SUBJECT: Applications for Approval of a Draft Plan of Subdivision, “Glancaster Meadows Extension”, and an Amendment to Glanbrook Zoning By-law No. 464 for Lands Known as 245, 253, 269 and 298 Glancaster Road (Glanbrook) (PED08208) (Ward 11)

RECOMMENDATION:

(a) That approval be given to amended Draft Plan of Subdivision Application 25T-200713, by Yiannoulla Mouskos, Landis Corporation and 1643133 Ontario Inc., owners, to establish a draft plan of subdivision known as “Glancaster Meadows Extension”, on lands located at 245, 253, 269 and 298 Glancaster Road, in the Former Township of Glanbrook, as shown on Appendix “A” to Report PED08208, subject to the following conditions:

(i) That this approval apply to “Glancaster Meadows Extension”, 25T-200713, as red-line revised, prepared by Urbex Engineering Limited, and certified by S.D. McLaren, OLS, dated August 5, 2008, showing 53 lots (Lots 1-53), 1 road widening block (Block 54), 4 blocks (55-57) for future development, the extension of 2 public roads (Blackburn Lane and Bellstone Lane), and the creation of 1 public road (Street “A”), attached as Appendix “B” to Report PED08208, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions attached as Appendix “C” to Report PED08208;

(ii) Acknowledgement that there will be no City share for any municipal works associated with this development, in accordance with the City’s Financial Policies for Development; and
(iii) That payment of Cash-in-Lieu of Parkland will be required for the development, pursuant to the Planning Act and the City’s Parkland Dedication By-law. Payments shall be made prior to the issuance of each building permit and the calculation of the Cash-in-Lieu payment shall be based on the value of the lands as of the day before the day of the issuance of each building permit.

(b) That approval be given to amended Zoning Application ZAC-07-075, Yiannoulla Mouskos, Landis Corporation and 1643133 Ontario Inc., owners, for changes in zoning from the Existing Residential “ER” Zone to the Residential “R4-244” Zone (Block 1), from the Existing Residential “ER” Zone to the Residential “R4-245” Zone (Block 2), from the Existing Residential “ER” Zone to the Residential “R4-246” Zone (Block 3), from the Existing Residential “ER” Zone and the Residential - Holding “H-R3-141” Zone to the Residential “R3-247” (Block 4), and from the Existing Residential “ER” Zone to the Residential “R4-248” Zone shown as Blocks 1-5, respectively, on Appendix “A” to Report PED08208, on the following basis:

(i) That the draft By-law, attached as Appendix “D” to Report PED08208, which has been prepared in a form satisfactory to the City Solicitor, be forwarded to City Council for enactment.

(ii) That the amending By-law be added to Schedule “E”, of Zoning By-law No. 464.

(iii) That the zoning is in conformity with the Hamilton-Wentworth Official Plan and the Official Plan for the former Township of Glanbrook.

Tim McCabe
General Manager
Planning and Economic Development Department

**EXECUTIVE SUMMARY:**

The purpose of these applications is to amend Township of Glanbrook Zoning By-law No. 464, and for approval of draft plan of subdivision known as “Glancaster Meadows Extension” (see Appendix “B”), to permit the development of the lands for 53 single detached dwellings, 4 blocks to be developed with the adjacent lands for future development (single detached dwellings), the extension of Blackburn Lane and Bellstone Lane, the establishment of Street “A” as a public right-of-way, and to amend the zoning in order to implement the proposed draft plan of subdivision.
SUBJECT: Applications for Approval of a Draft Plan of Subdivision, “Glancaster Meadows Extension”, and an Amendment to Glanbrook Zoning By-law No. 464 for Lands Known as 245, 253, 269 and 298 Glancaster Road (Glanbrook) (PED08208) (Ward 11) - Page 3 of 18

The proposal has merit and can be supported since the applications are consistent with the Provincial Policy Statement, and conform to the Hamilton-Wentworth and Township of Glanbrook Official Plans. The proposed development is considered to be compatible with and complimentary to the existing and planned development in the neighbourhood.

BACKGROUND:

Glancaster Meadows Plan of Subdivision (62M-932)

The plan of subdivision known as “Glancaster Meadows” (attached as Appendix “F”) was registered on July 6, 2001, and included the creation of 92 single detached dwelling lots, creation of Grassyplain Drive, Blackburn Lane, and Bellstone Lane to the north of the subject lands. The subject application proposes the extension of Blackburn Lane and Bellstone Lane, and the creation of Street “A” from Grassyplain Drive.

Proposal

The applicant has submitted a draft plan of subdivision application to create 53 single detached dwelling lots, 1 road widening block, 4 blocks for future development, the extension of 2 public roads, and the creation of 1 new public road. A corresponding application to amend the Zoning By-law is also required to implement the draft plan of subdivision application.

The applicant has requested zoning modifications in order to:

- Increase the maximum lot coverage from 35% to 45%;
- Reduce the minimum front yard setback from 7.5m to 3.0m to the dwelling and 6.0m to the garage;
- Reduce the minimum flankage side yard setback from 4.5m to 1.5m; and,
- Reduce the minimum lot area from 400 square metres to 360 square metres.

The plan has been red-line revised to identify Block 58 and note that it is to be developed in conjunction with the abutting lands to the north, and to create Block 59 being a 0.3 metre reserve to restrict access from Street ‘A’ to Lot 4, that being the proposed lot containing the existing dwelling known as 253 Glancaster Road.

Also, it should be noted that the applicant has revised the proposal to address concerns raised by staff through the review of the initial applications submitted by the applicant. Staff’s main concern was the consistency of the proposed lots with the existing, abutting lots. As a result, the applicant has revised the proposal to increase the lot widths and
SUBJECT: Applications for Approval of a Draft Plan of Subdivision, “Glancaster Meadows Extension”, and an Amendment to Glanbrook Zoning By-law No. 464 for Lands Known as 245, 253, 269 and 298 Glancaster Road (Glanbrook) (PED08208) (Ward 11) - Page 4 of 18

areas of Lots 35, 36, 45, 46, 47, 48, 52 and 53 from 12 metres to 14 metres, and from an average of 388.50 square metres to 418.70 square metres. Furthermore, staff has modified the proposed By-law to provide compatible setbacks and to provide a transition from the existing 15.0 metre wide lots on Bellstone Lane and Blackburn Lane to the proposed 12.0 metre wide lots.

Details of Submitted Application

Owner/Applicant: Yiannoulla Mouskos, Landis Corporation and 1643133 Ontario Inc., Owners

Agent: Urbex Engineering Limited (A.J. Cameracci)

Location: 245, 253, 269 and 295 Glancaster Road

Description:

Frontage: 155.48 metres (Glancaster Road)
Lot Area: 2.94 hectares

EXISTING LAND USE AND ZONING:

<table>
<thead>
<tr>
<th>Subject Lands</th>
<th>Existing Land Use</th>
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<td>West</td>
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ANALYSIS/RATIONALE:

1. The proposed changes in zoning, and draft plan of subdivision have merit and can be supported for the following reasons:

   (i) They are consistent with the Provincial Policy Statement;

   (ii) They conform to the Hamilton-Wentworth Official Plan;

   (iii) They conform to the Glanbrook Official Plan; and,

   (iv) The proposed development is considered to be compatible with the existing and planned development in the immediate area.

2. The applicant has requested amendments to Township of Glanbrook Zoning By-law No. 464 in order to implement the revised draft plan of subdivision known as “Glancaster Meadows Extension”.

   A portion of the subject lands (portions of Lots 35, 46, 47) are zoned Residential - Holding “H-R3-141” (see Appendix “A”). The Holding provision is to be removed once: the lands are merged in title with the adjacent lands to the north to provide sufficient lot frontage and lot area to comply with the zone requirements; all temporary engineering works have been removed to the satisfaction of the Township Engineer; and the lands have been graded to the satisfaction of the Township Engineer. Staff are satisfied that the Holding provision can be removed since the lands have been merged and the proposal conforms with the proposed zoning, the temporary engineering works are to be removed as part the draft plan of subdivision approval (Condition 13 of Appendix “C”), and the applicant is required to submit a grading plan, to the satisfaction of the City’s Development Engineering Section, as part of the Standard Form Subdivision Agreement.

   Also, the requested zoning amendments include additional modifications, which are discussed as follows:

   Lot Coverage

   The applicant is proposing that the maximum lot coverage provision, for all zones (Blocks 1-5), be increased from 35% to 45%. The purpose and intent of the By-law is to permit maximum lot coverage in order to maintain a scale and density of development that is compatible with the surrounding neighbourhood. As such, the height, bulk and mass of the proposed single detached dwellings will be regulated through the minimum yard and height requirements of the By-law. The
proposed increase in lot coverage is considered to be minor in nature and will not negatively impact the scale of development envisioned for the area.

**Block 1 - Residential “R4-244” Zone**

The applicant is proposing that the Residential “R4” Zone be further modified to reduce the minimum lot frontage for a corner lot from 16 metres to 15 metres, reduce the minimum lot area for a corner lot from 500 square metres to 400 square metres, and reduce the minimum side yard on a corner lot abutting the flanking street from 4.5 metres to 1.5 metres.

The purpose and intent of the By-law is to require minimum lot frontage, minimum lot area, in order to maintain streetscape character, and maintain a scale and density of development that is compatible with the surrounding neighbourhood. The proposed reductions in lot frontage and lot area are considered to be minor in nature and will not negatively impact the scale of development envisioned for the area.

The purpose and intent of the By-law is to require minimum exterior side yard setbacks in order to maintain streetscape character. Staff is of the opinion that the proposed reduction will enhance the streetscape character by bringing the buildings closer to the street. Furthermore, similar modifications are proposed throughout the draft plan of subdivision area, which provides consistency in the scale of development in the area. As a result, the modification can be supported.

**Blocks 2 - Residential “R4-245” Zone**

The applicant is proposing that the Residential “R4” Zone be further modified to reduce the minimum lot frontage for a corner lot from 16 metres to 12 metres, reduce the minimum lot area for an interior lot from 400 square metres to 360 square metres, reduce the minimum lot area for a corner lot from 500 square metres to 360 square metres, reduce the minimum front yard setback from 7.5 metres to 3.0 metres to a building and 6.0 metres to a garage, and reduce the minimum side yard for a corner lot from 4.5 metres to 1.5 metres.

The purpose and intent of the By-law is to require minimum lot frontage, minimum lot area in order to maintain streetscape character, and maintain a scale and density of development that is compatible with the surrounding neighbourhood. Although the proposed zoning allows for a minimum lot area of 360 square metres, the proposal provides a variety of lot areas (360 square metres to 532 square metres) due to the variety of lot depths proposed. The variety in lot sizes and depths allows for similar size building to those existing in the neighbourhood, which maintains streetscape character and the scale of development existing in the neighbourhood. As such, the proposed reductions in
lot frontage and lot area are considered to be minor in nature and will not negatively impact the scale of development envisioned for the area.

The purpose and intent of the By-law is to require minimum front yard setbacks and exterior side yard setbacks in order to maintain streetscape character and provide adequate space for parking, landscaping, maintenance and drainage. Staff is of the opinion that the proposed reductions will enhance the streetscape character by bringing the buildings closer to the street, while maintaining sufficient space for landscaping, maintenance and drainage. As such, the modifications can be supported.

Block 3 - Residential “R4-246” Zone

The applicant is proposing that the Residential “R4” Zone be further modified to reduce the minimum lot frontage for a corner lot from 16 metres to 12.91 metres, reduce the minimum lot area for an interior lot from 400 square metres to 360 square metres, reduce the minimum lot area for a corner lot from 500 square metres to 370 square metres, reduce the minimum front yard setback from 7.5 metres to 4.5 metres to the building and 6 metres to an attached garage or carport, and reduce the minimum side yard for a corner lot from 4.5 metres to 1.5 metres.

The purpose and intent of the By-law is to require minimum lot frontage and minimum lot area, in order to maintain streetscape character, and maintain a scale and density of development that is compatible with the surrounding neighbourhood. The proposed reductions are considered to be minor in nature and will not negatively impact the existing scale of development of the abutting properties.

The purpose and intent of the By-law is to require minimum front yard setbacks, and exterior side yard setbacks in order to maintain streetscape character and provide adequate space for parking, landscaping, maintenance and drainage. Staff is of the opinion that the proposed reductions will enhance the streetscape character by bringing the buildings closer to the street, while maintaining sufficient space is provided for landscaping, maintenance and drainage. As such, the modifications can be supported.

Block 4 - Residential “R3-247” Zone

As previously discussed, a transition from the existing 15 metre lots on Bellstone Lane and Blackburn Lane to the proposed 12 metre lots is being provided. To implement this, Lots 35, 36, 45, 46, 47, 48, 52 and 53 will have a minimum width of 14 metres and area of 400 square metres. As such, the applicant is proposing that the Residential “R3” Zone be further modified to reduce the minimum lot
frontage from 15 metres to 14 metres, reduce the minimum lot area for an interior lot from 450 square metres to 400 square metres, and reduce the minimum front yard setback from 7.5 metres to 6.0 metres.

The purpose and intent of the By-law is to require minimum lot frontage and minimum lot area in order to maintain streetscape character, and maintain a scale and density of development that is compatible with the surrounding neighbourhood. The proposed reductions in lot frontage, lot area, and lot coverage are considered to be minor in nature and will not negatively impact the existing scale of development of the abutting properties.

The purpose and intent of the By-law is to require minimum front yard setbacks in order to maintain streetscape character and to provide sufficient space for parking and landscaping. The proposed reduction in front yard is considered to be minor in nature and will not negatively impact the existing streetscape character, and there is sufficient space for parking and landscaping. Furthermore, the reduction provides for a transition between the existing dwellings to the south, which require a minimum front yard setback of 7.5 metres, to the proposed dwellings to the north (Block 3), which require a minimum front yard setback of 4.5 metres. As such, the modifications can be supported.

**Block 5 - Residential “R4-248” Zone**

The Zoning By-law defines Block 5 as a “through lot”, where both lot lines that abut a street are deemed to be the front lot line. Staff has modified the proposed zoning for Block 5, in order to deem the lot line which abuts Glancaster Road as the front lot line, and the opposite lot line the rear lot line, to permit accessory structures. The purpose and intent of the By-law is to prohibit accessory structures in rear yards that abut a street in order to maintain streetscape character. The proposed modification is required to recognize the existing dwelling and will not negatively impact the streetscape character and, as such, staff supports the modification.

The proposed zoning modifications address the issues raised by staff through the review of the initial applications submitted by the applicant and the public (see Comment 6). The proposal provides a transition from the existing 15.0 metre wide lots to the proposed 12.0 metre wide lots. Finally, the proposed zoning provides front and exterior side yard setbacks that enhance the streetscape character by bringing the buildings closer to the street, and proportionally increasing the front yard setback to match the existing single detached dwellings. Urban Design staff was consulted to aid in the development of the zoning provisions to ensure that the proposal enhances the existing residential character.
3. It is noted that the draft plan of subdivision has been red-line revised (see Appendix "B") to create Block 58, being a lot to be developed in conjunction with the abutting lands to the north, and create a 0.3 metre reserve along the rear of Lot 4 (Block 59). Block 58 has been identified as a remnant parcel, and has been identified as a block to be developed in conjunction with the abutting lands to the north. A 0.3 metre reserve has been created along the rear of Lot 4, in order to prohibit vehicular access from Street 'A'.

4. There are existing sanitary sewers on Grassyplain Drive and Blackburn Lane available for a portion of the development, the existing sanitary sewers within Grassyplain Drive are to be extended along Glancaster Road, Street ‘A’, and Bellstone Lane to service the subject lands. There are existing watermains on Glancaster Road, Grassyplain Drive, Bellstone Lane and Blackburn Lane available, and will need to be extended to service the subject lands. The future width of this section of Glancaster Road is approximately 26.0m. The owner will be required to convey lands, 3.066m in width, for road widening purposes along the entire frontage of Glancaster Road. These concerns have been addressed in Special Condition Nos. 1, 3 and 6.

The proposed Draft Plan includes a new street (Street ‘A’) that was not contemplated in the Northwest Glanbrook Planning Area of the Glanbrook Official Plan. To accommodate the additional serviced area, the standard servicing approach for this development would require the upsizing and extension of an existing storm sewer on Grassyplain Drive. However, the proponents’ Functional Servicing Report proposes to provide a storm sewer through easements on future lots within the plan to avoid the need to undertake major works on Grassyplain Drive. This is not an acceptable means of conveyance when the opportunity to contain the drainage to the municipal road allowance remains a viable option. This concern has been addressed in Special Condition Nos. 7 and 12.

5. In accordance with the City’s Parkland Dedication and Cash-in-Lieu of Parkland By-law, the proposal is subject to parkland dedication or Cash-in-Lieu requirements. Since a park is not included within the lands of the draft plan of subdivision, the applicant will be required to make cash payments in-lieu of 5% parkland dedication prior to the issuance of each building permit based on value of land the day before permit issuance. The requirement has been included as Recommendation (a) (iii).

6. Notice of complete application and pre-circulation of this application was given in accordance with the Planning Act and the City’s Public Participation Policy. Staff received four e-mail messages and one letter (attached as Appendix “E”) from adjacent landowners as a result of the circulation of these applications. The concerns related to: lot size (density); storm water management and impacts on
the existing creek; grading; removal of the temporary turning circle and its impacts on existing driveways; tree removal; reduction in property values; and, safety, nuisances and damages related to construction.

Lot Size (Density)

The residents identified concerns related to the increase in density and adverse affects associated with it. The subject lands are located within the Northwest Glanbrook Planning Area of the Glanbrook Official Plan and are designated "Low Density Residential". The Northwest Glanbrook Planning Area policies provide policy direction for land use planning and development in the plan area. The plan restricts the density of those lands designated Low Density Residential to a maximum of 25 units per net hectare. The subject applications have proposed 53 units on 2.26 hectares of land, which yields a density of 23.45 units per net residential hectares, which complies with the Official Plan. Also to address the neighbours and staff’s concerns, the plan has been modified to provide a transition from the existing larger lots to the smaller lots proposed.

As such, staff is satisfied that the density proposed complies with the density envisioned for the area, and the proposal provides a transition from the existing larger lots to the smaller lots proposed.

Stormwater Management and Existing Creek

Concerns related to site grading and how stormwater is to be handled, and the potential for stormwater from the development area spilling over onto abutting properties causing potential flooding issues to the existing abutting residential dwellings were raised by the adjacent landowners. These concerns are addressed in Condition 12 of Appendix “C”, which requires the owner to submit a detailed stormwater management report ensuring that all storm water is handled on site to the satisfaction of both the City’s Development Engineering Section and the Niagara Peninsula Conservation Authority.

Concerns related to the existing creek, which flows through the subject lands, and how the proposed development will impact it were also identified. The subject lands are located within the Twenty Mile Creek sub-watershed. Through the circulation of these applications, the Niagara Peninsula Conservation Authority (NPCA) has indicated that the watercourse traversing the subject property is a tributary of the Twenty Mile Creek and requested that the owner/applicant submit a Scoped Environment Impact Study to assess the potential impacts of the proposed development on the watercourse. As a result, the owner/applicant has submitted a Scoped Environmental Impact Statement, which was reviewed by the NPCA who has indicated support for the applications subject to the inclusion of conditions of approval which address fish habitat and
stormwater management concerns (Condition 17 of Appendix “C”). As such, staff is satisfied that the concern has been addressed.

Removal of Temporary Turning Circle

There is an existing turning circle on Blackburn Lane and its impacts on existing driveways and curbing. Specifically, the residents have requested that when the turning circle is removed, the boulevard be restored, including the extension of existing driveways. Staff has included a condition (Condition 13 of Appendix “C”), which addresses this concern. Also, there was a concern expressed relating to the ownership of the lands of which the temporary turning circle is located. The temporary turning circle is currently located within the Blackburn Lane right of way and is in the City’s ownership.

Tree Removal

Concern was raised related to how the proposed development will impact the existing trees on site. As a condition of draft approval (Condition 14 of Appendix “C”), the owner/applicant is required to submit and implement a tree preservation study and plan, to the satisfaction of the City’s Urban Forestry Section of the Public Works Department.

Property Values

There are concerns related to the proposed development reducing the property values of the existing properties in the neighbourhood. As noted earlier, the subject applications propose single detached residential development with lot frontages and areas similar to those existing in the neighbourhood. Staff is not aware of any data that would support this opinion.

Safety, Nuisances and Damages Related to Construction

Other concerns were expressed related to safety, nuisances and damages related to construction. These concerns are addressed in the Standard Form Subdivision agreement, which provides requirements for: prohibition against debris on the subject lands; street cleaning, deficiencies in work; state of site; stop work; maintenance of works; inspection, testing and emergency repairs; snow removal; and liability of the owner.

Based on the foregoing, staff is satisfied that all of the concerns outlined above have been addressed.
7. Approval of this Draft Plan of Subdivision will be subject to the owner/applicant entering into a Standard Form Subdivision Agreement, as approved by City Council, as well as the special conditions included in Appendix “C”, many of which have been identified in this report.

**ALTERNATIVES FOR CONSIDERATION:**

If the application is denied, the applicant has the option of using the property for the current range of uses permitted in the Existing Residential “ER” Zone and Modified Residential - Holding “H-R3-141” Zones.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Financial – N/A.

Staffing – N/A.

Legal – As required by the Planning Act, Council shall hold at least one (1) Public Meeting to consider an application for approval of a draft plan of subdivision and changes in Zoning.

**POLICIES AFFECTING PROPOSAL:**

**Provincial Policy Statement**

The applications have been reviewed with respect to the Provincial Policy Statement (PPS). The applications are consistent with Policy 1.1.3.1 of the PPS, which focuses growth in urban areas.

However, 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 resources must be preserved on site, only development and site alteration which maintain the heritage integrity of the site may be permitted. Since the subject lands have been identified as having archaeological potential, an archaeological assessment of the subject lands is required and has been included as Special Condition No. 15 (Appendix “C”).

Also, Policy 1.7.1(e) outlines that long term economic prosperity will be supported by planning so that major facilities (such as airports, transportation corridors, sewage treatment facilities, waste management systems, industries and aggregate activities) and sensitive land uses are appropriately designed, buffered and separated from each other to prevent adverse effects from odour, noise and other contaminants, and to
minimize risk to public health and safety. Due to the proximity of the subject lands to the Hamilton International Airport, the owner is required to include noise warning clauses (Special Condition 20 - Appendix “C”).

Furthermore, Policy 3.2.2 states that contaminated sites shall be remediated as necessary prior to any activity of the site associated with the proposed use such that there will be no adverse effects. Due to the identification of the presence of an underground storage tank and/or buried waste, the owner is required to conduct a Record of Site Condition to address this concern (Special Condition 16 - Appendix “C”).

**Hamilton-Wentworth Official Plan**

The subject property is designated “Urban Area” in the Hamilton-Wentworth Official Plan. Policy 3.1 outlines that a wide range of urban uses, defined through the Area Municipal Official Plans and based on full municipal services, will be concentrated in the Urban Areas. As the nature of the application is for the approval of a draft plan of subdivision, and an amendment to the Zoning By-law to facilitate the development of the site for residential uses, the proposal conforms to the Hamilton-Wentworth Official Plan.

Policy B-9.2 states that the City shall consider the 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 will be incorporated into the overall design in a manner which minimizes adverse impacts and encourages maintenance and protection. As outlined earlier, an archaeological assessment of the subject lands is required and has been included as a special condition.

**Township of Glanbrook Official Plan**

The subject lands are designated “Urban Area - Residential” on Schedule ‘A’, Land Use Plan, and “Low Density Residential” on Schedule ‘G’, North-West Glanbrook Planning Area Land Use Plan, in the Glanbrook Official Plan. The following policies of the Township of Glanbrook Official Plan, among others, are applicable to the proposed development:

“B.2.1.10 The specific residential density for lands designated "Residential" in this Plan will be initially identified and delineated in the applicable Secondary Plan as Low, Medium or High Density Residential development areas, and will be incorporated into this Plan by way of an amendment.

Net residential density refers to the number of dwelling units per net residential hectare of any particular development or redevelopment. In the case of single detached, semi-detached, duplex, triplex and street
townhouse dwellings fronting on a public road, net residential density includes only the land for residential lots, and excludes lands for public roads, public park lands and hazard lands and public stormwater management areas. In the case of single detached, semi-detached, duplex, triplex and townhouse dwellings not fronting on a public road (e.g. forming part of a private condominium development) and any other housing form, 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 redevelopment.

Within each residential density designation the Zoning By-law will restrict the use of any site to one or more of the dwelling unit types permitted within that designation. Such restrictions will be implemented to preserve the character of a neighbourhood and compatibility of a dwelling unit type with surrounding existing and proposed land uses.

B.2.1.11 The following policies identify the range of net residential densities and the general locational criteria for each of the density categories:

(a) Low Density Residential

Low Density Residential development shall consist primarily of single detached, semi-detached, duplex and triplex units at a maximum net residential density of 25 units per net hectare (10 units per net acre). Generally, low density development shall be located in the interior of residential neighbourhoods, adjacent to local roads.

B.2.1.25.1 Development Objectives

The following Objectives constitute the fundamental guidelines which shall direct the development of the North-West Glanbrook Planning Area:

(a) Residential

(iv) Future residential development shall consider and be sensitive to existing residential development, and shall also provide for the redevelopment of the vacant portions of existing large lot residential development.
(vi) To ensure that future residents of residential development are advised of the proximity of the Hamilton Airport and the potential for noise nuisance at times related to Airport activity.

B.2.1.25.2 Development Policies

(a) Residential

The majority of the North-West Glanbrook Planning Area shall be developed for residential purposes. Lands designated Residential shall be developed in accordance with Schedule "G" - North-West Glanbrook Planning Area Land Use Plan, the pertinent policies of the Township Official Plan, and the following specific policies:

(iv) The rear portion of existing large lot residential development fronting Glancaster Road and Twenty Road West shall be encouraged to be redeveloped in conformity with the designation identified on Schedule "G" North-West Glanbrook Planning Area Land Use Plan and in conformity with the other relevant policies of this Plan.

(v) To minimize conflicts, new residential development proposed to be developed contiguous to the existing large lot residential development shall be restricted to low density residential development.

(vii) The housing types and density and development for the Low Density Residential, Medium Density Residential and High Density Residential designations shall be in accordance with Policies B.2.1.10 and B.2.1.11 of the Township Official Plan and the following specific policies:

(1) The predominant form of residential development within the North-West Glanbrook Planning Area shall be Low Density Residential development as designated on Schedule "G" - North-West Glanbrook Planning Area Land Use Plan.

(ix) Future residents of residential development are advised that the Hamilton Airport is located approximately 1.6 kilometres (1 mile) south of Twenty Road West, which is the southern boundary of the North-West Glanbrook Planning Area and, as a result, there is the potential for noise nuisance at times
related to airport activity. A warning clause to advise of this potential noise nuisance related to Airport activity shall be registered on title for residential development lands.”

As outlined above, the “Residential” designation permits the proposed single detached dwellings. Also, the “Low Density Residential” designation permits a maximum Net Residential Density of 25 units per hectare. The proposal will create a Net Residential Density of 23.45 units per hectare, which is consistent with the density envisioned for the area. In accordance with the “Low Density Residential” policies, the proposal to create 53 new single detached residential dwelling units makes efficient use of the existing infrastructure and is compatible with, and complementary to, the established development pattern in the neighbourhood.

Finally, the proposal is consistent with the North-West Glanbrook Planning Area development objectives, since it is sensitive to the existing residential development, and provides for proper noise abatement measures to reduce the noise exposure to residential areas from the Hamilton Airport. The proposed zoning requires compatible lot frontages, lot area, building height, and setbacks to those existing in the surrounding neighbourhood. In addition, staff has recommended a specific condition of approval (see Appendix “C” - Condition No. 20), which requires the owner to include a noise warning clause in all purchase of sale and/or lease agreements.

Therefore, the proposal for single detached residential development conforms to the “Residential” and “Low Density Residential” designations in the Glanbrook Official Plan.

**RELEVANT CONSULTATION:**

**Agencies/Departments Having No Objection**

- Budgets, Taxation and Policy Services, Corporate Services Department
- Public Health Services, Health Protection Branch
- Emergency Services Department
- Strategic and Environmental Planning, Public Works Department
- Public Works Department (Capital Planning and Implementation Section)
- Parking Services, Planning and Economic Development Department
- Mountain Cablevision
- Hamilton-Wentworth Separate School Board
- Hydro One Networks Inc.
- Union Gas Limited
- Canada Post
Public Works Department (Forestry and Horticulture Section)

A condition of draft approval respecting the submission of and implementation of a tree preservation study and plan will be required. This condition has been addressed as Condition 14 of Appendix “C”.

Public Works Department (Traffic Engineering and Operations Section)

A condition of draft approval respecting the submission of and implementation of a traffic study be required to verify that the minimum sight lines to Glancaster Road are available from the driveway accesses to Lots 1-11, inclusive. This condition has been addressed as Condition 19 of Appendix “C”.

Bell Canada

Conditions of draft plan approval respecting the assurance that appropriate levels of communication/telecommunication facilities will be included in the Standard Form Subdivision Agreement.

Niagara Peninsula Conservation Authority

Conditions of draft approval respecting the submission of an erosion and sediment control plan, stormwater management plan, lot grading and drainage plans, and a fish habitat compensation plan will be required. These conditions have been addressed as Conditions 12 and 17 of Appendix “C”.

PUBLIC CONSULTATION

In accordance with the Planning Act and the Public Participation Policy that was approved by Council, Notice of Complete Application and Preliminary Circulation of these applications was circulated to all property owners within 120 metres of the subject property on November 27, 2007. In addition, a Public Notice sign was placed on the subject lands on December 13, 2007, and notice of the Public Meeting will be given in accordance with the regulations of the Planning Act.

Four e-mail messages and one letter (attached as Appendix “E”) were received in response to the pre-circulation letter, with concerns related to: density, storm water management, impacts on the existing creek, grading, removal of the temporary turning circle and its impacts on existing driveways, reduction in property values, and safety, nuisances and damages related to construction. An analysis of these issues is discussed in the Analysis/Rationale section of this report.
SUBJECT: Applications for Approval of a Draft Plan of Subdivision, “Glancaster Meadows Extension”, and an Amendment to Glanbrook Zoning By-law No. 464 for Lands Known as 245, 253, 269 and 298 Glancaster Road (Glanbrook) (PED08208) (Ward 11) - Page 18 of 18

CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑ Yes ☐ No
The public are involved in the definition and development of local solutions. In response to concerns raised by the adjacent landowner, the plan has been revised to provide a transition from the existing larger lots to the smaller proposed lots.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
Applying the principles of intensification and best use of available land since the development provides for the net creation of 49 new residential dwellings on a currently under-utilized site.

Economic Well-Being is enhanced. ☑ Yes ☐ No
Investment in Hamilton is enhanced and supported since the proposal provides for increased tax revenues.

Does the option you are recommending create value across all three bottom lines? ☑ Yes ☐ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants?

☐ Yes ☑ No

:DF

Attachs. (6)
Appendix “A” to Report PED08208

Location Map

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number: ZAC-07-075 / 2ST-200713  Date: August 21, 2008

Appendix "A"  Scale: N.T.S.  Planner/Technician: DF / AL

Subject Property
245, 253, 269, and 295 Glancaster Rd

- BLOCK 1 - Change in Zoning from the Existing Residential "ER" Zone to the Modified Residential "R4-244" Zone
- BLOCK 2 - Change in Zoning from the Existing Residential "ER" Zone to the Modified Residential "R4-245" Zone
- BLOCK 3 - Change in Zoning from the Existing Residential "ER" Zone to the Modified Residential "R4-246" Zone
- BLOCK 4 - Change in Zoning from the Modified Residential - Holding "R3-141" Zone and the Existing Residential "ER" Zone to the Modified Residential "R3-247" Zone
- BLOCK 5 - Change in Zoning from Existing Residential "ER" Zone to Modified Residential "R4-248" Zone

Ward 11 Key Map  N.T.S.

Site of the Application
Special Conditions of Draft Plan of Subdivision Approval for “Glancaster Meadows Extension”

1. That, prior to the registration of the draft plan, the Owner acquires the necessary land to provide road access from Bellstone Lane to Grassyplain Drive, and pays the full cost, less over-sizing, to construct road access and a looped watermain to service the lands of the draft plan, to the satisfaction of the Director of Development Engineering.

2. That, prior to registration of the draft plan, a 7.0 metre by 7.0 metre daylight triangle be established on the final plan of subdivision at the widened intersection of Grassyplain Drive and Glancaster Road, to the satisfaction of the Director of Development Engineering.

3. That, prior to the registration of the draft plan, the final plan of subdivision includes a block showing sufficient lands to be dedicated to the City of Hamilton as public highway, by the Owner’s certificate on the plan, to establish the widened limit of Glancaster Road at 13.1065 metres from the center line of the original road allowance, to the satisfaction of the Director of Development Engineering.

4. That, prior to registration of the draft plan, the Owner pays their proportionate share of the actual cost, less over-sizing, for existing sewers and watermain on Grassyplain Drive adjacent to Lots 1, 22, 23 and 42 of the draft plan, to the satisfaction of the Director of Development Engineering.

5. That, prior to the registration of the draft plan, the Owner pays their proportionate share for the future urbanization of Glancaster Road adjacent to Lots 1 to 11, based on the City’s “New Roads Servicing Rate” in effect at the time of payment, to the satisfaction of the Director of Development Engineering.

6. That, prior to the registration of the draft plan, the Owner constructs a sanitary and storm sewer, taken to a suitable outlet, on Glancaster Road from the south limit of Lot 11 to Grassyplain Drive, to the satisfaction of the Director of Development Engineering.

7. That, prior to the registration of the draft plan, the Owner upgrades the existing storm sewer on Grassyplain Drive to accommodate additional flows generated from the Owner’s proposed modification to the neighbourhood plan, to the satisfaction of the Director of Development Engineering.

8. That, prior to the registration of the draft plan, the Owner agrees to provide an asphalt overlay on Glancaster Road from the south limit of Lot 11 to the intersection of Grassyplain Drive, to the satisfaction of the Director of Development Engineering.
9. That, prior to the registration of the draft plan, the Owner agrees, in writing, to construct concrete sidewalks in the locations listed below, to the satisfaction of the Director of Development Engineering:

- Glancaster Road, east side, from the south limit of Lot 11 to the existing sidewalk on the south side of Grassyplain Drive; and,

- Street “A”, west side, from the south limit of Lot 12 to the existing sidewalk on the south side of Grassyplain Drive.

10. That, prior to the registration of the draft plan, the Owner will undertake, at his own cost, to make the necessary improvements within the easement located between municipal numbers 34 and 36 Grassyplain Drive, to provide a suitable outlet for the major storm events, to the satisfaction of the Director of Development Engineering.

11. That, prior to servicing, the Owner shall prepare a Groundwater Study, which shall assess the impact that the proposed development would have on the water supply and the sewage disposal systems on the adjacent properties. Pending the outcome of the Study, the owner shall propose appropriate mitigative measures to address the concerns, to the satisfaction of the Director of Development Engineering.

12. That, prior to servicing, the Owner shall submit a detailed Storm Water Management report for review and approval by the Director of Development Engineering, the Niagara Peninsula Conservation Authority, and all other appropriate agencies, with sufficient back-up information confirming the availability of a suitable outlet in accordance with current storm water management policy and guidelines. The said report will address the suitability of the outlets for the both the upstream and downstream overland routes.

13. That, prior to the issuance of a building permit, the Owner agrees, in writing, to pay for the extension Blackburn Lane and Bellstone Lane and the restoration of the boulevard, to the satisfaction of the Director of Development Engineering.

14. That, prior to preliminary grading or servicing, the Owner submits a tree preservation study and plan, prepared by a certified arborist or landscape architect, for review and approval by the Director of Capital Planning and Implementation, Public Works, and provides 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 City, have been implemented and inspected, prior to any clearing or grubbing of the lands within the draft plan.
15. That, prior to preliminary grading or servicing, the Owner carries out and completes an archaeological assessment over the entire lands of the draft plan, to the satisfaction of the City and the Ministry of Citizenship, Culture and Recreation, and mitigate through preservation or resource removal and documentation adverse impacts to and significant archaeological resources found, all prior to demolition, grading, or soil disturbances on the land.

16. That, prior to the registration of the draft plan, the Owner submits a signed Record of Site Condition (RSC) to the City of Hamilton and the Ministry of the Environment (MOE). This RSC must be to the satisfaction of the City of Hamilton, including an acknowledgement of receipt of the RSC by the MOE, and submission of the City of Hamilton’s current RSC administration fee.

17. That, prior to preliminary grading or servicing, the Owner, through the NPCA office, obtains an Authorization under Section 35(2) of the Fisheries Act from DFO which may require the preparation of a fish habitat compensation plan for the HADD resulting from the piping of the existing tributary crossing the subject lands.

18. That, prior to preliminary grading or servicing, the Owner applies for and receives any approvals and permits required by Fisheries and Oceans Canada (DFO), the Ministry of Natural Resources (MNR) and the Niagara Peninsula Conservation Authority (NPCA) for any proposed works in or around the existing watercourse on the subject lands.

19. That, prior to the registration of the draft plan, the Owner submits a traffic study, completed by a qualified professional, for review and approval by the Manager of Engineering Construction and Design to verify that the minimum sightlines to Glanacaster Road are available from the driveway accesses to Lots 1-11, inclusive. The study is to incorporate Transportation Association of Canada methods in the calculations and must be based on 10km/hr over the posted speed limit. If acceptable sight lines are not available, then elevation modifications of Glanacaster Road may be required.

20. That the Owner agrees, in writing, to include the following noise warning clause in all agreements of purchase and sale for all lots and blocks within in the draft plan, to the satisfaction of the Director of Planning:

"Residents of this development are advised that the John C. Munro Hamilton International Airport is located in the vicinity of the subject lands and, as a result, there is a potential for increased noise levels at times related to airport activity."
CITY OF HAMILTON

BY-LAW NO. __________

To Amend Zoning By-law No. 464 (Glanbrook)
Respecting Lands located at 245, 253, 269 and 295 Glancaster Road

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

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Township of Glanbrook" 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 of the former area municipalities 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. 464 (Glanbrook) was enacted on the 16th day of March, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

AND WHEREAS the Council of the City of Hamilton, in adopting Section of Report 08- of the Planning and Economic Development Committee at its meeting held on the day of , 2008, recommended that Zoning By-law No. 464 (Glanbrook), 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 Township of Glanbrook);

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

1. Schedule "E", appended to and forming part of By-law No. 464 (Glanbrook) is amended as follows:
by changing from the Existing Residential “ER” Zone to the Residential “R4-244” Zone, the land comprised of Block 1;

(b) by changing from the Existing Residential “ER” Zone to the Residential “R4-245” Zone, the land comprised of Block 2;

(c) by changing from the Existing Residential “ER” Zone to the Residential “R4-246” Zone, the land comprised of Block 3;

(d) by changing from the Residential - Holding “R3-141” Zone and the Existing Residential “ER” Zone to the Residential “R3-247” Zone, the land comprised of Block 4; and,

(e) by changing from the Existing Residential “ER” Zone to the Residential “R4-248” Zone, the land comprised of Block 5

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

2. That Section 44, “Exceptions to the Provisions of this By-law”, of Zoning By-law No. 464, be amended by adding the following new special provisions:

“R4-244”

Notwithstanding the regulations of Paragraphs (a), (b), (c), and (d) (ii) of Subsection 16.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLINGS) of SECTION 16: RESIDENTIAL “R4” ZONE, for those lands zoned modified “R4-244”, the following regulations shall apply:

(a) Minimum Lot Frontage..............................................12 metres (40 feet),
    except on a corner lot the minimum frontage shall be
    15 metres (50 feet)

(b) Minimum Lot Area.............................................400 square metres
    (5,166 square feet),
    including any corner lot

(c) Maximum Lot Coverage...........................................45%

(e) Minimum Side Yard

(ii) On a corner lot the minimum side yard abutting the flanking street
    shall be 1.5 metres (5 feet), except that an attached garage or
    attached carport which fronts on the flankage street shall not be
    located within 6.0 metres (20 feet) of the flanking street line.
“R4-245”

Notwithstanding the regulations of Paragraphs (a), (b), (c), (d), and (e) (ii) of Subsection 16.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLINGS) of SECTION 16: RESIDENTIAL “R4” ZONE, for those lands zoned modified “R4-245”, the following regulations shall apply:

(a) Minimum Lot Frontage........................................12 metres (40 feet), except on a corner lot the minimum frontage shall be 12 metres (40 feet)

(b) Minimum Lot Area........................................360 square metres (3,875 square feet), except on a corner lot the minimum lot area shall be 370 square metres (3,982 square feet)

(c) Maximum Lot Coverage......................................45%

(f) Minimum Front Yard.................................3.0 metres, except 6.0 metres to an attached garage or attached carport

(g) Minimum Side yard

(ii) On a corner lot the minimum side yard abutting the flanking street shall be 1.5 metres (5 feet), except that an attached garage or attached carport which fronts on the flanking street shall not be located within 6.0 metres (20 feet) of the flanking street line.

“R4-246”

Notwithstanding the regulations of Paragraphs (a), (b), (c), (d), and (e) (ii) of Subsection 16.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLINGS) of SECTION 16: RESIDENTIAL “R4” ZONE, for those lands zoned modified “R4-246”, the following regulations shall apply:

(a) Minimum Lot Frontage........................................12 metres (40 feet), except on a corner lot the minimum frontage shall be 12.9 metres (42 feet)
(b) Minimum Lot Area.................................................................360 square metres
(segment 3,875 square feet),
except on a corner lot the minimum lot area shall be 370 square metres (3,982 square feet)

(c) Maximum Lot Coverage............................................................45%

(h) Minimum Front Yard.........................................................4.5 metres, except 6.0 metres to an attached garage or attached carport

(i) Minimum Side yard

(ii) On a corner lot the minimum side yard abutting the flanking street shall be 1.5 metres (5 feet), except that an attached garage or attached carport which fronts on the flankage street shall not be located within 6.0 metres (20 feet) of the flanking street line.

"R3-247"

Notwithstanding the regulations of Paragraphs (a), (b), (c), (d), and (e) (ii) of Subsection 16.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLINGS) of SECTION 16: RESIDENTIAL "R4" ZONE, for those lands zoned modified "R3-247", the following regulations shall apply:

(a) Minimum Lot Frontage.........................................................14 metres (46 feet)

(b) Minimum Lot Area.................................................................400 square metres (4,305 square feet)

(c) Maximum Lot Coverage............................................................45%

(d) Minimum Front Yard.............................................................6.0 metres (20 feet)

"R4-248"

Notwithstanding any Definition in SECTION 4: DEFINITIONS, for those lands zoned modified "R4-248", the following regulation shall apply:

(a) On the lands zoned "R4-248", the front lot line shall be the lot line abutting Glancaster Road, and the rear lot line is the lot line opposite the front lot line abutting Glancaster Road.
3. 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 , 2008.

______________________________  ________________________________
Fred Eisenberger               Kevin C. Christenson
Mayor                           City Clerk
This is Schedule "A" to By-Law No. 08-
Passed the ........ day of ...................., 2008

Subject Property
245, 253, 269, and 295 Glancaster Rd

Schedule "A"
Map Forming Part of By-Law No. 08-____
to Amend By-law No. 464
From: John DeSimone
Sent: December 19, 2007 3:12 PM
To: Falletta, David
Cc: De Iulio, Peter; Jennifer L. DeSimone
Subject: RE: GLANCASTER MEADOWS EXTENSION - 245,253, 269, 295 GLANCASTER ROAD

DAVID FALLETTA
DEVELOPMENT PLANNER
THE CITY OF HAMILTON, DEVELOPMENT PLANNING
CITY CENTRE, 77 JAMES STREET NORTH, SUITE 400
HAMILTON, ON L8R 2K3

T - (905) 546-2424 EXT. 1221
F - (905) 546-4202
EMAIL - DFALLETT@HAMILTON.CA

RE: ZONING BY-LAW AMENDMENT ZAC-07-75 AND DRAFT PLAN OF SUBDIVISION APPLICATION 25T-200713, FOR 245 253, 269 AND 298 GLANCASTER ROAD (GLANBROOK) WARD 11

MR. FALLETTA,

WE ARE IN RECEIPT THE APPLICATION FOR THE DRAFT PLAN OF SUBDIVISION KNOWN AS "GLANCASTER MEADOWS EXTENSION" AND WE HAVE SERIOUS RESERVATIONS THAT MUST BE ADDRESSED PRIOR TO DRAFT PLAN APPROVAL AND NOT DIFFERRED TO FINAL ENGINEERING DESIGN AS PER YOUR EARLIER EMAIL.

- CONCERN 1:

- THE PROPOSED DEVELOPMENT INCREASE THE DENSITY BY 20%, OUR EXISTING LOT DIMENSIONS ARE 15M & 18M RESPECTIVELY, THIS APPLICATION IDENTIFIES 12M LOTS. THIS INCREASE IN DENSITY IS DRASTIC IN OUR OPINION AND THE PLAN SHOULD BE REVISED TO BE MORE RESPECTIVE OF THE ADJACENT LAND. OUR SUGGESTION IS TO GRADUALLY INCREASE THE LOT SIZE AS YOU MOVE AWAY FROM THE EXISTING LANDS OR REVISE THE LOT DESIGN TO INTRODUCE 12M & 15 & 18M LOTS RESPECTIVELY.

- OUR REVIEW OF THE "H-R3-141" ZONE PROVISION STATES THE "H" BLOCK MAY BE MERGED WITH THE LANDS TO THE NORTH PROVIDED THAT THEY COMPLY WITH MINIMUM LOT FRONTAGE OF THE "R3" ZONE, WHICH IN THIS CASE IS 15M NOT 12M.

- CONCERN 2:

- OUR LOT 17 ABUTS A SIGNIFICANT STORM WATER DRAINAGE DITCH WHICH ACCORDING TO THE DRAFT PLAN BECOMES A BUILDING LOT. WE ARE CONCERNED AS TO WHAT HAPPENS TO ALL THE STORM WATER WHICH WAS DIRECTED TO THIS DITCH FROM OUR LANDS. ENGINEERING DRAWINGS MUST ADDRESS THIS. WE DO NOT WANT ADJACENT STORM WATER & SUCH DRAINING ONTO OUR LAND.

- CONCERN 3:

- THIS DRAINAGE DITCH IS ABOUT 2.4M BELOW THE GRADE AT MY PROPERTY, WHAT ARE THE FINAL GRADES PROPOSED AT THIS LOT. WILL THE NEW BUILDING UNDERMINE MY STRUCTURAL FOUNDATIONS & FENCING.

12/08/2008
THIS IS NOT ACCEPTABLE. WE WILL NEED TO REVIEW THIS WITH MANNER WITH A STRUCTURAL ENGINEER. A PROPER SITE PLAN PREPARED BY A LEGAL SURVEYOR INDICATING BUILDING LOCATION WITH RESPECT TO LEGAL BOUNDARIES WILL NEED TO BE SUBMITTED.

- CONCERN 4:

- BLACKBURN LANE TERMINATES AT OUR LOT 17 IN A 13M RADIUS CUL-DE-SAC. OUR DRIVEWAY IS CURRENTLY FINISHED WITH PRECAST CONCRETE PAVERS AND CAST IN PLACE CONCRETE CURBS. AS A RESULT OF THE REMOVAL OF THE CUL-DE-SAC OUR DRIVEWAY SLOPE WILL BE GREATLY AFFECTED AS A RESULT OF THE LONGER RUN. OUR DRIVEWAY MUST BE RECONSTRUCTED AND EXTENDED IN A SIMILAR AS-BUILT MANNER TO THE SUIT THE NEW ROAD CURB.

- ALSO, WE EXPECT THAT THE COMPLETE CUL-DE-SAC ROAD SURFACE & GRANULAR BASES WILL BE COMPLETELY REMOVED FROM OUR AREAS OF SODDING AND REPLACED WITH TOP SOIL & NEW SOD.

- CONCERN 5:

- THE TEMPORARY "BLOCK" PLACED ON OUR LOT AT OUR STREET FRONTAGE TO ACCOMMODATE THIS CUL-DE-SAC MUST BE REUNITED ON TILE WITH OUR LAND AND WE EXPECT A REVISED LOT SPECIFIC SURVEY PLAN PREPARED BY A REGISTERED OLS FOR OUR RECORDS.

SHOULD YOU WISH THAT THIS CORRESPONDENCE BE SENT AS LETTER BY MAIL OR FAX, PLEASE ADVISE.

I TRUST THESE CONCERNS WILL BE PRESENTED TO THE APPROVAL AUTHORITY IN A TIMELY MANNER.

WE WILL EXPECT CONFIRMATION THAT YOU HAVE SUCCESSFULLY RECEIVED OUR CONCERNS AND ADVISEMENT OF THE PUBLIC HEARING AND RESPECTIVE DOCUMENTATION SHALL BE FORTHCOMING.

REGARDS,

JOHN & JENNIFER DESIMONE
17 BLACKBURN LANE,
MOUNT HOPE, ONTARIO
L0R-1W0

12/08/2008
RESIDENTS OF BLACKBURN LANE & BELLSTONE LANE

DAVID FALLETTA
DEVELOPMENT PLANNER
THE CITY OF HAMILTON, DEVELOPMENT PLANNING
CITY CENTRE, 77 JAMES STREET NORTH, SUITE 400
HAMILTON, ON L8R 2K3

T - (905) 546-2424 EXT. 1221
F - (905) 546-4202
EMAIL - DFALLETTA@HAMILTON.CA

RE: ZONING BY-LAW AMENDMENT ZAC-07-75 AND DRAFT PLAN
OF SUBDIVISION APPLICATION 25T-200713, FOR 245 253, 269 AND 298
GLANCASTER ROAD (GLANBROOK) WARD 11

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"GLANCASTER MEADOWS EXTENSION" AND WE HAVE SERIOUS RESERVATIONS THAT MUST
BE ADDRESSED PRIOR TO DRAFT PLAN APPROVAL AND NOTE THIS APPLICATION MUST NOT
BE DIFFERED TO FINAL ENGINEERING DESIGN.

➢ CONCERN 1:
  ○ THE PROPOSED DEVELOPMENT WISHES TO CHANGE THE ZONING TO A MORE
    INTENSIVE USE, INCREASING THE DENSITY BY 20%. ALL OUR EXISTING LOT
    DIMENSIONS ARE 15M & 18M RESPECTIVELY, THIS APPLICATION IDENTIFIES
    12M LOTS. THIS INCREASE IN DENSITY IS DRASTIC IN OUR OPINION AND NOT
    COHESIVE WITH THE NEIGHBORHOOD PLAN. WE ARE ALSO CONCERNED THAT
    PROPERTY VALUES MAY DECREASE DUE TO THE INTRODUCTION OF SMALLER
    SCALE HOMES & LOTS. THE PLAN SHOULD BE REVISED TO COMPLEMENT THE
    EXISTING ADJACENT NEIGHBORHOOD. OUR RECOMMENDATION IS MAINTAIN
    COMPLIANCE WITH THE ADJACENT "R3" ZONE.
  ○ OUR REVIEW OF THE "H-R3-141" ZONE PROVISION STATES THE "H" BLOCK MAY
    BE MERGED WITH THE LANDS TO THE NORTH PROVIDED THAT THEY COMPLY
    WITH MINIMUM LOT FRONTAGE OF THE "R3" ZONE, WHICH IN THIS CASE IS 15M
    NOT 12M.

➢ CONCERN 2:
  ○ SOME LOTS ABUT A SIGNIFICANT STORM WATER DRAINAGE DITCH WHICH
    ACCORDING TO THE DRAFT PLAN BECOMES A BUILDING LOT. WE ARE
    CONCERNED AS TO WHAT HAPPENS TO ALL THE STORM WATER WHICH WAS
    DIRECTED TO THIS DITCH FROM OUR LANDS. ENGINEERING DRAWINGS MUST
    ADDRESS THIS. WE DO NOT WANT ADJACENT STORM WATER & SUCH DRAINAGE
    ONTO OUR LAND.

➢ CONCERN 3:
  ○ BLACKBURN LANE & BELLSTONE LANE CURRENTLY TERMINATE IN A 13M
    RADIUS CUL-DE-SAC. MOST OF THE DRIVEWAYS ARE CURRENTLY HARD
    LANDSCAPED. AS A RESULT OF THE REMOVAL OF THE CUL-DE-SAC OUR
    DRIVEWAY SLOPES WILL BE GREATLY AFFECTED AS A RESULT OF THE LONGER
    RUNS TO THE NEW CURBS. WE BELIEVE THAT CITY POLICY SHOULD MANDATE
    THAT OUR DRIVEWAYS MUST BE RECONSTRUCTED AND EXTENDED TO SUIT
    THE AS-BUILT CONDITIONS.
RESIDENTS OF BLACKBURN LANE & BELLSTONE LANE

CONCERN 4:
- THE TEMPORARY 'BLOCK' PLACED ON OUR LOTS AT OUR STREET FRONTAGE TO ACCOMMODATE THIS CUL-DE-SAC MUST BE REUNITED ON TILE WITH OUR LAND AND WE EXPECT A REVISED LOT SPECIFIC SURVEY PLAN PREPARED BY A REGISTERED ONTARIO LAND SURVEYOR FOR OUR RECORDS.

WE TRUST THAT THESE CONCERNS WILL BE PRESENTED TO THE APPROVAL AUTHORITY IN A TIMELY MANNER.

RESPECTFULLY YOURS,
THE RESIDENTS OF BLACKBURN LANE & BELLSTONE LANE.

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>SIGNATURE</th>
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</thead>
<tbody>
<tr>
<td>John De Simone</td>
<td>17 Blackburn Ln</td>
<td></td>
</tr>
<tr>
<td>Robert Trembley</td>
<td>16 Blackburn Ln</td>
<td></td>
</tr>
<tr>
<td>Mike Penner</td>
<td>13 Blackburn Ln</td>
<td></td>
</tr>
</tbody>
</table>
January 3, 2007
File No: ZAC-07-075 and 25T-200713

Dear David Falletta:

Planner, City of Hamilton Planning and Economic Development Department Planning Division — Development Planning —
East Section 77 James Street North, Suite 400, Hamilton ON L8R 2K3

I oppose the Zoning by-law Amendment of the draft plan of the subdivision known as “Glencaster Meadows Extension”. My concerns are the monetary value of homes, for example will the homes be starter homes or will they be equal or better than the homes on Bellstone Lane. Bellstone lane being changed to a through street and the natural habitat being destroyed.
I would like to be informed of any and all public meetings concerning the File No: ZAC-07-075 and 25T-200713.

Yours truly,
Thomas and Jamie Miller
Falletta, David

From: Hank M Verspagen
Sent: December 20, 2007 12:53 PM
To: Falletta, David
Subject: File No. ZAC-07-075 and 25T-200713

David,

I live at 45 Bellstone Lane, Mount Hope and would be affected by the above rezoning. I learned about the request from a neighbour as I did not receive the notice personally (perhaps a Canada Post mishap).

While reading the notice I see that "Public input" will be accepted prior to January 4, 2007. This is obviously a mistake as your notice is dated December 4, 2007. Do you need to re-issue your correspondence because of this?

We have several objections or concerns with this rezoning. One is that the increased density will have an adverse affect on our quality of life - we paid a premium for our lot because we backed into a stand of mature spruce trees and the neighbours behind us were out of sight 150' away. Will the city re-imburse us for taking this away? Also I am concerned that the grading of the new development will affect the future of those same trees. Presently there is a small creek that flows between our property and the neighbouring 47 Bellstone Lane - what will happen to it. The back of our lots slope downhill severely - will the changes affect drainage and water flow? Our sump pumps run regularly already and I feel any changes could easily make the situation even worse.

I have tried to reach by telephone several times and am hoping that you will respond to this e-mail. Thanking you in advance.

Hank Verspagen

This E-mail contains privileged and confidential information intended only for the individual or entity named in the message. If the reader of this message is not the intended recipient, or the agent responsible to deliver it to the intended recipient, you are hereby notified that any review, dissemination, distribution or copying of this communication is prohibited. If this communication was received in error, please notify the sender by reply E-mail immediately, and delete and destroy the original message.
From: John DeSimone
Sent: January 17, 2006 3:58 PM
To: Falletta, David
Cc: Mitchell, Dave
Subject: RE: GLANCASTER MEADOWS EXTENSION - 245,253, 269, 295 GLANCASTER ROAD

DAVID FALLETTA
DEVELOPMENT PLANNER
THE CITY OF HAMILTON, DEVELOPMENT PLANNING
CITY CENTRE, 77 JAMES STREET NORTH, SUITE 400
HAMILTON, ON L8R 2K3

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RE: ZONING BY-LAW AMENDMENT ZAC-07-75 AND DRAFT PLAN
OF SUBDIVISION APPLICATION 25T-200713, FOR 245 253, 269 AND 298
GLANCASTER ROAD (GLANBROOK) WARD 11

MR. FALLETTA,

SUBSEQUENT TO MY PREVIOUS LETTER DATED DECEMBER 19TH 2007, WE WOULD LIKE TO PROVIDE A FEW
MORE AREAS OF CONCERN REGARDING THE ABOVE REFERENCE DEVELOPMENT.

1. SAFETY: WE HAVE TWO SMALL CHILDREN & THERE ARE MANY CHILDREN ON BLACKBURN WHO PLAY
REGULARLY IN THE CUL-DE-SAC AREA. WE ARE CONCERNED ABOUT HEAVY EQUIPMENT TRAFFIC AND
THE POOR PRACTICES OF CONSTRUCTION SAFETY. SAFETY MEASURES MUST BE TAKEN TO PREVENT
SERIOUS INJURY.

2. CONSTRUCTION NUISANCES: BEING THE ADJACENT LAND OWNER TO THIS PROPOSED DEVELOPMENT
WE WILL BE SUBJECTED TO THE GREATEST AMOUNT CONSTRUCTION NOISE, AIR BORNE SEDIMENT &
PARTICULATES. ACTIONS SHALL BE TAKEN TO MINIMIZE THE IMPACTS OF ALL NUISANCES ITEMS.

3. DAMAGE: BEING THE ADJACENT LAND OWNER TO THIS PROPOSED DEVELOPMENT WE WILL BE
SUBJECT TO THE GREATEST POTENTIAL FOR CONSTRUCTION RELATED DAMAGES TO OUR
PROPERTY. ALL PRECAUTIONARY MEASURES MUST BE TAKEN TO AVOID ANY FORTHCOMING
LIABILITIES TOWARD THIS DEVELOPMENT & THE CITY OF HAMILTON AS A RESULT OF NEGLIGENCE &
ERRORS. FOR THE RECORD I WILL RECORD THE PRECONSTRUCTION MY PROPERTY PRIOR TO
COMMENCEMENT OF CONSTRUCTION, SHOULD THIS BE REQUIRED IN THE FUTURE. ALL DAMAGES
MUST & WILL BE MADE GOOD, TO ORIGINAL OR BETTER CONDITIONS.

REGARDS,

JOHN DeSIMONE
17 BLACKBURN LANE,
MOUNT HOPE, ONTARIO
LOR-1W0

12/08/2008