SUBJECT: Applications for Approval of a Draft Plan of Subdivision, "Ardleigh Heights", and for a Change in Zoning for the Property Located at Part of Lot 8, Concession 7 (North Side of Stone Church Road East Between Upper Sherman Avenue and Rambo Street) (Hamilton) (PED08016) (Ward 7)

RECOMMENDATION:

(a) That approval be given to **Subdivision Application 25T-200708, by 1125920 Ontario Ltd., c/o Paul Silvestri, owner**, to establish a draft plan of subdivision known as “Ardleigh Heights”, on the property located at Part of Lot 8, Concession 7 (north side of Stone Church Road East between Upper Sherman Avenue and Rambo Street) (Hamilton), as shown on Appendix “A” to Report PED08016, subject to the following conditions:

(i) That this approval apply to the Draft Plan of Subdivision “Ardleigh Heights”, 25T-200708, prepared by MTE Consultants Inc., and certified by Bryan Jacobs, O.L.S., dated August 15, 2007, showing 15 lots for single detached dwellings (Lots 1 to 15) and a public street shown as Ardleigh Street Extension, attached as Appendix “B” to Report PED08016, 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 PED08016;

(ii) Acknowledgement that there will be no City share for any municipal works associated with this development; and,

(iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 42 of the **Planning Act**, 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 each building permit;
SUBJECT: Applications for Approval of a Draft Plan of Subdivision, "Ardleigh Heights", and for a Change in Zoning for the Property Located at Part of Lot 8, Concession 7 (North Side of Stone Church Road East Between Upper Sherman Avenue and Rambo Street) (Hamilton) (PED08016) (Ward 7) - Page 2 of 13

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-07-059, by 1125920 Ontario Ltd., c/o Paul Silvestri, owner, for a change in zoning on the westerly portion of the subject property from the “C” (Urban Protected Residential, Etc.) District to the “R-4” (Small Lot Single Family Dwelling) District, to permit 15 single detached dwellings on separate lots, for the property located at Part of Lot 8, Concession 7 (north side of Stone Church Road East between Upper Sherman Avenue and Rambo Street, Hamilton), as shown on Appendix “A” to Report PED08016, on the following basis:

(i) That the subject lands be rezoned from the “C” (Urban Protected Residential, Etc.) District to the “R-4” (Small Lot Single Family Dwelling) District.

(ii) That the draft By-law, attached as Appendix “C” to Report PED08016, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(iii) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan and the Hamilton Official Plan.

EXECUTIVE SUMMARY:

The purpose of the applications is for a change in zoning and approval of a draft plan of subdivision to permit the development of the lands for 15 lots for single detached dwellings and an extension of Ardleigh Street to Stone Church Road East (see Appendix “B”).

The proposal has merit and can be supported since it is consistent with the Provincial Policy Statement, residential uses are permitted within the “Major Institutional” designation of the Hamilton Official Plan, and implements the “Single and Double Residential” designation of the approved Randall Neighbourhood Plan. The proposed lots are compatible with the residential character of the neighbourhood, and the proposed road extension is also consistent with the road pattern provided for in the approved Randall Neighbourhood Plan.
SUBJECT: Applications for Approval of a Draft Plan of Subdivision, "Ardleigh Heights", and for a Change in Zoning for the Property Located at Part of Lot 8, Concession 7 (North Side of Stone Church Road East Between Upper Sherman Avenue and Rambo Street) (Hamilton) (PED08016) (Ward 7) - Page 3 of 13

BACKGROUND:

Proposal

The purpose of the applications is for approval of a draft plan of subdivision (see Appendix “B”) and for a change in zoning (see Appendix “A”) to develop the subject lands for 15 lots for single detached dwellings (3 lots having frontage on Stone Church Road East and 12 lots having frontage on the future extension of Ardleigh Street). The portion of the property containing the 12 lots on Ardleigh Street is proposed to be rezoned from the “C” (Urban Protected Residential, Etc.) District to the “R-4” (Small Lot Single Family Dwelling) District. The 3 lots fronting on Stone Church Road East will retain the established “R4” (Small Lot Single Family Dwelling) District zoning.

Subject Property History Prior to 2005

In 1974, a portion of the west side of the property was rezoned to the “H/S-331” (Community Shopping and Commercial, etc.) District, Modified in order to permit a Masonic Lodge, while the remainder of the property remained within the “AA” (Agricultural) District. In 1989, Draft Plan of Subdivision “Highridge Hills – Stage Two” was registered as Plan 62M-603 (see Appendix “F”). This plan included the construction of Rexford Drive (north of the subject lands), single detached dwellings on Rexford Drive, and the northerly portion of Ardleigh Street which consisted of a short dead-end street measuring approximately 20m along the centreline of the road and included full municipal services along its length (so that when the subject lands were available for development the road could be extended to Stone Church Road East, as intended). While it was intended that Ardleigh Street was to be extended to Stone Church Road East, as per the approved Randall Neighbourhood Plan, the remainder of the street could not be constructed in 1989 as the developer did not own the lands to the south. A 0.3m reserve (Block 85, Plan 62M-603) was also included at the south end of Ardleigh Street in order to secure the appropriate future extension of the street and procure any applicable cost recoveries.

Also, in the 1970’s and 1980’s, the Hamilton Public Library was working with the City of Hamilton’s Real Estate Section to secure a parcel of land for a future library branch. In 1992, the subject property was identified as a possible candidate for a future library and was purchased by the City of Hamilton. It was eventually determined that the new library would be located at Turner Park on Rymal Road East and the City of Hamilton declared the lands surplus in 2004. The declaration of the lands as surplus was supported by the Planning and Economic Development Committee in 2004. This enabled the lands to be sold and developed for their intended use, as identified in the Randall Neighbourhood Plan.
In preparation for the sale of the property, the City of Hamilton rezoned the lands in 2004 from the “H/S-331” (Community Shopping and Commercial, etc.) District, Modified, and the “AA” (Agricultural) District, to the “C” (Urban Protected Residential, etc.) District and the “R-4” (Small Lot Single Family Dwelling) District, through City Initiative CI-04-L. The application was approved in May 2005, by the Planning and Economic Development Committee and City Council. The application was supported by staff because it was consistent with the Provincial Policy Statement, complied with the Hamilton-Wentworth and Hamilton Official Plans, was compatible with existing and planned uses in the neighbourhood, and was an appropriate infill use, making use of existing services. Through approval of the application, the portion of the property rezoned from the “H/S-331” (Community Shopping and Commercial, etc.) District, Modified, to the “C” (Urban Protected Residential, etc.) District, was also redesignated from “Civic and Institutional” to “Single and Double Residential” in the approved Randall Neighbourhood Plan.

The staff report provided an approximate layout for a future subdivision consisting of the extension of Ardleigh Street to Stone Church Road East (see Appendix “H”). The report also identified that consideration could be given in the future to medium density housing (which would include townhouses) subject to a review of a specific development proposal. Notice of the application was circulated to 113 property owners within 120 metres of the subject lands and a sign was posted. While two letters and phone calls were received, there were no substantive concerns raised through the circulation and approval of the application, nor was the passing of the By-law appealed to the Ontario Municipal Board.

The property was subsequently approved for sale to 1125920 Ontario Ltd. (Paul Silvestri) in March 2007, by the Economic Development and Planning Committee.

**Location:** Lot 8, Concession 7 (north side of Stone Church Road East between Upper Sherman Avenue and Rambo Street), Hamilton.

**Owner:** 1125920 Ontario Ltd., c/o Paul Silvestri.

**Applicant:** WEBB Planning Consultants, c/o James Webb.

**Property Description:**

- **Frontage:** 117m (measured along Stone Church Road East).
- **Depth:** 74.68m (west property line) and 44.76m (east property line).
- **Lot Area:** 0.73ha.
Servicing: Full municipal services on Stone Church Road East, and full municipal sewers on extension of Ardleigh Street.

EXISTING LAND USE AND ZONING:

<table>
<thead>
<tr>
<th>Subject Lands</th>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
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<tr>
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<td>Vacant</td>
<td>“C” (Urban Protected Residential, etc.) District and “R-4” (Small Lot Single Family Dwelling) District</td>
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<tr>
<td>North</td>
<td>Single detached dwellings</td>
<td>“C” (Urban Protected Residential, etc.) District</td>
</tr>
<tr>
<td>South</td>
<td>Single detached dwellings and vacant land</td>
<td>“C” (Urban Protected Residential, etc.) District and “R-4” (Small Lot Single Family Dwelling) District</td>
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<tr>
<td>East</td>
<td>Single detached dwellings</td>
<td>“C” (Urban Protected Residential, etc.) District and “R-4” (Small Lot Single Family Dwelling) District</td>
</tr>
<tr>
<td>West</td>
<td>Place of Worship</td>
<td>Community Institutional (I2) Zone</td>
</tr>
</tbody>
</table>

ANALYSIS/RATIONALE:

1. The proposal has merit and can be supported for the following reasons:
   
   (i) It is consistent with the Provincial Policy Statement and conforms with and implements the “Urban” designation of the Hamilton-Wentworth Official Plan.
   
   (ii) It conforms with the “Major Institutional” designation of the Hamilton Official Plan in that residential uses are permitted within this designation.
   
   (iii) It conforms with and implements the “Single and Double Residential” designation in the approved Randall Neighbourhood Plan, and the proposed extension of Ardleigh Street is consistent with the street location provided for in the approved Randall Neighbourhood Plan.
   
   (iv) It is an appropriate infill development making use of existing services and is compatible with existing residential development in the Randall Neighbourhood. It provides for a minor form of appropriate intensification,
SUBJECT: Applications for Approval of a Draft Plan of Subdivision, "Ardleigh Heights", and for a Change in Zoning for the Property Located at Part of Lot 8, Concession 7 (North Side of Stone Church Road East Between Upper Sherman Avenue and Rambo Street) (Hamilton) (PED08016) (Ward 7) - Page 6 of 13

while maintaining the existing character of the residential lands to the north and east.

(v) It is transit supportive, in that the development provides some intensification along a transit line, and the extension of Ardleigh Street through to Stone Church Road East, with sidewalks on both sides of the street, will provide easier and quicker access to public transit for area residents.

2. The property is currently zoned “C” (Urban Protected Residential, etc.) District and “R-4” (Small Lot Single Family Dwelling) District. Under the current zoning provisions, the property can be developed as-of-right for single detached dwellings. The zoning application would serve to provide consistent “R-4” District zoning on the entire property. As previously discussed, the property has always been intended to be developed through an extension of Ardleigh Street to Stone Church Road East. Appendix “H”, a figure prepared as part of City Initiative CI-04-L, shows how the lands could be developed under the current zoning of the property, subject to approval of a subdivision application to extend Ardleigh Street and create individual freehold lots. This would include 3 lots having frontage onto Stone Church Road East and 10 lots having frontage onto Ardleigh Street (6 on the west side and 4 on the east side). Should the zoning application be approved, the resulting lot yield would be 12 lots having frontage onto Ardleigh Street (7 on the west side and 5 on the east side), with 3 lots having frontage onto Stone Church Road East (see Appendix “B”), for an increase of 2 lots.

3. Sidewalks will be provided on both sides of Ardleigh Street, which will connect to existing sidewalks on Rexford Drive, in accordance with the City’s Sidewalk Policy (Special Condition of Draft Plan Approval No. 10). Other special engineering conditions of approval would also apply pertaining to submission of storm water management and geotechnical reports, confirmation of Ardleigh Street road allowance width and horizontal radii, dedication of daylight triangles, reconstruction of a portion of Stone Church Road East, submission of securities against damage to sidewalks on Stone Church Road East, and restrictions on future driveway locations (Special Conditions of Draft Plan Approval Nos. 1 through 9).

4. 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 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. This requirement has been included in Recommendation (a) (iii).

5. Through the pre-circulation of the applications to all property owners within 120m of the subject lands, 7 letters of opposition, as well as a petition signed by approximately 46 residents, were received (see Appendix “J”). The concerns raised by the residents pertained to the impact of the smaller “R4” zoned lots, the impact of the connection of Ardleigh Street through to Stone Church Road East, and tree preservation. Concerns pertaining to property values and parking are largely covered under these issues. An analysis of the issues is included below.

Impact of Smaller “R4” Zoned Lots

Many residents are concerned that rezoning to the “R-4” (Small Lot Single Family Dwelling) District would change the neighbourhood character and result in property devaluation and problems with parking and safety. As noted earlier in this report, without the proposed change in zoning the subject property could be developed as-of-right for 13 lots for single detached dwellings, whereas 15 would be allowed through the change in zoning (subject to approval of the proposed draft plan of subdivision). The 2 additional lots would be provided on Ardleigh Street (one on each side of the street). The easterly portion of the property is already zoned “R4” and the proposal would extend that zoning to the remainder of the property. There are currently no existing homes having frontage onto Ardleigh Street so the introduction of “R4” zoning would not change the neighbourhood character of Rexford Avenue. Finally, “R4” Zoning is also established throughout the Randall Neighbourhood (see Appendix “E”), including lots directly fronting onto Rexford Drive to the east, and “R4” Zoning is also located immediately across from the subject lands on the south side of Stone Church Road East.

Staff is not aware of any studies or empirical data that would support the concern about property devaluation in a situation where lots zoned for single detached dwellings with 12m minimum frontage back onto lots also zoned for single detached dwellings but with a minimum 10m average frontage.

In regards to concerns with an increase in overflow parking, all lots with “R4” zoning must provide a minimum of 2 on-site parking spaces. This is the same parking requirement as existing lots on Rexford Drive. All the proposed lots on Ardleigh Street are deep, ranging from 27 metres for the shallowest lot, up to 41m in depth for the 3 deepest lots with most providing at least 33m in depth. Therefore, there is adequate depth to accommodate sufficient driveway lengths to provide all required on-site parking. Hamilton Municipal Parking System has no concerns with the proposal, and subdivisions are planned to locate driveways adjacent to each other such that sufficient room is available for on-street parking.
Based on the road allowance width of 20m, street parking would only be permitted on one side of the street. The introduction of the 2 additional lots as a result in the change of zoning to the “R4” District does not result in any safety issues, as the form of development is the same as established development in the Randall Neighbourhood. Sidewalks would be provided on both sides of the street to allow for safe pedestrian connections to Stone Church Road East from the interior of the neighbourhood.

**Impact of Connection of Ardleigh Street to Stone Church Road East**

Many neighbouring property owners expressed concerns that Ardleigh Street would be connected to Stone Church Road East, thereby resulting in an increase in traffic through the neighbourhood as it would enable cut-through traffic between Upper Sherman Avenue and Stone Church Road East. Some of the residents have suggested that instead of connecting Ardleigh Street to Stone Church Road East, it could terminate in a cul-de-sac. This would eliminate the potential for cut-through traffic. Similarly, some residents have suggested that a cul-de-sac could be constructed off Stone Church Road East.

As previously discussed in this report, the future extension of Ardleigh Street to Stone Church Road East has been planned for some time. The location of the road has been confirmed through:

- The approved Randall Neighbourhood Plan, which shows the extension of Ardleigh Street in its proposed location. This plan was originally approved in 1973 and has been in effect ever since (see Appendix “E”).

- In 1989, Draft Plan of Subdivision “Highridge Hills – Stage Two” was registered as Plan 62M-603 (see Appendix “F”). This subdivision included construction of the northerly section of Ardleigh Street on the south side of Rexford Drive and included sewers to be extended when the remainder of the road is constructed. It is clear, based on the existing location of Ardleigh Street, that it has been planned for extension. Appendix “G” is an aerial photograph showing the existing location of Ardleigh Street.

- When City Initiative CI-04-L was approved in 2005, the staff report included an appendix showing how the lands would likely be developed in the future (see Appendix “H”). The plan showed the extension of Ardleigh Street to Stone Church Road East. Notice of the Public Meeting for the City Initiative was mailed to the same properties that were notified of the current planning applications.

The area residents suggested two different preferred options for the subject property instead of extending Ardleigh Street through to Stone Church Road East. These are a cul-de-sac either off Stone Church Road East or off Rexford
Drive. The option for construction of a cul-de-sac off Stone Church Road East is not viable. Due to the topography of the property, the lands must be serviced from sewers extended from Rexford Drive. These sewers have already been constructed in the existing portion of Ardleigh Street. Even if the lands could be serviced from Stone Church Road East, it would be costly to decommission the existing sewers and existing paved portion of Ardleigh Street.

The second option of a cul-de-sac off Ardleigh Street could technically be feasible and, therefore, the applicant was asked to show how that option could be implemented. Appendix “I” is such an option. It should be noted that should this option be implemented, lots around the cul-de-sac would have to remain zoned “C” (Urban Protected Residential, Etc.) District, as the “R4” Zone would result in overlapping driveways and limited front yard landscaped areas. While technically feasible from a servicing perspective, there are a number of problems with this option that result in staff not supporting the introduction of a cul-de-sac from Ardleigh Street, including:

- The option would only allow for a total of 10 lots instead of the proposed 15 lots. This results in a much less efficient use of urban land. It is important to use all land with the urban boundary efficiently so as to reduce the need for future urban boundary expansions and to meet the City of Hamilton's obligations under Places to Grow to provide 40% of all new residential development within the existing built boundary. In this regard, the redevelopment of the property for even higher densities, such as townhouses, could be a viable option;

- The Public Works Department (Traffic Engineering and Operations Section) only support new cul-de-sacs as a last resort where no through road is possible due to problems with garbage collection and snow removal on cul-de-sacs and that through roads provide better neighbourhood connectivity.

As a result of the concerns raised by the area residents that there would be an unacceptable increase in traffic into the neighbourhood, the Public Works Department (Traffic Engineering and Operations Section) advised that:

- The proposed 15 lots (12 lots on Ardleigh Street) would not result in any substantial increase in traffic based on the number of new lots;

- That cut-through traffic would not be a major concern because Rambo Street is already utilized for cut-through traffic and the opening of Ardleigh Street would only serve to redistribute existing traffic. Homes on Rexford should not experience a major increase because whether cars enter or exit the neighbourhood from Rambo Street or Ardleigh Street, they are still driving by the same homes; and,
• The intersection of Upper Sherman Avenue and Stone Church Road East is functioning at an acceptable level of service. Therefore, Ardleigh Street would not likely be utilized primarily to avoid the intersection as it would not save drivers substantial time should they cut through the neighbourhood.

Based on the foregoing, it does not appear that the extension of Ardleigh Street through to Stone Church Road East would result in any undue increase in traffic that would impact abutting properties. Specific concerns pertaining to how existing intersections function or neighbourhood concerns with speeding on Rexford Drive can be forwarded by area residents to the Public Works Department (Traffic Engineering and Operations Section).

Tree Preservation

Two property owners expressed concerns that as a result of the development, existing trees on the property could be harmed or removed. There are 3 existing trees on the property. Two are located along the west property line with the other located in the middle of the northerly proposed lot on the east side of Ardleigh Street. The City of Hamilton does not have a By-law requiring private trees to be preserved. There are no trees on City property either within the future road allowance or the existing road allowance that would be impacted. The 2 trees along the west side of the property could potentially be preserved as they are located at the rear of the lots away from where the future dwellings would be constructed. Submission of a tree management plan is a standard condition of approval of the draft plan of subdivision and is included within the Standard Form Subdivision Agreement. Similarly, the developer will also be required to submit and implement a street tree planting plan, which will include trees to be planted in front of each of the future lots and along Stone Church Road East.

ALTERNATIVES FOR CONSIDERATION:

Should the proposed draft plan of subdivision and change in zoning be denied, the subject lands could be developed for uses permitted within the existing “C” (Urban Protected Residential, Etc.) District and the “R4” (Small Lot Single Family Dwelling) District, which includes only one single detached dwelling on the property.

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 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 1.7.1(e) outlines that major facilities such as transportation corridors and sensitive land uses be designed, buffered and separated from each other to prevent adverse effects from noise. Due to the proximity of the subject lands to Stone Church Road East, a noise assessment must be submitted to address this concern (Special Condition of Approval No. 11).

**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.

**Hamilton Official Plan**

The subject lands are designated “Major Institutional” in the City of Hamilton Official Plan. This designation permits residential uses, as set out in Policy A.2.6.5. The proposed development conforms with the City of Hamilton Official Plan.

**Randall Neighbourhood Plan**

The subject lands are designated “Single and Double Residential” in the Approved Randall Neighbourhood Plan and include the extension of Ardleigh Street through to Stone Church Road East. The subject lands were redesignated from “Civic and Institutional” to “Single and Double Residential” through City Initiative CI-04-L in 2005. The Randall Neighbourhood Plan is attached as Appendix “E”, but the mapping has not been revised to reflect the change in designation approved through CI-04-L.

**Relevant Consultation:**

Public Works Department (Traffic Engineering and Operations Section) has no concern with the applications, but has advised that access to Lots 7 and 8 must be from Ardleigh Street and outside of the vision triangles at Stone Church Road East. This comment will be addressed through the review of a detailed engineering submission, which includes proposed locations of driveways. A summary of Traffic Engineering and Operations Section comments, as a result of neighbourhood concerns, is included in the Analysis/Rationale Section of this report.
Public Works Department (Forestry and Horticulture Section) has advised that there are no trees located on the Road Allowance of the development and that the Forestry and Horticulture Section does not oppose the applications, but that a tree management plan should be required for the three existing private trees. Submission, review and approval of a Tree Management Plan is a requirement within the Standard Form Subdivision Agreement and will address on-site trees to determine if any trees can be incorporated into the design of the subdivision.

Hamilton Municipal Parking System has advised that there are no concerns with the applications, but that the applicant should ensure that driveways are aligned in such a way that will maximize the availability of on-street parking. This comment will be addressed through review of a detailed engineering submission, which includes proposed locations of driveways.

Hamilton Street Railway has advised that the #43 Stone Church bus is operated along Stone Church Road East and that street orientation is important along with short walking distances between dwellings and transit service. These comments are supported by the application in that opening Ardleigh Street with full sidewalks to Stone Church Road East will provide easier and quicker access to public transit for local residents.

Hamilton Conservation Authority has advised that conditions of approval pertaining to submission of an erosion and sediment control plan, storm water management plan, and grading plan would apply. These requirements are included within the Standard Form Subdivision Agreement.

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

Canada Post has advised that letter carrier service is available on Stone Church Road East, but that new lots on Ardleigh Street shall receive mail via the Community Mailbox program, and that conditions of approval should be included pertaining to a statement in offers of purchase and sale about the centralized mail box, and that the owner must agree to install concrete pads for the mail box, identify the pads on engineering drawings, and post the location of the mail box on appropriate maps, information boards and plans. These conditions are included within the Standard Form Subdivision Agreement.

Public Consultation

In accordance with the Public Participation Policy, the application was pre-circulated to 131 property owners within 120 metres of the subject property in September 2007. In addition, a Public Notice sign was erected on the property in October 2007. As a result of the pre-circulation, 7 letters of opposition, as well as a petition signed by
SUBJECT: Applications for Approval of a Draft Plan of Subdivision, "Ardleigh Heights", and for a Change in Zoning for the Property Located at Part of Lot 8, Concession 7 (North Side of Stone Church Road East Between Upper Sherman Avenue and Rambo Street) (Hamilton) (PED08016) (Ward 7) - Page 13 of 13

approximately 46 residents, were received (see Appendix “J”). A summary of the concerns and responses is provided in the Analysis/Rationale Section of this report. Finally, notice of the Public Meeting has been given in accordance with the requirements of the Planning Act.

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. (10)
**Appendix “A” to Report PED08016**

**Location Map**

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

**File Name/Number:**
ZAC-07-059 / 25T-200708  
**Date:**
September 12, 2007

**Appendix “A”**
**Scale:**
N.T.S.
**Planner/Technician:**
GM/LC

**Subject Property**
Part of Lot 8, Concession 7

- **Subject Property Part of Lot 8, Concession 7**
- Change in Zoning from the "C" (Urban Protected Residential, etc.) District to the "R-4" (Small Lot Single Family Dwelling) District.

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Ward 7 Key Map  
N.T.S.
CITY OF HAMILTON

BY-LAW NO.

To Amend Zoning By-law No. 6593 (Hamilton),
Respecting Part of Lot 8, Concession 7 (north side of Stone Church Road East between Upper Sherman Avenue and Rambo Street)

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

AND WHEREAS the Council of the City of Hamilton, in adopting Section of Report 08- of the Economic Development and Planning Committee at its meeting held on the day of , 2008, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

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

1. That Sheet No. E-38c of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,
(a) by changing the zoning from the “C” (Urban Protected Residential, Etc.) District to the “R4” (Small Lot Single Family Dwelling) District, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the “R4” (Small Lot Single Family Dwelling) District, provisions.

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 Christenson
MAYOR                                CLERK

ZAC-07-059/25T-200708
This is Schedule "A" to By-Law No. 08-
Passed the ............. day of ...................., 2008

Schedule "A"
Map Forming Part of By-Law No. 08-______
to Amend By-law No.6593

Subject Property
Part of Lot 8, Concession 7

Subject Property Part of Lot 8, Concession 7
Change in Zoning from the "C" (Urban Protected Residential, etc.) District to the "R-4" (Small Lot Single Family Dwelling) District.
Special Conditions of Draft Plan Approval for “Ardleigh Heights”

1. That the Owner agree in writing that the road allowance width of Ardleigh Street be established at 20.12 metres (66 feet) to correspond with the existing section of Ardleigh Street to the north to the satisfaction of the Manager of Engineering Design and Construction.

2. That the Owner agree in writing that the centreline of Ardleigh Street be established with minimum horizontal radii of 100 metres to the satisfaction of the Manager of Engineering Design and Construction.

3. That the Owner provide the City with sufficient security to cover any damage that may occur to the existing sidewalks, curb and boulevard on Stone Church Road East, 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 address the fact that in the absence of an overland flow route, the 100 year storm shall be controlled to the capacity of the pipe to which the system outlets. The allowable capacity is determined by the original design of the existing system, all to the satisfaction of the Manager of Engineering Design and Construction.

5. That the Owner agree in writing to provide the City with a geotechnical report prepared by a qualified professional engineer prior to final engineering design to the satisfaction of the Manager of Engineering Design and Construction.

6. That the Owner dedicates sufficient lands to the City of Hamilton in order to establish 7m x 7m daylight triangles on Ardleigh Street at the intersection of Stone Church Road East and dedicate the lands to the City by certificate on the final plan to the satisfaction of the Manager of Engineering Design and Construction.

7. That the driveways for Lots 7 and 8 be located on Ardleigh Street and be constructed on the north side of the lots and that the driveway for Lot 15 be constructed on the west side of the lot, to the satisfaction of the Manager of Engineering Design and Construction.

8. That due to the number of private service installations required on Stone Church Road East, the Owner is required to reconstruct the full width pavement and concrete sidewalk, at their expense, on Stone Church Road East from the west limit of Lot 13 to the east limit of Lot 15 to the satisfaction of the Manager of Engineering Design and Construction.
9. That the Owner agree in writing that if blasting is required they will provide the City of Hamilton with a satisfactory blasting report prior to any blasting taking place to the satisfaction of the Manager of Engineering Design and Construction.

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

   - Ardleigh Street: both sides, from the south limit of existing Ardleigh Street to Stone Church Road East; and,

   - Ardleigh Street: both sides, including construction of barrier type curbs, from the north limit of the subdivision to Rexford Drive.

11. That the owner/applicant shall investigate the noise levels on the site and determine the noise control measures that are satisfactory to the City of Hamilton in meeting the Ministry of the Environment’s recommended sound level limits. An acoustical report prepared by a qualified Professional Engineer containing the recommended control measures shall be submitted to the satisfaction of the Director of Planning.
Approved Randall Neighbourhood Plan

Note: This is a GUIDE PLAN only and subject to change. For details contact the City Planning and Development Department.

LAND USE

RESIDENTIAL
- single & double attached housing
- low density apartments
- medium density apartments
- high density apartments
- commercial & apartments

COMMERCIAL
- NEIGHBOURHOOD COMMERCIAL
- CIVIC & INSTITUTIONAL
- PARK & RECREATIONAL
- OPEN SPACE
- UTILITIES

CITY OF HAMILTON
Planning Department

RANDALL
APPROVED PLAN

EXISTING POPULATION (1994) 2486
Aerial Photograph Showing Location of Existing Ardleigh Street
Appendix “C” from Staff Report for City Initiative CI-04-L Showing how Subject Lands Could be Developed
Plan Showing how Property Could be Developed with a Cul-de-sac off Rexford Drive
ATHN:
Greg Macdonald, Senior Planner, MCIP, RPP

Planning and Economic Development Dept.
77 James St. N.
Suite 400, 4th floor
Hamilton, ON
L8R 2K3

We the undersigned are opposed to the submission by Paul Silvestri to downzone the zoning for 'Ardleigh Heights' from 'C' (Urban Protected Residential) to 'R4' (Small Lot Single Family Dwelling), File No. ZAC-07-059/25T-200708.

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<td>Marina Marsh</td>
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<td>Robert Menlove</td>
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<td>581 Bermond Dr.</td>
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<td>D. S. Estes</td>
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<td>Maud Fuku</td>
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<td>Jessica Boyle</td>
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<td>Rosa Rao</td>
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<td>D. C.</td>
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Attn:
Greg Macdonald, Senior Planner, MCIP, RPP
Planning and Economic Development Dept.
77 James St. N.
Suite 400, 4th floor
Hamilton, ON
L8R 2K3

We the undersigned are opposed to the submission by Paul Silvestri to downgrade the zoning for 'Ardleigh Heights' from 'C' (Urban Protected Residential) to 'R4' (Small Lot Single Family Dwelling), File No. ZAC-07-059/25T-200708.

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<td>FRED RENYER 694 STONECHURCH</td>
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<td>J. Clark</td>
<td>FRANCA CIACIO 718 STONECHURCH</td>
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<td>A. Lam</td>
<td>QUNING LAM 734 STONECHURCH RD.</td>
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<td>J. Yorkers</td>
<td>LUCIA TRANSPORT 742 STONECHURCH RD.</td>
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<td>A. Pierro</td>
<td>ANGELA BRONIS 741 STONECHURCH RD.</td>
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<td>G. Williams</td>
<td>ERNESTO MULLER 540 RENFORD DR.</td>
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<td>L. Douglas</td>
<td>IAN DUGGAN 100 RENFORD DR.</td>
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<td>ANDREW DOUGLAS 602 RENFORD DR.</td>
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<td>ROB DUFFIN 198 RENFORD DR.</td>
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<td>LYNN DOLLAS 598 RENFORD DR.</td>
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<td>ROBERT SIMS 610 RENFORD DR.</td>
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<td>JULIE HODSON 614 RENFORD DR.</td>
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<td>R. Duffin</td>
<td>WAYNE HORDON 616 RENFORD DR.</td>
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OCT 17 2007

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

File Nos. ZAC-07-059/25-T-200708

Re: Notice of Complete Applications and Preliminary Circulation to Amend the Zoning By-law and for approval of a Plan of Subdivision, “Ardleigh Heights”, Part of Lot 8, Concession 7 (north side of Stone Church Road East between Upper Sherman Avenue and Rambo Street, Hamilton)

October 11, 2007

Dear Mr. Macdonald,

I am writing you this letter to state my opposition to the proposed Zoning By-law Amendment (File No. ZAC-07-059). Changing the subject property from the “C” (Urban Protected Residential, etc.) District to the “R-4” (Small Lot Single Family Dwelling) District will increase an already over crowded urban area to one of too great a densification. Smaller lots means smaller driveways and that will result in too many cars being parked on the street making it dangerous for the residents of the community. This problem already exists in parts of this neighborhood. Drivers are at risk in these areas when they have to negotiate a narrowed street taken-up by parked cars. Clear sightlines are also obstructed by parked cars, putting at risk the many small children that would be living in the area. As a father of a young family, I know too well how children can unexpectedly dart out into the road and coming out from between parked cars decreases an approaching driver’s reaction time considerably.

Please consider these reasons for not allowing this proposed Zoning By-law Amendment to go through. Keeping the existing lots allows for larger driveways and let’s face it, we live in a society of multi-car families and proper facilities for cars should be a priority.

Thank you for your time in reading this letter and considering this matter.

Robert Dollar
October 15, 2007

To: Director of Planning
Planning and Economic Development Department
77 James Street North
Suite 400, 4th Floor
Hamilton, L8R 2K3

We are writing you today in regards to the Zoning change for Ardleigh Heights (File # ZAC-07-059) from “C” to “R4”.

We are concerned for many reasons. The affected corner of Ardleigh and Rexford has a lot of young children living in this area. First of our concerns, would be the increase in traffic affecting Rexford Drive. At the moment, there is a fair bit of traffic that does travels along Rexford from Astonwood to Rambo to bypass the traffic lights at Upper Sherman and Stonechurch. We feel that Ardleigh would become the new short cut to Upper Sherman from Stonechurch and vice versa. At the moment I have seen myself trying to make a left turn onto Stonechurch from Rambo taking almost three or more minutes due to the traffic along Stonechurch. Stonechurch is a very busy street especially during rush hours and weekends!!

With the increase in housing along Ardleigh, being that they would be very small lots, would also cause a parking issue. Most households have at least two cars and some more! Only having room for one car parking in driveways would cause this small width street to be too narrow for cars to be parked on both sides of the street and allow cars to be able to drive through directly without stopping to allow vehicles to pass from the other direction. Also this in turn, could cause increased parking for the excess cars along Rexford Drive which would cause this street to be more congestive. As we already experience this problem at the east end of Rexford from Rambo to Robertsfield. There is usually only one lane of traffic that can pass along this stretch of street due to parking on both sides of the street. Having extra housing on Ardleigh would also increase traffic along Rexford to get to Upper Gage also increasing problems along this stretch. This is another short cut!

There was even a STOP sign that was put up at the corner of Rexford and Alconbury to help slow the traffic and hopefully would cause people to use alternate routes but this has been removed. So you can see, there are traffic problems along Rexford already! In the past there has also been complaints that
people were not coming to a stop at the corners of Rexford and Rambo and Rexford and Astonwood. This is still true!

Along with traffic, this will be a short cut for students traveling back and forth to the Brebeuf high school and the elementary school Mother Teresa from in and out of the survey. At the moment they used the field to cross through! Their safety also comes in to effect due to the increase in traffic along the concerned streets.

With increased housing along Ardleigh, current trees in the field where the houses would be built will also be cut down. Some of them are very mature and greatly appreciated! We also think we heard that there was an arborist report suggesting the trees should be saved!

Our other concern would be the type of housing that would be built due to the change in zoning. What could be allowed under the R4 rating besides what was listed!

So really our greatest concern to this zoning change would be the traffic issues that would arise. With this in mind we are opposed to the zoning change!

Thank you for your time,

Gary and Lorri Benton
570 Rexford Drive
Hamilton, ON, L8W 3G9

[Signature]

[Signature]
October 7, 2007

Mr. Greg Macdonald, Senior Planner, MCIP, RPP
City of Hamilton, Planning and Economic Development Department
Planning Division

Re: File Nos. ZAC-07-059/25T-200708

Dear Mr. Greg Macdonald,

My husband and I have concerns with the proposed building of 15 homes and the construction of a new road (Ardleigh Street extension) connecting to Rexford Drive.

Construction of “Small lot single family dwelling”:

These homes are not comparable to the existing homes in that area of Rexford which have potential implications for property value.

Connection of the new Ardleigh Street to Rexford Avenue:

This is the bigger concern. We would not have as much issue with the building of this subdivision if it did not connect with our neighbourhood. There will be added traffic congestion on Rexford. In addition, due to the street connection, it will increase the number of parked cars spilling on to Rexford (i.e. due to the small property sizes of the proposed new homes).

We would like to understand why there is a need to connect this new subdivision to Rexford?

Yours truly,

Julie and Wayne Hodson
614 Rexford Drive
Hamilton, Ont
L8W 3G9
Mr. Greg Macdonald,
Senior Planner, MCIP, RPP
City of Hamilton,
Planning and Economic Development
Department, Planning Division

Dear Sir,

In regard to the proposed zoning change for Ardleigh Heights, Part of Lot 8, Concession 7 (north side of Stone Church Rd.), we the undersigned make this submission to express our disapproval of any change in zoning from the present classification of zoning as “C” urban protected residential. The proposed change is not of the same type of lots and type of housing that presently exists in the rest of the survey. It would denigrate the neighborhood so that a developer can “squeeze” in a couple of extra lots from the property for “their” benefit only at the expense of the rest of the property owners in the neighborhood. We definitely do not want any further change in zoning.

John E. Thombs

Gwen E. Thombs
October 6, 2007

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

Re: File Nos. ZAC-07-059/25T-200708

Dear Mr. Macdonald,

This letter is in response to the letter I received from your department, dated Sept 19, 2007 regarding the re-zoning application for Ardleigh Heights, which is bordered by Stonechurch, Rexford Drive, Rambo St. and Upper Sherman.

As residents of 602 Rexford Drive, which borders the property in question, we are opposed to this rezoning application. Upon review of the plan attached to the letter we received, it appears that the proposed lots are much smaller and narrower than existing lots in the adjacent neighbourhood. In order to fit in 15 planned homes in this area, the lots must be long and narrow, which would necessitate smaller homes be built which are very close together. This is inconsistent with the current homes in the area. Also, we are concerned that the long and narrow lots will not accommodate the parking needs of the families who purchase the homes, and will lead to excessive street parking. It will also increase the traffic flow substantially through the neighbourhood, when Ardleigh is made a through street. This is already problematic with cars using Rexford as a shortcut between Upper Sherman and Upper Gage.

We are not opposed to the development of this land, but ask that you consider carefully the types of homes to be built on this land so that they fit into the rest of the neighbourhood. It appears that the builder is more concerned about maximizing his return on investment by squeezing as many homes in this area as possible, without any consideration of the appearance or the impact on the rest of the neighbourhood.

Regards,

[Signature]

Ian and Lynn Douglas
602 Rexford Drive
Hamilton, ON L8W 3G9
ATTN: Greg Macdonald, Senior Planner, MCIP, RPP
Planning and Economic Development Dept.
77 James St. N.
Suite 400, 4th Floor
Hamilton, ON L8R 2K3

Re: Public Input
File No. ZAC-07-059/25T-200708

We are opposed to the submission by Paul Silvestri to downgrade the zoning for 'Ardleigh Heights' from 'C' to 'R4'. The increase in density, (from the 10 lots that the present 'C' zoning could accommodate to the 12 proposed 'R4' lots), would negatively impact our neighbourhood.

Once Ardleigh opens up to Stonechurch, it will become a main artery into and out of our survey. At best the narrower 'R4' lots would have single driveways on which only a single vehicle could be conveniently parked. As most homeowners have at least 2 cars, 12 or more additional cars could likely be parked on the street. Not only does this threaten the safety of children in the neighbourhood, it would reduce Ardleigh to a single lane, posing a serious hazard for opposing traffic coming off of and going onto Stonechurch. Snow removal would also prove difficult. The 10 'C' lots would easily accommodate double driveways and hence alleviate these concerns.

There are presently 3 two hundred year old oak and hickory trees on site. The 'R4' zoning ensures the removal of at least 2 of these trees. This would be contrary to the forestry staff's earlier recommendation that these trees be protected from development (PD05126). The current 'C' zoning increases the likelihood that these trees could be saved.

It is important that the aesthetics of the neighbourhood be maintained. There is presently not a single lot on either side of the proposed development, that is as small as the ones proposed. The homes would be so tightly squeezed in that the eaves troughs of adjacent homes would practically touch one another.

Lastly, although creating smaller lots transfers income to the developer, it does so at the expense of existing homeowners. Is it really worth cramming in 2 extra lots?

Sincerely,

Mr. & Mrs. Robert Meunier
Good morning Mr. MacDonald, you and I had exchanged voicemail messages regarding my concerns for the above-mentioned plan of subdivision.

I just want you to know that one of my neighbours has been getting a petition signed by the neighbours against the above-mentioned plan. We all feel very strongly that this plan is not in the best interests of the residents on Rexford Drive.

My husband and I are especially concerned because the new street will be opened up right in front of my house (577 Rexford Drive) and the traffic will be tremendous. The traffic situation in our neighbourhood is already large due to the fact that numerous cars heading west on Stone Church Road turn onto Rambo Street and come down Rexford Drive heading west towards Upper Sherman when traffic is clogged on Stone Church Road to avoid waiting at the lights. They use Rexford Drive as a through street and they speed along the road with no consideration for other cars, children or persons walking or playing along the road. I am afraid that one day some careless driver not paying any attention to what he or she is doing will end up in my front lawn or worse, crashing into my house. Speeders along Stone Church Road is inevitable. There have been accidents on that road that have damaged houses, etc.

I have also noticed that there is a sign up for the plan notifying the area that a future public meeting will be held at 9:30 a.m. Why do public meetings happen during the day? My husband and I, and I am sure some of my neighbours will want to attend this meeting to make sure that our concerns are heard and not neglected but as some of us work full time and during the day, it is impossible to attend these meetings. Also, some of us cannot just take a day off to attend these meetings or can afford to take a day off for this. This meeting should be held in the evening when the neighbours can actually attend and voice their concerns.

I do not think that the contractor or planning committee is doing this in the best interests of the neighbours. They are only looking out for themselves and the money they can make by opening up the road from Rexford Drive to Stone Church Road. They just want to squeeze as many houses as they can on the piece of land that is available. All they see are dollar signs and nothing else. My husband and I suggest, and I am sure my neighbours will agree, that Arleigh Road should not be opened to Rexford Drive. The road should be closed at Rexford Drive and a court with the opening towards Stone Church Road be planned instead. I think that this would be the best solution and I would not fear for the safety of my family and the safety of my neighbours, some of whom are elderly.

Mr. Scott Duvall, can you please assist in regard to this matter? We are very concerned about this street being opened from Stone Church Road to Rexford Drive.

Thank you and if you need to contact me, please see my information below.

Filomena Camara
Legal Assistant to Jeannie DeMarco
and C. W. Daniel Kirby
From: [Redacted]
Sent: Monday, October 22, 2007 5:16 PM
To: Macdonald, Greg
Subject: Files: ZAC-07-059/25T-200708

Dear Mr. Macdonald,

I received the addendum for the proposed project "Ardleigh Heights" and am quite concerned regarding the additional units. I feel the additional smaller units will offset the cosmetic balance around the new project. Due to the smaller lot sizes my concerns fall on congestion and parking on the street, which affects snow removal as well. Two of my main concerns are lower property values due to smaller units, but most important is the safety of my children and the children in and around Ardeligh. I live at 381 Rexford Drive, the plans show that the traffic on Ardeligh, by extension lead into my house and my neighbour on the east side.

Mr. Macdonald, I realize this project will proceed in 2008, and I do not want to impede progress, however I implore you to consider my concerns and to please ensure measures are taken when implementing safety for this project.

Sincerely,

George Ceh