dear Sir:

We have serious concerns regarding the “proposed” amendment to the Zoning By-Law of the aforementioned file. After walking along Springbrook Avenue and seeing the Developer’s plans, we questioned whether the whole idea of the City’s “notices” in these matters is just a sham? We understand, that by law, the City must post these notices. However, we rarely have witnessed a development not being initialized and completed after a notice is posted, no matter what the citizen’s complaints. Is this the Planning Department’s way of keeping the community “feeling” like they supposedly have a say or that they are involved?

There is so much talk about our environment, green space and the benefit of trees to reduce the CO2 emissions. Billions of dollars are now being spent to reduce the impact of global warming after years of neglect with the “need” for growth. The City of Toronto has decided to begin a massive undertaking of planting trees to help this very problem. This may be considered too little, too late by some but at least they are putting their best foot forward. We see Hamilton as light years away from that, which is a sin.

The proposed subdivision quoted above on Stonehenge Drive will rape the land of an ecological gem. The trees are already mature providing a beautiful green canopy which is the habitat of tree frogs, raptors, ducks, rabbits, foxes and a variety of other small animals. Even more important, if the City does not care about the animals, is the fact that these trees help to reduce the pollution emitted from the increased amount of automobiles in the area. The amount of traffic will only grow with yet more homes being built.

It would appear to us that common sense and the voices of a thousand concerned citizens does not come close to competing with a developer with money when it
comes to the City of Hamilton’s decisions. It would be a travesty to destroy this
wetland and treed area for yet another housing development. The “Meadowlands”
(which was appropriately named at the time it began development) should change
it’s name to “Asphalt Jungle” or something of the like. There will be no “Meadow”
left nor any hope of reduction of emissions.

We sincerely hope that the City will consider our plea and save this pristine piece of
nature.

Most Sincerely
Keith Archer
June Archer

Unit #14
212 Stonehenge Drive
Ancaster, Ontario
#23 – 212 Stonehenge Drive  
Ancaster, ON   L9K 1N5  
November 12, 2007

Greg Macdonald, Senior Planner, MCIP, RPP  
City of Hamilton, Planning & Economic Development Department  
Planning Division  
Hamilton City Centre, 77 James Street North, Suite 400, 4th Floor  
Hamilton, ON   L8R 2K3

RE: Planned Dussin Estates and Street A

Dear Sir:

I have a concern that the Dussin Estates appears to jam itself into a small area. The street known as ‘A’ not only will join Stonehenge Drive near well-used townhome driveways, but will also have other streets attached to it further south, and thereby overload Stonehenge Drive. Nearby there are two schools and a large park and the traffic generated by these new streets could make it a dangerous situation. Cars will certainly funnel through Street ‘A’ to get to the retail area in Meadowlands.

The roundabouts already on Stonehenge Drive create a potential for disaster with excess traffic. As we have observed, many people do not know the etiquette of roundabouts, not knowing who has the right of way and even going left instead of right in some cases.

I feel the new subdivision and Street ‘A’ should be delayed and more thoroughly thought through. Developers may see merit in building everywhere, but caution should be used. New housing always seems to eliminate every tree in the area and this piece of land in question has a considerable number of trees and shrubbery. Green areas are so important in this age of global awareness. We know that the trees would be eliminated and probably not replaced to current size.

The planning department of the city has made one mistake we know of in our area because the builder outfoxed them. An apology after the fact rang hollow. It is our hope that this won’t happen again. Builders: 1 / City & Neighbours: 0

Thank you for the opportunity to voice our opinion and concerns.

Yours truly,

Walter & Karen Hardie
November 6, 2007

To: Greg MacDonald
   Senior Planner MCIP , RPP
   City of Hamilton, Planning and Economic Development Dept. Planning Division.
   Planning Division

Dear Sir:

Re: Notice of Complete Applications and Preliminary Circulation to Amend the Zoning By-
   law and for Approval of a Plan of Subdivision, "Dussin Estates", 250, 262, and 270
   Springbrook Ave (Ancaster)
   Files: ZAC-07-061/25T-200710

With reference to the above mentioned proposal, we are deeply concerned about the impact it
will have not only on the condominium complex located at 212 Stonehenge Dr. (52 Units), but
also on the condominium complex at 232 Stonehenge Dr. (40 Units), and the townhouses located
at Olivia Place (app. 57 Units) for the following reasons:

1. Clear cutting of trees will again take place in Ancaster, in order to accommodate new
   residential development. This has already occurred on Southcote Ave., Lover’s Lane, to name
   but two; now again. Is it the policy to eradicate all mature trees in Ancaster. Further, the wildlife
   residing among these trees On Stonehenge will of course disappear. These would include fox,
   frogs, raccoons, squirrels, blue herons. All of these are no risk to humans in this area.

2. The planned development of additional surveys on Springbrook Ave., (61 lots, survey
   ZAC-05-55/25T200510 and 57 lots in survey ZAT-06-113/25T-200622 ) plus the
   Landmart development at 425 Springbrook Ave. using the Street “A” access will certainly result
   in much higher traffic volumes and congestion on Stonehenge Dr.

3. The one city block running from Thoroughbred Blvd. to Meadowlands Blvd. already has a
   traffic circle at each end, and 4 street entrance/exit and 1 church entrance/exit. Adding an
   additional Street “A” entrance/exit especially opposite one of the roads of the Condominium
   complex at 212 Stonehenge Dr., will create a hazardous traffic area because the junction of Street
   “A” with Stonehenge Dr. is only approximately 20 feet west of one of the entrance/exits from our
   complex.
   In addition, there would be 4 entrances/exits within an approximate 150 foot span on this one
   block of Stonehenge Dr. This is a major concern for us in accessing and leaving our homes
   safely.

4. Likewise, the proposed development at the corner of Kitty Murray Lane and
   Stonehenge Dr., plus the future Fairground survey which supposedly will have
   entrance/exits to Kitty Murray lane will also route traffic onto Stonehenge Dr., additionally
   increasing difficulties in left and right exits from our complexes.
5. Furthermore, the streets in these developments will be heavily used to access the Meadowlands Shopping centre by using Stonehenge Dr. and Meadowlands Blvd., thereby passing through a school zone which was already forced to install 4 way stop signs due to traffic volumes, parent parking and speeding.

6. When the empty lot at the base of Meadowlands Blvd. and Stonehenge Dr. is developed for commercial or condominium use, the volume of traffic on an already high traffic area will no doubt create major problems around the traffic circle especially since Meadowlands Blvd. will be soon extended south of the same traffic circle.

7. How many street entrance/exits, traffic circles with high density residences can one block handle?

Sincerely,

T. Mills

C.W. Venema Mills

Cc. Councillor Lloyd Ferguson Ward 12
November 11, 2007

Greg Macdonald, Senior Planner, MCIP,RPP
City of Hamilton, Planning and Economic Development Department
Planning Division
Hamilton City Centre, 77 James Street North, Suite 400, 4th Floor
Hamilton ON L8R 2K3

Re: Notice of Complete Applications and Preliminary Circulation to Amend the Zoning By-law and for Approval of a Plan of Subdivision, "Dussin Estates", 250,262, and 270 Springbrook Ave (Ancaster)

Files: ZAC-O7-061/25T-200710

Dear Sir:

Regarding the above proposal, I am deeply concerned about the impact it will have not only on our condominium complex located at 212 Stonehenge Dr. (52 Units), but also on the condominium complex at 232 Stonehenge Dr. (40 Units), and the townhouses located at Olivia Place (app. 57 Units) for the following reasons:

1. This is a major safety concern for us in accessing and leaving our homes safely. The planned development of additional surveys on Springbrook Ave., (61 lots, survey ZAC-05-55/25T200510 and 57 lots in survey ZAT-06-113/25T-200622 ) plus the Landmart development at 425 Springbrook Ave. using the Street "A" access will result in high traffic volumes and congestion on Stonehenge Dr.

2. Another safety issue is the amount of traffic passing the school zone. The streets in this area will be heavily used to access the Meadowlands Shopping centre by using Stonehenge Dr. and Meadowlands Blvd., thereby passing through a school zone which was already forced to install 4 way stop signs due to traffic volumes, parent parking and speeding.

3. Ecologically that area now has many frogs, other amphibians and is a natural habitat. This construction would destroy the natural environment of this habitat and kill off any of the animals in this area.

Therefore, I am opposed to the development of this parcel of land and to the amendment to the zoning by-law

Sincerely,

P. P. Czerneda, P. Eng

Cc. Councillor Lloyd Ferguson Ward 12