

From:
Sent: August-28-16 10:28 PM
To: Maurizio, Valeria
Cc: Ferguson, Lloyd
Subject: Comment on Sonoma Homes proposals ZAC-16-040 and UHOPA-16-16

August 28, 2016

Re: file UHOPA-16-16 & ZAC-16-040

Dear Sir/Madam:

I am responding to a letter from the Planning and Economic Development Department seeking comments on an application by Sonoma Homes Inc. for an Official Plan Amendment and Zoning By-law Amendment to build a 19-unit condominium on lands located at 125 Wilson St. East and 130 Dalley Drive, Ancaster.

This condominium proposal is totally unsuitable for this location. I **strongly object** to this attempt by Sonoma homes to annex the property at 130 Dalley Drive for this development. It would significantly change the character of a quiet residential street; involve the destruction of a mature stand of trees; endanger children waiting for school buses at that corner and likely trigger drainage problems for Dalley Drive homes, which are all downhill from the proposed development.

The proposal would require cutting down the stand of mature trees that screens Dalley Drive from Wilson Street. I REALLY object to any proposal that involves removing that canopy of forest. Provincially significant Beech trees were previously chopped down illegally on the Wilson Street site in an unscrupulous effort to move development forward on that location. The current proposal appears to be another case where mature trees are threatened by a developer trying to squeeze in as many dwellings as possible. The city has done a very poor job of protecting the forest canopy in Ancaster from developers and I sincerely hope the outcome will be happier (for the trees) in this case.

The increased traffic from the Dalley Drive proposal would also endanger children waiting for school buses. Currently, five different school buses -- going to C.H. Bray; St Ann's, Ancaster Senior; Hillfield Strathallen and one of the Christian schools -- pick up children at the corner of Dalley and Mansfield Dr. These buses already contend with residential vehicles backed up down Dalley in the morning while drivers attempt to turn onto Wilson Street, which is increasingly busy. The Wilson/ Dalley/Mansfield corners are also difficult corners for buses to navigate, without adding additional traffic.

The Planning Department should also consider the fact that there is an underground spring located beneath Dalley Drive that every few years causes a sinkhole in the road. I fear that run-off drainage will

be a problem for homeowners on Dalley Drive, as their homes are at a grade that is much lower than the proposed development, and this underground spring won't help the situation.

I also think it is misleading for the City to allow a huge sign to remain at 125 Wilson Street East advertising the site as the future location of a business centre and soliciting prospective tenants, while the notice about the proposal to put in a 19-unit condominium is located a considerable distance from the road and is difficult to read unless you walk over to it. I'm attaching photos with this email.

I actually thought offices or a medical clinic would be a good use for the 125 Wilson Street East property, and many residents still think this is what is in the works for the location because the sign is still up.

I hope you will consider my concerns in your deliberations and reject the proposal to rezone and develop the Dalley Drive site. I would not object to development on the Wilson Street site provided it is of a nature that suits that location.

I am also including my comments in a Word document attached to this e-mail.

Thank you

From:

Sent: August-31-16 10:13 AM

To: Maurizio, Valeria

Cc: Ferguson, Lloyd; Bishop, Kathy;

Subject: ZAC-16-040,UHOPA-16-16

Dear Ms.Maurizio,

I am writing in response to requests for feedback from August 10,2016 with respect to a Zoning ByLaw Amendment with respects to lands located at 125 Wilson Street and 130 Dalley Drive, Ancaster. Sorry for my late response however I've been out of the country most of August.

My family has lived at _____ for over 35 years.

The area in question, between Dalley Drive and Wilson street has been a well appreciated park land. There are unique trees that would be subject of statute. This unique park land includes a family of fox with regular sightings of deer, rabbits, raccoons and numerous birds, referred to as an oasis in our neighbourhood of Mansfield Park.

The thought of a private entity being able to purchase this forest from the City contradicts sound principles of urban planning, which contemplate green belts and parks. Fortunately your department also has a mandate relative to "heritage". I believe heritage is an important issue for councillor Lloyd Ferguson. We assume that the preservation of heritage presupposes, a respect for the historical origins of this lot, and the relationship between the occupants of Mansfield Park should be important to city staff.

My neighbors and I expect that even if the sale of the land was considered, that it would be an arm's length transaction, transparent to all, where the inhabitants of Mansfield Park could entertain a bid as well. To do otherwise would appear as pandering to private interest. We do not seek a sale or transfer of this unique park land, a piece of our heritage.

Come and see for yourselves, how this lot plays such a significant role in the enjoyment of our neighbourhood. Also take into account that the applicant recently acquired a rezoning to permit the construction of a medical arts/professional complex on lands located at 125 Wilson Street. What happened to that project?

Why would anyone approve a development for almost double the number of units on a lot smaller than lots 97,105,and111?

Surely one of the principles of good planning, is uniformity and consistency. Are the residential units at lots 97,105,and 111. three story units?

If they are they would tower over the properties on Dalley Dr. as Wilson Street is much higher then Dalley as you get closer to Cait Court.

Take note that the land at 130 Dalley has already been intruded upon without notice. There has been clear cutting into the forest. Was there an application for this intrusion?

Did the City examine the sight for butternut trees, was there any kind of arboreal inventory?

We, like our neighbours, are vigorously opposed to the sale of 130 Dalley Drive in a non public/open sale and any conversion from the forest/park that exists and has done so for at least a 100 years.

Thank you for giving this consideration. I look forward to receiving your comments and notice of any hearing.

Your Truly

From

Sent: August-30-16 10:28 AM

To: Maurizio, Valeria

Cc: Ferguson, Lloyd; Bishop, Kathy

Subject: Dally Drive Re-zoning Plan

Mr. Maurizio, I wish to state my opposition to the application by Wellings Planning Consultants Inc. to the City of Hamilton to rezone 130 Dalley Drive from "Public Open Space" to "Private Open Space".

Although you have reassured me that there is no plan, at the moment, to develop that site and remove some or all of the trees, I believe that anyone purchasing that lot will only do so with the intention of developing it in one way or another.

I have sent you links to a Toronto Star article about a developer who removed trees illegally. This is what I fear might happen to 130 Dalley Drive. The same thing happened in Dundas around two years ago, as I recall. Municipal governments have proven to be unable or unwilling to prevent such tree removals, so the best defence is to keep the land public.

The fact that the same developer who is building the condos on Wilson St. wishes to have 130 Dalley Drive re-zoned suggests to me an intention to redevelop the land sometime in the future.

My request is that the woodlot be separated from the proposed deal with Wellings Planning Consultants. If such a separation of the lots is not an option, then I wish to register my opposition to the entire rezoning plan and therefore to the Wellings' building plan, altogether.

I would prefer not to stand against the whole proposal, because I am generally in favour of the intensified development of urban land, rather than promoting the conversion of agricultural land to residential or commercial land, which in turn promotes urban sprawl. I hope the city, including my representative on City Council, Lloyd Ferguson, will work to maintain the woodlot on Dalley Drive as public open space.

Thank you.

-----Original Message-----

From:

Sent: August-29-16 12:27 PM

To: Maurizio, Valeria

Cc:

Subject: ZAC-16-040,UHOPA-16-16

Dear Ms.Maurizio,

I am writing in response to your request for comments dated August 10,2016 with respect to a Zoning BiLaw Amendment with respects to lands located at 125 Wilson Street and 130 Dalley Drive,Ancaster.Our residence is within 120 metres of 130 Dalley Drive.

130 Dalley Drive is a forested strip of land which was originally part of the Hamilton Brantford Railway.One can still visualize the train track bed from over a hundred years ago.Some of the tracks were unearthed when Wilson street was improved upon two years ago.That right of way has morphed into the back yards of our neighbours on Irma Court.My wife and I have lived here for twenty five years plus.Throughout that time,130 Dalley has been a well appreciated park land,a buffer,as it were with the hustle and bustle on Wilson Street.I believe there maybe butternut trees present,which as you no doubt know are the subject of statute.This unique forest is home to ;fox,rabbits,raccoons,and numerous birds.It is literally an oasis in our neighbourhood of Mansfield Park.

The thought of a private entity with absolutely no connection to this neighbourhood being able to purchase this forest from the City is abhorrent to sound principles of urban planning,which contemplate green belts and parks.Fortunately your department also has a mandate relative to "heritage".I assume that the preservation of heritage presupposes a respect for the historical origins of this lot,and the relationship between the occupants of Mansfield Park(how could a neighbourhood referred to as a park be without a park)and this park.

I would assume that even if the sale of the land was considered,that it would be an arm,s length transaction,transparent to all,where the inhabitants of Mansfield Park could entertain a bid as well.To do otherwise would appear as pandering to private interest.

Obviously we do not seek a sale or transfer of this unique park,a piece of our heritage.I invite you to come and see for yourselves,how this lot plays such a significant role in the enjoyment of our neighbourhood.

I would also raise the fact that the applicant does not approach the process with "clean hands".The applicant recently acquired a rezoning to permit the the construction of a medical arts/professional complex on lands located at 125 Wilson Street.I will forward to you a photograph of the sign showing the structure,seeking tenants.Was this a "Trojan Horse",a ruse to gain a toe hold in redevelopment,with always the intention to seek redevelopment with 19 residential units?Many of us were at peace with the original amendment for a medical art/professional Center.The forest on lot 130 Dalley remained intact,a backdrop to the Center.I communicated my consent to our councillor Lloyd Ferguson.The design approximated an upper scale residence,it was tasteful.What happened to that project?Were tenants not obtained?Why now a conversion to 19 residential three story residences with 39 parking spots on land smaller than lots 97,105 and 111.The latter having been approved for 10 townhouses with associated parking.(reference Zoning Bi Law 16-202 of July 8,2016).Why would anyone approve a development for almost double the number of units on a lot smaller than lots 97,105,and111?

Surely one of the principles of good planning,is uniformity and consistency.Are the residential units at lots 97,105,and 111. three story units?Three stories alone would be a novelty in an area between the commemorative gates celebrating the Village of Ancaster,let alone within a 100 feet of these gates.

One last point, the forest located at 130 Dalley has already been intruded upon without notice. There has been clear cutting into the forest, was there an application for this intrusion? Did the City examine the site for butternut trees, was there any kind of arboreal inventory?

From all of the above you may glean that we like our neighbours are vigorously opposed to the sale of 130 Dalley Drive in a non public/open sale and any conversion from the forest/park that exists and has done so for at least a 100 years.

Thank you for your patience, I look forward to receiving your comments and notice of any hearing.

Yours sincerely,

Sent from my iPad

-----Original Message-----

From:

Sent: August-26-16 7:54 AM

To: Maurizio, Valeria

Cc: Ferguson, Lloyd

Subject: RE: Files 'UHOPA-16-16', & 'ZAC-16-040' - Applications affecting Lands located at 125 Wilson St. E., and 130 Dalley Drive, Ancaster

Dear Valeria,

I am the owner and resident of _____ Ancaster along with my wife, _____ who also resides there.

We were very concerned when we received the above noted application to change from the building of a medical centre to the building of a condominium residence.

The above noted lands are barely large enough for the medical centre however we were not opposed to the building of it as it seemed to be a good use of the property.

We are however vehemently opposed to the sale of 130 Dalley Drive and to the change in the development plan to build a condominium residence.

This change in the development plan and particularly the sale of 130 Dalley Drive will have a negative impact on the neighbouring homes an general area.

It will remove much needed green space and will endanger the already scarce butternut trees that grow there, it will create unwanted noise and light pollution, additional motor vehicle traffic on an already too busy Wilson St.

Finally we are concerned that this change in the development plan will reduce our enjoyment of our home and decrease the value of our property.

Please do not include our personal information as part of the Public record for both Applications (UHOPA-16-16, & ZAC-16-040).

We DO wish to be notified about any adoption of the proposed Zoning By-Law Amendment(s), or refusal of a request to amend the Zoning By-Law(s).

Best regards,

From:**Sent:** August-18-16 8:55 PM**To:** Maurizio, Valeria**Subject:** UHOPA-16-16', & ZAC-16-040 - Applications affecting Lands located at 125 Wilson St. E., and 130 Dalley Drive, Ancaster

Good morning Valeria,

I am writing in response to the Notice from the City of Hamilton Planning and Economic Development Department, dated August 10, 2016, regarding applications UHOPA-16-16 and ZAC-16-040. We have also shared this with Councillor Lloyd Ferguson, Ward 12, as well as neighbours on this communication.

My husband _____ I own and reside at _____ . We are writing to express deep concern with regard to these applications.

The applications outlined in the notice of August 10, 2016 are very concerning to us, both as residents of the neighbourhood as well as for the town centre of Ancaster, so we are writing to express our discontent. Please note, we did not oppose either of the previous applications for the same properties, which included ZAC-15-030 and ZAR-13-033.

Please see our following concerns and questions:

Approximately three (3) weeks ago, while signage announcing a medical clinic was still in place, this lot was clear cut. Every tree, on Lot 125, was removed without notice to residents. Was this clear cutting in relation to the proposed medical clinic (ZAR-13-033), or for the 'Proposed' development of referenced in UHOPA-16-16? This was an unexpected and concerning destruction of green space leading to a residential neighbourhood.

1. We are concerned about the impact on traffic patterns along Wilson Street. Wilson Street is currently busy, particularly during morning and evening rush hours, and an increase in traffic volume would be a negative influence on the community.
2. We consider the lot size insufficient to support the proposed three (3) storey building, with 39 parking spaces.

Please note, we do not consent to the sharing of our personal information as part of the public record.

We would appreciate notification regarding any adoption of the proposed Zoning By-Law Amendment(s), or refusal of a request to amend the Zoning By-Law(s).

With thanks for this opportunity to express our concern and provide input,

cc. Ward 12 Councillor Lloyd Ferguson

From
Sent: August-15-16 6:19 PM
To: Ferguson, Lloyd
Subject: Dalley Drive Development

Mr. Ferguson, I emailed you on Thursday about a notice I got from the city, suggesting to me that a developer intends to remove the trees across from our home on Dalley Drive. I am very concerned about this and was hoping you would be able to clarify for me whether or not this is correct. Thank you for your attention to this situation.

From

Sent: August-18-16 3:24 PM

To: Maurizio, Valeria

Subject: File No. UHOPA-16-16 125 Wilson St and 130 Dalley Drive Ancaster

Valeria

I was wonder if you could pass along any further information on the Application mentioned below.

Urban Hamilton Office Planning Amendment (File No. UHOPA-16-16)
Zoning By-Law Amendment (File No. ZAC-16-040)

More specifically with the lands located off 130 Dalley Drive. There is some concern that this application will harm the physical character of the neighbourhood and residence that have lived there for years or recently moved in, that have been attracted by the areas large lots, privacy and shady mature trees.

Is there articular drawings or construction drawing that would help provide more of an idea of the final outcome if this application was approved ?

Thank you

From:
Sent: Friday, August 12, 2016 4:00 PM
To: Valerie.Maurizio@hamilton.ca
Cc:

Lloyd.Ferguson@hamilton.ca

Subject: RE: Files 'UHOPA-16-16', & 'ZAC-16-040' - Applications affecting Lands located at 125 Wilson St. E., and 130 Dalley Drive, Ancaster

Valerie,

I am sending this note as a result of our receiving Notice from the City of Hamilton Planning and Economic Development Department in the mail (yesterday) about the two aforementioned Applications (see Subject Line).

Both my wife _____ and I are residents/owners of the home at _____

I have included several of our neighbors on this note (information purposes only), who, although I do not speak for them directly, we feel may also be impacted by these Proposals.

I also wish to point out that both _____ were not opposed to previous Applications relative to the subject properties, including;

- ZAC-15-030
- ZAR-13-033

However, we are very concerned, and somewhat perplexed with these two most recent Applications, for the following reasons;

- Wellings Planning Consultants previous application (ZAR-13-033 – May 2014) was for a two-storey business office and medical clinic, which in our opinion, would not have negatively affected the area, in fact, it may have served to benefit Ancaster residents. It also appeared to be a suitable 'fit' for the minimal lot size (although it would likely have been tight).
- Approximately two weeks ago, while signage announcing the medical clinic was still in place, crews arrived and set about clear cutting each and every tree on the subject property (Lot 125),

- without notice to residents. I must ask the question - was this clear cutting to allow for the clinic (ZAR-13-033), or for the 'Proposed' development of referenced in UHOPA-16-16?
- If indeed this clear cutting was for the clinic, then it does not bode well for the trees which remain on the Public Open space (O2), at 130 Dalley Drive, should that Zoning be allowed to change to (O1), or Private Open space.
 - o **We are vehemently OPPOSED to any further clear cutting of trees without consultation and approval of residents. Some of these trees are quite large and have been in place for decades.**
 - Existing traffic volumes on Wilson Street – the increase in population density will create traffic volume issues on Wilson Street East, which at present, is clogged westbound during afternoon rush hour.
 - Lot size is insufficient to support a 3 storey, 19 Unit Condo, along with '39 parking spaces'. The Application for the medical clinic allowed for 11 visitor, and 7 employee spaces (18 total on the surface). We the Public are being asked to agree to a much larger building on the same 'small' footprint, along with an additional 21 parking spaces (surface), plus underground parking? This seems beyond comprehension.
 - Impact to existing wildlife, which occupy the area (130 Dalley Drive), including a family of five foxes. I was quite surprised they did not flee the area during the clear cutting of trees on Lot 125 (clinic) but they seem to have held on.

Once again, we are not opposed to development in the strictest sense, as long as it is reasonable, and does not affect large well established flora and fauna, and traffic volumes.

I also feel it is important to note that we were not opposed to ZAC-15-030 (Ten residential Units), although in light of the clear cutting on Lot 125, we are now very concerned that the existing trees on Lots 97, 105, and 111 will be clear cut without notice to make way for the 10 Unit townhouse development.

Lastly, I am requesting that our personal information NOT be included as part of the Public record for both aforementioned Applications (UHOPA-16-16, & ZAC-16-040).

We DO wish to be notified about any adoption of the proposed Zoning By-Law Amendment(s), or refusal of a request to amend the Zoning By-Law(s).

This letter is submitted respectfully,

Best regards,

cc. Ward 12 Councillor Lloyd Ferguson

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-----Original Message-----

From:

Sent: August-31-16 4:29 PM

To: Maurizio, Valeria

Subject: Preliminary Circulation of Application UHOPA-16-16 & ZAC-16-16 for 125 Wilson St. E. and 130 Dalley Drive, Ancaster (Ward 12)

Dear Mssrs. Y. Rybenski and V. Maruizio:

My name is _____ and I live at _____

_____. Your indication of an opportunity to make comments on the proposed development is welcomed and I'd like you to consider this email as my response. I am not making these comments formally on behalf of anyone else in the neighbourhood at this time although I can offer to you that in discussion with many of the neighbours in the Mansfield Park Survey including some who live on Dalley Drive, my concerns echo theirs. However, it is worth noting that as a neighbourhood (virtually all the residents of Mansfield Park that were approached, some 50+ home owners) we collectively fought a proposed severance _____ which had been rejected by the City's Committee of Adjustment but then appealed by the applicants to the OMB. Having collectively retained our own professional planner and participated with one of our neighbours serving in an official "Party" capacity and _____ as participants, the OMB rejected the appeal, agreeing with the City's planner and our planner that the severance was inappropriate in keeping with the character of the neighbourhood.

I am very certain that when approached ahead of any public meeting called for the purpose of the current application, virtually the entire Mansfield Park neighbourhood will rally in support of specific concerns (as outlined, but not limited to the points below) being fully addressed and protected within the approval of any such development of the subject lands.

It was previously unknown, at least by me that the lands identified as 130 Dalley Drive which had been zoned as Public Open Space (O2), owned by the City, had been sold to Sonoma Homes, let alone could be sold to a private party. While approval of a change of zoning for this property to Private Open Space (O1) appears appropriate to reflect the now private ownership, the specific concerns that I have are as follows:

1. The lands identified as 130 Dalley Drive rise a number of meters above the Dalley Drive street level and in combination with the relatively thick stand of mature and immature trees, provides a virtual "wall of green" which serves a very mature treed buffer to the residences along the North side of Dalley Drive, Cait Court, Irma Court, Mansfield Drive and Redding Road, and frankly for the Mansfield Park survey as a whole from the high voltage Hydro Corridor and the subject development. I have very great concern that there needs to be specific requirements in any bylaw enacted for the development of the subject lands, that ensures that this buffer is maintained at its present height and density on an ongoing basis. I am not comfortable that any kind of 'trust us' undertaking by the developer in this regard will stand the test of time and request that whatever can be enacted legally to protect this buffer, as-is and for it to be maintained in the future, be carefully considered and implemented as part of any development approved for the site.

Given the City has a local residential hydro line located along the south side Dalley Drive, which I presume is in the frontage of this now identified lot, 130 Dalley Drive, I'm very concerned that the trees will at some point be deemed necessary to be removed, as opposed to 'maintained' in a manner to preserve the buffer capacity, in the name of power line security. I note that there has been very minimal maintenance in this regard over the 23 years I've resided in Mansfield Park and I don't want to see a 'clear cut' resolution to the "problem" as might be envisioned by the developer at the request of the City.

2. The mass of the proposed structure is in itself out of character for the proposed location when the actual "open" space of the developable land, namely to the South of the Hydro corridor, is considered. The purchase of the 130 Dalley Drive "lot" from the City, has obviously clearly been done to facilitate this kind of excessive massing, need for a proposed density amendment to the official plan, and very aggressive set backs with the otherwise 'undevelopable high voltage Hydro corridor and the Open Space lands included in the calculation for proportioning. I request that City Staff and Council very carefully consider the true impact on the surrounding streetscape and neighbourhood in this regard.

In providing this commentary, I request that I be included in your provision of copies of the staff report prior to the public meeting to be held by the Planning Committee of City Council.

Thank you.

Yours truly,

July 18, 2016

RECEIVED
AUG 18 2016

Valeria Maurizio,
City of Hamilton Planning and Economic Dept.
Development Planning, Heritage and Design
Suburban Team
71 Main St. W., 5th Floor
Hamilton, ON
L8P 4Y5

Dear Sir

Re: ZAC-16-040 and UHOPA-16-16
125 Wilson St.E., Ancaster

Please take this letter as a strong objection to the proposal for rezoning of the above property.

There are many reasons why this proposal is completely unsuitable for this site.

1. The property is presently zoned for a small medical building, which when built would result in little disturbance to the neighborhood.
2. The proposal is much too dense for the area. It used to be 3 houses before rezoning for the medical building.
3. 3 stories is way too high for this site and this area.
4. There already is too much vehicular traffic for this busy area and to add vehicles belonging to an additional 30 residential units would create enormous additional problems.
5. There already are long lineups for morning and evening traffic and weekends, and to add vehicles for 30 additional residential units close to the light at Fiddlers Green Road would result in chaos.
6. The one access and egress point leads to a narrow, busy main street.
7. There have been several accidents already over the past 4 years at the access point for the property and with the normal growth of Ancaster this trend will continue.
8. There is little green space. A hydro easement dissects the property preventing ordinary green space use.
9. The high density development abuts a quiet, single family area at the rear.

We wish to be informed of any meetings dealing with this proposal, where we can make our strong objections known.