

TO: Yvette Rybensky Yvette.rybensky@hamilton.ca
City of Hamilton, Planning and Economic Development Department
Development Planning, Heritage and Design – Suburban Team
c.c. Alana Fulford Alana.Fulford@hamilton.ca

As per our phone conversation on Feb 01/17 regarding the Zoning By-Law Amendment ZAR-17-010 dated Jan 27/17, as required, I am submitting this email with comments by Feb 10/17

I own the property at 322 Upper Gage, adjacent to the City owned laneway at the rear of the building at 952-954 Concession Street. There are a number of issues which we have been dealing with and attempted to overcome with the previous owner, Mike Trikas, since I purchased my home. Without resolution, I applied to the City in January 2008 (to the tune of \$319.93) to permanently close the City laneway to Commercial traffic, to no avail, without any contact from the City. Now that the property has changed hands, new variances are required associated with the renovation and expansion of the building.

At this point in time, I am requesting that the City laneway be permanently closed for use by the adjacent property.

This can only be accomplished if the "entrance" from the laneway to the plaza parking lot is closed off with a permanent Commercial high fence - from the corner of the building, west to the existing fence post at the south west corner of the parking lot – including blocking the walkway of the building. The laneway cannot be used in the future as an access, in any manner, to the parking lot or the building, with no deeded access to 952-954 Concession Street. The access to the Plaza should be from Concession Street only.

Some current ongoing Issues:

- Cars driving north on Upper Gage pull in the City laneway and drive through the parking lot at a high rate of speed, day and night, to avoid the red light at the corner of Upper Gage and Concession Street.
- Commercial vehicles pull in and unload in the City laneway, leaving engines running – filling the house with diesel fumes
- Cars have come through the Plaza parking lot and taken the turn, spewing gravel, once scraping the corner of the house, and even almost running me down when I came out my side door. The asphalt is broken away along the driveway from this traffic.
- In the past, snow has been plowed from the Plaza parking lot, dumped in the City laneway, damaging my fence, and piling up in my parking area at the rear of my property. I have already had issues this year with the Contractor (The Gordon Company) plowing for the new Owner. When I approached the Contractor I was told "to go away and that this was an alley way and not my property" with a few expletives included. After numerous calls to "Adam" 519-532-8228, the plowing was stopped and snow was finally removed.
- People from the Plaza have parked illegally and littered, in spite of "No Parking" and "Private Property" signs, including the City By-Law "No Dumping" sign.
- The "Plaza" has been using this City laneway as an alternate Entrance/Exit for their businesses. The building has non-conforming set back and encroaches on the laneway itself, which is City property.

If the building proceeds as planned, current issues will continue to be a problem. I know that there will be more issues if the laneway is not closed off, including illegal parking, trespassing and littering by animal hospital clients with their pets, and tenants and visitors of the proposed apartments.

I don't have a problem with the apartments, providing the City laneway is closed to the Plaza with a fence, and that a contact name and phone number, aka a property manager, is available to me 24/7, in case of any problems.

Please confirm receipt of this email and advise me of next steps.