



**City of Hamilton**  
**PLANNING COMMITTEE ADDENDUM**

**Meeting #:** 18-015  
**Date:** December 11, 2018  
**Time:** 9:30 a.m.  
**Location:** Council Chambers, Hamilton City Hall  
71 Main Street West

Lisa Chamberlain, Legislative Coordinator (905) 546-2424 ext. 4605

---

	<b>Pages</b>
<b>5. COMMUNICATIONS</b>	
*5.1 Letter from the Hamilton Chamber of Commerce respecting Matters for the Planning Committee's Consideration	4
<b>6. DELEGATION REQUESTS</b>	
*6.1 Paul R.J. Martindale, Independent Housing Provider, respecting the Rental Property Licensing By-law (For today's meeting) (Item 7.1)	6
*6.2 Margaret Reid, Realtors Association of Hamilton-Burlington, respecting the Rental Property Licensing By-law (For today's meeting) (Item 7.1)	7
*6.3 Donna Bacher respecting the Rental Property Licensing By-law (For today's meeting) (Item 7.1)	8
*6.4 Val Vescio respecting the Rental Property Licensing By-law (For today's meeting) (Item 7.1)	9
*6.5 John Cerino respecting Rental Property Licensing By-law (For today's meeting) (Item 7.1)	10
*6.6 Arun Pathak, Hamilton and District Apartment Association (HDAA), respecting the Rental Property Licensing By-law (For today's meeting) (Item 7.1)	11
*6.7 Christopher Priest respecting the Rental Property Licensing By-law (For today's meeting) (Item 7.1)	12

*6.8	Adam Kitchener, Unlimited Residential, respecting the Rental Property Licensing By-law (For today's meeting) (Item 7.1)	13
*6.9	Maria Rekrut, Canadian Real Estate Investors Association, respecting the Rental Property Licensing By-law (For today's meeting) (Item 7.1)	14
*6.10	Alex Matheson respecting the Rental Property Licensing By-law (For today's meeting) (Item 7.1)	15
*6.11	Steve Devisser respecting the Rental Property Licensing By-law (For today's meeting) (Item 7.1)	16
*6.12	Stephanie Marie Bertolo, McMaster Students Union, respecting the Rental Property Licensing By-law (For today's meeting) (Item 7.1)	17
*6.13	Robert Flis respecting the Rental Property Licensing By-law (For today's meeting) (Item 7.1)	18
*6.14	Peter Dyakowski respecting the Rental Property Licensing By-law (For today's meeting) (Item 7.1)	19
*6.15	Mike Wood, Hamilton ACORN, respecting the Rental Property Licensing By-law	20
*6.16	Lehlia Banting McBeth respecting the Proposed Development at 16-18 King Street West (For today's meeting) (Item 10.1)	21
*6.17	Barbara Inthavixay respecting the Rental Property Licensing By-law (For today's meeting) (Item 7.1)	22
*6.18	Lucie Brusse respecting the Rental Property Licensing By-law (For today's meeting) (Item 7.1)	23
*6.19	Jillian Harris, Olde Town Stoney Creek Community Association, respecting the Proposed Development at 16-18 King Street West (For today's meeting) (Item 10.1)	24
*6.20	Ruth Lewis respecting the Rental Property Licensing By-law (For today's meeting) (Item 7.1)	26

**8. PUBLIC HEARINGS / DELEGATIONS**

8.2 Application to Amend the Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 1274 and 1280 Mohawk Road West (Ancaster) (PED18232) (Ward 14)

\*8.2.a Written Submissions:

27

1. Johannes and Adriana van Woudenberg

**10. DISCUSSION ITEMS**

10.1 Non-Statutory Public Meeting for a Zoning By-law Amendment for Lands Located at 16 and 18 King Street West (Stoney Creek) (PED18229) (Ward 5)

\*10.1.a Written Comments:

30

Vicki MacNaught

\*10.1.b Written Comments:

33

David Hart Dyke

**12. NOTICES OF MOTION**

\*12.1 Review of Development Activity in Existing Residential "ER" Zone in Ancaster (To be distributed)

**14. PRIVATE AND CONFIDENTIAL**

\*14.2 Closed Session Minutes - September 18, 2018 (Distributed under separate cover)

Pursuant to Section 8.1, Sub-sections (c) and (g) of the City's Procedural By-law 18-270, and Section 239, Sub-sections (c) and (g) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land for municipal or local board purposes; and, a matter in respect of which a council, board, committee or other body has authorized a meeting to be closed under another Act.

December 4<sup>th</sup>, 2018

Since its inception in 1845, the Hamilton Chamber of Commerce has served as the definitive voice of local business. Throughout its history, the Chamber has played an important role in advocating for policies that enhance the social and economic prosperity of our city.

Under this capacity, the Hamilton Chamber of Commerce is writing to you, on behalf of our members, to recommend courses of action for the Planning Committee.

Municipal red tape issues are a common concern in communities across the world. Every business, before being allowed to operate legally, is required to comply with an extensive set of government bylaws, regulations and licenses based on the nature of their business. Navigating this process creates a natural conflict with the desire for businesses to build, renovate and operate their enterprise in a timely and cost-efficient manner.

While this dialogue can often turn antagonistic in many communities, the Hamilton Chamber of Commerce and the City of Hamilton have maintained a mutually-respectful working relationship to facilitate a constructive dialogue that addresses the concerns of our members and the wider business community.

In our engagement with businesses, several members spoke positively of the City's measurable improvements in response time and customer service within certain processes.

Despite these areas of relative improvement, a recent survey of our members identified the frustrations of dealing with red tape at City Hall as a major concern. We are now in the process of establishing a Task Force and will be canvassing our members to identify specific issues they face and to collaboratively work with the City to investigate improvements that could be implemented.

In the meantime, based on the input we have received to date, we would suggest the Planning Committee consider the following items:

1. Prioritize the expanded use of AMANDA and Digital Development Applications, in order to expedite the development process;
2. Request additional staff resources within the Planning and Economic Development division, in order to assist development approval reviews, to address increasing demand and improve response times;
3. Establish set timelines for approval reviews and staff comments, where response timelines do not already exist, to create certainty within the process for businesses looking to expand or develop.

We ask that you make these recommendations a priority during your term on council and the Planning Committee.

The Hamilton Chamber of Commerce is pleased to play a leadership role in facilitating a constructive dialogue on critically important municipal issues. I welcome the chance to work with you directly on next steps and I thank you in advance for your contribution to our local governance.

With highest regards,



Keanin Loomis,  
President and CEO  
Hamilton Chamber of Commerce

**Form: Request to Speak to Committee of Council**

Submitted on Monday, December 3, 2018 - 8:00 pm

==Committee Requested==

**Committee:** Planning Committee

==Requestor Information==

**Name of Individual:** Paul R.J Martindale

**Name of Organization:** Independent Housing Provider

**Contact Number:**

**Email Address:**

**Mailing Address:** 103-595 King Street West, Hamilton, ON  
L8P 1C3

**Reason(s) for delegation request:** To speak before DEC 11,2018 planning committee, illustrating the problems with and risks associated with commencing a Rental Property Licensing Program

**Will you be requesting funds from the City?** No

**Will you be submitting a formal presentation?** No

**Form: Request to Speak to Committee of Council**

Submitted on Tuesday, December 4, 2018 - 2:34 pm

==Committee Requested==

**Committee:** Planning Committee

==Requestor Information==

**Name of Individual:** Margaret Reid

**Name of Organization:** REALTORS® Association of Hamilton-Burlington

**Contact Number:**

**Email Address:**

**Mailing Address:**

505 York Blvd.

Hamilton ON

L8R 3K4

**Reason(s) for delegation request:** To speak to the proposed rental licensing pilot project plan going before the Planning Committee.

**Will you be requesting funds from the City? No**

**Will you be submitting a formal presentation? No**

**Form: Request to Speak to Committee of Council**

Submitted on Wednesday, December 5, 2018 - 1:41 pm

==Committee Requested==

**Committee:** Planning Committee

==Requestor Information==

**Name of Individual:** Donna Bacher

**Name of Organization:**

**Contact Number:**

**Email Address:**

**Mailing Address:**

Ancaster, ON

**Reason(s) for delegation request:** Would like to speak to the motion for a Rental Licensing By-Law

**Will you be requesting funds from the City?** No

**Will you be submitting a formal presentation?** No



**Form: Request to Speak to Committee of Council**

Submitted on Wednesday, December 5, 2018 - 3:30 pm

==Committee Requested==

**Committee:** Planning Committee

==Requestor Information==

**Name of Individual:** Val Vescio

**Name of Organization:**

**Contact Number:**

**Email Address:**

**Mailing Address:**

Hamilton ON

**Reason(s) for delegation request:** I would like to speak at the Planning committee meeting this Dec 11 2018 respecting the Rental Property Licensing By-law

**Will you be requesting funds from the City?** No

**Will you be submitting a formal presentation?** Yes

**Form: Request to Speak to Committee of Council**

Submitted on Wednesday, December 5, 2018 - 3:33 pm

==Committee Requested==

**Committee:** Planning Committee

==Requestor Information==

**Name of Individual:** John Cerino

**Name of Organization:**

**Contact Number:**

**Email Address:**

**Mailing Address:**

**Reason(s) for delegation request:** Against licensing

**Will you be requesting funds from the City?** No

**Will you be submitting a formal presentation?** No

**Form: Request to Speak to Committee of Council**

Submitted on Wednesday, December 5, 2018 - 5:17 pm

==Committee Requested==

**Committee:** Planning Committee

==Requestor Information==

**Name of Individual:** Arun Pathak

**Name of Organization:** Hamilton and District Apartment Association (HDAA)

**Contact Number:**

**Email Address:**

**Mailing Address:**

**Reason(s) for delegation request:** Rental Housing Subcommittee Report 18-003

**Will you be requesting funds from the City?** No

**Will you be submitting a formal presentation?** No

**Form: Request to Speak to Committee of Council**

Submitted on Wednesday, December 5, 2018 - 5:54 pm

==Committee Requested==

**Committee:** Planning Committee

==Requestor Information==

**Name of Individual:** Christopher Priest

**Name of Organization:**

**Contact Number:**

**Email Address:**

**Mailing Address:**

**Reason(s) for delegation request:** I wish to present my views on rental licensing.

**Will you be requesting funds from the City?** No

**Will you be submitting a formal presentation?** Yes

**Form: Request to Speak to Committee of Council**

Submitted on Wednesday, December 5, 2018 - 7:35 pm

==Committee Requested==

**Committee:** Planning Committee

==Requestor Information==

**Name of Individual:** Adam Kitchener

**Name of Organization:** UNLIMITED Residential

**Contact Number:**

**Email Address:**

**Mailing Address:**

**Reason(s) for delegation request:** I am a landlord, property manager and tenant advocate seeking fair housing laws that benefit affordable housing

**Will you be requesting funds from the City?** No

**Will you be submitting a formal presentation?** No

**Form: Request to Speak to Committee of Council**

Submitted on Thursday, December 6, 2018 - 11:26 am

==Committee Requested==

**Committee:** Planning Committee

==Requestor Information==

**Name of Individual:** Maria Rekrut

**Name of Organization:** Canadian Real Estate Investors  
Association

**Contact Number:**

**Email Address:**

**Mailing Address:**

Niagara on the Lake  
Ontario, Canada

**Reason(s) for delegation request:** The Rental Housing Sub-committee Report #18-003, I'm a landlord and landowner and I would like to share my ideas about the temporary rental housing licensing proposed by-law for Wards 1 and 8.

**Will you be requesting funds from the City?** No

**Will you be submitting a formal presentation?** No

**Form: Request to Speak to Committee of Council**

Submitted Thursday, December 6, 2018 - 4:57 pm

==Committee Requested==

**Committee:** Planning Committee

==Requestor Information==

**Name of Individual:** Alex Matheson

**Name of Organization:**

**Contact Number:**

**Email Address:**

**Mailing Address:**

Mount Hope ON

**Reason(s) for delegation request:** To represent the landlord interests of our family at Rental Housing Sub-committee Report 18-00 meeting.

**Will you be requesting funds from the City?** No

**Will you be submitting a formal presentation?** No

**Form: Request to Speak to Committee of Council**

Submitted on Thursday, December 6, 2018 - 5:33 pm

==Committee Requested==

**Committee:** Planning Committee

==Requestor Information==

**Name of Individual:** Steve Devisser

**Name of Organization:**

**Contact Number:**

**Email Address:**

**Mailing Address:** Hamilton ON

**Reason(s) for delegation request:** I would like to voice my opposition to the proposed rental licensing pilot project.

**Will you be requesting funds from the City?** No

**Will you be submitting a formal presentation?** No



**Form: Request to Speak to Committee of Council**

Submitted on Thursday, December 6, 2018 - 8:16 pm

==Committee Requested==

**Committee:** Planning Committee

==Requestor Information==

**Name of Individual:** Stephanie Marie Bertolo

**Name of Organization:** McMaster Students Union

**Contact Number:**

**Email Address:**

**Mailing Address:**

MUSC 201, McMaster University  
1280 Main Street West  
Hamilton, Ontario L8S 4S4  
Canada

**Reason(s) for delegation request:** To present the McMaster Students Union's stance on Landlord Licensing on behalf of the full-time undergraduate students that we represent and present data related to self-reported rental housing conditions in the McMaster neighbourhoods.

**Will you be requesting funds from the City?** No

**Will you be submitting a formal presentation?** Yes

**Form: Request to Speak to Committee of Council**

Submitted on Friday, December 7, 2018 - 3:45 pm

==Committee Requested==

**Committee:** Planning Committee

==Requestor Information==

**Name of Individual:** Robert Flis

**Name of Organization:**

**Contact Number:**

**Email Address:**

**Mailing Address:**

Hamilton, ON

**Reason(s) for delegation request:** Rental Housing Subcommittee Report 18-00

**Will you be requesting funds from the City?** No

**Will you be submitting a formal presentation?** No

**Form: Request to Speak to Committee of Council**

Submitted on Saturday, December 8, 2018 - 4:47 pm

==Committee Requested==

**Committee:** Planning Committee

==Requestor Information==

**Name of Individual:** Peter Dyakowski

**Name of Organization:**

**Contact Number:**

**Email Address:**

**Mailing Address:** Hamilton, ON

**Reason(s) for delegation request:** Rental Housing Subcommittee Report 18-00

**Will you be requesting funds from the City?** No

**Will you be submitting a formal presentation?** No

**Form: Request to Speak to Committee of Council**

Submitted on Sunday, December 9, 2018 - 7:05 pm

==Committee Requested==

**Committee:** Planning Committee

==Requestor Information==

**Name of Individual:** Mike Wood

**Name of Organization:** Hamilton ACORN

**Contact Number:**

**Email Address:**

**Mailing Address:**

**Reason(s) for delegation request:** Chair Mike Wood of ACORN would like to delegate in regards to Rental Housing Sub-committee Report.

**Will you be requesting funds from the City?** No

**Will you be submitting a formal presentation?** No

**Form: Request to Speak to Committee of Council**

Submitted on Monday, December 10, 2018 - 10:49 am

==Committee Requested==

**Committee:** Planning Committee

==Requestor Information==

**Name of Individual:** Lehlia Banting McBeth

**Name of Organization:**

**Contact Number:**

**Email Address:**

**Mailing Address:**

Stoney Creek, ON

**Reason(s) for delegation request:**

I live 4 doors away from the proposed development at 16-18 King St. W. and am a long term resident (family home since my grandparents). I am concerned over the density of the proposed development. Congestion in the area and current lack of street parking will be made worse. Reviewing the zoning bylaws and the development proposal, there is a clear shortfall in the planned parking spots. I don't understand why this is even being considered. There are also infrastructure concerns and the concern that we are destroying the unique Olde Town district by increasing the height of the building and the proposed facade is not keeping to an Olde Town feel.

**Will you be requesting funds from the City? No**

**Will you be submitting a formal presentation? No**

**Form: Request to Speak to Committee of Council**

Submitted on Monday, December 10, 2018 - 10:56 am

==Committee Requested==

**Committee:** Advisory/Sub-Committee

**Name of Sub-Committee:** Rental Housing Sub committee

==Requestor Information==

**Name of Individual:** Barbara and Khamphoune Khamphoune  
Inthavixay

**Name of Organization:**

**Contact Number:**

**Email Address:**

**Mailing Address:**

Dundas

**Reason(s) for delegation request:** Address concerns with  
proposed landlords licensing.

**Will you be requesting funds from the City?** No

**Will you be submitting a formal presentation?** No

**Form: Request to Speak to Committee of Council**

Submitted on Monday, December 10, 2018 - 11:42 am

==Committee Requested==

**Committee:** Planning Committee

==Requestor Information==

**Name of Individual:** Lucie Brusse

**Name of Organization:**

**Contact Number:**

**Email Address:**

**Mailing Address:**

Hamilton, ON

**Reason(s) for delegation request:**

I would like to speak regarding the proposed pilot rental licensing project for wards 1 & 8. I am a resident of ward 1, a housing provider in ward 1 and a commercial real estate agent with clients who own property in ward 1.

**Will you be requesting funds from the City?** No

**Will you be submitting a formal presentation?** No

**Form: Request to Speak to Committee of Council**

Submitted on Monday, December 10, 2018 - 11:42 am

==Committee Requested==

**Committee:** Planning Committee

==Requestor Information==

**Name of Individual:** Jillian Harris

**Name of Organization:** Olde Town Stoney Creek Community Association

**Contact Number:**

**Email Address:**

**Mailing Address:**

Stoney Creek, ON

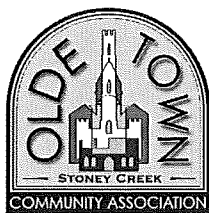
**Reason(s) for delegation request:**

I represent the local Community Association and object to the proposed Zoning By-Law Amendment for 16 & 18 King St W (File No. ZAC-17-044) in Stoney Creek. Our Association requests the chance to voice community concerns to the Planning Committee at the Non-Statutory Public Meeting scheduled for December 11, 2018, regarding the proposed condominium development at 16 & 18 King St W. Many residents and business owners do not support an increase in building height on these lots and have major concerns about the building height, traffic congestion, lack of parking and infrastructure, the building facade and the impact this building will have on the Olde Downtown Stoney Creek Community.

**Will you be requesting funds from the City?** No

**Will you be submitting a formal presentation?** Yes





Olde Town Stoney Creek  
Community Association  
3 First Street South  
Stoney Creek, ON  
L8G 1P7

December 10, 2018

Lisa Chamberlain  
Legislative Coordinator Planning Committee  
City of Hamilton  
71 Main Street West  
Hamilton, ON  
L8P4Y5

DELEGATION REQUEST FOR THE PLANNING COMMITTEE MEETING )- DECEMBER  
11<sup>TH</sup>, 2018  
RE: ZONING BY-LAW AMENDMENT (FILE NO. ZAC-17-044) 16 & 18 KING ST W

Dear Ms. Lisa Chamberlain,

I am both a home owner in the area, as well as the serving President of Olde Town Stoney Creek Community Association. The proposed Development at 16 & 18 King Street West has been a major topic of interest and concern in our community since it's initial proposal. Many residents have expressed their objections, in person at public meetings, as well as in writing, to our former City Councillor, the project planners and developers, as well as our Community Association, about the impact this development will have on the Olde Downtown Stoney Creek community.

Major concerns for residents and business owners in the area include the proposed height of the building; the increase in traffic- especially so close to a major arterial intersection at 2 single lane streets; the lack of parking and supporting infrastructure in the area; as well as the impact this modern looking condominium will have on the historic Olde Downtown Stoney Creek area.

Many, as well as myself, strongly object to the proposed bylaw zoning change to permit an increased building height on the lot. When this building was initially proposed, the zoning on the lot was only approved for 3 stories. The zoning in the area has been recently updated to permit structures of a height of 6 stories. This is already a major increase in building height in the Olde Town/ Downtown Stoney Creek area. Residents have major concerns with the idea of 6 storey buildings in the area, let alone anything higher, as most buildings along King Street between Centennial Parkway and New Mountain Road stand at 2- 3 stories tall. The tallest building on King Street between Second Street and New Mountain Road stands at 3 stories tall.

As President of the local Community Association I would like to formally request to make a delegation at the December 11<sup>th</sup> Planning Committee Meeting regarding the Non-Statutory Public Meeting of the Planning Committee for the proposed Zoning By-Law Amendment for (File No. ZAC-17-044) 16 & 18 King Street West.

I can be reached at ..... oldetownstoneycreek@gmail.com or  
if you require any further information.

Sincerely,

Jillian Harris- President  
**Olde Town Stoney Creek Community Association**

**Form: Request to Speak to Committee of Council**

Submitted on Monday, December 10, 2018 - 11:47 am

==Committee Requested==

**Committee:** Planning Committee

==Requestor Information==

**Name of Individual:** Ruth Lewis

**Name of Organization:** Real estate salesrep

**Contact Number:**

**Email Address:**

**Mailing Address:** Hamilton ON

**Reason(s) for delegation request:** rental licensing

**Will you be requesting funds from the City?** No

**Will you be submitting a formal presentation?** No

**WELLENREITER LLP****LAWYERS**

280 PLAINS ROAD WEST  
BURLINGTON, ONTARIO  
CANADA L7T 1G4

Tel. 905-529-4520  
Fax: 905-529-7943

RICHARD A. WELLENREITER, B.A. (Hons.) LL.B.\*  
WALTER R. WELLENREITER, B.A., LL.B., LL.M.\*  
MICHAEL N. RUBENSTEIN, B.A., LL.B.



rwellenreiter@wellenreiterllp.ca  
wwellenreiter@wellenreiterllp.ca  
mruenstein@wellenreiterllp.ca

December 10, 2018

City of Hamilton  
Planning and Economic Development Department  
Development Planning, Heritage and Design  
71 Main Street West, 5<sup>th</sup> Floor,  
Hamilton, ON L8P 4Y5

Attn. Mr. Steve Robichaud, MCIP, RPP,  
Chief Planner, Director of Planning

Dear Mr. Robichaud:

Re: Our Clients: Johannes (Hans) van Woudenberg and Adriana van Woudenberg  
Our Clients' Address: 1266 Mohawk Road, Ancaster  
Your File No.: ZAC-17-066 (1274-1280 Mohawk Road, Ancaster, the "Property")  
Application for Zoning By-law Amendment (the "Application")  
Our File No.: G-30779

**DELIVERED BY EMAIL and  
FACSIMILE**

Email: [steve.robichaud@hamilton.ca](mailto:steve.robichaud@hamilton.ca)  
Facsimile: 905-546-4202  
Pages: 3  
Operator's Name: Cathy  
This document is confidential and privileged. Disclosure to other than the named recipient may result in breach of certain laws and infringement of third party rights. If you receive this communication in error, contact us immediately.

As you are aware, we are the lawyers for Mr. and Mrs. van Woudenberg. They are the owners of 1266 Mohawk Road, Ancaster. This letter is further to my letter of October 11, 2017 which is attached at Appendix E to the City staff report prepared for the City of Hamilton Planning Committee meeting scheduled for December 11, 2018.

In addition to the position of my clients as set out in my letter of October 11, 2017, which concerns remain, the following issues and concerns are to be noted:

1. A. The proposed Zoning By-law as set out at Appendix B of the report does not limit the proposed construction to 2 storeys as recommended. The Neighbourhood Commercial (C2) Zone currently permits 11 metres which could equate to 3 storeys. This must be clarified in the Zoning By-law going forward and must limit this Application and the development, if approved, to 2 storeys.

B. Further, the report, at page 127 next to the "Surrounding Lands", "West" description, continues to incorrectly describe 1248 Mohawk Road as a four-storey building. It is a three-storey building. This was previously noted at paragraph 4 of my letter of October 11, 2017. It is my clients' position that a basement with a walkout facing East is not counted as an

official storey as it is underground on the North, South, and West sides. This needs to be clarified and corrected.

2. A. There has been no effort to address any concerns about tree preservation. Before this Application and development, if approved, can proceed, there must be a more thorough and comprehensive review of tree protection that ensures that tree preservation (an not tree compensation) occurs.

B. At page 137 of the report, paragraph 3 states that the Tree Protection Plan submitted by the Applicant has identified 62 of the 65 trees for removal. 12 trees have been identified in poor condition. It is unclear if any or all of the 65 identified trees are on the property of 1266 Mohawk Road and/or are shared with 1266 Mohawk Road. It is important that any trees on or shared with 1266 Mohawk Road be identified, preserved and protected and this must occur.

C. Further, this paragraph 3 at page 137 of the report notes that “There is opportunity for tree compensation to occur in the 3 m landscape buffer along the east, south, and west property lines”. Confirmation is required that the 3 m landscape buffer is part of the proposed plan for development and that its inclusion is a condition of the Application and development, if approved.

D. It is to be noted that with the development to the west of 1266 Mohawk Road, 80 plus year old trees were lost. The tree compensation with a small tree is not a compensation that is appropriate, and it would make my clients whole or put them in the position that they currently are with fully mature trees.

E. Changes in water flow due to the construction to the West was also a factor in directly killing some of these 80 plus year old mature trees. As such, tree preservation is also directly connected to the storm water removal plan and this too must be addressed if this Application and development is approved.

3. Further, if this Application is approved, there is concern about control and regulation of matters relating to the storm water removal, noise, light, and traffic amongst the other issues that will arise out of the construction and that have not been addressed in the approval of the Application. A particular concern is obstruction of my clients’ driveway as a result of both the development and the construction. My clients’ driveway has in the past has been blocked as a result of the development to the west. This prevented my clients from freely accessing and egressing their property which included medical appointments.

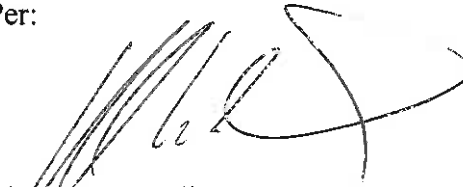
In summary, if this Application is approved, my clients need to know that there is a proper preservation strategy with regard to trees, that there is proper control to ensure that their enjoyment of their property is not interfered with and that the matters set out above are proactively addressed and that they do not merely become part of a compensation strategy.

Our clients reserve the right to supplement the above submissions and to further develop the above as more information and particulars become available.

Please note that I am unable to attend the schedule meeting of December 11, 2018 due to a previous commitment that cannot be changed. As such, Mr. Glenn Wellings, MCIP, RPP of Wellings Planning Consultants Inc. will be attending at the meeting on behalf of my clients.

As well, we again ask that you please ensure that you include my clients and our office on all future notices that are to be received with regard to this Application. Thank you.

Yours very truly,  
**WELLENREITER LLP**  
Per:



Richard A. Wellenreiter\*

RAW/cll  
cc. clients

December 4, 2018

FORWARD

TO: Co-ordinator  
Planning Committee,  
City of Hamilton,  
71 Main St. W., 1<sup>st</sup> Flr  
Hamilton, Ont.  
L8P 4Y5

FAX # 905.546.2095

(original copy mailed  
5/12/18)

To Whom It May Concern:

Re: Notice of Non-Statutory Public Meeting of the Planning Committee 16-18 King Street W,  
Stoney Creek

The letter attached, dated December 5, 2017, was submitted in response to the initial public meeting held for the above-noted property.

As it appears the request by the owner MM Green Development and the applicant/agent A.J. Clarke and Associates has not changed from the original application, my concerns also remain the same. If there have been changes to the application, they have not been made known. There was also no acknowledgement that the concerns outlined below and submitted as required were received. In fact, there has been no correspondence or communication about this site proposal for the past year.

Additionally, I would like to address that there is a significant population of seniors living in the immediate area who use the north sidewalk to walk to the Seniors Centre on King Street. Considering that there is no pedestrian cross between Lake Ave (past the Seniors Centre) and Village Green, crossing King Street to use the sidewalk on the south side of King Street is not an option for anyone with mobility challenges. This needs to be considered as well.

Thank you for your attention,

Vicki MacNaught, Owner

Stoney Creek, Ont.  
L8G1Y6

December 5, 2017

Kimberley Harrison-McMillan  
Daniel Barnett  
City of Hamilton, Planning Department  
Via email to [Kimberley.harrison-mcmillan@hamilton.ca](mailto:Kimberley.harrison-mcmillan@hamilton.ca) & [daniel.barnett@hamilton.ca](mailto:daniel.barnett@hamilton.ca)

Re: City File # ZAC-17-044 Proposed development at 16 & 18 King Street West, Stoney Creek

Dear Ms. McMillan and Mr. Barnett:

As a property owner in close proximity to the above proposed development (10 Second Street North), I would like to go on record as opposing the development as planned and any corresponding proposed changes to bylaws to accommodate this development..

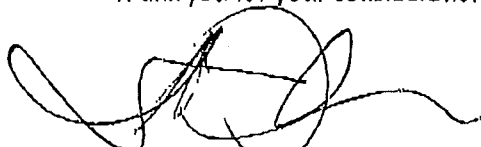
I feel that as planned, the development is not suitable for many reasons:

- The size and height of the building are too large for the property and proposed setbacks are too close to neighbouring properties and the sidewalk. There are other buildings of similar height as the proposed building in the neighbourhood, but they are on significantly larger pieces of land and do not sit right on the sidewalk or abut neighbouring properties with virtually no clearance at the property line.
- The proposed development does not provide nearly enough parking to accommodate the proposed number of units. Realistically, most households have more than 1 vehicle – to propose 66 spots for 62 units with ZERO spaces proposed for commercial and visitor parking is extremely inadequate.
- Removing further parking on the street is detrimental to downtown businesses.
- Traffic flowing in and out of the building as proposed is too close to the intersection at Second St and King Street. This will make for further dangerous situations at an intersection that is already overburdened with traffic and nearly impossible to navigate.
- Traffic on King Street is often at a dead stop at various times during the day. The potential for many more vehicles to turn into the proposed development will make this situation worse.
- With the proposed structure sitting so close to the sidewalk, pedestrian safety will also be at risk as vehicles will have to pull out onto the sidewalk in order to see as they exit the building, as proposed.
- The structure as proposed makes no attempt to fit in with any architecture in the neighbouring downtown area. Other commercial buildings in the area have been designed to fit aesthetically with neighbouring structures and the streetscape, this proposed development does not.
- No information was provided as to how and where construction vehicles were to be parked during construction.
- No information was provided as to how construction noise and disruption would affect neighbouring businesses or how it would be mitigated.

- No information was provided as to how the proposed development would affect neighbouring properties in terms of water runoff. As there is virtually no green space in the proposal, drainage is a considerable issue.
- No environmental assessment has been provided as to this new proposed development.
- There is no concern by the developer as to how this affects the neighbourhood, either in the short or long-term. The concern seems to only be how to extract as much money from the site as possible while inflicting the most permanent disruption on the neighbourhood as possible.

Developing the site would be beneficial to the neighbourhood, without question, but not as this proposal stands.

Thank you for your consideration.



Vicki MacNaught

Stoney Creek, Ont.



December 9, 2018

Coordinator  
Planning Committee  
City of Hamilton  
71 Main Street West  
Hamilton, ON  
L8P 4Y5

Dear Sir or Madam:

The proposed by-law change must not be allowed. I am currently conducting an air quality study of the proposed development area using equipment that will produce scientifically valid results. Early indications are that air quality is already poor. Allowing this development will very likely make it much, much worse. Both during construction and after, I believe there could be significant health impacts on seniors visiting "Club 60", all residents who attend either of the two churches right across the street, and children walking to R.L. Hyslop School. Changes to the R.L. Hyslop, Green Acres, Collegiate Avenue and Eastdale schools mean there will be very high numbers of students exposed to significant risk due to construction and increased traffic after the proposed building is finished. Consultants' claim that there will be no significant traffic impact are fantasy. Many of the units will be sold to two-car families and only one parking space per unit is being planned. Parking will be a nightmare, and the increased traffic on Second Avenue will present a clear danger to children going to Hopkins Park. It is also an encroachment on the so-called "Olde Town".

Seniors and children are disproportionately affected by poor air quality, especially the kind of particulate matter that is caused by heavy traffic and construction. The proponents clearly don't care that both short-term and long-term air quality challenges will result from their proposed development.

For once, consider the children and older people who will be affected most by this ill-advised scheme. Say no, and defend your actions by documenting air quality impacts.

Sincerely,



David Hart Dyke

Stoney Creek, ON