



City of Hamilton PLANNING COMMITTEE ADDENDUM

Meeting #: 21-011
Date: July 6, 2021
Time: 9:30 a.m.
Location: Due to the COVID-19 and the Closure of City Hall (CC)

All electronic meetings can be viewed at:

City's Website:
<https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas>

City's YouTube Channel:
<https://www.youtube.com/user/InsideCityofHamilton> or Cable 14

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

Pages

9. PUBLIC HEARINGS / DELEGATIONS

9.1. Application for a Zoning By-law Amendment for Lands Located at 1269 Mohawk Road, Ancaster (PED21113) (Ward 14)

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June 21, 2021

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

**Re: 1269 Mohawk Road, Application for Zoning By-Law Amendment (File No. ZAC-19-006)
(Application 20 157038 STE 04 MV)**

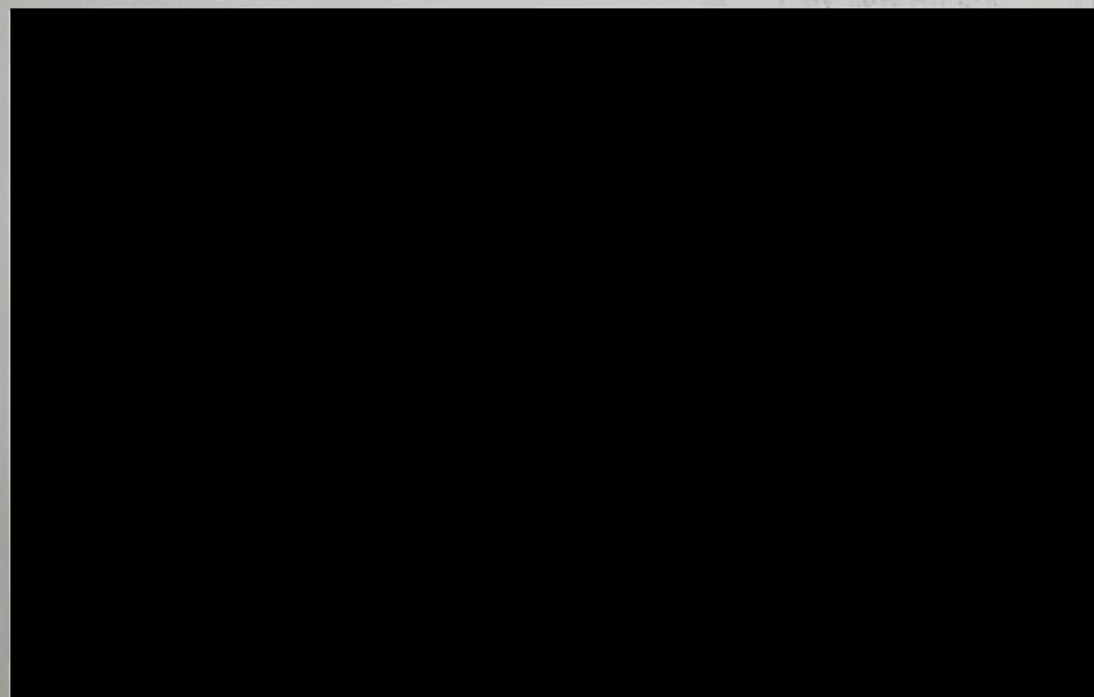
I/We are writing as the resident(s) of Shedoke An Hosp. I/We are aware of the Zoning By-Law Amendment application submitted for 1269 Mohawk Road and have reviewed the drawings and documents submitted with the application. I/We have also discussed the application with the owners of 1269 Mohawk Road.

It is my/our understanding that this application is on the July 6, 2021 agenda of the Planning Committee. I/We have no objections to this application and are in support of the proposal for this property. Please contact the undersigned directly with any questions about this correspondence.

Yours truly,

Erica Heiner

Print Name



Email Address

June 21, 2021

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

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(Application 20 157038 STE 04 MV)**

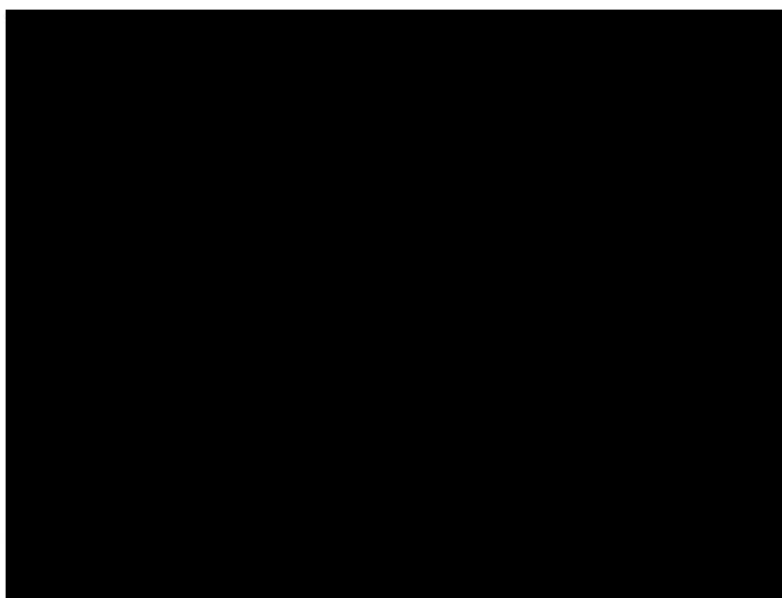
I/We are writing as the resident(s) of [redacted] ^(rep.). I/We are aware of the Zoning By-Law Amendment application submitted for 1269 Mohawk Road and have reviewed the drawings and documents submitted with the application. I/We have also discussed the application with the owners of 1269 Mohawk Road.

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Yours truly,

Nalin Amin

Print Name



nalinamin75@gmail.com

Email Address

June 21, 2021

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

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Yours truly,

SHAHNAZ TEHSEEN

Print Name



June 21, 2021

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

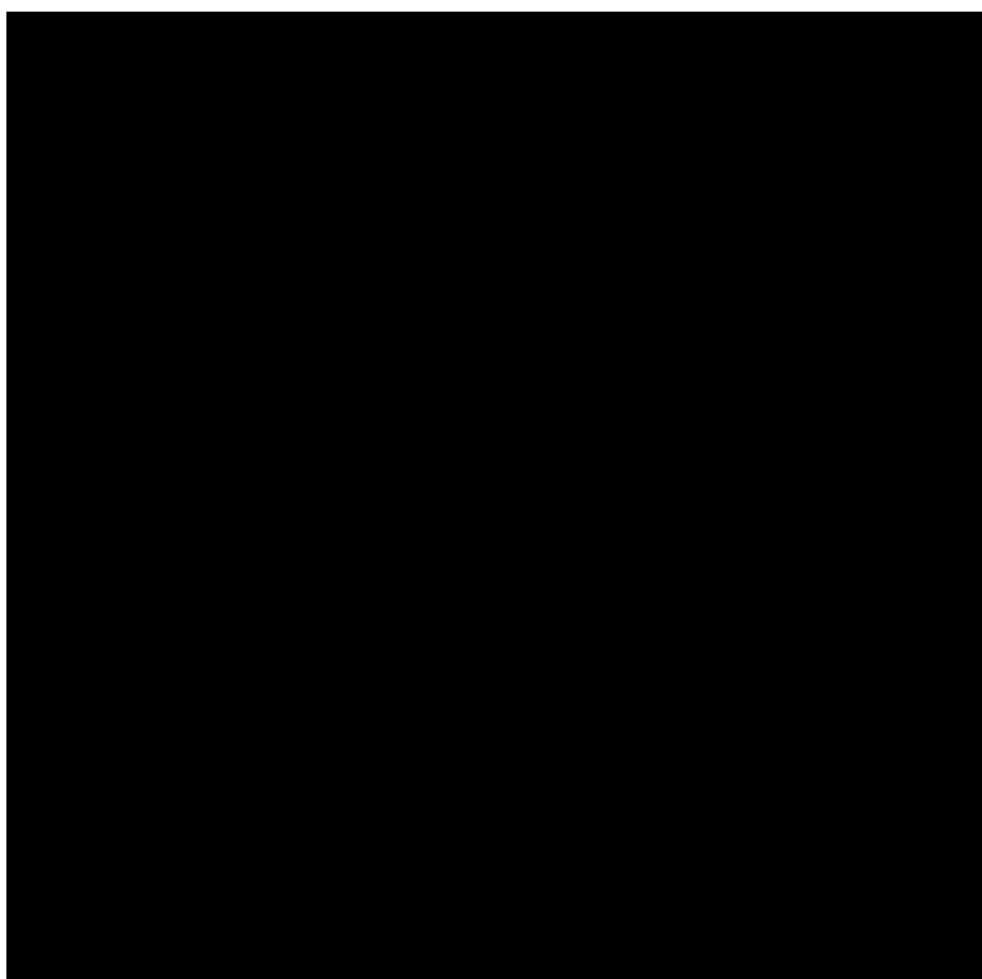
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Yours truly,

Kamal Khera
Print Name



June 21, 2021

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

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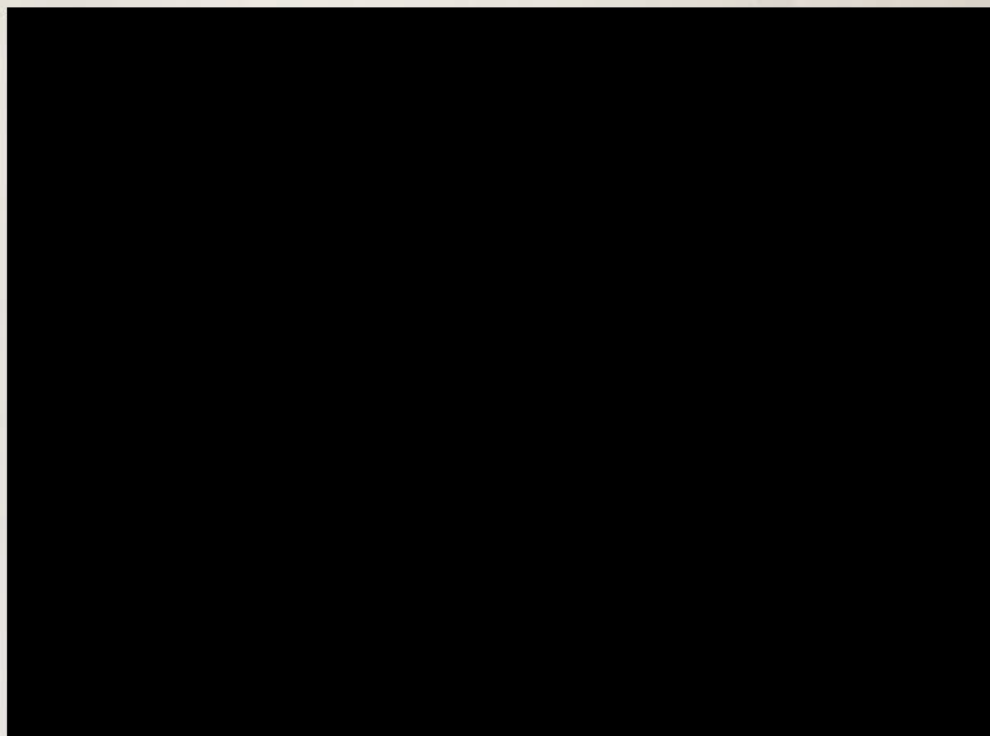
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Yours truly,

SYED HASNAIN


Print Name



June 21, 2021

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

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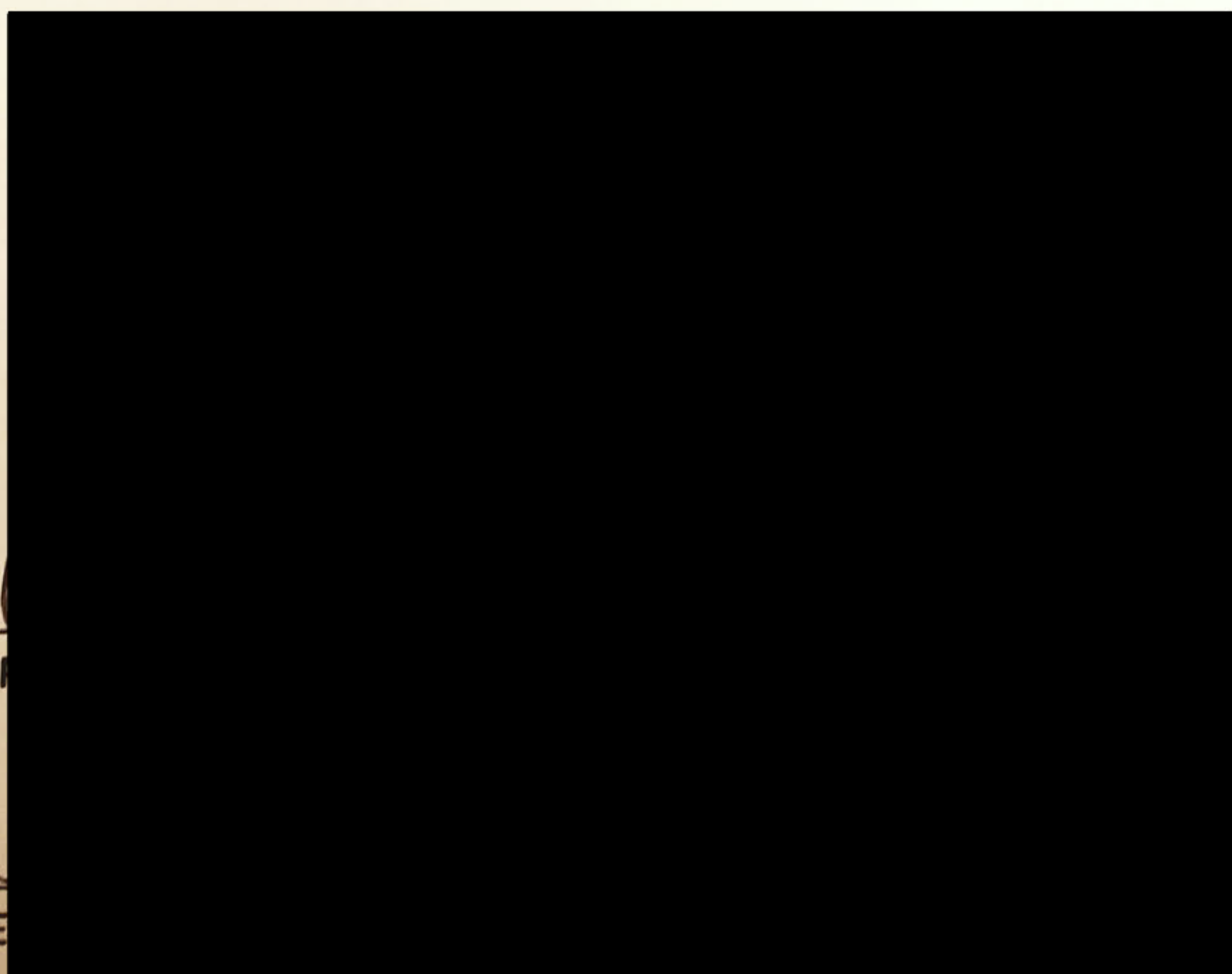
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Yours truly,

B. M. JASHIM Uddin

Print Name



on

June 21, 2021

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

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Yours truly,

Mohamad Alayche
Print Name

[REDACTED]

Email Address

From: Ken Dowie <
Sent: July 2, 2021 12:01 AM
To: clerk@hamilton.ca
Subject: See Below

RE: Notice of Public Meeting of the Planning Committee for Application by MB1 Development Consulting Inc. on behalf of Shine Mohawk Independent Living Enterprises Ltd. for Zoning By-Law Amendment for Lands Located at 1269 Mohawk Road, Ancaster (Ward 14)

Application ZAC-19-006 for the re-zoning of 1269 Mohawk Road, which is on a heritage list of interest.

I am writing to you to respectfully request a deferred/delayed meeting and/or do not making any final decisions until the residents have an opportunity to put together their concerns.

I was told a couple of years ago that the residents would be given plenty of notice and we hadn't heard anything till today. Not during holiday summer season!

I heard about this meeting of July 6th third hand and found out that they only mailed the notice Friday June 18th, which I received today, June 21st. This is not enough notice to have our neighbours able to respond to this, since many have booked off for holidays in July and August.

According to the Hamilton Zoning map (attached) for applications the request is for a 3 story retirement residence, yet the Developer has said that it will be 4 story and wouldn't necessarily be a retirement residence, so it could be a condominium.

The developer showed plans at our meeting back in 2019 but the average person cannot understand these plans which is totally misleading and erroneous.

You simply have to eyeball the site to see that it's too small to erect a 4 story building. The setbacks won't work at all and it will not fit in with the neighbourhood.

There will be no room for emergency vehicles like fire trucks, ambulance's, police, etc, garbage pick up and buses to take seniors shopping. No room to enter turn around and leave.

This is a fast moving bend on Mohawk Road and there is a fear of personal injury and accidents happening here.

There are major concerns regarding the size of the lot being too small and that the land is raised much higher than the surrounding properties. The toddlers at the Daycare (on the east side) will definitely be affected in their play area which is approximately 8 feet

lower and butts right onto the subject property proposed for development. It is totally unsafe. This side is the only place you could bring in noisy heavy equipment which would not only terrify the children for as long as it takes to build, but it runs the risk of the rocks (retaining wall) toppling over.

This will be totally unsafe and terrifying for the children playing next door below where the big machines will enter and leave while building. This is the only place the equipment could enter the property.

You can simply eyeball the site and see it's too small. The building of the lower parking lot and support structures could absolutely cause damage and perhaps cracks in our homes foundations.

1269 Mohawk Road is the last remnant representing the entrance to Ancaster, where the Loyalists from the US and others came to the Hamilton and Ancaster area. You could picture horse and buggies heading to Wilson Street from here.

Plus, there is a beautiful century old massive tree in the farmhouse's backyard.

Please do not approve these plans at all.

Regards

Ken Dowie

From: Shilpa Amin

Sent: July 1, 2021 10:59 AM

To: clerk@hamilton.ca

Subject: Zoning By-law amendment for Lands located at 1269 Mohawk Road(meeting July 6, 9:30 am)

I am writing in regards to the above mentioned project. I understand there is controversy over its zoning and construction of a 4 storey retirement facility.

I SUPPORT the project. There is already a residential complex on one side of the property and a commercial property on its other side. As well, there are 2 commercial properties across the street and one that is in active construction.

There is a long term care facility and an assisted living facility within 1/2 a Km distance. This project seems appropriate for the area.

Sincerely,

Shilpa Amin

From: KEN COOK

Sent: July 2, 2021 3:09 PM

To: clerk@hamilton.ca

Cc: Ward 8 Office <ward8@hamilton.ca>; Johnson, Brenda <Brenda.Johnson@hamilton.ca>; Collins, Chad <Chad.Collins@hamilton.ca>; Pearson, Maria <Maria.Pearson@hamilton.ca>; Wilson, Maureen <Maureen.Wilson@hamilton.ca>; Farr, Jason <Jason.Farr@hamilton.ca>; Ferguson, Lloyd <Lloyd.Ferguson@hamilton.ca>; Bishop, Kathy <Kathy.Bishop@hamilton.ca>; Prince, Kristin <Kristin.Prince@hamilton.ca>;

Subject: Zoning By-law Amendment File No. ZAC-19-006

I am writing to oppose the Zoning By-law Amendment File No. ZAC-19-006 to change the zoning of the subject site from the Agricultural "A" Zone (Block 1) and the Residential "R4-666" Zone, Modified (Block 2) to a Holding Residential Multiple "H-RM6-708" Zone, Modified.

If this Amendment is passed, the Developer hopes that it will allow for the development of a four story, 19-unit multiple dwelling.

My understanding is that the minimum lot size required is .4 hectares or .988 acres. The lot at 1269 Mohawk Road is misrepresented. It is only 111.7 feet x 177 feet. That is only 19,770 square feet, .45 acres. An acre is 43,560 square feet. The maximum density allowed for RM-6 in Ancaster is 60 dwellings/hectare. A hectare is 2.47 acres. This property at 1269 Mohawk is only .182 hectares, less than half an acre. To my calculations, only 10.92 dwellings could be on this area, not the proposed 19 dwellings.

The maximum lot coverage is 25%. It is obvious from the drawings that the new proposed structure will take up approximately 50% of the lot size, or more, without factoring in the garage, parking spots, staircase, and retaining walls. With the farmhouse included, it will be around 60% of the land or more. This is apparent just by viewing the present property.

The zoning by-law for RM-6 Ancaster clearly states, "in no case" can an apartment building be closer than 18 metres to a dwelling on an adjacent lot. That is 59 feet. This apartment building will be too close to the new proposed Zeina home on the west side, and the daycare/dental office on the right. It will also be too close to the private, shared driveway of the homes on Honeysuckle Crescent behind it which runs along the property line, but it is not a public road.

The proposed apartment building does not meet the extensive requirements for a Seniors residence. Without that distinction, there will most likely be children living there. Consequently, the property requires an Outside Play Area of 2.5 square metres per unit. With the proposed 19 units, that would be 47.5 square metres or almost 511 square feet. This has not been accounted for and there is no residual land in the proposal to provide for it.

The maximum height allowed is 10.5 metres or approximately 34 feet. With 8 feet allowed for room height, and another 2 feet allowed for floors and space between floors, the maximum height allowed is only approximately 3 stories in RM-6 Ancaster. This proposal is for 4 stories and would be over 40 feet, and non-compliant with the regulations.

Landscaping is required for 40% of the lot area, excluding play areas. There is very little landscaping outlined in the plans. Instead, the available land around the structure is mostly devoted to parking.

A planting strip of 3 metres must be provided at the boundary of existing homes (ER) and new homes. This does not appear to be accounted for accurately.

The elevation of the existing farmhouse (on a hill) will add to the overall height of the proposed structure. There are also already retaining walls on the daycare side and on Mohawk Road, where the sidewalk is, to hold the earth back. There are plans for an underground parking lot and driveway which will further necessitate retaining walls, on 4 sides, as well as underground.

The proposed building is too large, too high, incompatible with the by-laws, and unsafe to build and excavate with the children in the daycare, and pedestrians on the sidewalk which is very close to the existent farmhouse.

To pass such an Amendment and allow such a high and large building to be built on such a small property overrules too many by-laws to be overlooked or stretched. This should not be allowed.

Thank you for your consideration and for receiving my opposition to this Amendment.

Please notify me of the decision of the City of Hamilton on the proposed zoning by-law amendment.

I plan to attend the public meeting of the Planning Committee on July 6, 2021 at 9:30 am, but **request a delay of the meeting by the Committee to a later date**, to give time for your research into these concerns. This meeting was sprung upon us during a time when many residents are on vacation and unable to participate or be properly consulted.

Regards,

Ken Cook

From: Rajeev SHARMA

Sent: July 2, 2021 4:17 PM

To: clerk@hamilton.ca

Subject: ZAC-19-006=1269 Project-Neighborhood should be happy

Hi

why neighbors should support:

STAY closer to your friends and in same neighbourhood:

In my opinion there are many home owners (Including North side neighbour ken Ed.& Deb Valevicious, Ken Cook,Taha family,) are getting old to the stage where they need to downsize and need a much affordable place to live.

These 19 apartments will provide a good opportunity for them not to leave their neighbourhood and can stay closer to their friends. Provide smooth transiting.

2. **WALK To WORK:** These 19 apartments is surrounded by commercial offices and seniors residences. So employees of these entities can easily live just besides to their offices (medical building ,Day care and Dental office, Animal office, Seniors residences). Means they can Walk to work.

Even in 200 m whole meadowland plaza employees can also use it.

I think neighbours should be happy that they dont need to leave their friends,neighbours and familiar vicinity.

3. **Taxes:** such intensification will allow us to use land (already very expenve) more wisely so in turn lower tax increases. City should expedite such development to support transit use.

4. **No impact to scenic woods** : as this will be facing Moahwk so there will very minor (less then 1%) be any traffic or view effect on them.

thanks

RajeeV Sharma

From: Lynne Simpson
Sent: July 5, 2021 9:22 AM
To: clerk@hamilton.ca
Subject: Zoning By-law Amendment (File No. ZAC-19-006)
Importance: High

June 26th,
2021

Legislative Coordinator,

Planning Committee,

City of
Hamilton,

71 Main Street West, 1 St Floor,

Hamilton, Ontario L8P 4Y5

By Email to : Clerk@hamilton.ca

Re: Zoning By-Law Amendment relating to 1269 Mohawk Road (File No. ZAC-19-006)

To the Members of the Planning Committee:

Please let it be known, both Barbara Lynne Simpson and Bernice Simpson of ## Honeysuckle Crescent, do not support the Zoning By-law Amendment proposed for the property known as 1269 Mohawk Road.

Our neighbours Debra and Edward Valevicius made us aware of your planned meeting to consider a zoning change before we actually received your mailing of same dated June 18th. We concur with their sentiments, the meeting has been scheduled during a vacation period when those this amendment will affect are not in a position to meet, discuss and submit detailed rebutal to your proposal.

Given the short notice, both Mom and I concur with the many points stressed in both Debra and Edwards email which I'm including along with the other attachments received re the Historical Interest notes and the Breach of Current Zoning By-laws, Multi-Use RM-6 Zoning (Ancaster) re 1269 Mohawk Road.

If the Breach document is correct, we are very distressed by the fact this committee may not be following nor supporting their role as "stewards of our lands" and acting in good faith to support existing by-laws and simply chose to just make changes when it suits them to do so. If the misrepresentation is correct as stated in item 1. in the Breach document, then our point is well made.

We respectfully request you defer or delay this meeting and/or do not make a final decision until the residents have an opportunity to put together our concerns.

For all the reasons researched and submitted by Debra and Edward Valevicius, the Simpsons, Bernice and Lynne request you ensure the current historical property remain intact as per its current footprint and no changes are made to the current Zoning by-laws to permit any changes to the property or use of said property known as 1269 Mohawk Road.

Sincerely,

Bernice
Simpson

Barbara Lynne Simpson

Please note attachment is 10 pages and includes signatures from Bernice and Lynne Simpson.

DELIVERED BY HAND

@ +/- 10:00 AM
on
05 July 2021

Legislative Coordinator
Planning Committee
City of Hamilton
71 Main Street West, 1st Floor
Hamilton, Ontario L8P 4Y5

RE: Zoning By-Law Amendment FILE ZAC-19-006

Dear Coordinator, Planning Committee,

[1] I am writing in response to the City of Hamilton's letter dated 18 June 2021 inviting written submissions pertaining to the proposed Zoning By-law Amendment for a change from Agricultural and Residential (Blocks 1 & 2 respectively) to a 'Holding Residential Multiple "H-RM6-708" Zone Modified".

[2] The owners of [redacted] Mohawk Road oppose the proposed By-law to amend the Zoning By-law as per your letter. Reasons include, but are not limited to:

- (a) The proposed modification for four-storey (13.0) metre appears not to follow the three-storey limit in Ancaster.
- (b) Traffic concerns and lack of parking that a 19-unit multiple dwelling will cause. It should be noted that the lot is too small even for a significantly less number of parking spots than a 19-unit multiple dwelling will require.
- (c) Further to traffic concerns, given the number of children and elderly in the neighbourhood it will become increasingly dangerous to cross the road (for such tasks as retrieving mail), There is no possibility of adding a pedestrian and/or stop light further exacerbating the traffic concerns. We note there are 60-plus parking spots adjacent to 1269 Mohawk Road and another 44-plus parking spots proposed for 1274 Mohawk Road, significantly increasing traffic concerns. Before the increase of same at 1269 Mohawk Road further traffic studies are required.
- (d) The c. 1883 heritage building is a unique house/farm house in architecture, location, and its state of preservation. It is strongly opposed that only a portion of the c. 1883 is protected. The whole of this well-preserved c. 1883 heritage building needs to be protected and preserved. It is one of the few lasting examples of farm houses in the region.

[3] The owners of [redacted] Mohawk Road wish to be notified of the decision of the City of Hamilton on the proposed by-law amendment. Herewith our written request for same.

I thank you, [redacted]

04 July 2021

M. van Woudenberg
H. van Woudenberg

[redacted]

From: Bob Maton

Sent: July 5, 2021 10:48 AM

To: clerk@hamilton.ca

Subject: Written Submission to Planning Committee for July 6th Mtg

Hello Mme Clerk:

I am submitting my letter attached above and copied below for the attention of the Planning Committee for tomorrow's meeting. Thank you,

Bob Maton, Ph.D., President

Ancaster Village Heritage Community

Hello, my name is Bob Maton and I'm President of the Ancaster Village Heritage Community Incorporated.

Ancaster Village Heritage Community is a neighbourhood association with over 100 dues-paying members from all over Ancaster, and 761 members on our Facebook page. Our mission is to preserve Ancaster's heritage; mitigate overdevelopment; and control traffic.

By doing these things, AVHC aims to preserve our heritage, our neighbourhoods, and our quality of life in Ancaster, which has a long history of human residence and usage going back literally thousands of years. Ancaster was the site of the earliest European community at the Head of the Lake. The original village was established in the late 1700s at the intersection of a number of native trails on the Escarpment, one of which extended along what is now Mohawk Road where this 1883 heritage building is situated. Crucially, but largely unrecognized, is the fact that the earliest Europeans here got along well with the original native inhabitants, and both parties benefitted from their mutual trade and social interactions.

We are grateful that the façade of this distinctive 1883 farmhouse will be preserved. It has a remarkable history in the founding of Ancaster and the West Mountain. We also appreciate the Holding Provision for a Documentation and Salvage Report, and the requirement for at least a Stage 3 Archaeological Assessment before permitting will proceed.

However, we have a number of concerns.

1) We disagree with the zoning amendment to allow this 4-storey building to be built. It is closely surrounded by single-family dwellings, and a children's centre which is a two-storey commercial building; another 2-storey commercial building is proposed to be built close by but is under development review. The proposed building is too massive and high for this lot and this neighbourhood, and it will overwhelm its surroundings.

Current zoning allows for single-family dwellings, and in our opinion good planning would follow the current zoning and maintain compatibility with the existing uses in the surrounding area as required by General Planning Policies E.3.1.4 and 3.3.2.

E.3.1.4 states: Promote and support design which enhances and respects the character of existing neighbourhoods while at the same time allowing their on-going evolution.

3.3.2 states: Development or redevelopment adjacent to areas of lower density shall ensure the height, massing, and arrangement of buildings and structures are compatible with existing and future uses in the surrounding area.

We agree that some densification is legitimate to meet the provincial policies, but in our view this particular development - of a 19-unit apartment dwelling squashed onto a lot that is far too small for it - goes way beyond what is reasonable to densify the neighbourhood. It meets neither one nor the other of the previously stated General Policy criteria, and does not maintain compatibility with the existing single-family dwellings and the two-storey commercial building surrounding it. Ideally, the site should be dedicated to single-family dwellings or 2-storey commercial use only, in order to

maintain compatibility with the existing heritage building on site; with provincial densification policies; and with the surrounding neighbourhood.

2) If the zoning is actually to be amended as planned, even then the 19-unit apartment dwelling proposed is much too large in density, mass and height, especially with the existing heritage building occupying a large portion of the lot. The exceptions and variances from the amended zoning to allow for this building are extreme and should not be allowed. Our AVHC commitment is to strict adherence to bylaw and zoning restrictions, and to densify where a reasonable opportunity arises. This plan is unreasonable and meets none of these expectations.

The exceptions and variances applied for, and the amounts by which they fail to meet the zoning requirements demonstrate their unreasonableness. These unreasonable asks are the following:

- a) The Minimum Lot Area allowed for this plan under the new zoning will be 0.19 hectares, whereas the zoning requires a Minimum of 0.4 hectares. This Lot Area is less than half of what is required by the new zoning;
- b) Density will be increased to 100 units per hectare, whereas a maximum of 70 units per hectare is permitted by the zoning, an increase in density of nearly 45%;
- c) Maximum Lot Coverage will be increased to 40%, whereas the staff report says that a limit of 25% is required. This is an increase of 40% over the zoning restriction;
- d) The Minimum Side Yard (Westerly) will be reduced to 7.5 meters, except for the existing heritage structure, whereas 9.0 meters is required by the zoning, a decrease from the zoning requirement of nearly 20%;
- e) The Side Yard Minimum will be reduced to 2.0 meters on the Eastern side, whereas 9.0 meters is required, a decrease of 450% from the zoning requirement;
- f) A Minimum of 1.5 parking spaces per dwelling unit will be allowed, whereas 2.33 spaces per dwelling unit is required by the zoning;
- g) There is no “children’s play area”, whereas a curbed or fenced children's outside play area that has a minimum area of 2.5 square meters per bedroom, excluding master bedrooms, is required;
- h) The Maximum Building Height allowed is to be raised to 13.0 meters, whereas under the zoning 10.5 meters is permitted. It has balconies on all sides except the front, and the fenceline is a mere 16 meters approximately distant from the three buildings behind it, and a few meters away from homes under construction on its west side. The occupants will be able to view quite clearly the interiors of homes surrounding it.

The building elevation is 2.5 meters above grade at Mohawk Road, and so it will tower 15.5 meters above the road. It will completely dominate the skyline when travelling from the west on Mohawk Road, i.e., from the Meadowlands, and will dominate also from the east (Hamilton) as well. It will also tower over the commercial medical building being built right across the road.

- i) There will be a minimum 1.5 metre wide planting strip allowed, whereas 3.0 meters is required by the zoning, a decrease of 50%; and finally,

j) There will be a Minimum Landscaping requirement of 25%, whereas 40% is required by the zoning, a decrease from the zoning requirement of 40%.

The variances necessary to permit this development are far beyond what is acceptable and in our view are simply bad planning on this site. The building and its neighbours will be squeezed into this area like sardines in a can. The mass and height of this planned building are way too far beyond the Official Plan requirement that they conform to the height, massing, and arrangement of existing buildings, structures and uses in the surrounding area. The design fails to enhance and respect the character of the existing neighbourhood. The plan should be rejected, and replaced by a more reasonable proposal.

Thank you. Bob Maton