Re: File Nos: OPA-12-001, ZAC-12-001

Feb 13, 2012

Dear Joe Muto and Planning Committee of City Council,

It has recently come to my attention that an application to amend zoning by-laws to enable two apartment buildings to be built in my neighbourhood has been made. I purchased the property at 253 Millen Road this past year. I chose to buy a home in this area for a few main reasons. The first of those reasons was due to the fact that this area is a residential only neighbourhood. Living amongst other residential homes allows my family to have the privacy that we enjoy. Building a three story apartment complex right beside my home allows individuals living in the apartments along that side of the building to look freely into my property. A fence would not stop this, since the apartment complex will be 3 stories tall. We will now be uncomfortable spending time in our own backyard with onlookers just a few feet away in their apartments.

In addition, the value of my home will be compromised after the construction of the two apartment buildings is complete. I would not purchase a home right next door to two apartment buildings, so why would anyone else? The cost of my home would have to be decreased to convince someone to buy a home next door to an apartment building. Please take this letter into consideration.

Sincerely,

Shaun Sheehan

RE: File Nos: OPA-12-001 and ZAC-12-001

Attention: Mr. Joe Muto

I am the property owner of 389 Hemlock Avenue in Stoney Creek and my residence will be directly affected if the land use at properties 257, 259 and 261 Millen Road is changed to allow for multiple dwellings. I am not necessarily against the development of these buildings but I do have specific concerns seeing that this land faces right into my backyard.

Firstly, I am concerned that in the conceptual drawing it makes mention of a pressure treated fence that goes around the property line of the site. I would much prefer that this fence be a brick/stone fence as to block out sound and to provide more privacy for my backyard and others yards facing directly into this property. (like the barrier wall around the McDonalds and Shopper's Drug Mart at Millen/Worsley). This would also help with the fumes/exhausts from idling vehicles seeing it appears there is several parking spots right in the area of my back fence. Secondly, I am concerned about the construction mess on my property like dust, dirt etc. Is the builder proposing to clean up any mess of properties in the immediate vicinity that will be directly affected by the construction such as eaves and soffits, windows, patios etc? Thirdly, the conceptual drawing shows no balconies in the side yard but there are balconies at the front and back of the buildings. I am concerned that the back balconies will allow for person's to look into my back yard and eliminate our privacy.

Also, I noticed that the sign giving notice of the proposed changes in front of the property has the date to be announced for a public meeting but the time states 9:30 a.m. I'd assume that the average person works a 9-5pm work shift and am curious if there will be an evening meeting to better accommodate people's schedules. I would assume that the city wants as much feedback and comments as possible on this proposal and a 9:30 a.m. meeting will be challenging for me to attend.

Thank you for your time,

Lorraine Smith

CC: Councillor Maria Pearson, Ward 10

Appendix "F" to Report PED14042 (Page 3 of 22)

February 28, 2012

RE: File Nos: OPA-12-001 and ZAC-12-001

Attention: Mr. Joe Muto

I sent you a letter on February the 22nd, 2012 outlining some concerns I had regarding the proposed building of multiple dwellings behind my home at 389 Hemlock Avenue. I wanted to also include questions about landscaping and what is being proposed. Will there be trees/shrubs planted etc. behind my house and others in the vicinity of the new buildings to create more privacy?

If you could please add this to my list of concerns/questions from last week I would appreciate it.

Thank you again for your time,

Lorraine Smith

CC: Councillor Maria Pearson, Ward 10

Muto, Joe

Sent:

From: Lorraine Smith

Wednesday, February 22, 2012 5:27 PM

To: Muto, Joe

Subject: RE: Letter to Joe.Muto

Thank you Joe Lorraine

Subject: RE: Letter to Joe.Muto

Date: Wed, 22 Feb 2012 16:21:58 -0500

From: Joe.Muto@hamilton.ca To: lippysmith@hotmail.com

Thank you for your comments Lorraine. I will respond to them in my staff report.

Joe

Joe Muto MCIP, RPP

Senior Planner City of Hamilton 71 Main Street West, 5th Floor Hamilton, ON L8P 4Y5 P 905.546.2424 ext. 7859 F 905.546.4202

Please consider the environment before printing this email.

----Original Message----

From: Lorraine Smith

Sent: Wednesday, February 22, 2012 3:15 PM

To: Muto, Joe Cc: Pearson, Maria

Subject: Letter to Joe.Muto

Attention: Joe Muto

Please find attached my letter of concerns/feedback re: proposal of zoning change and construction on

Millen Road.

Thank You

Lorraine Smith

Appendix "F" to Report PED14042 (Page 5 of 22)

Muto, Joe

From: Pearson, Maria

Sent: Thursday, February 23, 2012 1:31 PM

To: 'Lorraine Smith', Muto, Joe Subject: RE: Letter to Joe Muto

Good afternoon Lorraine. Thank you for your e-mail and the comments and concerns raised with regards to this development proposal. If you would like to meet with me to go over your concerns, I would be happy to arrange such a meeting at your convenience. Please call me on my cell Maria

----Original Message----

From: Lorraine Smith mall of ppysmith who mall of

Sent: February 22, 2012 3:15 PM

To: Muto, Joe Cc: Pearson, Maria

Subject: Letter to Joe.Muto

Attention: Joe Muto

Please find attached my letter of concerns/feedback re: proposal of zoning change and construction on Millen Road.

Thank You

Lorraine Smith

Muto, Joe

From: Muto, Joe

Sent: Tuesday, February 28, 2012 8:21 AM

To: 'Salvatore Barca'

Subject: RE: file nos OPA-12-001 and ZAC-12-001

Mr. and Mrs. Barca, thank you for your email.

I will address your concerns via my staff report.

Also, you will be further notified of the public meeting regarding this proposed development at some time in the

future.

If you have any other questions, please feel free to contact me.

Take care, Joe

Joe Muto MCIP, RPP

Senior Planner City of Hamilton 71 Main Street West, 5th Floor Hamilton, ON L8P 4Y5 P 905.546.2424 ext. 7859 F 905.546.4202

Please consider the environment before printing this email.

----Original Message----

From: Salvatore Barca 27, 2012 7:54 PM

Sent: Monday, February 27, 2012 7:54 PM

To: Muto, Joe

Subject: file nos OPA-12-001 and ZAC-12-001

This is pertaining to the proposed by law amendment which will affect my property. My address is 106 Deerhurst Rd. Stoney Creek, Ontario. I have been living in this home for the last 32 years, and it is very disappointing to see such a project being planned with disregard for the surrounding homes. My concerns are first with the drainage of runoff of water and sewer. Second would be the height of the building which with the by laws now would not permit such a building. As well there is very limited green space alotted for such a large proposal, specifically the green space at the back of the proposed fence facing the homes and their backyards. Third would be the balconies overlooking our homes which would be a privacy issue. Why would you not build homes or townhomes where no bylaws would need to be changed. My biggest concern is also the pollution which comes with such a large building. My taxes have been paid as such, a single dwelling home because the area is designated for single dwelling homes. Our properties already get run off water from the homes that were built on Hemlock Rd, behind us, I can't even imagine the flooding that will take place if this building is built. Concerned citizen and property owner, Salvatore and Angela Barca.



(Councillor Maria Pearson, Ward 10) Tuesday, January 28TH 2014 6:00 pm – 8:00 pm

Saltfleet Room, Stoney Creek Municipal Centre

NAME (PLEASE PRINT)	ADDRESS & POSTAL CODE	TELEPHONE	ISSUE (IF APPLICABLE)
MARY Zaraner	385 HEMLOCK AUL	464-6013	
Tony Ciccone	120 DEERHUKST RD	905 6642560	
KellyWinga	11 Bings Cr.	905	
Julia	11 Bing Cres	662-7698	
Mooney	391 HEMLOCK AVE	905 581-8117	·
Mix Mis. Syxxold	114 Deerbreest	90.5 66.2.3683	
Both GAUSON	1245 MILLERA	0 9 115 664 4714	1
PAJ DIETEUU	252 MILLEN 10.	281760 -0831	
Danielle Brown	247 Miller od	95,973 2648.	

(Councillor Maria Pearson, Ward 10) Tuesday, January 28TH 2014 6:00 pm – 8:00 pm

Saltfleet Room, Stoney Creek Municipal Centre

NAME (PLEASE PRINT)	ADDRESS & POSTAL CODE	TELEPHONE	ISSUE (IF APPLICABLE)
Som Borce	1006 - DEC BULBY 1013	Dut- 6222	
Licione Small Nodelie Fratric	389 Hanlock Avenue	905-164-1248	
angela Banea	19 Deenhort Rd Storey Creh	2897757910	
The slaylare.	240 mills RD	905 664 6233.	
LUKA CAGALJ	SHANWOOD DR.	905.662.2670	
Anitat James Longlade	240 Millen Rd	905-64	
Mike Valvarour	7049 TWONY Rd EAST.	904	
		,	

(Councillor Maria Pearson, Ward 10) Tuesday, January 28TH 2014 6:00 pm – 8:00 pm

Saltfleet Room, Stoney Creek Municipal Centre

NAME (PLEASE PRINT)	ADDRESS & POSTAL CODE	TELEPHONE	ISSUE (IF APPLICABLE)
ALECPHIEISON	262 MILLEN RD	905 664-4898	,
GORD MURISON	262 MILLEN RS	905	
Hicole 47000 Hennings	108 Deerhurst RD	905-928-491	4
DONE CONNIE SILLS	105 DEERHURST	905 6624	589.
DENNIS CHRIS ATTE	258 MILLEN RD	905-930-859	
JORDAN & Davidle BROWN	247 MILLEN RD	905 979	965 973 2645
Shown Sheetran Mandy Davidson	253 Millen Rd	905 745 0279 905 929 - 4149	
Time Holly Wilkins	110 Deerhoust Road	0105 1004-4290	
Partitosoi.	Dardos	961 961	

(Councillor Maria Pearson, Ward 10)

Tuesday, January 28TH 2014

6:00 pm - 8:00 pm

Saltfleet Room, Stoney Creek Municipal Centre

NAME (PLEASE PRINT)	ADDRESS & POSTAL CODE	TELEPHONE	ISSUE (IF APPLICABLE)
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	- -		

From: L. S. [mailto:]

Sent: January-30-14 11:28 AM

To: Muto, Joe **Cc:** Pearson, Maria

Subject: Follow up to Tuesday meeting

Hello Joe,

My spouse and I attended the public meeting this past Tuesday night regarding the development of condominiums on Millen Road, we own 389 Hemlock Avenue. We sent you a letter in 2012 regarding our concerns regarding the proposed new development and we also met with Maria Pearson to discuss them.

We just want to reiterate that our concerns remain the same as before: elimination of our privacy in our backyard because of the location of balconies and also ensuring that the privacy fence is adequate to provide the most privacy possible and lessen sound. We were pleased to hear that the height of the fence can altered if the city agrees and we hope this is a consideration.

Another concern we have is that the units can be rented out. We were under the impression when we initially brought forth our concerns a couple of years ago that this would not be the case. Are there not provisions/stipulations/regulations that can be made by the owners/condominium board etc. that prevent the rental of these properties or a time frame when buyers need to reside before they would be permitted to our a unit?

We are also concerned about possible damage to our property due to vibration from the construction from, digging, pile driving, soil compaction etc. What if the new construction were to damage our property in some way? What would occur in this situation?

We look forward to your response and appreciate your time,

Lorraine Smith

From: Pearson, Maria

Sent: January-10-14 10:37 AM

To: Muto, Joe; 'Shaun Sheehan' **Cc:** De Iulio, Peter; Robichaud, Steve

Subject: RE: Appeal-Amendment Application (File No. OPA-12-001)

Good morning Joe. Thank you for including me in your response to Mr. Sheehan and for the information you have provided. My office has mailed out the Notice of my second neighbourhood meeting to all the residents that were circulated with the original Complete Application Notice. I will be pleased to give a recap of the work that has been done so far on this matter:

Notice City's Formal Consultation Meeting regarding this development proposal received by my office November 19, 2010

Notice of Neighbourhood meeting scheduled by my office for July 27th, 201, 7-9p.m. with developer's agent being in attendance to provide information on the proposal hand delivered personally by me to 321 homes in the circulation area

Original proposal incorporating two -3 storey buildings (20 units) on the north and south side of the property

Several meetings and conversations with residents in the vicinity regarding this development and concerns of height, privacy, traffic etc.

February 13. 2012 further Request for Comments received regarding same proposal with some changes made

calls and discussions with several residents in the neighbourhood

April 2012 -discussions with staff, the applicant, the applicant's agent etc. -possible further neighbourhood meeting would be arranged once final proposal tweeked and received

March 4, 2013 Further circulation by City to departments for Request for Comments on the proposed development

December 10, 2013 Further Request for Comments circulated to internal staff and my office, confirmed with staff formal public meeting scheduled for February 18, 2014

December 17, 2013 Notice of Complete Application received by my office as was circulated to the neighbourhood

Calls from several residents, discussions with staff and applicant. Public meeting postponed until further neighbourhood meeting can be arranged

January 3, 2014 Letter and Petition received by my office

January 7, 2014 Scheduling of Neighbourhood meeting and preparation of Notices mailed to the same residents originally circulated by planning staff

As can be seen, there was very little information to pass on to the residents until December 17th, when the formal application was finally presented. A further Notice of the formal Public Meeting will be posted on the sign board located on the property and mailed to the same residents.

I hope this clarifies the process from my office. Maria

----Original Message-----

From: Muto, Joe

Sent: January 9, 2014 9:02 AM

To: 'Shaun Sheehan'

Cc: Pearson, Maria; De Iulio, Peter; Robichaud, Steve

Subject: RE: Appeal-Amendment Application (File No. OPA-12-001)

Mr. Sheehan, thank you for your email.

This matter has not been formerly brought to Planning Committee for the statutory public meeting. Therefore, no decision has been made on these planning applications.

The recent correspondence (Notice of Complete Application) you received is a statutory requirement of the Planning Act as the new Urban Hamilton Official Plan is now in effect, a formal application was required to amend the current Plan. The previous Stoney Creek Official Plan Amendment (OPA) which was sent out the public in 2012 was for the same OPA you just received. Granted, the current layout has evolved from the two-building concept to a single-building concept, so as to address some of the original concerns raised by the public in 2012.

I have carbon copied Councillor Pearson so she is aware of your concerns. Further, it is my understanding that the Councillor's office is organizing a subsequent resident meeting prior to this matter being scheduled for a public meeting. I believe this meeting notice will be going to all the required residents within the statutory circulation area of 120 metres from the subject lands very shortly. The meeting is scheduled for <u>January 28, 2014 for 6:00 p.m. - 8:00 p.m. at the Stoney Creek Municipal Centre (Saltfleet Room)</u>.

I will be in attendance for that meeting, and can speak to some of your concerns at that time. Additionally, a more formal response will be incorporated into the staff report that will go to the Planning Committee in the future.

Joe Muto, MCIP, RPP

Senior Planner

From: Shaun Sheehan [mailto:s sheehan13@hotmail.com]

Sent: January-09-14 1:12 AM

To: Muto, Joe

Subject: Appeal-Amendment Application (File No. OPA-12-001)

January 8th, 2014 001

File No. OPA-12-

To Whom It May Concern,

This letter is in reference to the proposed plan to build a 40-unit apartment building on lands located at 257, 259 and 261 Millen Road in Stoney Creek.

We are strongly opposed to the building of this apartment complex. We moved into our home on Millen Road because of the community and the fact that it was a residential neighbourhood. We have no interest in living right next door to 40 families for a variety of reasons. Adding an extra 40 apartments on Millen Road will result in a huge increase in traffic on both Millen and the surrounding side streets. Our neighbourhood is full of families with young children and the traffic will make our streets unsafe. We will no longer be able to allow our nieces to play hopscotch on our sidewalks or ride their bicycles down Hemlock to Ferris Park as the street will be crowded with both moving and parked vehicles. In addition, this apartment complex will rob us of any privacy that we currently have. We enjoy spending time with our extended family in our backyard but

will be unable to do so without an audience. We will have to worry about the safety of our nieces while they play in our backyard with so many people coming and going right next door to our home. Putting up a fence between the properties will do little to ensure our privacy as there will be balconies facing our backyard which will allow people to peer into our vard whenever they please. The map which shows the proposed plan for the building shows that the main entrance for the building is facing our property. This means that the majority of traffic in and out of the building will be right beside our property. All of these factors will result in the loss of our privacy, increased traffic, less street parking for our visitors on Hemlock, and the loss of the wonderful residential feel of this neighbourhood. It is also safe to assume that there will be much more noise living here on our property as there will be 40 new families moving in next door, with their main entrance facing our home and their vehicles coming and going at all hours. There is a very large cement pad on the property at 257 Millen Road which runs all the way along the fence line between our properties and we strongly suspect that our yard could be negatively affected when it is removed. The thought of living right next door while a building of this size is being erected is very disheartening, as it is not something we ever expected we would have to live through when we moved into our home since the zoning would not allow it. We strongly feel that the building of this apartment complex will have a very negative effect on the value of our property.

We are very unhappy with how this proposed plan has been handled and are especially disappointed in Maria Pearson's involvement. She was elected to represent our community but she seems to be much more interested in supporting this proposed plan rather than supporting the members of this community. We were told by Maria Pearson that we would be kept updated but were not. When we called her again recently, we were told that she would get back to us to set up a meeting after the holidays but again, we received no phone call. We also learned through discussions with neighbours of a public meeting that was held without fair notice to the neighbourhood. We have been waiting for news on this meeting for years and frequently checked the sign at 257 Millen Road, which still says "Public meeting to be announced". We feel that this is very deceptive and that the public is not being given an opportunity to have a voice regarding this proposed plan. Through speaking to some of our neighbours, we have discovered that many of them feel the same and have had similar experiences. We know the others around us feel just as strongly against this proposed zoning change and we have signed the petition going around.

We hope you can empathise with our communities situation and help put a stop to zoning application. We appreciate your time in considering our thoughts regarding this proposed plan. This matter is of the utmost importance to us and would appreciate any updates on this matter and would like to be made aware of any opportunities for public involvement in the future.

Sincerely,

Shaun Sheehan and Mandy Davidson Residents of 253 Millen Road

Notification request to the Coordinator, Planning committee of city of Hamilton

December 23, 2013

RECEIVED

JAN - 2 2014

File No: OPA-12-001

To whom it may concern,

We Louis Mooney and Suzanne Mooney, residing at 391 Hemlock Ave, L8E 2E2, which is South/Centre of the above File proposing use of land to build a three storey apartment building having a total of 40 unites, would like to submit our disapproval and concerns.

Renters tend not to care for property as we ourselves were involved and still are renting homes.

We studied the architectural plan for this supposed building and we see our privacy will be invaded by onlookers sitting on their balcony watching our every move we make in our backyard. We will need to plan extra security to ensure our items in our yard are not tampered with or removed. As far as the six foot fence, this will not stop the flying garbage that will land on our property.

This set up will put a stop to our green life as extra exhaust fumes will linger into our air space and it will make this a less natural environment. We're surprised that the D.R.P. did not research the visual, the wind and the sun issues that will impact the surrounding home owners.

For the Extra noise;

This building would be for strangers to rent, meaning residents will come and go. We will expect arguments from movers, great amount of noises from the weekend partiers and the daily horns beeping waiting for a pick up or the possible illegal activities. We will not be able to leave our windows open during day or night.

As for the parking;

Our street (Hemlock Ave) will be full of visitor's vehicles as there is not enough parking spaces for the 40 units. Our road will become a one lane road and will be described as an alleyway instead of a road way.

We imagine this extra traffic will make it very difficult for the daily commute as Millen road is only a two lane street not four. With this extra traffic, we can foresee endangerments towards our children's safety on the sidewalk; and eventually a traffic light may need to be addressed if too many accidents occur.

As a rule, the no pet policy is not affective in rental facilities; this would means we expect animal fetuses on our properties as dog owners will not pick up after themselves.

We've noticed that in the region of Stoney Creek, this plan is the only one with a three storey flooring plan. All others are a two storey with no neighboring property. However, there is a plan for a seven storey which in on the main street of Hwy#8 which is a four lane road.

In closing, we've moved here from Hamilton in 1998 to reside in a green living environment. We do not comply with this so call future proposed arrangement which will affect our health and lifestyle. This movement will also lower the value of our home to the fact that future home seekers would not want an apartment building in their backyard.

Alternative for consideration;

Suggestion of townhouses is amore stable lifestyle for our area. It will give us all more space to breath and less stress and worries.

Worried,

Mr. and Mrs. Mooney

391 Hemlock Ave

Stoney Creek, Ontario

L8E 2E2

The following people have willingly signed the enclosed petition in objection to the proposed three storey, 40 unit apartment building located at 257, 259 and 261 Millen Road.

RECEIVED

Based upon:

JAN - 2 2014

- 1. Undesirable increase in traffic flow to the street
- 2. Decrease in property values to many area residents
- 3. A worrisome added strain on waste water infrastructure due to an additional 40 "homes" using the sewer system
- 4. An unsightly obstruction to a traditionally "One to two storey home" skyline view
- 5. A loss of backyard privacy due to high elevation view points from this proposed three storey building. Also being described as "A fishbowl environment" by some area residents.
- 6. Residents feel an apartment building does not belong in this residential neighbourhood

Instead, residents feel the developer should consider townhomes or single family dwellings.

Please note that ALL residents listed on the enclosed petition want letters sent to their homes detailing the time and date of the next information meeting.





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N. GHB	LOHN MARKA	Ros Zuey	Sat lewite	Ed Rales	I say Much	TAMMA CLYDE	GORANZ COG	Bruna DeTorio	Strucy Robber	Giola Giral	Jockie Dsa	Michael Octy	KA DUPLEND