

Response to Application ZAC-15-027

219 Dundas Street, Waterdown, ON 2015 proposal

Upon review of the above application and supporting documentation detailing the site plan, we would like to submit the following comments and concerns to be considered before a decision is made by the City's Planning Committee:

Privacy

Our most significant concern relates to the loss of privacy that would occur if the proposed zoning and site plan is approved. As detailed, our property would back onto three, 3-storey townhomes which translates to 3 sets of backyard neighbours. In addition, the plan calls for decks to be built on the second level of these townhomes; our experience indicates that noise coming from these decks will not be buffered by a fence and/or low-level vegetation thereby increasing the noise that will ultimately carry onto our property. 3-storey townhomes and decks on the 2nd level will also eliminate any visual privacy we currently have. All parts of our backyard will be visible which will ultimately make them less desirable for use.

Impact: increased noise; reduced/no privacy

Proposed solution:

1. Reduce the number of dwellings to 1 per Culotta St. lot. (1:1 ratio)
2. Reduce the height of the dwelling so that it is no taller than the houses on Culotta St. (ie. 2-storey dwelling at most)
3. 2nd-level deck should be prohibited. Entrance into backyard should be allowed only at grade level.

Grade and Elevation of proposed development

The elevation of the property was artificially raised by the previous owner. This was also done on the property directly beside that has been developed by Branthaven homes. When looking at the Branthaven 2-storey homes that back onto Culotta Dr., the artificially-elevated grade has turned these houses into 3-storey homes when viewed from the back. We feel this is a serious issue that has the potential for the proposed 3-storey homes to appear as 4-storey homes when viewed from our backyard. Although the height of the proposed dwellings may technically meet the bylaw, we strongly believe the spirit of the bylaw would not be met.

We have tried to interpret and understand the Grading notes on the site plans provided but are having difficulties. What does seem evident is that significant effort will be required by the developer to ensure

that the proposed site does not cause drainage issues for the surrounding neighbours. In our opinion, this signifies that the proposed development is not a suitable (ie. Natural) fit for the current land.

The higher elevation of the site may also lead to increased water flow onto our property. We understand that the city is actively looking at the grading and drainage issues related to this development but wanted to put this concern on record.

Impact: Dwellings that are much taller than the surrounding neighbourhood; reduction in privacy of backyard neighbours; potential increase in drainage onto backyard properties

Proposed Solution:

1. Limit the height of the buildings or ensure excavation of the artificially-raised grade, while maintaining proper drainage.
2. Do not allow use of retaining walls that back onto adjacent residential properties (i.e. properties should not require retaining walls, as they would be at the same grade)
3. Ensure a more thorough discussion around grading and drainage during a public information session.

Value of property

Based upon many of the concerns noted above, it is evident that the overall value of our property will drop if the proposed development is allowed. Increased noise levels and reduced privacy will be the primary driver of the reduced value.

Impact: loss of property value of surrounding neighbours; increased difficulty to sell property in the future

Proposed solution:

1. The planning committee must ensure that devaluation of surrounding property is considered as a factor when making a decision

Expectation at time of purchase

When we purchased our property, we were fully aware that the Waterdown Motel would eventually be sold and a new commercial business developed on the property. The property was zoned as commercial and we made our decision to buy the property because we were comfortable living behind a commercial development. (We had previously lived in a residential neighbourhood where our backyard neighbours were extremely close to our property - very similar to the proposed development – and moved to a location where we did not need to be worried about the backyard neighbours). The proposed plan is drastically different than what the current zoning permits and consequently we believe the proposed zoning change is extremely unfair. We would not have purchased our property if we had known that the land behind us was, or was going to be zoned as residential.

Impact: Inadequate timelines to allow neighbours to evaluate their current situation and decide whether they want to live in a neighbourhood that will see an increase in residential density.

Proposal: Any desire to rezone the site as residential should include a multi-year 'rest-period' before development plans are proposed and considered. This will allow neighbours to react to the new zone in a way that does not have a negative impact on the value of their property.

Parking

Although parking within the new development will not have a direct impact on us, we are still concerned about the adequacy of parking for the commercial dwellings slated to be built within the development. Will there be enough parking? In other bylaws, a minimum number of parking spaces are required, but they don't seem to be accounted for in this plan. Does density of housing need to be reduced to make sufficient space for parking?

Secondly, it appears that additional parallel parking is planned on Dundas Street. This is an arterial highway which is fairly busy during the day. We are concerned that parallel parking on this street will increase congestion as cars in the right lane will be forced to slow down and/or merge into the left lane as cars enter and exit the new spots proposed.

Impact: increased traffic congestion on Dundas St.

Proposal: Adequate parking for commercial dwellings should be provided within the site itself and should meet the density requirements as specific in the bylaw. Unit density may need to be reduced as a result.

Does this zoning amendment request bring value to the Village of Waterdown?

Our final concern rests with the broader impact on the Village of Waterdown. Zones are established to ensure an adequate distribution of residential, commercial and industrial land use. The property at 219 Dundas St. was zoned urban commercial for a specific purpose. By changing the zone to residential, the Village of Waterdown will be reducing the commercial space previously planned for by the municipality. It would therefore make sense that any request to amend the zone should be accompanied by a clear justification and supporting documentation to clearly demonstrate why the neighbourhood and village would benefit from the zoning change. If a benefit cannot be articulated, then the City should be obligated to deny the request.

Impact: The proposed zoning change may not have a clear benefit for the Village of Waterdown

Proposal: Prior to the decision by the Planning Committee, a justification should be submitted by the developer that clearly explains how the proposed changes will benefit the Village of Waterdown. The justification should be made available to neighbours, the BIA, Councillor Judi Partridge and other interested parties.

Conclusion

As previously mentioned, we have always accepted the fact that the property at 219 Dundas St. would eventually be redeveloped and we wish for that new development to be successful both for the property owner as well as the local community. We understand that this is a business transaction for the developer and that they are entitled to draw a profit from this transaction. We don't wish to deny them that entitlement. We do, however, believe that the values of the local neighbour as well as those of the community must be respected. This neighbourhood has been in existence for approximately 30 years and the community around it is well established. The current proposal does not fit into our community. It appears to have been designed solely to maximize the financial return on investment of the property owner.

We are optimistic that the developer and the City will take our above concerns seriously and will be willing to work with us collaboratively on a plan that results in a positive outcome for everyone involved.

We appreciate the opportunity to provide our comments and concerns and wish to be kept informed of any hearings, meeting, decisions or other news regarding this application.

Respectfully,

Kevin and Jane Urbanic
28 Culotta Dr.
Waterdown, ON
(289) 895-9504

Giroux, Madeleine

From: c.walmsley@sympatico.ca
Sent: June-17-15 9:43 PM
To: Giroux, Madeleine
Subject: FW: ZAC-15-027

Here is a second attempt with the correct email.

From: c.walmsley@sympatico.ca
To: madeleine.giroux@hamilton.on
CC: judi.partridge@hamilton.ca; kevinurbanic@gmail.com; john.vraets@hamilton.ca;
delia.mcphail@hamilton.ca; heather.travis@hamilton.ca
Subject: Re: ZAC-15-027
Date: Thu, 18 Jun 2015 01:36:24 +0000

We received the notice for the zoning by-law amendment for lands at 219 Dundas Street East, Flamborough in the village of Waterdown. At this time we are opposed to granting the change requested. We have concerns with the planned use of the lands. In the notice we received it is proposed that 42 dwelling units, including standard townhouses, back-to-back townhouses, stacked townhouses, and multiple dwellings above commercial. The notice we received did not include any details regarding the proposed units and their locations on the property. We are concerned about drainage, grading, sunlight blockage, elevations, set-backs, density, landscaping, traffic and the possibility of having to look at a three or four storey wall. We see the Branthaven townhouse development that's nearing completion as an undesirable eyesore. The neighbours on Culotta Drive now have a view of a three storey wall from their homes and their backyards!

We have previously expressed some of our concerns via email to city staff and our councillor about this potential project, although we have not spoken directly with the city staff or our councillor. We do want a copy of the staff report prior to the public meeting to be held by the planning committee of city council. We would like to see a detailed plan along with a mock-up to see what the proposed development will look like if it is completed. Has there been a detailed development plan submitted to the city? We assume the city must have received something given the information in the notice about the dwellings. In our view it would have been nice for the developer to seek input from us the residents before submitting a plan for approval that has a direct impact on us. Therefore, do not wish this change to be granted.

We wish to be kept informed regarding this application of any hearings, any meetings, and any decisions.

Craig and Theresa Walmsley
26 Culotta Drive
Waterdown, ON

Giroux, Madeleine

From: c.walmsley@sympatico.ca
Sent: June-25-15 8:23 PM
To: Giroux, Madeleine
Cc: Partridge, Judi; kevinurbanic@gmail.com; karen.hopcroft@gmail.com
Subject: RE: ZAC-15-027

Madeline,

We have taken the time to look at the information you supplied pertaining to the zoning by-law amendment for lands at 219 Dundas Street East, Flamborough in the village of Waterdown. We are definitely opposed to granting the change requested. We still have multiple concerns with the plan for this property including drainage, grading including the potential use of retaining walls, sunlight blockage, elevations, set-back of the building, density, landscaping such as trees and other plantings, traffic and having to look at a three storey brick wall. As we said previously, the Branthaven townhouse development is undesirable eyesore. Due to the change in the elevation over the restaurant that previously occupied the Branthaven property the neighbours on Culotta Drive now have a view of two storey townhouses that are like a three storey wall from their homes and their backyards. We have spoken to some of the residents finding they were disappointed and upset about the height of the Branthaven townhouses. It is also interesting to note that the Branthaven development abutting existing homes along Culotta and Glaceport was kept to two storey units with the three storey units left in the centre and along Dundas Street. Why is it proposed that the rest of us on Culotta for this development have three storey townhouses abutting our yards?

Again, we do want a copy of the staff report prior to the public meeting to be held by the planning committee of city council. It is a disappointment that the developer did not seek input from us the residents before finalizing the plan used to seek a zoning change.

We do not want this change to be granted.

We wish to be kept informed regarding this application of any hearings, any meetings, and any decisions.

Craig and Theresa Walmsley
26 Culotta Drive
Waterdown, ON

P.S. Judi, can you help us to ensure our concerns don't go unaddressed?

Giroux, Madeleine

From: Wade Hopcroft <whopcroft@gmail.com>
Sent: June-25-15 8:49 PM
To: Giroux, Madeleine; Partridge, Judi; Travis, Heather; kevinurbanic@gmail.com
Subject: File no zac-15-027 219 Dundas St E, flamborough ward 15

> We are so very disappointed to see the proposed development plans for the above mentioned project. I would think that precedence has been set for a maximum of 2 stories for development on the noted land backing onto our properties on Culotta Drive. The elevation has already been drastically increased with truckloads and truckloads of dirt beening brought in and they want 3 stories to boot. The Branthaven 2 story homes already tower over our two story single family dwellings with their decks on the main floor being higher than our fences. When is enough enough. Our homes were premium lots and now we will be staring at a large brick wall, with no more sun shining in our homes or back windows. Where is the consideration for the well established homes backing onto this property? We also have concerns over the drainage issues, the increased noise with the addition of these high density developments, and how close the new complex will be to the fence line. What is the plan for all the extra traffic on hwy 5? Is there any green space with landscaping between us and the new development to maintain the appeal of our properties and not devaluate them? Please keep me informed about any meetings residents can have input on. We are not in favour of this development.

> Wade and Karen Hopcroft
24 Culotta Drive

> Sent from my iPad

Giroux, Madeleine

From: Robert McLean <rmclean24@cogeco.ca>
Sent: July-22-15 5:26 PM
To: Morrison, Alison
Cc: Fabac, Anita; Giroux, Madeleine; Partridge, Judi; judi.partridge@sympatico.ca; Edwards, Katelyn
Subject: Re: 219 Dundas Street East, Waterdown

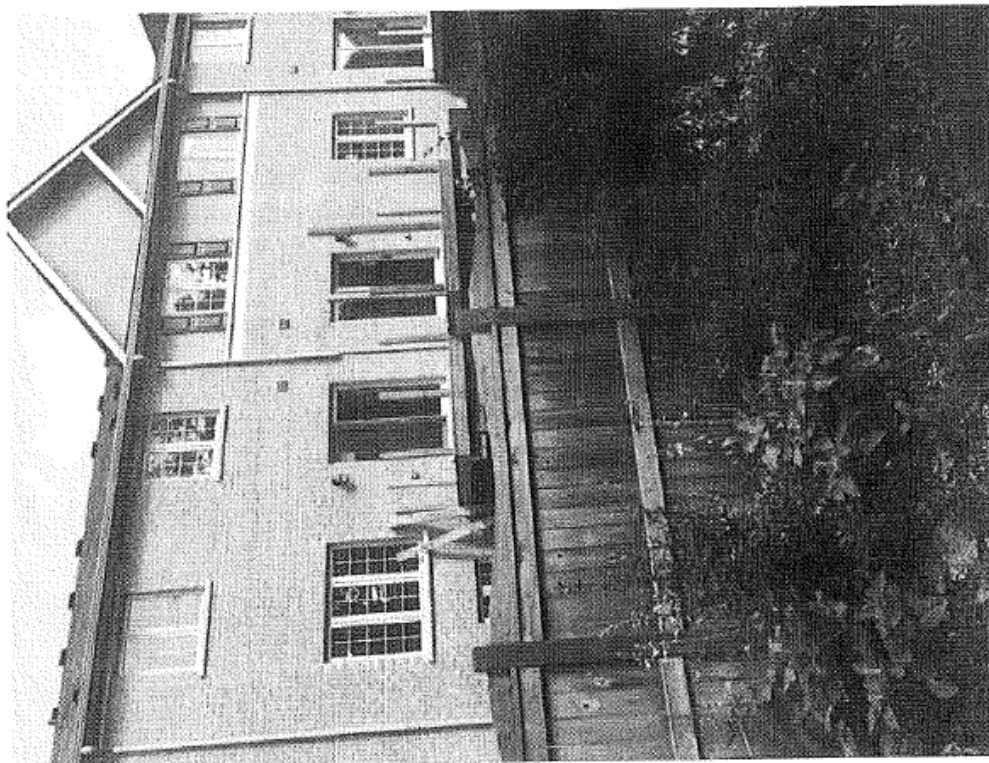
Hi All

I just want to share a couple of pic of the wonderful new decks just installed in my backyard. It's awesome how they are over my fence line and can see directly into my backyard. It's going to awesome having my neighbours look right into my backyard.

I'm pretty sure they could of been ordered to drop down a few feet onto a deck as opposed to directly off the patio door.

I am Certainly NOT impressed!!!!!!

Someone from the city didn't do their homework in this one.





Bob McLean