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March 20, 2013

Via Fax to 905-546-4202

Corporation of the City of Hamilton
Planning and Economic Development Department
71 Main Street, 5th Floor
Hamilton, ON L8P 4Y5

Attention: Joe Muto

Dear Mr. Muto:

Re: Proposed Zoning By-Law Amendment and Draft Plan of Subdivision Applications for Lands Located on the Northeast Corner of Green Mountain Road and First Road West (420 First Road West), Stoney Creek
Your File Numbers: ZAC-09-007 and 25T-200901(R)

We represent 2190015 Ontario Inc., carrying on business as CHCH TV, which operates a 306.3 metre broadcast tower on First Road West in Stoney Creek. The broadcast tower itself is less than 500 metres north of the intersection of Green Mountain Road and First Road West, with the nearest guy wire anchor being approximately 200 metres from the proposed development.

The above-described proposals have only very recently come to our client's attention for the first time. Notwithstanding that our client operates a broadcast tower in the very near vicinity to the proposed subdivision, it was not advised by the City of same.

Our client is concerned that the construction of the proposed subdivision may have an adverse effect on the sensitive geology supporting the guy wires for its broadcast tower. Without having had an opportunity to conduct or review any appropriate engineering assessments regarding the geological effects of such

construction, our client is concerned that the construction may compromise the guy wire anchors and destabilize the broadcast tower altogether.

The potential consequences could be catastrophic, requiring immensely costly repairs and reconstruction, and causing an interruption in service to all users of the broadcast tower until such repairs can be effected.

Our client's concern is magnified by the lack of notice to our client, which suggests that the presence of its nearby broadcast tower and guy wires has not been accounted for in planning the proposed subdivision.

Accordingly, our client opposes the proposed zoning by-law amendment and plan of subdivision, and requests that it be denied, or at least postponed until a satisfactory geological assessment can be completed.

Yours very truly,

SWANICK & ASSOCIATES

Per: 
Dennis Buchanan

March 21, 2013

Joe Muto
Planning and Economic Development Department
Development Planning, Heritage and Design – East Section
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

RECEIVED
MAR 21 2013

BY FAX (905) 546-4202 AND REGULAR MAIL

Dear Mr. Muto:

Re: File No: ZAC-09-007 and 25T-200901(R)

In response to correspondence from Peter J. De Iulio dated March 5, 2013, Juch-Tech Inc., is submitting the following comments regarding the abovementioned Zoning By-law Amendment and Draft Plan of Subdivision.

Juch-Tech Inc. operates worldwide satellite broadcast and uplink services from The Hamilton Teleport at 22 Green Mountain Road West, Stoney Creek, abutting on to the southeast corner of the proposed development at 420 First Road West, Stoney Creek. The Hamilton Teleport has been in operation at this location since 1999.

Juch-Tech Inc. operates a telecommunications tower and parabolic reflector antennae (earth stations) that require a minimum of interference from nearby buildings and structures in order to receive and transmit satellite broadcast signals, and which also generate radio frequency (RF) emissions.

Development of mixed residential properties is proceeding at 50 Green Mountain Road West, Stoney Creek. While Juch-Tech's concerns regarding this development (Victory Ridge) restricting its ability to expand its business have been addressed, Juch-Tech is concerned that an additional residential development will result in further restrictions on future placement of earth stations or use of its telecommunications tower.

Further, Juch-Tech has been advised that Brantford Engineering & Construction, the general contractor for the Victory Ridge development, intends to conduct blasting for water and sewer lines. Both Juch-Tech's buildings and earth stations as well as 420 First Road West are situated on a shield containing a fault line. It is likely that the general contractor for 420 First Road West will also seek to blast. Juch-Tech's earth stations and buildings are highly sensitive to seismic activity and blasting could cause serious damage to the earth stations and buildings and disruptions to service to our clients.

Future residential development within the vicinity of The Hamilton Teleport will put pressure on Juch-Tech Inc. to relocate its operations, at considerable expense, if it cannot be reconciled through the current use of warnings on title, buffers, and setbacks. It is not in the public interest for residential development to unnecessarily restrict business operations or force them to move.

Juch-Tech reserves the right to make future submissions on this matter.

Yours truly,

A handwritten signature in black ink, appearing to read "Colin Pye", with several overlapping strokes.

Colin Pye
Chief Legal Counsel & Vice President of Regulatory Affairs
Juch-Tech Inc.

November 20, 2013

Mr. Joe Muto, MCIP, RPP
Senior Planner
City of Hamilton Planning Division
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

RECEIVED
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Dear Mr. Muto:

**Re: Revised Draft Plan of Subdivision
Empire Communities (Stoney Creek) Limited
Comments by All Around Contracting Inc.
80 - 90 Green Mountain Road
Part of Lot 26, Concession 5, Hamilton (Formerly Saltfleet Township)
City File Nos.: ZAC-09-007(R) & 25T-200901(R)
Our File No. 2013/38**

We are Planning Consultants for All Around Contracting Inc. ("All Around"). All Around owns/has an interest in two (2) properties fronting onto Green Mountain Road and directly abutting the south portion of the above-noted subdivision.

We have recently met on two occasions with Empire Communities (Ed English) and their Planning Consultants (Derrick Andreychuk and Stephen Armstrong of Armstrong Planning and Project Management) to discuss the subdivision design and minor modifications to the design to facilitate the future redevelopment of the All Around lands. I am pleased to advise that our meetings have been both cooperative and productive.

There are essentially two (2) areas of concerns for my client both of which must be satisfied. Firstly, All Around wishes to ensure that any future residents in the subdivision are aware of their long standing operations yard which has existed for approximately 30 years. An appropriate warning clause in the form of a condition should be included in the recommended conditions of draft approval. The second concern relates to subdivision design the details of which are set out below.

When we first met with Empire/Armstrong, we were concerned with the alignment of Street B as it unnecessarily encumbered both All Around properties. I am pleased to advise that Street B has been shifted slightly west to accommodate my clients concerns (see November 13, 2013 red-line draft plan). With the exception of the daylight triangle requirements, Street B only affects the easterly All Around property and the shift allows for a reasonable redevelopment of the smaller westerly property. All Around is prepared to dedicate by reference plan at the appropriate time that portion of Street B traversing

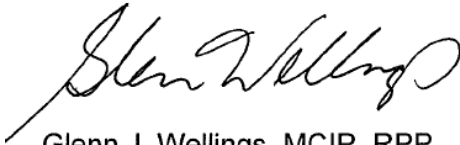
its lands subject to satisfactory arrangements between Empire and All Around the details of which must still be settled.

We are also supportive of the Empire draft plan of subdivision not showing the extension of Street A to Green Mountain Road. We feel such an extension is unnecessary given the current development plans. If the property owner to the east (i.e. satellite facility) decides to redevelop in the future, the need for a further access point to Green Mountain Road can be further re-examined. Until then, there is no need for two accesses points to Green Mountain Road especially in such close proximity to one another.

I would ask that we be notified when this matter comes forward to Planning Committee and Council.

If you have any questions, please call. Thanks.

Yours truly,
WELLINGS PLANNING CONSULTANTS INC.



Glenn J. Wellings, MCIP, RPP.

- c. Joe and Gabe Iatomasi - All Around Contracting Inc.
Ed English – Empire Communities
Derrick Andreychuk/Stephen Armstrong – Armstrong Planning and Project Management