



03/31/2017 12:07

HOWARD KATZ LAW

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March 30, 2017

VIA FAX:

City of Hamilton
Planning and Economic Development Department
Development Planning, Heritage and Design
71 Main Street West, 5th Floor, Hamilton, Ont.
L8P 4Y5

RECEIVED

MAR 31 2017

Attention: Planning and Economic Development Department

Re: Application for 347 Charlton Avenue West
File #

I am the owner of the property at 351 Charlton Avenue West and I wish to be kept informed of any future meetings relating to the above noted application.

I have concerns with the proposed building. The proposed building is too large, too tall and it does not keep with the general design of the street.

I believe that it is an over-intensification and over-development of the site and is not compatible with the surrounding area.

I also have concern both with parking difficulties that will ensue on Charlton Avenue, as well as difficulties relating to the alley in the rear of the properties.

Yours very truly,

Rebecca Katz
351 Charlton Avenue West
Hamilton, Ont.
L8P 2E6

Barnett, Daniel

From: Adam Guy <
Sent: March-31-17 3:30 PM
To: Tchisler, Gerry
Cc: Stranak, Cindy; Johnson, Aidan
Subject: Re: 347 Charlton Ave West - ZAC-17-018 - UHOPA-17-007

Gerry,

Thank you for the opportunity for me to share my concerns with the proposed structure at 347 Charlton Ave. West in Hamilton. Generally speaking, I support intensification and investments in the neighbourhood. However, the proposal to build a high-intensity residence building in the heart of a residential neighbourhood, poses significant congestion, noise and privacy concerns, and will set a precedent for future builds of this nature.

Concerns:

- Four of the six proposed private balconies (as part of the fire escape) will have direct sight lines into neighbour's properties – significantly reducing their privacy and absolutely reducing their home value.
- The multi-use rooftop patio (or party terrace) will further infringe on the privacy of the entire surrounding area – for immediate neighbours and in all directions. Furthering concerns on noise broadcast in the heart of the residential neighbourhood – with reduced accountability as the owner does not live the building. This specific proposal seems "out of touch" with the residential community.
- Six private balconies, one multiple-use rooftop patio (or party terrace), 6 rear-entries (likely the primary point of access) and six rear parking spots which will need to have 24-hour lighting will add significant traffic and noise and disruption to neighbours.
- The increase in height will replace the view of the escarpment (for many neighbours) with a party terrace. Reducing their home values.
- The street is simply not safe enough to accommodate this level of intensification. Cars regularly traverse the road much over the speed limit.
- Construction of the building will be in the heart of the neighbourhood (as opposed to on a corner or at a cross section of two connector streets). The development will have far reaching impacts on the front sidewalk and the back alley for a significant duration.
- Homes in the area were built over a century ago and construction may impact their foundations and/or the home itself. In addition, I also would assume that increased use of city services, such as sewer and water, may be affected. Although I would expect the developer and/or City to compensate or accommodate, this will take additional time and energy for neighbours to diligently observe and monitor impacts and possibly litigate as required.

Additional observations:

- Since the new ownership of the building, the removal of snow has been contracted to a third party organization. This company has been routinely removing the snow by vehicle assisted plow and dumping it on the opposing sidewalk as well as tending to the property between the hours of 10pm and 4am. This "approach" to maintenance emphasizes the lack of consideration (or even awareness) of the neighbours. I see this anecdote as an example of new tensions that will emerge if there is to be the development of a commercial residential building in the heart of a residential community.

In summary, this simply seems to be an overly ambitious concept that pushes the boundaries (within the existing zoning) in every way. I think we can be willing to accommodate certain requests but the sheer number of variance requests and degrees of departure from the by-law (e.g. 3 times the existing rule of multiple dwellings) should tell us something, as a neighbourhood, that this is simply crossing the line in terms of what we think the future vision of the neighbourhood should be.

Adam Guy

Owner of 350 Charlton Ave. West

On Thu, Mar 9, 2017 at 1:02 PM, Tchisler, Gerry <Gerry.Tchisler@hamilton.ca> wrote:

Hi Adam,

You can still submit comments after the deadline. The deadline simply ensures that they'll be incorporated into the staff report. There was a small error on the initial public notice so you'll receive a revised notice within the next week or so with an extended deadline.

At this point, staff from different departments are still reviewing the proposal to identify issues so there are no timelines set for when a recommendation will go to the Planning Committee for consideration. Once the review has been completed, the issues resolved and staff's recommendation prepared, the Committee meeting will be scheduled and you'll receive another notice in the mail informing you of the time and date (you should receive it about 2 weeks from the meeting date).

If you have any questions about the proposal you can also give me a call at the number below.

Regards,

Gerry Tchisler M.Pl.
Planner II (Urban Team)

Development Planning, Heritage & Design Section
Planning and Economic Development Department
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

t: [\(905\) 546-2424 x. 4148](tel:(905)546-2424x4148)
f: [\(905\) 546-4202](tel:(905)546-4202)
e: gerry.tchisler@hamilton.ca

From: Adam Guy [mailto:;]
Sent: March-09-17 12:47 PM
To: Tchisler, Gerry
Cc: Stranak, Cindy
Subject: 347 Charlton Ave West - ZAC-17-018 - UHOPA-17-007

Gerry,

I am the owner of 350 Charlton Ave. West - across from 347.

It's my understanding that a public meeting with the GSP group was held yesterday. Unfortunately, I was unable to attend. I am still hoping to meet with GSP to better understand the proposed amendments and overall vision proposed by the developer - as well as construction approach and timelines. I am somewhat familiar with the proposal as it was brought up at the Kirkendall Neighbourhood Association over a year ago.

Can you please help me understand timelines? My understanding is that the opportunity for written comments has now expired (as of March 9th)? I would still like to ensure that I can provide input and check to see if my neighbours have been adequately engaged and their input received (e.g. I am curious to know if any of them participated in consultations with GSP).

What are the next steps? When will these amendments be reviewed and possibly approved?

Regardless, please keep me informed (e.g. notified of the adoption/refusal of the amendments)

Thank you,

Adam

--

Adam Guy

Tchisler, Gerry

From: Amanda McInnis <
Sent: March-08-17 12:32 PM
To: Tchisler, Gerry
Cc: 'Alex Christie'
Subject: ZAC-17-18 and UHOPA-17-007

Dear Mr. Tschisler,

I write on behalf of myself and my husband with respect to the above-noted application.

We are opposed to the application to allow a three story, six dwelling multiplex on our street.

Firstly, parking is already at a premium. Visitors to Locke Street park on our street all the time, such that for residents it is already quite difficult to find parking on the street. A six unit building will make things worse. Even if there is parking for the tenants, your letter indicates that it will only be one car per family. If they have multiple cars per family or visitors, these cars will be parked on the street – which could result in many more spaces being used.

I am also concerned about the height of the building and how this will affect the esthetic of the street – this residences in this area, at least at face value, are predominantly single family dwellings and an apartment building will look out of place.

Thank you for allowing us to submit our comments and concerns for consideration.

Please note that I expressly request that this communication or our contact information NOT be posted on the City of Hamilton's website.

Yours very truly,

Amanda McInnis

RECEIVED

MAR 10 2017

MD. MATH / KING
372 CHARLTON AVE. W.
HAMILTON, ONT. L8P 2E7
MARCH 8, 2017

MR. GERRY TEHLER

CITY OF HAMILTON PLANNING & ECONOMIC DEVELOPMENT
DEVELOPMENT PLANNING, HERITAGE DESIGN - URBAN
71 MAIN STREET WEST, 5TH FLOOR
HAMILTON, ONTARIO, L8P 4Y5.

FILES: ZAC-17-018 and UHOPA-17-007

Dear Mr. Tehler,

Thank you for the opportunity to comment
as part of public input on the above
mentioned FILES for the land of 347

Charlton Avenue West in Ward 12 Hamilton.

This degree of increased density in this
street and neighbourhood and thus is not
desirable for this block of Charlton. Nor is
the addition of more cars and driveways.

Charlton, an officially planned main
thoroughfare and traffic has been a long-
standing distraction. Since parking is now
limited to one side only on every single
day of the year, parking problems and
traffic have only increased.

The number of on-street parking spaces
has been negatively affected by the

FILES: ZAC-17-018 and UHOPA-17-007

change of by-laws allowing new drive-
ways to be created from the street
instead the convenience of accessing
parking for properties where lander
alley ways exist. I realize this
does not apply for this file as a
street access/driveway exists now.

This refers also to increased
demand for space for hangar
shopper and personal visitors who
want to be on Locke Street.

I am familiar with 2 other
multiple dwellings and one commercial-
multiple dwelling on this street. The
property at 347 is not as large as these.
The property at 385 Charlton may be
3 floors but one is "below ground"
not overlooking surrounding homes.

The properties of Herkimer East
of Locke Street which have been
and are undergoing startling changes
to detached homes in clearing
and has increased density there.



Ms. Garry Tchiler,
City of Hamilton Planning and
Economic Development Department,
Development Planning,
Heritage and Design - Urban Team
71 Main St. West, 5th Floor.
Hamilton, Ont. L8P 4Y5

Charlton cannot carry this
additional load. It is too
heavy for the people here;
too many people and too many
cars. The appearance of a
3 story building at Charlton
is too high.

Please note - kindly remove my
personal information
from general public
postings.

Yours truly

Mary Angi

FILED - MAY 11 1978 BY 4410874-11

Tchisler, Gerry

From: Wendy <
Sent: March-07-17 2:13 PM
To: Tchisler, Gerry
Subject: 347 Charlton Avenue West OPA and ZBA applications

Dear Mr. Tchisler:

We are residents at 320 Herkimer Street which backs onto 347 Charlton West. We have concerns regarding the applicants to allow a 3 storey, 6 unit building in the middle of an Urban Protected Residential Zone and Neighbourhoods Official Plan area.

This area is supposed to be stable and protected from intensification. This lot is the same size as many other lots in the area; the location map shows 20 lots that are similar. If 347 Charlton West were to be developed with 6 units it will set a precedent for the redevelopment of all these lots and others in the larger neighbourhood. We object to this precedent.

We are also concerned about the height, density, vehicle access, parking and provision of open space on the site.

There are other houses in the area with more than one unit, however 6 units are extreme overdevelopment of this single house lot.

Most of the houses in the area are 1 or 2 storeys with a third tucked into the roof line. Three full storeys is not in keeping with the character of the neighbourhood.

If parking is provided from the rear lane it will not be accessible during snowy winters, as the City of Hamilton does not clear its lanes, therefore the residents' cars will be parked on the street. Charlton West is a bus route and bike route and finding a parking spot is already an issue. The shops and restaurants on Locke Street South and the churches at Charlton West and Herkimer Street also contribute to excess parking on the side streets.

Six parking spaces will be a tight fit on this lot, leaving little room for private open space for 6 units.

This is a case of intensification and overdevelopment that is not welcome in this low density neighbourhood.

We wish to be kept informed of any meeting, report or appeal regarding this development.

Sincerely,

Wendy Johncox and Richard Kuchynski
320 Herkimer Street
Hamilton, Ontario
L8P 2J1

Barnett, Daniel

From: Andrew Kelly <andrew.kelly@cityofcalgary.ca>
Sent: April-02-17 2:36 PM
To: Tchisler, Gerry; Johnson, Aidan
Subject: 347 Charlton Ave W

Hi Mr. Tchisler,

I'm writing to provide input on the proposed development at 347 Charlton Ave W.

I live at 316 Herkimer St which is the property directly south of the proposed development.

With the 5 or 6 units they are planning on including in this 3 storey apartment building, there will be an increase of upwards of 20 people living in the one property. This will increase the amount of noise and drastically reduce the amount of privacy, all while contributing to negative effects on property values of all abutting properties. With no mature trees and 3 full stories with a balcony and a party terrace, once residents move in, they will have a direct line of sight completely unobstructed into my backyard and swimming pool. While other houses have windows at the back of their house on the third floor, it is normally one window and is barely noticeable. It is not acceptable that the City will allow balconies and a party terrace to be built which will prevent myself, my wife, my daughter and our guests from having what is a reasonable amount of privacy in our backyard. This applies to other neighbours as well. The inclusion of 24 hour lit parking is also an issue that will decrease the quality of use of our properties.

While infill is an important strategy, it cannot be unquestioned high-density infill all the time everywhere. This is a mature neighbourhood that will drastically change if developments like this are allowed to take place. Adding balconies, awnings, party terraces, parking pads and 3 full stories is a practice completely out of step with surrounding properties. The lot in question is not even significantly large for the area, so if a low-value property on a moderately sized lot is all it takes to be destined for high-density infill, the City is allowing for irrevocable changes to one of its most unique neighbourhoods.

The concerns around privacy, noise, property values, overcrowding, increased demand on infrastructure and a lack of winter parking on Charlton all indicate the plans are in need of significant revision. While high-density infill can be completely appropriate, it is just not the case with this specific project.

Please confirm receipt of this letter.

Sincerely,

Andrew Kelly
316 Herkimer St

Barnett, Daniel

From: Candice Vander Klippe
Sent: March-30-17 11:00 AM
To: Tchisler, Gerry
Subject: 347 Charlton Avenue West

Hi Gerry,

I am emailing you as your name was given as someone to contact with public input regarding the Plan Amendment and Zoning By-Law Amendment for the property at 347 Charlton Avenue West.

I am a resident of 304 Herkimer street, and my property backs onto the same alleyway as 347 Charlton Ave. I have no concerns with the proposal to build a six-unit building on this site except as it relates to the alleyway.

The alley between Locke Street and Dundurn, sandwiched by Charlton and Herkimer, is in terrible disrepair. Many residents use this laneway to access their rear parking spaces, including my family. The proposed new multi-unit building has plans for a parking lot with 6 spaces off of the alley. This will introduce quite a bit more traffic to the alley way and I'm really concerned about the impact additional traffic will have on the alley considering the state in which it already sits.

I want to know what the city is planning to do in terms of improving or even just maintaining the alley. There are currently more pot holes than flat pavement, and in the six years I have owned my house I have never seen the city complete any maintenance on the alley at all.

The participatory budgeting plans for Ward 1 consistently have alleyway improvements as one of the items of concern but it never ends up being the highest priority. I have always trusted that this is because work on alley ways is something the city is already tracking as part of a master plan, but I'm asking the question now that this apartment building is being proposed right down the road - what is the city going to do to improve the condition of the alley so that it is at least safe to drive down without worrying about my car's suspension?

Thank you very much for your time. I do request that you please remove my personal information from any publication of my written comments.

Candice Vander Klippe

Barnett, Daniel

From: Catherine Hudson
Sent: February-22-17 11:40 AM
To: Tchisler, Gerry
Subject: application by GSP Group

Re: GSP Group application regarding 347 Charlton Avenue West - official plan and zoning by-law amendment

Hello - our house is at 39 Chatham St in Ward 1. Our main concern with the above-mentioned application is about the alley that runs behind Chatham Street - which has various functions and where many Chatham Street residents access their private parking.

I am seeking assurance that access and usage of this alley will not be impaired, changed or diminished in any way should the GSP application be approved.

Can you offer us this assurance?

thanks

Catherine & Geoffrey Hudson

Barnett, Daniel

From: Joe G <
Sent: June-22-17 6:22 PM
To: Johnson, Aidan
Cc: Tchisler, Gerry
Subject: RE: File ZAC-17-018 UHOPA-17-007 347 Charlton Avenue West

Good afternoon Councillor Johnson,

It was unfortunate that you could not stay at the meeting last night. I hope everything went well with your spouse.

There were some good comments made at the meeting. Comments from an architect in the audience were particularly informative. Apparently, he is working a redevelopment in the downtown (on Robert Street?) and came to give support for the 347 Charlton proposal. After seeing the proposal and hearing the comments from the residents he agreed that the scale and location of the 347 Charlton development are inappropriate for the neighbourhood. It was his opinion that intensification should start closer to the ends of the Charlton at Locke and Dundurn and then gradually move inward along the street over time. I hope someone will be able to provide you with notes on his comments.

Since I do not live directly adjacent to this development my primary concern is parking. Nothing the developer presented last night eased my concerns. Here are my comments with respect to the parking issue:

- The proponent stated that data from one of his other apartments was used to justify the reduced parking requirements, however, this other building is old and will have relatively low rents compared to 347 Charlton. 347 Charlton will be a high rent property being that it is new and close to Locke Street. Please ask the proponent to find comparably priced rentals and see what the parking requirements are at those buildings. Older rental buildings such as the complex used by the developer for comparison have low income tenants that would use transit. Someone that earns \$20,000/yr is not going to rent in this new apartment building because rents there will be in the \$20,000/yr range there.

- There is no access to the parking in the winter. The alley is not maintained and with the frequent cycles of below freezing then above freezing temperatures the condition of the alley often becomes unpassable even to all-wheel drive vehicles. Because of this the 6-8 cars from this complex will park on the street January to April when the alley is unpassable. Note that the developer will not plow the alley. He is not even going to plow the parking lot. He is going to have a heated parking area to melt the snow not to mention liability issues.

There is already no room for the cars of existing residents during the winter because of the snow banks. This problem is compounded by the visitors to Locke Street that do not want to pay for parking or cannot find parking on Locke Street. Parking is tight in the summer but it is like musical chairs in the winter. Someone will not end up with parking.

I understand that the province has mandated intensification but it is important that this be done in an orderly manner that adds value to the neighbourhood and not creates a ghetto where single family homes are left to decay until they are in a suitable condition to tear down. Is it wise to allow development that will destroy the character of a neighbourhood which is the reason why people want to come here in the first place? Intensification does not mean that you have to replace 1 unit with six. How about 2 or three or four. Also intensification should be directed to areas such as Robert Street and the eastern portion of downtown which are in decay. Redevelopment there adds value to the neighbourhood. The proposed development on Charlton has the potential to start the slow decline of our neighbourhood.

I also want to reiterate the parking issues not just for this proposal but for all proposals in the Locke street area. Any redevelopment that takes place here will be a higher end development. People with means own cars. Parking is an issue. It is tight already and visitors to Locke street park on Charlton and Herkimer to avoid paying for parking. Parking studies need to be specific to the neighbourhood and take into account Locke street visitors and loss of on street + alley parking in winter. Parking studies should be done in February at 9pm on a Thursday after a couple a huge snow storms.

If the City is intent on intensification in this neighbourhood then Parking must be addressed. Is the City going to remove snow from the alley? and remove (not just plow) snow on Herkimer and Charlton? and something must also be done about parking for the businesses on Locke street that park on these streets.

Thanks
Joe Gallagher
332 Herkimer Street.

Barnett, Daniel

From: Joe G
Sent: February-21-17 6:12 PM
To: Tchisler, Gerry
Cc: Johnson, Aidan
Subject: File ZAC-17-018 UHOPA-17-007 347 Charlton Avenue West

Dear Mr. Tchisler,

I received a letter yesterday regarding the proposal for a 3 storey 6 unit apartment at 347 Charlton West.

I wanted to make some comments:

- This proposal is out of character with the single family residences in the neighbourhood along Charlton, Chatham and Herkimer Street.
- In addition the density is far to high for what is now a single family lot.
- Further the six parking spaces assumes that any couples living there will have only one vehicle. I doubt this is will be the case.
- Further, I suspect the parking spaces will be accessed from the alley. There is no winter maintenance of the alley so the tenants will be parking on the street during normal winters where we have snow. Parking on Herkimer where I live is already a problem in winter because visitors to Locke street do not want to pay for parking. Putting 6-8 cars on Charlton will add pressure to the Locke Street parking which will spill over to Herkimer Street.

Please remove any personal information from comments that are made public.

Dear Mr. Johnson,

I have concerns about the type of development being allowed in this neighbourhood. This application is over the top, however, in general I am also concerned about the size of detached houses being built on what are essentially half lots. All the builder does is apply for a minor variance and lot sizes and setbacks are thrown out the window. There should be limits on building sizes where the home will not meet the zoning standards. The size should not exceed the size of the house that was previously there or the size of the adjacent properties (which ever is larger). Building projections into the Rear yard should be limited to the depth of the adjacent properties as well. Unfortunately this was not considered when the house two doors down from me was constructed. Now when I look to the west all I see is a huge brick wall.

I am asking that you look into having the City planning department set standards for Ward 1 similar to what I have suggested above. If staff are looking for an example I believe the City of Mississauga has a by-law that limits rear yard projections for infill construction.

Joe Gallagher
332 Herkimer Street

Barnett, Daniel

From:
Sent: April-02-17 9:41 PM
To: Tchisler, Gerry
Subject: Concerns regarding ZAC-17-018 and UHOPA-17-007

Dear Gerry Tchisler,

I am writing to you with significant concerns regarding the planned Zoning By-law Amendment Plan: ZAC-17-018 and UHOPA-17-007

I request that my personal information, name, and any contact information NOT be posted on the City's website, but am happy to be contacted by yourself or involved parties for follow up as needed with further information or to further discuss the concerns of my husband and myself.

We live within a few houses of the planned development and our concerns are as follows.

The planned building is large and out of character with the rest of the residential housing in the area.

A building of this size and height (along with the planned parking) will stand out on a street of well-maintained, single family homes and converted multi-apartment homes that add density but maintain the community feel of the street.

The planned building would be imposing, impersonal, and sandwiched onto a lot that is too small and not adequately supported by safe access or street parking.

The addition of a bike lane on Charlton Ave W has been an effective and welcome addition to the traffic flow in the area, but it has already restricted parking on a very well-used street. Residents who do not have driveways are already competing with Locke Street visitors who do not want to pay for parking, and on the weekends, church attendees who require parking. The residents of the planned building will need more than the 6 spaces planned, as it is likely that some couples will likely live there and they will also need parking for visitors. When the alley access is poor, such as in the winter when snow is not removed, street parking will become even more of a problem.

Regarding the planned parking access, the alley/laneway that would provide access to the parking is not maintained (especially in winter where snow and ice cause accessibility problems), insufficiently lit, and visibility is poor at both entrances. Pedestrians that walk along Locke Street rarely pay attention to the alleys that exit on to it. This foot traffic (including increasing numbers of young children) is growing as the area continues to develop as a place for people from outside the neighbourhood and city to visit. Many young families and children use the alley to travel to and from school. Adding additional vehicular traffic and relying on this alley for parking access is dangerous and short-sighted.

We also have concerns about the precedent that this development would set.

Like most homeowners in the area, we have concerns about how this will affect the value of our investment. The size and facade of the building, as well as the resulting change of tone and direction it will generate on the street, could have significant negative consequences for the value of our property and that of our neighbours.

As property values in the area increase and as older homes come on the market in what is now a very in-demand area, young professionals and families are already facing significant challenges finding starter homes that are affordable and in decent condition. Allowing a developer to take a viable starter home and lot and turn it into an impersonal apartment block sets a precedent that other older homes will be similarly razed and developed for profit over community building.

There is already zoning for greater density at either ends of the street, on Locke and Dundurn, where it will enhance and support the neighbourhood, rather than breaking up and depersonalizing a safe, connected, well-maintained and supportive community block.

Thank you for your time and consideration,

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"I may not have gone where I intended to go, but I think I have ended up where I needed to be."
Douglas Adams

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Kirkendall Alliance for Responsible Development
314 Herkimer Street
Hamilton ON
L8P 2J1

March 30, 2017

Re Files : ZAC-17-018 and UHOPA-17-007

Attention:

Gerry Tchisler, City of Hamilton
Planning and Economic Development Department
Development Planning, Heritage and Design --Urban Team

Please be advised that the undersigned strongly object to the Zoning By-law Amendment outlined in File no. ZAC-17-018 and the Amendment to the Urban Hamilton Official Plan as described in File no. UHOPA-17-007.

The objections include, but are not limited to the following:

1. Charlton Avenue Street Parking

Although parking is to be provided by the developer of the apartment block, the number of spots does not meet the need of the number of potential drivers/automobile owners in the building. This will lead to an increased demand on the already stressed level of street parking on Charlton Ave. With the addition of five households concentrated on this part of the street, it is reasonable to expect an increase in visitors, and their vehicles. The proposed parking for the tenants is behind the apartment block with access only available through an alley that is not maintained or safe. This will undoubtedly lead to tenants choosing to park on Charlton Street as close to the building as possible. Again, homeowner residents of Charlton Avenue will experience an immanent increase in stress on an already problematic parking situation.

2. Increased traffic in alley between Charlton Avenue and Herkimer Street.

This alley is not maintained by the City of Hamilton in a manner that permits safe driving conditions or a safe walking environment. The poorly patched, uneven and broken up surface is a menace for all those that attempt to use it in summer and often impossible to use in the snowy/icy conditions of winter. There is not sufficient lighting in the alleyway. The accesses in and out of the alleyway on Dundurn and particularly on Locke Street are not marked and not suitable for regular usage. The Locke Street exit is absolutely blind to drivers exiting the alley and hidden to pedestrians using the west side sidewalk on Locke Street. To add more traffic, especially for tenant parking access, would require significant improvements to ensure the safety of the residents of this community.

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3. Privacy

The residents directly behind and next to the proposed apartment block will have tenants overlooking their backyards. This is a particularly uncomfortable scenario when considering that the privacy is not lost to neighbouring homeowners, it is lost to tenants. As an example, all three families living directly across the alley from the proposed apartment block have young girls. The balconies and bedrooms of the proposed apartment block overlook the backyards in which they play, two of which have in-ground pools. It is necessary to understand how this development will significantly affect the peaceful enjoyment of the families residing here.

4. Property Values

As a result of the efforts of the single-family homeowners in the subject community, this area has become one of the most desirable residential neighbourhoods in the city to live and to raise a family. This has brought a new consistency, safety, cleanliness and obvious homeowner pride of ownership to the streets of Herkimer and Charlton. With the major investments that homeowners have made in their houses and land comes an expectation that the City of Hamilton appreciates the resident's drive to improve a neighbourhood. There is absolutely no question that approving the proposed amendments is in essence an act whereby the City of Hamilton is allowing a non-resident developer to erode the value of the tax-paying homeowner residents' most valuable asset. This is unacceptable in any circumstance.

5. Architectural Consistency

The proposed structure is in no way consistent with the current homes on this residential street. Charlton Avenue and Herkimer Street are lined with beautiful homes, many of which date back over 100 years. The appeal of the neighbourhood is in no small part due to the preservation of the look and feel of the architecture, which is precisely why the City of Hamilton created Zoning By-laws and the Urban Hamilton Official Plan. The approval of the proposed amendments is in direct conflict of the very purpose of both the Zoning By-law and the Official Plan.

6. Setting a Precedent

As mentioned in #5, approval of the proposed amendments is in direct contradiction of the spirit and purpose of the Zoning By-law and the Official Plan. This is not a matter of a minor change to accommodate a resident homeowner who is looking to build a garage, garden shed or to build an addition on to their home. The application for amendments allowing this apartment block to be built serves no purpose to the improve community that the City Planning and Development Department is charged with protecting. Allowing this apartment block to be built in its proposed form would be a shameful choice to accommodate an out-of-town developer at a great financial and emotional

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expense to the tax-paying resident homeowners that have worked so hard to bring the community to where it is today.

If these amendments are approved, the Planning and Economic Development Department and Development Planning, Heritage and Design is opening the flood gates to anyone who wishes to garner a profit at the expense of local residents and their cherished historic and architectural and family oriented community.

7. Interference with the direction of neighbourhood progress, as decided by the residents

Over the past two decades the community bordered by Aberdeen Avenue to the South, Locke Street to the East, Main Street to the North and Dundurn Street to the West, has gradually returned to a vibrant, family-friendly and generally well balanced community.

It is clear that the transition from a high density of "Absentee Landlord" properties to a neighbourhood of home-owner occupied homes has been a major contributor to the recent positive changes on our streets. The limited number of absentee property owners and tenants has created a concentration of residents with a clear vested interest in living in a clean, respectful and safe community.

Please note that a number of affected residents have attempted to connect with GSP Group and the developer directly, with unsatisfactory results. As a result, the time that we have had to gather information and communicate with one another has not been sufficient.

In closing, it is our request that significantly more dialog with the community occur before the subject amendments be granted.

Thank you for your consideration.

The Kirkendall Alliance for Responsible Development

<u>Name</u>	<u>Address (optional)</u>	<u>Signature</u>
Pamela Hubbard	310 Herkimer St	[Signature]
Leah S. Hall	314 Herkimer St	[Signature]
Kamila Exman	312 Herkimer St	[Signature]
MARTINA SENALL	314 HERKIMER	[Signature]
Andrew Rilly	316 Herkimer	[Signature]

Venessa McKee 316 Herkimer St.

Peter Robinson 324 Herkimer St.

Wendy Johnson 320 Herkimer

Richard Kuczyński

Louy McGinn 318 Herkimer

Robert Berger 342 Charlton Ave W

NIKKI LONEY 343 Charlton Ave W

Shawn Trotter 343 Charlton Ave W

Lynn Gates 339 Charlton Ave W

Amanda McInnis 355 Charlton Ave W

Alex Christie

SEAN ROGERS 333 CHARLTON AVE W

TERRY ROGERS 333 CHARLTON AVE W

Howard Katz 351 Charlton W

KATHERINE WALTON 337 CHARLTON AVE W

John Shinn ALEXANDER SHINN 337 CHARLTON AVE

Shelly Thomson 340 Charlton Ave W

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Unreplied

Peter Robinson

Wendy Johnson

Richard Kuczyński

Louy McGinn

Robert Berger

NIKKI LONEY

Shawn Trotter

Lynn Gates

Amanda McInnis

Alex Christie

SEAN ROGERS

TERRY ROGERS

Howard Katz

KATHERINE WALTON

John Shinn

ALEXANDER SHINN

Shelly Thomson

Barnett, Daniel

From: Lynn Gates
Sent: April-02-17 11:26 PM
To: Tchisler, Gerry
Subject: FW: Concerns Regarding 347 Charlton Ave W Zoning By-law Amendment (ZAC-17-018) and Admendment to the Urban Official Plan (UHOPA-17-007)

Resent to correct address

From: Lynn Gates [mailto:
Sent: Sunday, April 2, 2017 9:55 PM
To: 'Gerry.Tchisler@hamilton.ca'
Cc: "

Subject: RE: Concerns Regarding 347 Charlton Ave W Zoning By-law Amendment (ZAC-17-018) and Admendment to the Urban Official Plan (UHOPA-17-007)

Thank you for providing us with information regarding the proposed development on 347 Charlton West and the opportunity to provide input. We live at 339 Charlton Avenue West, which is one lot over from this site.

While we commend and support the City of Hamilton's efforts to increase population density per hectare of land, we have several serious concerns about the proposed request for a zoning amendment to allow the building of a 6-unit multi-residential building, three stories high with a flat roof, with back-facing balconies, a roof top terrace, and an asphalt backyard of 6 parking spaces.

Density - My understand is that because Charlton West is categorized as a Collector Street, multi-residential buildings are permitted, even though the *Secondary Plan for Kirkendall* has the area zoned as *Urban Protected Residential*. Based on the existing Residential Zoning requirements, a maximum of 5 units can be developed on this 0.56 hectare lot and 9 parking spaces. However, the developer is requesting a zoning amendment to build 6 2-bedroom apartments, which could potentially house 12 adults and 6 children. Kirkendall already has a dense, walkable community. There is no need to add a building of this size to an essentially single-family home street. We do not need another building dwarfing a lot similar to the lofts at 220 Dundurn St. The smaller 2-story brick apartment building down the street is not pretty, but it does not overwhelm the lot it sits on. I believe it is also a 6-plex, with 2 apartments in the basement, built of an orange-coloured brick similar to the Victorian-style homes on the street.

Both apartment unit scenarios would significantly stress the street and back alley lane through an increase in vehicular traffic, backyard noise, loss of greenspace, loss of privacy, increased rainwater run-off and added light pollution. If there is a need to increase the size of the population of Kirkendall, density could be increased through the addition of apartments above commercial buildings on Locke and Dundurn streets without damaging the walkability and liveability of Kirkendall.

Residential Zoning By-law and Official Plan Amendment – In our opinion, the request for rezoning is more than a minor variance to be determined by the Committee of Adjustment. Rather, it is a precedent setting decision that should not be done 'piece-meal' without the context of a growth plan for Kirkendall. **These streets were zoned residential for a reason and changing the zoning without a vision in mind is just poor**

planning. There are many smaller homes on lots that could be bought and razed in future years and replaced with infill buildings. A thoughtful approach for whether this should occur is needed as rezoning decisions affect the character, culture, walkability, pedestrian safety and density of the neighbourhood. Each CoA approval sets a precedent and encourages other developers to destroy an existing family home and rebuild something larger. All of these individual requests for rezoning to multiresidential are being decided without the context of a bigger plan of how intensification should happen in Kirkendall.

The *Urban Residential Zoning Review* has not been completed by City staff. In addition, the Kirkendall Neighbourhood Association is just beginning the *Kirkendall Neighbourhood Strategy* Project, which will provide the opportunity for residents to identify where they think intensification should happen. Until the City zoning update has been completed, or the City revises the Kirkendall Secondary Plan (1974), a moratorium should be put on further rezoning in the residential areas. Otherwise, Collector Streets such as Charlton, Herkimer and Jackson could be ruined by several multiresidential lots that do not fit with the character of the neighbourhood.

Parking Requirements – The proposed building of 6 apartments requires 9 parking spaces according to the existing parking by law: 1.25 spaces per unit and .25 per visitor. In no way is that possible on this size of lot, indicating that the building size is inappropriate for the space. Requesting an amendment for reduced parking to 6 spaces does not solve the problem as the entire backyard is still needed to become a paved mini-parking lot - which is not suitable for a residential neighbourhood. Apparently, the lighting for the parking lot would be pointed down, but it would be on all night – something not typical for a residential neighbourhood, unpleasant for neighbours, and would add to the light pollution the city creates.

This proposal does not meet the requirement for a loading space as there is insufficient land. The existing family home has a driveway and garage that accommodates 2 to 3 cars. A significantly larger family home could be built on this lot with sufficient room for parking for 2-3 cars off the back alley, thus not affecting other home owners.

Impact on Street Parking – The proposed multi-residential building could potentially add 12 cars for this one building. That means 6 residents trying to find street parking in the summer, and maybe all 12 looking for street parking in the winter, as the back alleyway is not plowed. Residents of Charlton are already experiencing difficulty getting street parking in front of their homes. A 2014 parking study of Kirkendall around Locke Street requested by then Councillor McHattie indicated that **street parking was at 90% capacity**. Given that additional restaurants without adequate parking for seats have been added since then, even less curb-side parking is likely available. Street parking for residents is already at a crisis resulting in several residents considering requesting permission to remove their front garden to install a parking space. This trend would alter the existing character of the street by breaking up the sidewalk, making it less walkable and less safe for pedestrians and cyclists, as well as less visually appealing.

Accessibility to Parking - Residents of the apartment building would access their parking via the back alleyway. This lane is not maintained by the City and is uneven with broken concrete and potholes. **In the winter time, the lane is not plowed and at times is not accessible to cars without 4-wheel drive and a high carriage due to the ruts of snow and ice in the middle of the lane.**

Roof Top Terrace - The back of the building will include balconies and the third story flat roof an ‘amenity’ terrace, which will significantly increase the noise factor for nearby residents and significantly decrease their privacy.

Front Façade - The proposed build would also stick out like a sore thumb on the street given its bulk, the flat roof, and the iron bars across the sliding front windows. The recently built multi-family dwellings on 203 Homewood and 91 Chatham are 2.5 storied brick buildings with a peaked roof and blend in to the character of the other homes on their streets better than this example.

Lack of Climate Mitigation - **Given the supposed commitment of the City to mitigating climate events, should new builds with a flat roof not include a green roof and solar panels?** The parking lot for 6 cars doesn't leave much room for greenspace and will increase the rain run-off in to the alley as it is black asphalt rather than permeable pavers – also not very climate-change friendly. There is no room for the planting of trees to provide shade for the building to decrease the need for air conditioning and the black pavement will reflect heat and contribute to our downtown urban heat island.

Impact on Existing Housing Prices – The proposed build would likely lower the value of the surrounding homes which is an unfair impact on the existing home owners.

In summary, as residents of Charlton Street West, we respectfully request that this **Rezoning request be denied**. This development benefits only the greed of the developer and not the Kirkendall neighbourhood nor the residents of the street.

Sincerely,

Lynn Gates and Leo Gervais
339 Charlton Avenue West
(:

Barnett, Daniel

From: Stranak, Cindy
Sent: April-04-17 10:04 AM
To: Tchisler, Gerry
Cc: Johnson, Aidan; 'Mark Stewart'
Subject: RE: 347 Charlton Ave W Zoning By-law Amendment (ZAC-17-018) and Amendment to the Urban Official Plan (UHOPA-17-007)

Hi Gerry,

Hope your day is starting well. Please see email below – the email bounced back to Mark (looks like may be a typo in your name).

Thank you and please let us know if you have any questions,

Warm regards,
Cindy

Cindy Stranak
Constituency Assistant to Councillor Aidan Johnson
Ward 1, Chedoke – Cootes, City of Hamilton
phone: 905-546-2226

From: Mark Stewart [.]
Sent: April-03-17 4:41 PM
To: Gerry.Tchisler@hamilton.ca
Cc: Stranak, Cindy; Johnson, Aidan
Subject: 347 Charlton Ave W Zoning By-law Amendment (ZAC-17-018) and Amendment to the Urban Official Plan (UHOPA-17-007)

Dear Mr. Tshisler,

My name is Mark Stewart and I am writing to you in my capacity as Chair of the Kirkendall Neighbourhood Association Development Committee.

We are writing to urge the City to keep our members' concerns in mind when providing comments to the developer regarding the re-zoning of 347 Charlton.

We are happy to be a central point of contact on this project and to help coordinate neighbourhood comments and feedback. We have been in contact with the developer / consultants on this project and have arranged to meet with them in the future after they have received your comments.

Please keep in touch with us on the subject and do not hesitate to contact us if you have any questions.

Yours truly,

Mark Stewart
Kirkendall Neighbourhood Association, Development Committee

Barnett, Daniel

From: Nikki Loney
Sent: March-10-17 11:21 AM
To: Tchisler, Gerry
Subject: comments for ZAC-17-018/UHOPA-17-007

Hello, Gerry.

My name is Nikki Loney. My husband, Shawn Trotter and our young son, live at 343 Charlton Ave. West. **We are directly beside the property listed in the Zoning/By Law file ZAC-17-018/UHOPA-17-007**

On Tuesday, March 7th, we met with the planner, owner, and architect of this proposed apartment building. We had the opportunity to see the plans and ask questions. We appreciate the courtesy that was extended to us by the GSP group and their clients.

We have a few concerns about the plans.

1. The building is too high. There are plans for a rooftop amenities room which would be higher than all the other properties on the street. There is another apartment building on the street that is 21/2 stories high. The dimensions apartment appears to be more appropriate/consistent for the dwellings on this street.

2. Noise concerns. We are also concerned with the noise that having an outdoor rooftop area would cause, especially during warmer months.

3. There are plans for a 6 car parking lot off of the back alley. We are concerned about the noise of 6 cars coming in and out of this property and any light/noise pollution that may be a result of the increased traffic from the back alley.

Thank you for your time and consideration.

Nikki Loney
Shawn Trotter

--

Nikki Loney

Barnett, Daniel

From: Paul Stanley
Sent: March-04-17 2:22 PM
To: Tchisler, Gerry
Subject: File No. ZAC-17-018 and File No.UHOPA-17-007

Regarding File No. ZAC-17-018 and File No. UHOPA-17-007

Sir

Allowing a six unit building on our street is not in the spirit of what we want to see happening here. I realize you note six parking spots but that does not help much with the parking problems we have already. Most families have more than one car and when these units have visitors more problems. Adding a 85 seat restaurant on Locke St. with not enough parking is making this issue even worse for us. This is a loud NO.

Paul Stanley 353 Charlton Ave W. Hamilton

Barnett, Daniel

From: Peter Robinson
Sent: March-06-17 7:19 PM
To: Tchisler, Gerry
Subject: Zoning By-law Amendment (File No. ZAC-17-018)

March 6, 2017

Re.: Zoning By-law Amendment (File No. ZAC-17-018)

Dear Mr. Tchisler,

I am strongly opposed to any change to the existing by-law, to add site specific modifications to the existing "D" District zoning, to permit a three storey, six-unit multiple dwelling with six parking spaces at 347 Charlton Ave. W.

That address is zoned for a single dwelling unit, and I insist that it be kept that way. This would set a precedent for our area, since there are other several lots of the same size, which could then also be changed to multiple dwelling units. This area is protected as a single-dwelling neighbourhood.

Yours truly,

Peter Robinson

324 Herkimer St.

Hamilton, L8P 2J1

Barnett, Daniel

From: Terry <
Sent: March-09-17 10:09 PM
To: Tchisler, Gerry
Cc: Sarah Rogers
Subject: ZAC-17-018 and UHOPA-17-007

Hello,

As a homeowner at 333 Charlton Avenue West, I am writing to voice my concern regarding the proposed development at 347 Charlton Avenue West.

While I can appreciate the attempt at urban intensification, I feel that it is out of place at that part of the street, where single family homes prevail. Parking is already at a premium in front of our home thanks to one side of the street hosting the bike lane and our proximity to Locke Street.

Additionally, at the public meeting yesterday, it was mentioned that there was to be a party room for the building on the roof. I have severe concerns about this and the additional noise that will be generated on a residential street.

I do not want a three story apartment hosting six units at this location. Please let me know when your public report will be issued.

Thank you.

Terry and Sarah Rogers
333 Charlton Avenue West