

December 17, 2016

Mr. Daniel Barnett
City of Hamilton
Planning and Economic Development Department
Development Planning, Heritage and Design – Urban Team
71 Main Street West, 5th Floor
Hamilton, ON
L8P 4Y5

Dear Mr. Barnett:

**Re: Notice of Complete Application
231 York Road
Town of Dundas
Condominium Application 25CDM-201615
Recchia Developments Inc.**

We are in receipt of the above notice. Our property is located at 8 Fieldgate Street and our rear property line is adjacent to the side yard of 231 York Road. The subject property consists of two lots (one vacant and one containing a single-family home). The two lots are surrounded by one and two storey single family residential dwellings on relatively large lots. The purpose of the application is to permit a Draft Plan of Common-Element Condominium consisting of a private roadway to facilitate the creation of six single detached units. The lands are also currently the subject of a minor variance application (A-266/16) that is under appeal to the OMB. The variance was unanimously denied by the Committee of Adjustment.

As you know, the property has already been the subject of two OMB hearings (the minor variance hearing will be the third). We trust that you will read the two OMB decisions as a significant amount of time and effort has already gone into assessing the character of our neighbourhood and what type of development does and does not belong on this property. At the first hearing, Mr. Edward John, a Planner for the City of Hamilton, advised the hearing officer that the character of our neighbourhood is that of single-family homes fronting onto York Road and that the proposed development at that time, which included an internal road essentially identical to the one contained within the draft plan of condominium, was not in-keeping with the character of development along York Road. The hearing officer, on page 8 of the 2013 OMB decision, accepts Mr. John's evidence and finds that the planned function of the subject lands is for homes, most likely single-family detached homes, fronting on a public road, in this case York Road.

At the second hearing, the character of our neighbourhood was again examined and, as you will note on pages 9 and 10 of the decision, a different hearing officer (this time the Vice Chair of the OMB) again recognizes that the character of our neighbourhood is that of single-family dwellings fronting onto York Road. Specifically, the hearing officer states:

*As for lot pattern and configuration, all units in the proposed development front onto a proposed private road. This is **inconsistent** with the development pattern along York Road where lots, for the most part, front onto York Road and equally*

2

inconsistent with the development pattern along other roads in the Immediate Neighbourhood where the clear visual impression is that the homes face the street.

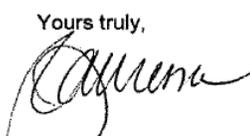
The first two OMB decisions must not be overlooked and must be given serious consideration by the City when reviewing the current application. The hearing officer goes on to state that, in his view, the proposal falls short of conforming to several subsections of the Urban Hamilton Official Plan, including those policies related to lot pattern and configuration. This included policies such as Policy B.2.4.1.4 which requires that, as part of any infill development, a proposed plan be evaluated based on several criteria including "the relationships of the proposal to existing neighbourhood character so that it **maintains**, and where possible, **enhances** and builds upon desirable **established patterns and built form**". The current draft plan of condominium contains the **exact same lot pattern and configuration** that was denied in the previous application. The only difference between the previous application and the current application is that the current application is for single family homes rather than semi-detached homes.

As we, and many of the other neighbours have stated on previous occasions, we recognize that the subject property is large and likely could accommodate some moderate additional single-family development fronting onto York Road, that would be in-keeping with the immediate surrounding neighbourhood. Such a proposal would be consistent with both of the previous OMB decisions.

Proposing an internal road for the third time shows a blatant disregard for the planning system and the previous two OMB decisions. It is a waste of taxpayer's resources and staff time. Given that absolutely nothing has changed to the character of our neighbourhood since the first two OMB hearings and that the exact same lot pattern and configuration is being proposed as was denied by the OMB in the last application, the only logical conclusion is that the proposed development is not in-keeping with the character of the neighbourhood and, as a result, the development does not meet the requirements of the Official Plan policies.

Based on the above, we ask that City staff recommend denial of the application.

Yours truly,



Jennifer Lawrence



Cameron McKelvey

Barnett, Daniel

From: Jennifer Lawrence
Sent: November-21-16 2:51 PM
To: Barnett, Daniel
Cc: Harrison-McMillan, Kimberley
Subject: 231 York Road Dundas - File 25CDM-201615

Hi Daniel,

It was nice to speak with you last week. As mentioned, the Location Map that is attached to the Notice of Complete Application for the above noted file, incorrectly shows the full limit of the parcel that is affected by the application. The Location Map identifies only half of the parcel which will impact the landowners who receive circulation of the notice and may also cause confusion as people may assume that the plan of condo is only for half the parcel. As discussed, I would recommend that the notice be re-circulated with the proper Location Map and to the full extent of neighbours that should receive the notice. This should be accompanied by an extension to the provision of comments beyond the December 5 date.

After we spoke, I also realized that the circulation does not include a site plan of the proposed Draft Plan of Condominium. Although the previous minor variance application included a site plan, this application did not. Could you please forward the plan that accompanied the submission so that the neighbours can confirm whether it matches the plan circulated with the minor variance application?

Thank you,

Jennifer

Jennifer Lawrence, MCIP, RPP
President
Jennifer Lawrence and Associates Inc.
8 Fieldgate Street
Dundas, ON L9H 6M6

NOTICE OF CONFIDENTIALITY

This communication is intended only for the use of the addressee and may contain confidential and privileged information. If you are not the intended recipient, you are notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone, or alternately, immediately destroy this communication.

Barnett, Daniel

From: Penelope Hill
Sent: November-27-16 9:46 PM
To: Barnett, Daniel
Subject: Re: 25CDM-201615 231 York Road, Dundas

To Daniel Barnett, City of Hamilton
Planning and Economic Development Department
Development Planning, Heritage and Design – Urban Team
71 Main Street West, 5th floor
Hamilton , Ontario
L8P 4Y5

Re: 25CDM-201615

I am extremely frustrated to be writing to the City about this matter, yet again.

We have a balanced and harmonious working family neighbourhood.
City of Hamilton Planning staff have already stated that intensification is not planned for, nor is it needed, in this part of Dundas.
City Council has twice refused applications for intensification on this property on York Road.

The developer shows disrespect for the two very clear and thoughtful OMB decisions.
The developer shows a blatant disregard for the valuable time of City Staff, City Council, and the OMB members.
The developer has made no attempt to meet with the neighbours to discuss this most recent scheme.

I feel that the repeated attempts to wriggle around these decisions by the developer is becoming abusive, forcing us to take time out of our lives to prevent unreasonable and demonstrably inappropriate intensification, time and again.

Best regards,
Penelope Hill

Barnett, Daniel

From: Karen McFarlane <...>
Sent: December-01-16 10:39 AM
To: Barnett, Daniel
Subject: Re:25CDM-201615

To Daniel Barnett, City of Hamilton
Planning and Economic Development Department
Development Planning, Heritage and Design – Urban Team
71 Main Street West, 5th floor
Hamilton , Ontario
L8P 4Y5

Re: 25CDM-201615

It is very disturbing, that once again, the strength and harmony of our neighborhood is being threatened by the same developer. On two previous occasions, the home owners in this area have reviewed the application and expressed their concerns for the development of multiple dwellings on the property at 231 York Road.

On both occasions, the OMB refused the developer's application.

This is a very time consuming, annoying and surely costly process, why must we go through this again?

As a resident of this area of Dundas for the last 25 years I stand with my neighbors and say no, once again, to this application to approve the plan for Common-Element Condominium #25CDM-201615.

Sincerely,

Karen McFarlane
9 Forestview Drive
Dundas, Ontario



KAREN MCFARLANE

December 28, 2016

City of Hamilton
Planning and Economic Development Department
Development Planning, Heritage and Design-Urban Team
71 Main Street West, 5th floor, Hamilton ON L8P 4Y5

Attention: Daniel Barnett

Re: 25CDM-201615
Notice of Complete Application for Lands Located at 231 York Road, Dundas (Ward 13)

We are writing today you provide you with our input regarding the plan for development at 231 York Road We are the new owners of the 227 York Road which is located directly beside the on the west side of the proposed development.

We are not apposed to any construction that may take place next door to us but we strongly feel that whatever is built there should be consistent with what is currently in the neighbourhood, which is single-family homes facing the main road. We understand that the lot is large and could likely accommodate more than one single family dwelling. The lot is approximately 3 times larger than ours and feel that it would be reasonable that 2 or 3 single family homes would work there, certainly not 6! This plan would certainly increase the level of traffic and noise in the long term. We do not agree with the proposal and would recommend that it be denied.

Sincerely,



Jeff Rollings



Marina Rollings

December 22, 2016

Mr. Daniel Barnett
City of Hamilton
Planning and Economic Development Department
Development Planning, Heritage and Design – Urban Team
71 Main Street West, 5th Floor
Hamilton, Ontario L8P 4Y5

JAN 03 2017

Dear Mr. Barnett

**Re: Notice of Application
231 York Road
Town of Dundas
Condominium Application 25CDM-201615
Recchia Developments Inc.**

We are in receipt of the above notice. We live at 4 Fieldgate Street and our property is immediately adjacent to 231 York Road. This property has been the subject of two previous planning applications, both of which were appealed to the Ontario Municipal Board (OMB) and a minor variance application (A-266/16) which was unanimously denied by the Committee of Adjustment. The minor variance application (A-266/16) has now been appealed to the OMB, making this the third OMB hearing.

The two previous OMB hearing officers findings were that any development on this property to be not only single family residential but also development that **fronts onto York Road**. The current plan is the same lot pattern and configuration that was denied in the previous application.

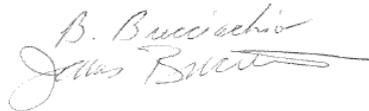
Proposing an internal road for the third time, in my opinion, shows a total disregard for the two previous OMB decisions and a total waste of taxpayer's money.

We agree with the OMB decision that any development on this property to be single family homes fronting onto York Road, and this would be in keeping with the surrounding neighbourhood.

We recommend denial of the application.

Yours truly

Barbara and Jim Bucciachio
4 Fieldgate Street
Dundas



December 28, 2016

Mr. Daniel Barnett
City of Hamilton
Planning and Economic Development Department
Development Planning, Heritage and Design – Urban Team
71 Main Street West, 5th Floor
Hamilton ON L8P 4Y5

Dear Mr. Barnett:

RE: Notice of Complete Application
231 York Road
Town of Dundas
Condominium Application 25CDM-201615
Recchia Developments Inc.

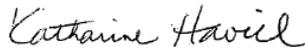
We are in receipt of the above notice. Our property is located at 10 Forestview Drive and a portion of our property line is adjacent to 231 York Road. The subject property consists of two lots (one vacant and one containing a single-family home). The two lots are surrounded by one and two storey single family residential dwellings on relatively large lots. The purpose of the application is to permit a Draft Plan of Common-Element Condominium consisting of a private roadway to facilitate the creation of six single detached units. The lands are also currently the subject of a minor variance application that is under appeal to the OMB. The variance was unanimously denied by the Committee of Adjustment.

As 20 year residents of this neighbourhood, we have repeatedly expressed concern regarding the various applications for proposed development at 231 York Road. The first development application proposed 18 multi-storey townhomes be built on the property. This application was rejected by the City and the OMB. The second development application proposed 12 multi-storey townhomes be built on the property. This application was also rejected by the City and the OMB. These rejections were based on the character of the neighbourhood (single-family homes fronting onto York Road). It was also noted that an internal road, which appears to be essentially the same as included in the current application, was not acceptable.

While we are pleased that the developer has acknowledged that single-family residential is the most appropriate type of development, we are still concerned that the developer has yet again included an internal road that was expressly rejected in the previous applications.

We are in total agreement with Jennifer Lawrence and Cameron McKelvey as outlined in their letter to you of December 17, 2016 that included details of the previous applications and OMB decisions. We respectfully request again that City staff recommend denial of the current application.

Yours truly,



Katharine Havill



David Havill

Mr. Daniel Barnett
City Of Hamilton
Planning and Economic Develop Department
Development Planning, Heritage and Design – Urban Team
71 Main St. West, 5th Floor
Hamilton, Ontario L8P 4Y5

Dear Mr. Barnett:

Re: Notice of Complete Application
231 York Road
Town Of Dundas
Condominium Application 25CDM-201615
Recchia Developments Inc.

As home owners in the immediate vicinity of 231 York Road, Dundas, we are writing to object to the latest development proposal for this property. Our neighbourhood has been united from the beginning, in its opposition to attempts to develop this property in a manner that is not consistent with the character of our neighbourhood. Whatsmore, to date, there have been two OMB hearings which have recognized the importance of retaining our neighbourhood character in a manner that is consistent with its existing development pattern.

It is our belief, that such a development would not be consistent with the original intended use of the land, which according to the City Planner, stated that the "planned function of the subject lands is for homes, likely single family, detached homes **fronting** on York Road". All surrounding properties are consistent from a density and scale perspective with this original vision and all existing single family dwellings face the street – unlike the latest proposal which you are evaluating.

We continue to believe that proceeding with the latest development proposal would create, parking, noise and snow removal issues for the neighbourhood. In addition, we believe there would be a negative impact to the property values of those properties immediately surrounding such a development.

We are not opposed to the development of the 231 York Road property, but we ask that any such development be consistent with the original planning vision for single family detached housing **fronting** on York Road and thus in keeping with the current character of the neighbourhood.

It is our hope that City staff deny the latest application.

Sincerely

George and Nancy MacPherson

12 Cammay Avenue , Dundas , Ont

December 19, 2016

Mr. Daniel Barnett
City of Hamilton
Planning and Economic Development Department
Development Planning, Heritage and Design – Urban Team
71 Main Street West, 5th Floor
Hamilton, ON
L8P 4Y5

DEC 21 2016

Dear Mr. Barnett:

**Re: Notice of Complete Application
231 York Road
Town of Dundas
Condominium Application 25CDM-201615
Recchia Developments Inc.**

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As you know, the property has already been the subject of two OMB hearings (the minor variance hearing will be the third). We trust that you will read the two OMB decisions as a significant amount of time and effort has already gone into assessing the character of our neighbourhood and what type of development does and does not belong on this property. At the first hearing, Mr. Edward John, a Planner for the City of Hamilton, advised the hearing officer that the character of our neighbourhood is that of single-family homes fronting onto York Road and that the proposed development at that time, which included an internal road essentially identical to the one contained within the draft plan of condominium, was not in-keeping with the character of development along York Road. The hearing officer, on page 8 of the 2013 OMB decision, accepts Mr. John's evidence and finds that the planned function of the subject lands is for homes, most likely single-family detached homes, fronting on a public road, in this case York Road.

At the second hearing, the character of our neighbourhood was again examined and, as you will note on pages 9 and 10 of the decision, a different hearing officer (this time the Vice Chair of the OMB) again recognizes that the character of our neighbourhood is that of single-family dwellings fronting onto York Road. Specifically, the hearing officer states:

*As for lot pattern and configuration, all units in the proposed development front onto a proposed private road. This is **inconsistent** with the development pattern along York Road where lots, for the most part, front onto York Road and equally*

inconsistent with the development pattern along other roads in the Immediate Neighbourhood where the clear visual impression is that the homes face the street.

The first two OMB decisions must not be overlooked and must be given serious consideration by the City when reviewing the current application. The hearing officer goes on to state that, in his view, the proposal falls short of conforming to several subsections of the Urban Hamilton Official Plan, including those policies related to lot pattern and configuration. This included policies such as Policy B.2.4.1.4 which requires that, as part of any infill development, a proposed plan be evaluated based on several criteria including "*the relationships of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form*". The current draft plan of condominium contains the exact same lot pattern and configuration that was denied in the previous application. The only difference between the previous application and the current application is that the current application is for single family homes rather than semi-detached homes.

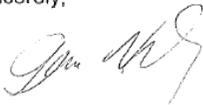
As we, and many of the other neighbours have stated on previous occasions, we recognize that the subject property is large and likely could accommodate some moderate additional single-family development fronting onto York Road, that would be in-keeping with the immediate surrounding neighbourhood. Such a proposal would be consistent with both of the previous OMB decisions.

Proposing an internal road for the third time shows a blatant disregard for the planning system and the previous two OMB decisions. It is a waste of taxpayer's resources and staff time. Given that absolutely nothing has changed to the character of our neighbourhood since the first two OMB hearings and that the exact same lot pattern and configuration is being proposed as was denied by the OMB in the last application, the only logical conclusion is that the proposed development is not in-keeping with the character of the neighbourhood and, as a result, the development does not meet the requirements of the Official Plan policies.

Based on the above, we ask that City staff recommend denial of the application.

After many discussions with our immediate neighbours we wholeheartedly agree with the wording as proposed by Jennifer Lawrence and feel strongly that this latest proposal is not in the best interests of this neighbourhood.

Sincerely,



George Vnoucek

Barnett, Daniel

From: Bosco Burford
Sent: November-30-16 4:11 PM
To: Barnett, Daniel
Cc: VanderBeek, Arlene
Subject: Draft Plan of Common-Element Condominium (File No.25CDM-201615)

November 30, 2016

We oppose the development of a Common-Element Condominium at 231 York Road, Dundas (Ward 13).

We oppose the proposed development on the basis of, but not limited to, the following reasons.

1) increased noise in the area

2) increased traffic in the area and the likelihood of accidents at the blind bend on York Road where the proposed road

entrance would be

3) high density of the development

4) this condominium development is in the midst of single dwelling homes

5) this development would result in lowering the property values in the area

6) Fieldgate Street already has a severe parking problem that makes it difficult for snowplows and street sweepers to do

their job. Overflow parking from residents and visitors to this development will make the parking problem and traffic flow

even worse.

Despite overwhelming opposition and rejection of previous developments at this site by the same individuals, proposed

developments continue to be created.

Ray & Ellen Galowski

5 Fieldgate Street

Dundas, Ontario

L9H 6N8

December 27, 2016

Mr. Daniel Barnett
City of Hamilton
Planning and Economic Development Department
Development Planning, Heritage and Design- Urban Team
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

RECEIVED
JAN 05 2017

Dear Mr. Barnett:

Re: Notice of Complete Application
231 York Road
Town of Dundas
Condominium Application 25CDM-201615
Recchia Developments Inc..

Our home is located at 246 York Rd. across from the property at 231 York Rd. We have been part of the previous OMB hearings and present at the previous City of Hamilton meetings concerning the property at 231 York Rd., including the most recent request for a minor variance.

We do not understand why, when this request was denied, that it is going to the OMB again! We are not opposed to development on the property but it should be in-keeping with the character of the neighbourhood as was stated in the previous OMB decisions. There should not be a variance allowed for a separate road. It has been denied twice already.

We are opposed to this for the following reasons:

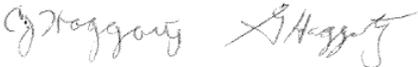
-It is a safety issues for the many cars entering and leaving that property on the proposed road because of the curve.

-It is totally out of keeping with the character of the rest of the homes in the neighbourhood that front directly onto York Rd.

Proposing an internal road for the third time shows a blatant disregard for the planning system and the two previous OMB decisions. It is a waste of staff time on taxpayer's resources. The proposed development is not in-keeping with the character of the neighbourhood and in our opinion does not meet the requirements of the Official Plan policies.

We are asking the City staff to recommend denial of this application.

Yours truly,
Cathy Haggarty Gerry Haggarty



c.c. councillor Vandurbeek