SUBJECT: Applications for Approval of a Draft Plan of Subdivision, "Springbrook Meadows West”, and for Changes in Zoning for the Properties Located at 352, 372 and the Rear of 388 Springbrook Avenue (Ancaster) (PED07260) (Ward 12)

RECOMMENDATION:

(a) That approval be given to Subdivision Application 25T-200622, by 1639142 Ontario Inc. & Laudis Corporation, c/o Anthony J. Di Silvestro and Laura Di Silvestro, owners, to establish a draft plan of subdivision known as “Springbrook Meadows West”, as redline revised, on lands located at 352, 372 and the Rear of 388 Springbrook Avenue (Ancaster), as shown on Appendix “A” to Report PED07260, subject to the following conditions:

(i) That this approval apply to the Draft Plan of Subdivision “Springbrook Meadows West”, 25T-200622, prepared by Urbex Engineering Limited, and certified by S.D. McLaren, O.L.S., dated September 11, 2007, showing 60 lots for single detached dwellings (Lots 1 to 60), 8 blocks for future development (Blocks 61 through 68), 4 blocks for 0.3m wide reserves (Blocks 69 through 72), and 3 public streets shown as Street “A”, Street “B” and Street “C”, attached as Appendix “B” to Report PED07260, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the special conditions attached as Appendix “D” to Report PED07260;

(ii) Acknowledgement that there will be no City share for any municipal works associated with this development, except for only the portion of urbanization costs along the frontage of Springbrook Avenue where an existing dwelling is located on the east side and for frontage where the City has obtained urbanization costs through previous Consent Applications; and,
(iii) That payment of Cash-in-Lieu of Parkland will be required for the development prior to the issuance of each building permit for the lots within the plan. The calculation of the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the day of issuance of the 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 Zoning Application ZAC-06-113, by 1639142 Ontario Inc. & Laudis Corporation, c/o Anthony J. Di Silvestro and Laura Di Silvestro, owners, for changes in zoning from the Agricultural “A” Zone to the Residential “R4-563” Zone (Block “1”) and to the Residential “R4-562” Zone (Block “2”), to permit 60 single detached dwellings on separate lots, for the properties located at 352, 372 and the rear of 388 Springbrook Avenue (Ancaster), as shown on Appendix “A” to Report PED07260, on the following basis:

(i) That Block “1” be rezoned from the Agricultural “A” Zone to the Residential “R4-563” Zone;

(ii) That Block “2” be rezoned from the Agricultural “A” Zone to the Residential “R4-562” Zone;

(iii) That the draft By-law, attached as Appendix “C” to Report PED07260, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,

(iv) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan and the Ancaster Official Plan.

EXECUTIVE SUMMARY:

The purpose of the applications is for changes in zoning and a draft plan of subdivision approval to permit the development of the lands for 60 lots for single detached dwellings and 8 blocks for future residential development (see Appendix “B”).
The proposal has merit and can be supported since it is consistent with the Provincial Policy Statement and implements the “Residential” designation of the Ancaster Official Plan and the “Low Density Residential” designation of the Meadowlands Neighbourhood IV Secondary Plan. The proposed lots are compatible with the residential character of the neighbourhood and with future planned development in the area.

**BACKGROUND:**

**Proposal**

The purpose of the applications is for approval of a draft plan of subdivision (see Appendix “B”) and for changes in zoning (see Appendix “A”) to develop the subject lands for:

- 60 lots for single detached dwellings having frontage on Springbrook Avenue and proposed Streets “A”, “B” and “C”;
- 8 blocks for future residential development; and,
- 4 blocks for 0.3 metre wide reserves.

The lots for single detached dwellings having frontage onto Springbrook Avenue (Lots 1 through 3), Block 65, and the front portions of 352 and 372 Springbrook Avenue would be rezoned from the Agricultural “A” Zone to the Residential “R4-562” Zone with the remainder of the lots (Lots 4 through 60) and future development blocks (Blocks 61-64 and 66- 68) being rezoned to the Residential “R4-563” Zone.

**Location:** 352, 372 and the Rear of 388 Springbrook Avenue (Ancaster)

**Owners/Applicant:** 1639142 Ontario Inc. & Laudis Corporation, c/o Anthony J. Di Silvestro and Laura Di Silvestro

**Agent:** Urbex Engineering Limited, c/o A.J. Cameracci

**Property Description:**

- **Frontage:** 115m (combined total frontage along Springbrook Avenue)
- **Depth:** 195m
- **Lot Area:** 3.72ha

**Servicing:** Full municipal services upon future upgrading of Springbrook Avenue.
EXISTING LAND USE AND ZONING:

<table>
<thead>
<tr>
<th></th>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
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<tbody>
<tr>
<td>Subject Lands</td>
<td>Single detached dwellings and vacant land</td>
<td>Agricultural &quot;A&quot; Zone</td>
</tr>
<tr>
<td>North</td>
<td>Single detached dwellings and vacant land</td>
<td>Agricultural &quot;A&quot; Zone</td>
</tr>
<tr>
<td>South</td>
<td>Single detached dwellings and vacant land</td>
<td>Agricultural &quot;A&quot; Zone</td>
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<tr>
<td>East</td>
<td>Single detached dwellings</td>
<td>Agricultural &quot;A&quot; Zone, Residential &quot;R4-562&quot; Zone and Residential &quot;R4-555&quot; Zone</td>
</tr>
<tr>
<td>West</td>
<td>Redeemer University College</td>
<td>Institutional &quot;I&quot; Zone</td>
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ANALYSIS/RATIONALE:

1. The proposal has merit and can be supported for the following reasons:

   (i) It conforms with and implements the “Urban” designation of the Hamilton-Wentworth Official Plan and the “Residential” designation of the Ancaster Official Plan.

   (ii) It conforms with and implements the “Low Density Residential” designation in the Meadowlands Neighbourhood IV Secondary Plan of the Ancaster Official Plan, and the proposed road locations are consistent with those shown within the Meadowlands Neighbourhood IV Secondary Plan.

   (iii) The proposed lots are compatible with existing and future planned residential development in the Meadowlands Neighbourhood IV Secondary Plan.

   (iv) It implements the same modified Residential “R4” zoning as that approved on the east side of Springbrook Avenue for the “Meadowlands Phase 10” subdivision.
2. The applicants have proposed to rezone the lands to modified “R4” Zones. In order to eliminate the need to establish further new site specific residential zoning, it would be appropriate to utilize existing zoning regulations established for the lands on the east side of Springbrook Avenue. This would establish consistent zoning regulations on both sides of the street. Therefore, the front portion of the subject lands should be rezoned to the “R4-562” Zone with the remainder of the property being rezoned to the “R4-563” Zone (see Appendix “A”). This would have the effect of establishing the following special zoning regulations:

- Minimum lot area of 415 square metres for lots fronting onto Springbrook Avenue and 375 square metres for the remainder of the lots;

- Minimum lot frontage of 12 metres, except on a corner lot the minimum lot frontage shall be 15 metres;

- Maximum lot coverage of 45%;

- Minimum front yard of 6.0 metres for the lots fronting onto Springbrook Avenue and 3.0 metres for the remainder of the lots (with a minimum setback of 6.0 metres to a garage);

- Minimum exterior side yard of 3.0 metres (1.2 metres interior side yard); and,

- An alcove and similar architectural features shall be permitted to project into any minimum yard a distance of not more than 60 centimetres.

The above noted zoning modifications can be supported as they are the same as the zoning modifications on lands on the east side of Springbrook Avenue which were approved by the Ontario Municipal Board in 2007, and supported both by staff and the Economic Development and Planning Committee. The provisions are also consistent to approved zoning elsewhere within the Meadowlands Neighbourhood IV Secondary Plan.

3. Sidewalks will be provided on the west side of Springbrook Avenue, both sides of Street “A”, the west side of Street “B” and both sides of Street “C” in accordance with the City’s Sidewalk Policy (Special Condition of Draft Plan Approval No.10). Other special engineering and traffic conditions of approval would also apply pertaining to street lighting, adequacy of servicing, submission of groundwater and Stormwater Management reports, dedication of daylight triangles (as red-lined on Appendix “B”), payment of costs for the reconstruction of Springbrook Avenue, cost sharing of a traffic report submission, and payment of intersection improvement costs (Special Conditions of Draft Plan Approval Nos.1 through 9). With regards to the aforementioned daylight triangles, the proposed draft plan has been redline revised to include a 7m by 7m daylight triangles on the north and south sides of the intersection of Street ‘A’ and Springbrook Avenue (see
Appendix “B”). Special conditions are also required in order to address the decommissioning of septic systems and wells when existing homes are connected to municipal services (Special Conditions of Draft Plan Approval Nos. 14 through 16).

4. The proposed draft plan of subdivision contains 8 blocks for future development (Blocks 61 through 68) that must be merged with adjacent lands in order to create complete building lots. Special Condition of Draft Plan Approval No. 11 requires land assembly prior to building permit issuance. It should also be noted that 7 of these blocks are located between a proposed road (Street “B”) and adjacent residential properties that are not owned by the applicants. These blocks of land prohibit the adjacent land owners from severing the rear of their properties because they do not have legal frontage on the future road. The applicants have indicated that they have made contact with the abutting property owners and that these owners have no immediate plans to either sell their properties or purchase the remnant blocks. Each of these property owners was also circulated the proposed draft plan of subdivision and only one of the affected property owners provided written comments which related to connection of their existing house to municipal sewers. It should be noted that this property owner also sold the rear of their lands to the applicants in 2006.

5. In accordance with the City of Hamilton’s Parkland Dedication and Cash-in-Lieu of Parkland By-law, the application is subject to a parkland dedication, or a Cash-in-Lieu of parkland dedication payment. The application would be subject to a dedication of five percent (5%) of the total land area of the subject property. Given that the subject lands are not designated for a future park, the City does not require the inclusion of a parkland dedication into the draft plan of subdivision.

Therefore, in accordance with City By-laws, a cash payment to the City of Hamilton, in-lieu of the conveyance of the land, will be required prior to the issuance of each building permit for the lots within the plan.

**ALTERNATIVES FOR CONSIDERATION:**

Should the proposed draft plan of subdivision and changes in zoning be denied, the subject lands could be developed for uses permitted within the existing Agricultural “A” Zone which includes only one single detached dwelling on each property.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Financial - Only as noted in Recommendation (a)(ii) regarding cost-sharing for a portion of urbanization costs on Springbrook Avenue.

Staffing - N/A.
SUBJECT: Applications for Approval of a Draft Plan of Subdivision, "Springbrook Meadows West", and for Changes in Zoning for the Properties Located at 352, 372 and the Rear of 388 Springbrook Avenue (Ancaster) (PED07260) (Ward 12) - Page 7 of 9

Legal - As required by the Planning Act, Council shall hold at least one (1) Public Meeting to consider applications for a Draft Plan of Subdivision and changes in zoning.

POLICIES AFFECTING PROPOSAL:

Provincial Policy Statement

The application is consistent with the Provincial Policy Statement, in that it focuses growth in settlement areas. However, Policy 2.6.2 of the Provincial Policy Statement (PPS) 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 that maintains the heritage integrity of the site will be permitted. Therefore, clearance of an archaeological assessment from the Director of Planning and the Ministry of Culture is required. This requirement is addressed in the Standard Form Subdivision Agreement.

Hamilton-Wentworth Official Plan

The subject lands are designated “Urban Area” in the Hamilton-Wentworth Official Plan. The proposed residential subdivision and change in zoning conforms to the policies of the Hamilton-Wentworth Official Plan.

Ancaster Official Plan

The subject lands are designated “Residential” on Schedule ‘B’ – Land Use – Urban Area and “Low Density Residential” on the Ancaster Meadowlands Neighbourhood IV Secondary Plan (Map 1 – Land Use). The “Low Density Residential” designation permits single detached dwellings at a maximum density of 30 units per Net Residential Hectare. The proposed development would permit single detached dwellings at a density of approximately 24 units per Net Residential Hectare, which conforms with and implements these designations. The proposed road pattern is also consistent with the local roads identified in the Ancaster Meadowlands Neighbourhood IV Secondary Plan.

RELEVANT CONSULTATION:

The following Departments and Agencies had no comments or objections:

- Public Works Department (Traffic Engineering and Operations Section).
- Corporate Services Department (Budgets Section).
- Hydro One.
- Horizon Utilities Corporation.
- Hamilton-Wentworth District School Board.
Public Works Department (Open Space Development Section) has advised that cash-in-lieu of parkland is required and that a streetscape plan must be submitted for approval. In this regard, the applicant has been advised that cash-in-lieu of parkland must be paid for the lots within the plan prior to issuance of each building permit. Submission of a streetscape plan is a requirement within the Standard Form Subdivision Agreement.

Public Works Department (Forestry and Horticulture Section) has advised that there are trees located on the Springbrook Avenue road allowance and that a Tree Management Plan must be submitted. Submission, review and approval of a Tree Management Plan is a requirement within the Standard Form Subdivision Agreement. This Tree Management Plan will also address on-site trees to determine if any trees can be incorporated into the design of the subdivision.

Hamilton Conservation Authority has advised that stormwater quantity and quality controls will be provided by a future pond to be constructed downstream of the property, and that until the pond is constructed, development of the subdivision cannot occur. These comments have been addressed through standard engineering and Conservation Authority requirements within the Standard Form Subdivision Agreement and through Special Conditions of Approval Nos. 2 and 4 in Appendix “D”.

Bell Canada has requested a standard condition pertaining to availability of communication/telecommunication infrastructure. This requirement is included within the Standard Form Subdivision Agreement.

Public Consultation

In accordance with the Public Participation Policy that was approved by Council on May 29, 2003, the application was circulated to 27 property owners within 120 metres of the subject property, and a Public Notice sign was erected on the property. Three responses were received from neighbouring property owners whom had a number of comments (see Appendix “E”).

 Redeemer University College, the property owner to the west of the subject lands wrote that tree preservation, proper engineering design to mitigate the impacts on the Redeemer University College lands, and temporary cul-de-sacs, should be included in the development. In this regard, these matters are all included as requirements within the standard form subdivision agreement and must be satisfied prior to any development proceeding. Redeemer University College also requested fencing between the development and their lands. In this regard, it is not a standard practice to require fencing between private properties; except for where large parking areas abut residential uses or where commercial or industrial developments abut more sensitive land uses. Redeemer University College have the ability to fence their property line at any time, subject to any municipal by-laws pertaining to fencing. It is likely that the purchasers of the proposed residential lots abutting Redeemer University College lands to the rear would also likely choose to fence their rear yards for privacy purposes.
SUBJECT: Applications for Approval of a Draft Plan of Subdivision, "Springbrook Meadows West", and for Changes in Zoning for the Properties Located at 352, 372 and the Rear of 388 Springbrook Avenue (Ancaster) (PED07260) (Ward 12) - Page 9 of 9

Comments were also received from a property owner at 379 Springbrook Avenue (east side of Springbrook Avenue), who expressed concerns regarding their costs for connection to municipal sewers, for drainage and a privacy fence. This property is located on the opposite side of Springbrook Avenue from the subject lands and therefore, the concerns pertaining to costs for sewer connections and fencing cannot be addressed through these applications. It should be noted that drainage from the subject property would be directed to a future stormwater management pond on the west side of Springbrook Avenue, north of the subject lands, and not to the east. Therefore, this development would not contribute to any drainage problems being experienced by this property owner.

Finally, comments were also received from the owner of 388 Springbrook Avenue whom expressed a desire to connect to future municipal sewers on Street “B” instead of Springbrook Avenue because the future location of Street “B” is much closer to the existing dwelling than Springbrook Avenue. In this regard, there is a block of land (Block 61 on Appendix “B”) between 388 Springbrook Avenue and Street “B” which precludes a direct connection. In order to connect to the sewer on Street “B” this block of land would have to be added to 388 Springbrook Avenue or an easement would have to be provided. Connecting to the rear would also require payment for a portion of the road and sewers along Street “B”. The property owner should consult with the applicants to negotiate the purchase of this block or an easement if this option is to be pursued. It should be noted that this property owner sold the rear of their lands to the applicants in 2006 through severance.

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
Shelter, care and satisfying employment are accessible to all Hamiltonians.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
Ecological function and the natural heritage system are protected.

Economic Well-Being is enhanced. ☑ Yes ☐ No
Infrastructure and compact, mixed use development minimize land consumption and servicing costs.

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

:GM
Attachs. (5)
Location Map

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number: ZAC-06-113, 25T-200622
Date: September 18, 2007

Appendix "A"

Subject Property
352, 372 and 388 Springbrook Avenue, Ancaster

Change in Zoning from Agricultural "A" Zone to the:

Block 1

- Residential "R4-563" Zone

Block 2

- Residential "R4-562" Zone

Ward 12 Key Map

N.T.S.
CITY OF HAMILTON

BY-LAW NO.

To Amend Zoning By-law No. 87-57 (Ancaster), Respecting Lands Located at 352, 372 and the Rear of 388 Springbrook Avenue

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 Section of Report 07- of the Economic Development and Planning Committee at its meeting held on the day of , 2007, recommended that Zoning By-law No. 87-57 (Ancaster), 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. Schedule “B” of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by changing from the Agricultural “A” Zone:
(a) to the Residential “R4-563” Zone, the lands comprised in Block “1”; and,

(b) to the Residential “R4-562” Zone, the lands comprised in Block “2”,

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

2. That the amending By-law be added to Map 1 of Schedule B of Ancaster Zoning By-law No. 87-57.

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 , 2007

Fred Eisenberger
Mayor

Kevin C. Christenson
City Clerk

ZAC-06-113/25T-200622
This is Schedule "A" to By-Law No. 07-

Passed the ........... day of .................., 2007

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Clerk

Mayor

Schedule "A"

Map Forming Part of By-Law No. 07-_____ to Amend By-law No. 87-57

Subject Property
352, 372 and 388 Springbrook Avenue, Ancaster

Change in Zoning from Agricultural "A" Zone to the:
Block 1
- Residential "R4-563" Zone

Block 2
- Residential "R4-562" Zone

Scale: N.T.S.

File Name/Number: ZAC-06-113, 25T-200622

Date: Sept 18, 2007

Planner/Technician: GMKA

Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Special Conditions of Draft Plan Approval for “Springbrook Meadows West”

1. That the owner agree to provide street lighting throughout the subdivision to the limits of the subdivision, along its frontage of Springbrook Avenue (including 352 and 372 Springbrook Avenue) where deemed necessary, to the satisfaction of the Manager of Engineering Design and Construction.

2. That the final plan of subdivision not be registered until sanitary sewers, storm sewers or road access are available to service the lands of the draft plan or alternatively, the Owner acquires the necessary land or easements and pays the full cost, less over-sizing, to construct sanitary sewers, storm sewers or road access to service the lands of the draft plan to the satisfaction of the Manager of Engineering Design and Construction.

3. That 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 Manager of Engineering Design and Construction.

4. That the Owner agree in writing to 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 & Design Manual – 2003, the Meadowlands Neighbourhood 3, 4 and 5 Class Environmental Assessment Master Plan, and the City of Hamilton Stormwater Management Policies.

   Such Stormwater Management Report must include an analysis of all external lands draining to Springbrook Meadows West, in consultation with the affected landowners, to insure that all stormwater will be properly conveyed and controlled, all to the satisfaction of the Manager of Engineering Design and Construction.

5. That the Owner dedicates sufficient lands to the City of Hamilton in order to establish 7m x 7m daylight triangles on Street “A” at the intersection of Springbrook Avenue and dedicate the lands to the City by certificate on the final plan to the satisfaction of the Manager of Engineering Design and Construction.

6. That the Owner agree in writing that in the event groundwater is encountered during any construction within the subdivision, including but
not limited to house construction, the owner will submit a Hydrogeological report to the City, prepared by a qualified professional, to assess impacts, to identify any significant recharge and discharge zones, to provide recommendations to mitigate the groundwater impacts and to undertake the works as recommended including monitoring, all to the satisfaction of the Manager of Engineering Design and Construction.

7. That the Owner agrees to pay his pro-rata share of the total cost of reconstructing Springbrook Avenue adjacent to Lots 1 to 3, Block 65, Street “A”, 352 Springbrook Avenue and 372 Springbrook Avenue to the satisfaction of the Manager of Engineering Design and Construction.

8. That the Owner agrees to cost share with the existing residents of Springbrook Avenue for a substantial portion of the sanitary sewer costs as per Ontario Municipal Board (OMB) Decision No. 1493 to the satisfaction of the Manager of Engineering Design and Construction.

9. That the owner shall agree in the Subdivision Agreement to pay 50% of the costs of the Traffic Study required for the Garner Road and Springbrook Avenue intersection and will provide the City sufficient securities for its pro-rata share of the necessary Garner Road and Springbrook Avenue intersection improvement costs, based on its pro-rata share between Meadowlands Phase 8, Meadowlands Phase 10, Springbrook Meadows and Springbrook Meadows West to the satisfaction of the Manager of Traffic Engineering and Operations.

10. That the Owner agrees in writing to install concrete sidewalks in the locations listed below:

   - “Springbrook Avenue”: west side, from the north limit of Block 65 to the south limit of 352 Springbrook Avenue and from the north limit to the south limit of 372 Springbrook Avenue;
   - Street “A”: both sides, full length;
   - Street “B”: west side only, full length; and,
   - Street “C” both sides, full length.

11. That the Owner agrees that a building permit will not be issued for Blocks 61 through 68 until such time as they are consolidated with adjacent lands to the satisfaction of the Director of Planning.

12. That the Owner agrees to pay their share of the cost of the Meadowlands Neighbourhood IV Secondary Plan to the satisfaction of the Director of Planning.

13. That the Owner agrees to remove and/or relocate any existing buildings or structures on the subject lands that straddle the proposed lot lines and
to remove and/or relocate any accessory structures located on a newly created lot to the satisfaction of the Director of Building Services.

14. That the Owner agrees that any existing dwelling serviced by a private septic system (including 352 and 372 Springbrook Avenue) be connected to municipal sewers. There may be an option of connection to a holding tank to decommission the septic systems, prior to connection to municipal sewers, so as not to impede the commencement of land development. This would require approval of the City of Hamilton Building Services Division and adherence to the Ontario Building Code and associated regulations, all to the satisfaction of the Director of Public Health Services.

15. That the Owner agrees that any existing septic tanks (including those at 352 and 372 Springbrook Avenue) that will no longer be used will be pumped out by a Ministry of Environment approved sewage hauler, and then refilled with suitable material to prevent it from collapsing. Completion of this requirement is to be declared and verified in writing by a Professional Engineer to the satisfaction of the Director of Public Health Services.

16. That the Owner agrees that any existing water well(s) that will no longer be used within the subdivision (including 352 and 372 Springbrook Avenue) will be abandoned in accordance with Ministry of Environment Regulation 903/90 (Wells). Completion of this requirement is to be declared and verified in writing by a Professional Engineer to the satisfaction of the Director of Public Health Services.
27 March 2007

Mr. Greg Macdonald, Senior Planner, MCIP, RPP
City of Hamilton
Planning & Economic Development Department
Development and Real Estate Division (West)
71 Main Street West
Hamilton, ON L8P 4Y5

Dear Mr. Macdonald:

RE: Comments Regarding Preliminary Circulation Letter
ZAC-06-113 and 25T-200622, 352, 372, 388 Springbrook Avenue

We are in receipt of the preliminary circulation letter dated February 28, 2007. Redeemer University College Campus directly abuts the subject properties therefore having a vested interest in its development.

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

- The word ‘Minimum’ should be changed to ‘Maximum’ in regards to the following statement: “Minimum Lot coverage of 45% (40% for a 2 storey building applicable to Block 1).”
- This proposal will be directly adjacent to one of our student residences on the Redeemer University Campus. As such, we would like to require proper fencing along the property line.
- There are a row of trees along the mutual property line. As such, we would like to require a tree preservation plan with the focus on preserving these trees.
- The Draft Plan that was included with the letter does not seem to accommodate temporary cul-de-sacs at the ends of Streets B and C. We assume that they will be required until the extension of Streets B and C occur on neighbouring properties.
- The future northern extension of Streets B and C will result in the removal of extensive number of trees on an adjacent property (250 to 312 Springbrook Ave). We would hope that the preservation of these trees be maintained.
- Grading, Runoff and Drainage are three crucial components of this development that may affect Redeemer University College. As such, we request that these issues be looked at closely to remove any negative impact on the Redeemer University College lands.

Providing Christian University Education
777 Garner Rd. E., Ancaster, ON, Canada, L9K 1J4 (905) 648-2131 Fax: (905) 648-2134 www.redeemer.on.ca
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]

Bill van Staaldruien
Vice President, Advancement
File No ZAC-06-113/25T-200622

to

Greg Macdonald, Senior Planner MCIP, RPP
City of Hamilton
Planning & Economic Development Department
71 Main St. West

March 28, 2007

Dear Mr. Macdonald,

I would like to fax the following comments to you, about the houses being built behind my house, 388 Springbrook Ave.
As my house will be closer to the street behind, I would like to hook my sewer to Street B, instead of going a 100 ft to Springbrook Ave.

I trust this will be taken into consideration, when the development starts.
I hope to get some input into this soon.

Thank you.

Shirley Oxbattle
388 Springbrook Ave
Mountsfield, L9C 3K9
April 19, 2007

City of Hamilton
Planning Department

Dear Sir or Madam:

We have been living at our present address since July 31, 1965. We moved to Ancaster for many reasons. We wanted to be in a country setting, to raise our children in a relatively safe environment, and to be able to allow them some freedoms, they would not have experienced, if we had chosen the city. Our family is now grown, all well educated, productive citizens, contributing to Ontario's welfare.

We as senior citizens on pensions would very much like to stay in our present home. Our property has been completely surrounded by land sold to developers. We understand the need for progress and have some concerns of the blending of old and new. We cannot afford to pay for sewer lines passing our house. We cannot afford the splitter that would access us to future sewer hook up. However we would like the splitter installed as you never know what the future will bring. One day it may be a necessity. Our rain water drains to the north from one side, and to the south on the other. If the elevation was increased we could be a very large wet swampy piece of land. We feel we have the right to preserve our environment as it is. We enjoy our morning coffee outside, but with six new homes on one side and four on the other this would not be an option. We are requesting that the developer allows us to continue our present life style. We would need at least a six foot privacy fence around our property to ensure this.

We know the land developers are in business to provide quality homes for people, as well as making financial gains. We have nothing to gain from all of this, but a lot to loose. Please consider our requests and Thank-you for your time in dealing with our concerns.

Sincerely,

Lloyd and Barbara Stephenson