

Presentation
to
City of Hamilton
PLANNING COMMITTEE
April 04, 2017, 9:30 AM
Council Chambers, Hamilton City Hall,
71 Main St. West

Presentation by:
Gordon Speirs
106 Mansfield Drive
Ancaster, Ontario
resident

Agenda Item:

8.1 Applications for an Official Plan and Zoning By-law
Amendment for Lands Located at 125 Wilson Street East and Part of
130 Dalley Drive (Ancaster) (Ward 12)(PED17037)(TABLED March
21, 2017

1. Thank you Madame chairman. Having missed the previous Public Input meeting on 21 March due to out of country travel, I very much appreciate being able to address the committee today.
2. My name is Gordon Speirs and I've lived at 106 Mansfield Drive, for almost 24 years. It is within a very special subdivision in the heart of Ancaster known as Mansfield Park and it lies immediately north of the proposed 125 Wilson St. development.
3. Mansfield Park is noteworthy for its distinct and unique character of
 - a. street orientation and width,
 - b. extensive setbacks on all sides of mostly original residences,
 - c. and high canopy treed properties.
 - d. It has no sidewalks, storm water drainage ditches,
 - e. and is a highly sought and very desirable place to live.
4. The residents of Mansfield Park are very concerned about how this proposed development will impact the uniqueness of the neighbourhood.
 - a. I am here representing a large contingent of the close-knit Mansfield Park community.
 - b. I've handed you a note that I emailed to my neighbours in some 70 residences at 7:30 last evening – describing the

proposed project and seeking formal indication from them individually to allow me to raise specific issues with respect to this development. Within 3 hours I had the owners of 40 homes respond affirmatively. <<I was obviously late with this undertaking due to pressing work constraints, but as others have 'found' the email they're providing the same sanction so far this morning and I expect they'll all have responded by end of day>>

5. They come from all parts of Mansfield Park. They all have a great interest on how this project will impact the neighbourhood – particularly from a visible aesthetics perspective from the north/back side.
6. Apart from the obvious concern from residents of Dalley Drive, Irma, Cait Court and upper reaches of Mansfield Drive and Reding Road, virtually every resident in the neighbourhood has great concern about how this monolithic building will look as they drive up Mansfield/Dalley to access Wilson and what's impact will be on them and their friends and neighbours
7. I'm not going to discuss in detail the issues that were raised at the last public input session by fellow neighbours, like traffic, street elevation details, front and side yard setbacks. I'll just say that from my perspective 10 variances in an official zoning amendment application seems to be on principal, too many. There needs to be a point to having Zoning by-laws
8. They are driven by the requested density being 50% higher than permitted, resulting indouble the permitted lot coverage which when coupled with the full permitted height build-out yields a massive monolith. The designers have been creative in attempting to break up the front elevation and it may be acceptable to many in the community.
9. My, and our concern is with the rear of the property and its view from the North – Mansfield Park. The developer purchased 130 Dalley Drive to facilitate the max. build out to the north - to the high voltage hydro corridor and easement. This will bring the rear of the building face to within ~ 22/23 m of the Dalley Drive Road Surface, and will rise to as much as ~15 m above Dalley Drive. This is going to be in effect one looming monolithic wall that the existing tree buffer will not adequately hide in the short term, let alone long term as the trees continue to fail – and the winter 'view' is even more sobering. This visual will present a very significant negative impact on its neighbours to the north – the whole subdivision.

10. I will start by saying however, that we are in full agreement and support with the staff recommendation to zone the bulk of Dalley Drive lot 130 as "CONSERVATION/HAZARD LAND (P5) ZONE", reflecting what I (Staff report p. 16,17) and others specifically asked for in our independent submissions back in August. It is only by doing this that we feel the buffer will be maintained in perpetuity.
11. However, the buffer affords little visual shield from Dalley/Mansfield/Cait for much of the year (entire late Fall through late Spring) because it consists of very tall, spindly, top heavy (small tops) coniferous trees with a few significant deciduous trees along with some relatively low scrub deciduous undergrowth. The tall trees are dying as evidenced by dead fall / maintenance 'spoils' within the rail trail portion Part 2 of Plan 62R20151, along with a number of standing dead conifers.
12. I have concern that if the building is built at the scale and proximity proposed, its mass will influence strong south/westerly winds to induce swirling currents that could have a much greater impact on the remaining tall, top heavy trees.
13. We also recognize that as part of the sale agreement a clause identifies: "The transferee shall not cut any trees on the land except instances where such cutting is required for safety reasons" which appears fine, however, who defines the safety issue? It is one thing to have the City as owner maintain the trees on that strip of land and deal with scenarios where the tall, top heavy cause power interruptions to the residential power line on Dalley Drive. When that occurs under private ownership, what is to stop the developer from declaring all of the similar trees a safety risk/hazard and take them all down?
14. Given how the developer chose to initiate the clear cutting of the 125 Wilson property on a Sunday with no warning to neighbours, I'm not comfortable regarding intentions/motives/actions in this regard.
15. Further the architect's renderings of the rear elevation of the building shows a "yard look" complete with tree plantings beautifully depicted at mature height behind the building. These trees will be in the hydro corridor/easement and staff have correctly assessed that the species proposed would be too tall and modifications will be required to the planting plan. That said, we have many examples where hydro maintenance, on a 5 - 10 year cycle simply clear cuts its easements to ensure safety and operations associated with high voltage

distribution lines and I have little expectation that they will treat this any differently. Refer to Lover's Lane, years ago.

16. PROPOSED REQUIREMENT FOR THE BUFFER: we would like to see the developer be required to plant and ensure establishment and maintenance of a variety (colour and species) of interspersed conical evergreen trees (eg. Colorado Spruce or other species native to the area) and a minimum 7 – 10 ft high) the length of the parcel of land known as Part 2 of Plan 62R20151 Dalley Drive, along the top of the berm (historic rail bed) located on the south side of Dalley Drive immediately North of the Hydro lines/right of way. This would provide the visual barrier between Dalley and any new development proposed for 125 Wilson Street required to protect our neighbourhood privacy, particularly in the event the existing trees are removed by hydro maintenance staff, owner, or natural events over time.
17. I assume this could be dealt with through Site Plan approval, but we feel very strongly that it must be done as a condition of approval for any development. This is the only way that an appropriate screening of the north elevation of the building will be maintained and enhanced over time
18. I anticipate the owner will object because of cost, but given they paid just over \$20,000 and the state of the real estate market, they can certainly afford to do it, and do it right. If it's not done now as a condition of approval, along with appropriate long term caveats ensuring maintenance, it won't be done.
19. Finally, there is no fence identified along the north side of the proposed driveway/parking lot of 125 Wilson. There is great concern that vehicle headlights will shine across through the buffer into the south facing windows of the homes on Dalley Drive. This will be very intrusive and again needs to be address – again through the Site Plan Approval.
20. In closing, we are very concerned that the proposed development as currently presented will have a very significant, negative impact to our very unique and very desirable Mansfield Park neighbourhood. Having to view what is proposed without the necessary and effective buffering is truly an assault on the unique character that Mansfield Park represents.
21. To that end we request:

- a. That the proposed density and lot coverage of the development be reduced
- b. That the developer be required to truly enhance the buffer afforded Dalley Drive by the existing historic rail bed by planting a dense, species diverse “wall of evergreens” and that this be done in conjunction with the Cities Urban Forestry department and at the developer’s sole expense
- c. That the City address details and definitions inherent to the private owner’s responsibility to maintain the trees in the buffer for safety reasons
- d. That the Site Plan approval address specifically the issue of vehicular headlight and overhead parking lot lighting intrusion to the Dalley Drive residences.

We recognize that 125 Wilson will be developed, and that changes to residences and environs within Mansfield Park will occur. However, we very strongly believe and expect that the City will protect and preserve its nature and character to the greatest extent possible.

As proposed, this development does not.

Thank you

Gord Speirs