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**From:** Karl Gonnsen [kgonnsen@metrocon.ca]  
**Date:** Wednesday, June 22, 2011 12:50 PM  
**To:** Biggs, Carolyn  
**Subject:** City of Hamilton 2011 D/C ByLaw  
**Attachments:** DOC062211.pdf

You will recall that I undertook to provide information to the GIC at the meeting of June 9. Since that time I have been meeting with staff and the issues have considerably reduced. Attached are submissions that I made on behalf of Waterdown Bay and Ancaster Meadows together with the staff responses. I would appreciate your e-mailing this to the members of the GIC.

It would appear that the only issue left is the question of a transition policy. Both of the subdivisions has registered in the last week. In the case of Waterdown Bay no building permits have been applied for or issued. In the case of Ancaster Meadows only a limited number of model permits have been issued.

In both of these developments the developer was required to build ponds. Each developer is being re-imbursed based on the old land values. Yet the development charges to be paid on the lots in the subdivision and in the adjacent subdivision will be at the higher rate in the 2011 D/C by-law. This is in my submission not fair.

I had proposed a short 6 month transition policy where D/C's would be phased in at the old lesser amount for the storm component (approximately \$1039 per sfu less). Staff has rejected this transition policy.

The City will be collecting more money per unit than they intend to spend. This to me is clearly not fair. Further in the case of Ancaster Meadows the adjacent developer will be paying the higher storm component of the D/C and the money will not flow through to my client even though he has given the land for the pond to the City at the lower land values. That money will be kept by the City.



## WATERDOWN BAY

**Karl Gonnsen**

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**From:** Sergi, Tony [Tony.Sergi@hamilton.ca]  
**Sent:** June 21, 2011 5:11 PM  
**To:** Karl Gonnsen  
**Cc:** Moniruzzaman, Monir; Spiler, Joseph; Thompson, Wayne; Bishop, Brian; Yong-Lee, Sally; Chris Povell; Nancy Neale  
**Subject:** RE: D/C By-Law (Waterdown Bay)

Karl we have reviewed your request for a transition policy. At this time we are unable to support this request. City share will be paid as per schedule 'F'. Payment of DC will be at the rate in place at the time the building permit issued.

-----Original Message-----

**From:** Yong-Lee, Sally  
**Sent:** Friday, June 17, 2011 11:39 AM  
**To:** 'Nancy Neale'; Karl Gonnsen; 'Chris Povell'  
**Cc:** Moniruzzaman, Monir; Sergi, Tony; Spiler, Joseph; Thompson, Wayne; 'Bishop, Brian'  
**Subject:** RE: D/C By-Law (Waterdown Bay)

Karl, confirming discussion at our meeting of June 15, 2011 (see comments below).

-----Original Message-----

**From:** Karl Gonnsen [mailto:kgonnsen@metrocon.ca]  
**Sent:** Wednesday, June 01, 2011 4:23 PM  
**To:** Spiler, Joseph; Sergi, Tony  
**Cc:** Michael Telawski; Colin McGregor; Abraham Barrios; Ivor David  
**Subject:** D/C By-Law for Water, Wastewater and Storm and Waterdown Bay

This is further to our meeting of last Friday regarding the 2011 D/C Background Study for water, wastewater and storm. I have the following comments;

- 1) The sanitary sewer along Dundas Street is no longer on the list. Tony was to check what happened to it. You will recall that the City agreed to pay 33%. The estimated cost is \$1.232 M.

Estimated cost of \$1.232M plus 15% soft costs for the sanitary sewer sewer on Dundas Street, cost shared 1/3 with City to a maximum of \$468K, not including HST.

- 2) Pond #1 is no longer on the list. Tony to check what happened to it. Earlier today you sent me an e-mail saying that it had been removed as the area it serves is now non-residential. That is not correct. This area is mixed use. We have determined that pond #1 is 1.2 ha. The amount that should be included in the D/C by-law for land should be \$1,334,340. The estimate for construction is \$391,350 and it should also be included.

Reinstate W-1 in background study. Payment for the pond will be determined based on the number of residential units only.

- 3) Pond #2 is not on the list. There is a transition provision for developers that have built a pond and paid for all of it. I cannot find anything for when a developer pays for part of the pond as in the case of Mt View Hts Phase 1A where the developer is paying for

about 60% of the cost and only getting 40% back from D/C's. Waterdown Bay has taken out no building permits and will pay the new higher D/C rate. In my opinion there should be a transition policy which deals with situations such as pond #2 by prorating the 65% credit to a lesser number if the developer pays less a substantial portion of the D/C eligible expenses.

Pond costs (land and capital) will be reimbursed in accordance with the values stipulated in the Waterdown Bay subdivision agreement, based on the 2009 DC Background Study.

Adoption of a transition policy is still under discussion.

4) The internal sanitary sewer is not on the list within phase 1A. It is bigger than 450 mm. Attached is a pdf that shows the internal and Dundas

Street trunk. Lengths are shown in the spreadsheet in the bottom right corner.

Will adjust tables to reflect current information provided for the internal sewers (identified as W5-S-09 and W4-S-09 in 2009 study).

5) The sanitary sewers in phase 1B and 2 are larger than 450 mm. The correct sizes are also shown on the aforementioned pdf. These sewers should be added to the schedule of wastewater mains.

See comment in #4.

6) Pond #3 is 1.0 ha in size. Appendix F-2, Category C shows a size of 1.0 ha under the heading "Study/Draft Plan Footprint (ha). This is correct. The land cost of \$1,111,950 is also correct. Construction cost of \$516,000 is also correct.

Noted, no action required.

7) Pond #4 is 2.6 ha in size. Appendix F-2, category C shows a size of 2.6 ha under the heading "Study/Draft Plan Footprint (ha). This is correct.

The land cost of \$2,891,070 is also correct. Construction cost of \$2,799,000 is also correct.

Noted, no action required.

8) Pond #5 is 1.8 ha in size. Appendix F-2, category C shows a size of 1.7 ha under the heading "Study/Draft Plan Footprint (ha). I would appreciate this slight adjustment in the size. The land cost would therefore go up marginally to \$2,001,510 (from \$1,182,892) The construction amount is satisfactory.

Land requirements (1.7 ha) was based on information received from your office (email dated June 7, 2011 addressed to Monir Moniruzzaman). No action Required.

We note that you are proposing a new local service policy. Some of your rules are arbitrary. We may wish to make a further submission with respect to that matter at a later date. We also note that LID costs are eligible up to 75% but only in the absence of an identified SWM facility. This does not address the situation where LID measures are incorporated to reduce the size of the SWM pond. As a result there is no incentive to reduce the size of the SWM pond. I think that there should be some incentive to implement LID and reduce the size of SWM ponds.

Karl Gonnsen

ANCASTER MEADOWS I

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**From:** Sergi, Tony [Tony.Sergi@hamilton.ca]  
**Sent:** June 21, 2011 5:11 PM  
**To:** Karl Gonnsen  
**Cc:** Moniruzzaman, Monir; Spiler, Joseph; Thompson, Wayne; Bishop, Brian; Yong-Lee, Sally; Nancy Neale; Chris Povell  
**Subject:** RE: Ancaster Meadows Phase 1 and the D/C By-law

Karl we have reviewed your request for a transition policy. At this time we are unable to support this request. City share will be paid as per schedule 'F'. Payment of DC will be at the rate in place at the time the building permit issued.

-----Original Message-----

**From:** Yong-Lee, Sally  
**Sent:** Friday, June 17, 2011 9:47 AM  
**To:** Nancy Neale; Karl Gonnsen; 'Chris Povell'  
**Cc:** Moniruzzaman, Monir; Sergi, Tony; Spiler, Joseph; Thompson, Wayne; 'Bishop, Brian'  
**Subject:** RE: Ancaster Meadows Phase 1 and the D/C By-law

Karl, confirming discussion at our meeting of June 15, 2011 (see comments below).

-----Original Message-----

**From:** Karl Gonnsen [mailto:kgonnsen@metrocon.ca]  
**Sent:** Wednesday, June 01, 2011 5:08 PM  
**To:** Sergi, Tony; Spiler, Joseph  
**Cc:** Angelo Paletta; Chris Povell; Richard Lewis  
**Subject:** Ancaster Meadows Phase 1 and the D/C By-law

I note that all the D/C eligible items for the above subdivision for water, wastewater and SWM have been removed from the tables and maps in the new D/C background report. I would appreciate confirmation that the relevant amounts have been placed in a reserve so that the D/C eligible amounts will be paid to my client. I would also like confirmation of the particular amounts.

I note that land costs for Ancaster are proposed to be increased to \$450,000 per acre in the new background study. It is my submission that my client should be re-imbursed at this higher rate. As you know he is not registered yet and to my knowledge no building permits have been issued.

Land costs for the SWMP will be reimbursed in accordance with the values stipulated in the subdivision agreement. The SWMP land value was established at \$400,000/Ac (\$988,400/ha).

Adoption of a transition policy is still under discussion.

I will be out of town Thursday and Friday of this week but am available to meet next week prior to the Public Meeting on June 9.