#### Appendix "H" to Report PED19041 Page 1 of 37

From: Chuck Clark

Sent: December-28-17 11:10 AM

To: Lucas, Adam

Subject: Questions about the application by Intero Development for 264 Governors Rd.

#### Hello Mr Lucas,

We live across from 264 Governors Rd, which has an application it for the development of condos. I have a few questions about this development.

Is this land protected by the Niagara Escarpment Project is my first question?

What kind of condos are the Intero Development Group wanting to build on this property, and how high is the limit that they would like to build? Will this property affect our taxes? The number of units suggests that there will be a greater increase in traffic, which in this area is a real problem already. With the number of schools here, there will be a concern for the safety of the kids that travel on Governors Road daily.

These are only a few of my concerns.

I hope to hear from you soon.

Thank you , Charles Clark

#### Appendix "H" to Report PED19041 Page 2 of 37

From: David December-29-17 8:54 AM

To: Lucas, Adam

Subject: Concerns over deadline for comments - Files UHOPA-17-040 and ZAC-17-088

Dear Mr. Lucas

As residents whose property abuts 264 Governor's Road, we received notice of the applications to change the Official Plan and Zoning for this property. The notices arrived by mail on the afternoon of December 22, the last business day before the Christmas holidays, and request comments to your office By January 17. There is a widespread suspicion among neighbours that the applicant may have timed submission of the application to coincide with a period when many of those affected are either too busy or unable to respond.

We tried to contact our councillor, Arlene Vanderbeek, immediately upon receipt of the notice, and found that her office had already closed. We have since found that it will not reopen until January 2.

There is significant opposition to the proposed zoning change within the local community, and one or more comments including numerous signatories will be forthcoming. Given the timing of the notice, the short deadline, the nature of the Highland community, and the ambiguities included in the zoning application (undefined "site specific development standards" for many features that are of utmost concern to the neighbours), however, it is very difficult to involve and inform everyone concerned. Many of our residents are retired and travel to see families for the Christmas season.

We are respectively requesting that the deadline for submission of comments to the planning office be extended by at least a week or two to allow proper citizen involvement and coordination with our elected representative, and that neighbours be informed of that extension by your office.

Thank you for your consideration.

David and Carol Moffatt

email:

#### Appendix "H" to Report PED19041 Page 3 of 37

From:

Deb Fester <

Sent:

December-30-17 2:07 PM

To:

Lucas, Adam

Subject:

Files: UHOPA-17-040, ZAC-17-088

Comments re: Notice of Complete Applications by Intero Development Group Inc. (c/o Donald Newman)on behalf ofBarbara Wilk-Ridge (Power of Attorney for Helmut and Anna Wilk) for an Official Plan Amendment and Zoning Bylaw Amendment for Lands Located at 264 Governors Road, Dundas (Ward 13)

- 1. We received notification of files UHOPA-17-040, ZAC-17-088 by post December 28th, 2017 with responses expected before January 17th, 2018. This is a very short window of time to create an educated opinion on these proposed changes.
- 2. What is the designation of this land under the Niagara Escarpment Plan(NEP)? If this land does have a NEP designation it may need to be reviewed as these designations were set many years ago. Quite often following reassessment the lands require a higher level of protection under the NEP.
- 3. Increased housing density does not belong in suburbia. It needs to be located near public transit (Our new GO station in Hamilton).
- 4. Increasing housing units will increase the city's property tax base. I do not believe the increase will adequately cover the ongoing requiements of sewage treatment, water, public transit and roadway changes necessary to support this development.
- 5. The families that make up this community reside here to enjoy the woodlands and natural open spaces provided by the Dundas Valley Conservation Area (DVCA). What impact would this application have on our community and the DVCA for future generations?
- 6. Asking for a minimum of 43 units per hectare as well as asking for maximum height is extreme.

I am saddened by this application. Deb Fester

## Appendix "H" to Report PED19041 Page 4 of 37

 From:
 David

 Sent:
 January-07-18 11:24 AM

To: Lucas, Adam
Cc: VanderBeek, Arlene

Subject: Re[2]: Concerns over deadline for comments - Files UHOPA-17-040 and ZAC-17-088

Dear Mr. Lucas

Thank you for your response concerning the application for Zoning Change and Official Plan Amendment on 264 Governor's Road - Files ZAC-17-088 and UHOPA-17-040.

I absolutely would like to see details on the site specific development standards requested by the applicant for this property. If the details of these standards are available in digital form I would request a copy as soon as possible by email attachment. If only a paper copy is available, I am requesting that arrangements be made for me to pick it up from your office at your earliest possible convenience. If I must come and view the application at your office, please give me explicit directions about how and where to do so in the next day or two. In fact, I remind you again that because of the Christmas Break, your office was not open for the first eleven days after the delivery of the Notice to residents, so quick action on your part would be both reasonable and appreciated.

There is a great deal of local opposition to the application already. Some of it is based on the unsuitability of the property for such residential intensification, based on steep slopes and long-standing local hydrological problems because of the already low permeability of Highland clay. The hydrological problems have required remediation in the neighbourhood by the former Town of Dundas and the City of Hamilton over decades, and water management remains a significant issue for many bordering properties. That would clearly be an issue in rezoning.

Many other objections relate to issues of privacy, site lines, traffic, responsibility for maintenance or enhancement of existing boundary fencing, planting and maintenance of vegetated buffers, maintenance of tree canopy, compatibility with the existing neighbourhood, and many others. Clearly, coherent comments on such issues require a detailed understanding of the allowable heights and placement of buildings, vegetation management and the like, not just a definition of undefined "site specific" regulations. It is also disturbing to me that no mention is made of the free availability of such documents in the Notice of Application sent to neighbours. The vast majority of citizens would have no working knowledge of the planning process, and would be unlikely to find this information unless they were willing to hire a lawyer. This really stacks the approval process very strongly in favour of developers.

It is also very important for objectors to know in advance whether the proposed development would involve freehold townhouses or condominium management. If restrictions are imposed that require on-going maintenance or enforcement (stormwater retention and management areas, surface drainage, fence maintenance, easements preventing clearing of vegetated barriers or large trees, requirements for permeable driveway and parking lot materials, etc.), it is essential that the burden of such restrictions is fully understood by everyone involved, and enforceable in the long term.

Thank you for your attention

Dr. J. David Moffatt (acting for least 25 other concerned neighbouring households)

FEB 0 5 2008

Adam Lucas, City of Hamilton
Planning and Economic Development Department
Development Planning, Heritage and Design – Urban Team
71 Main St. E., 5<sup>th</sup> Floor, Hamilton, ON, L8P 4Y5

The following email was received with a request that it be forwarded to the Planning Office by me. It may duplicate a submission that has been made independently by the author, but I submit it in good faith.

David Moffatt

On Jan 23, 2018, at 6:54 PM, Leslie Lasky

Subject: 264 Governors Road, Dundas, Re -zoning request, File # ZAC-17-088 and File #UHOPA-17-040

#### David,

We are Dundas residents concerned about the long term impact that uncontrolled urban/residential development does and will have on the viability of our community, as Dundas proceeds along its interrelated and complicated urban and environmental future.

We are pleased to add our signatures in support of the efforts to restrict "out of character" development at 264 Governor Road, Dundas.

The proposal to re-zone from "UR" to "RM-1/S-XX" demonstrates a short term and myopic vision of the future of Dundas without any concern for the wide ranging and deleterious impact such a re-zoning would have on the urban environment both abutting and adjacent to the proposed development property.

Your statement of "concerns" is a clear and concise summary of the relevant information requiring full and complete consideration by the decision committee.

Leslie and Beverley Lasky

#### Appendix "H" to Report PED19041 Page 6 of 37

From: Patricia Connell <
Sent: January-16-18 12:43 PM

To: Lucas, Adam

**Subject:** UHOPA-17-040 ZAC-17-088

#### Adam Lucas

As instructed in a memo dated December 20, 2017 I am submitting my comments to the Development Planning Team regarding the application by Intero Development Group Inc. for amendments to zoning for lands located at 264 Governors Rd., Dundas, Ont.

The plan proposes a minimum net residential density of 43 units per hectare.

I reside at \_\_\_\_\_, adjacent to the property located at 264 Governors Rd.

My concerns are as follows:

- Increased vehicular traffic on Governors Rd., which is currently a very busy corridor.
- Where will the entry/exit road be located to the townhouse complex, on Governors Rd? If so, this will increase traffic flow issues that already exist.
- Will a stoplight be installed to control traffic flow on Governors Rd. given that there is already an issue trying to turn left from Huntingwood Ave onto Governors Rd. ?
- Request for density to be amended to 24 units, similar to Governors Lane Estates townhouse complex at 14 Huntingwood.

Kind regards Patricia Connell

#### Appendix "H" to Report PED19041 Page 7 of 37

From: Richard Wood

**Sent:** January-26-18 9:51 AM

To: Lucas, Adam

Cc:

**Subject:** 264 Governor's Road Zoning Application

Attachments: 180126\_9981.pdf

Importance: High

#### Adam,

Please see the attached letter of opposition for the zoning change of 264 Governor's Rd., Dundas, Ontario. Also please forward this to anyone else that may be involved.

Any questions please contact me.

#### Richard Wood

Adam Lucas, Office of Planning and Development – Urban Team 71 Main St., 5<sup>th</sup> Floor, Hamilton, ON, L8P4Y5

Re: Files # ZAC-17-088 AND UHOPA-17-040

Dear Mr. Lucas

While we support, and have already signed along with the vast majority of our neighbours, the general comment opposing rezoning with variances on the property at 264 Governor's Road in Dundas, we wish to submit a separate objection as well, as we are the neighbours who would be most affected if the development goes ahead as planned. Our property (see next page) at six sources is zoned R1 and is irregularly shaped, such that it is quite narrow back-to-front and pie-shaped so that it shares more than 40 m of fence line with 264 Governor's Rd. Our back yard, which is only 10 m deep, includes a swimming pool that is heavily used by children and adults.

Under the proposed "Concept Plan" the applicant asks for variances that would allow 10.5 m, two story townhouse blocks within 7.5 m of our property line, with 8 units directly sharing our fence line, and at least three others having a direct sight line to our pool and patio. Because they request an exemption from mandatory buffers, this would encroach 3 m closer to our property than the minimum the Official Plan permits. It also puts at risk all of the existing vegetation along the fence line, because it would lie in the back yards of individual units, where it is subject to clearing by owners.

Certainly, permitting this close encroachment will significantly diminish our ability to use our existing back yard in comfort, will raise significant issues of privacy for us and our children, and will severely impact the value of our property.

We oppose any variance exempting the developer from the mandated 3 m buffer, and contend that an even wider buffer, with a further mandate for the condominium corporation to maintain it as a visual screen of vegetation, is essential to mitigate undue hardship for us.

We ask that you consider our unique situation as well as all the more general concerns of the neighbourhood in your decisions on these files.

Sincerely

Richard & Kelly Wood

#### Appendix "H" to Report PED19041 Page 9 of 37

From: Deb Fester <
Sent: January-30-18 12:23 PM

To: Lucas, Adam

**Subject:** Files:UHOPA-17-040 ZAC-17-088

Comments re: Files: UHOPA-17-040

ZAC-17-088

- 1. Please recommend tree preservation and protection in order to help maintain as much existing vegetation on the property as possible.
- 2. Let this be a green development initiative. Exploring green alternatives. Create a green friendly space for future generations to enjoy.
- 3. Peel Region has taken a keen interest in "green" road and parking lot surfaces. These "green" road surfaces assist drainage.

Deb Fester

#### Appendix "H" to Report PED19041 Page 10 of 37

From:	Leslie Lasky <
Sent:	February-02-18 12:55 PM

To: Lucas, Adam

Subject: Subject: 264 Governors Road, Dundas, Re -zoning request, File # ZAC-17-088 and File

#UHOPA-17-040

>

>To: Adam Lucas, Planning Office

#### Sir,

>

- > We are Dundas residents concerned about the long term impact that uncontrolled urban/residential development does and will have on the viability of our community. This concern is increasingly important as Dundas proceeds towards its interrelated and complicated urban and environmental future.
- > We are pleased to add our signatures in support of the efforts to restrict "out of character" development at 264 Governor Road, Dundas.
- > The proposal to re-zone from "UR" to "RM-1/S-XX" demonstrates a short term and myopic vision of the future of Dundas without any concern for the wide ranging and deleterious impact such a re-zoning would have on the urban environment both abutting and adjacent to the proposed development property.
- >The statement of "concerns" contemporaneously and independently forwarded to your Offices by the Dundas "Concerned Citizens Group" is a clear and concise summary of the relevant information requiring timely, full and complete consideration by the Decision Committee.

> Leslie and Beverley Lasky

>

#### Appendix "H" to Report PED19041 Page 11 of 37

From:	W & N Sandrock <
Sent:	February-02-18 4:12 PM
~	1

To: Lucas, Adam W & N Sandrock Cc:

Concerns about proposed zoning change and development plans at 264 Governor's RD Subject:

Your reference File #ZAC-17-088 and File # UHOPA-17-040 Dundas

We reside at and as such were included in the impact zone.

We wish to add our voices to the community opposition to the proposed development of the property based on the following concerns:

- Increased traffic and safety concerns not just on Governors Rd but also Highlandpark Dr.
- Storm water and flood management
- Privacy issues and aesthetic considerations for neighbouring lots, i.e. we could be looking at a 2 or 3 storey wall of bricks and windows
- Increased noise pollution from possibly 17 townhouse AC units
- Loss of green space; vegetation, trees and habitat
- · Compatibility of proposal with existing neighbourhood

We also request to be notified of the decision of the City of Hamilton zoning change and development plans for 264 Governor's Rd Dundas.

Respectfully,

Walter and Nella Sandrock

#### Appendix "H" to Report PED19041 Page 12 of 37

From:

Corinne Wallace

Sent:

February-04-18 4:20 PM

To:

Lucas, Adam

Cc: Subject:

Proposed Rezoning of 264 Governors Road

Mr. Adam Lucas Office of Planning and Development (Urban Team) 5<sup>th</sup> Floor, 71 Main Street Hamilton ON

L8P 4Y5

February 4th, 2018

Re: Proposed Rezoning of 264 Governors Road

Dear Mr. Adam Lucas,

We would like to register our concerns with respect to the proposed rezoning of 264 Governors Road. While we accept that there is ongoing demand for development in the area, we do not believe that the current proposal associated with the rezoning request reflects the land use values of either the area or the Hamilton Master Plan. Given that the land in question is outside the designated area for intensification (defined as the downtown core in Dundas), internal alarms are raised when the proposed development include variances that only serve to increase housing density beyond those allowed under the current zoning requirements. The resulting impacts on privacy, parking and traffic congestion, drainage, and loss of visual green space do not fit the surrounding land use. While several multiple storeys, multiple person developments exist in the area, they are set back from Governors Road, include landscaping or greenspace between the road and the buildings, and are all located on the north side of the road. As such, the proposed development will significantly alter the viewscape on that side of the road, which is currently dominated by single family dwellings set far back from the road.

The current topography of the land in question is not conducive to the intensive development proposed. While anything is possible to engineer, increasing frequency of higher intensity rainfall events call into question the integrity of such significant grade changes. Once undertaken, these cannot be reversed and local residents will bear any consequences of flooding in particular.

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Most importantly, traffic (both vehicular and foot) is a significant concern along Governors Road, particularly due to the three schools (including the only high school serving Dundas), also located along the south side of Governors Road. The proposed over-intensified development plan could feasibly contribute sixty cars to this traffic, directly onto Governors Road. This intersection, while the location of a proposed traffic light to be constructed in 2018, is approximately 250 metres away from the existing lights at Creighton and Governors, which includes a left turn filter lane. It is also approximately 90 m away from the first elementary school, which is approximately 260 metres away from the high school, with a second elementary school and traffic lights approximately 500 metres away from the first elementary school. According to the Ontario Traffic Manual, while the distance between an infill traffic light and an existing light can be as short as 215 metres in order for drivers to be able to react to both sets of lights, spacing of less than 415 metres may affect "progression efficiency" of traffic. Given this, the additional cars introduced from the proposed development would appear to contribute to a problem already waiting to happen during high traffic periods. This is likely to shift through traffic to the roads on either side of Governors Road where a significant number of students are travelling to school on foot.

All three of our children walk to schools on Governors Road and we experienced a near miss recently when a car shot through the intersection on a red light during inclement weather. Luckily road construction workers saw a potential tragedy unfolding and were able to warn our daughter before it occurred.

We respectfully request that when deciding on the land use zoning associated with the proposed development plan you consider the potential negative impacts on the existing land uses in the area and the health and safety of the existing community. We believe that there are opportunities for development of 264 Governors Road that creatively balance the natural, built, economic, social, and cultural environments that make Dundas unique and desirable. In our opinion, the current development proposal is not the solution.

Yours,

Corinne Wallace, Ph.D.

# Appendix "H" to Report PED19041 Page 14 of 37

From:

Cogeco <

Sent: To: February-05-18 8:25 AM Lucas, Adam

Subject:

Urgent.

Regarding Files #UHOPA-17-040 and # ZAC-17-088.

Adam, we have recently moved to Dundas from Ancaster and have closely followed the changes and development occurring here during the past three years.

Dundas, in a tight little valley is being over run, over populated and is becoming a traffic nightmare, controlled not by the people, but by developers who could care less about the quality of life here. We need a vision, a real plan, long term goals and it well documented before any more destruction is allowed because you can't ever go back.

Our belief is that a delay must be put on these re zoning petitions, in order for your team to make more studied and educated decisions, and in keeping with retaining some of what is valuable to our town, not just to serve the needs of developers trying to make a fortune at the towns expense.

- A). I have walked this property and enjoyed the canopy of trees as we pass by on Governors...it's high, a beautiful contrast to the wall of townhouses further west and it's well visible. The soil however is hard packed clay and boy is there runoff during any rainfall...only the trees give some relief. To allow a development here with resulting cover of more than even 30% of the land will be a disastrous problem to the already overused existing sewer system AND neighbouring properties..... Looking to the future?
- B). This tract of land can only open out to Governors Rd. It is the only possibility. It enters to a point of extreme congestion of buses and cars where there are already numerous traffic lights and left turn lanes. 30+ units or about 60 more cars added to entering and exiting here is just creating more trouble. A few years ago, a daycare with only 5 or 6 visitors per morning and night was denied due to traffic congestion, and it's only 280 feet the other side of the Creighton lights, on the same road.....Consistency?
- C). The petition to build on a very high point of land, anything of height over a single story unit, will be intrusive to the surrounding homes, when done at this density. It will cause them more drainage problems than they already deal with, a loss of privacy and a significant loss of natural habitat.....is this Progressive Thinking?
- D). These 31+ homes will certainly generate more parking needs than 6 or 7 visitor parking spaces....check any street on a weekend and you'll see a half dozen cars just outside any two or three homes......Creating more problems?

Our concern is that the zoning **NOT** be removed **before a good town plan is developed**. We crave our town to retain some of what is beautiful, good and precious in Dundas.

We believe good planning is necessary and important and the population want and deserve that someone has the gumption to say STOP, LOOK, AND LISTEN, BEFORE any more destruction is thoughtlessly done.

Sincerely,

Judith and Charles Taylor



'One of the greatest gifts you can give anyone, is your full attention'

# Appendix "H" to Report PED19041 Page 15 of 37

From: Bob Parliament <IAABOref\_ump3@hotmail.com>

Sent: February-05-18 2:26 PM

To: Lucas, Adam

Subject: Re: FILES: UHOPA-17-040; ZAC-17-088

Property located at 264 Governors Road, Dundas (Ward 13)

Dear Adam,

My name is Bob Parliament.

I reside \_\_\_\_\_\_...along with my parents Roger and Mary...both are in their 90's...and I am their full time caregiver and POA.

They have resided at this address since 1981.

I have a concern that if the proposed rezoning of the property next door proceeds as is currently set forth...that their property value will decrease substantially.

In addition...I have concern for safety...as my father is still a qualified driver...and he has been instructed to only back into his driveway...so that he drives forward onto Governors Road...it is no longer safe for him to back onto Governors Road...due to current increased traffic flow.

I can provide a report of an accident which happened on March 5th, 2013 where neither driver was found 100% responsible...as proof of this point.

It has been indicated by Councillor Arlene VanderBeek...that a traffic light will be installed at Huntington and Governors Road...my opinion is...let's get that light up NOW...if that is the plan...that would have made the accident from 2013 preventable for sure...however...it will also highlight the congestion that will occur in front of 264 Governors Road...making it even clearer...the safety concerns due to traffic that the new zoning proposal will cause.

Adam...I also have concerns regarding the ecology at 264 Governors...please note the old tree growth on the 6 properties directly to east of 264 Governors (namely 260...256...254...252...250...and 248 Governors)...as I would address those issues in further depth at a later date.

Adam...I am submitting this brief to you in a timely fashion to preserve my right to APPEAL...should Hamilton Council choose to proceed with the rezoning application as it stands NOW!

Sincerely and Respectfully submitted by: Bob Parliament (POA) on behalf of Roger and Mary Parliament Registered Owners

FEB 0 5 2018

#### Re: Files # UHOPA-17-040 AND ZAC-17-088 Concerning 264 Governor's Road, Dundas

Adam Lucas, City of Hamilton
Planning and Economic Development Department
Development Planning, Heritage and Design – Urban Team
71 Main St. E., 5<sup>th</sup> Floor, Hamilton, ON, L8P 4Y5

February 5 2018

To whom it may concern,

2.34

As owners of 9 Lynndale Drive, and immediate neighbours of the property at 264 Governor's Road, we have significant concerns about the proposed rezoning and official plan amendments for this property. While we are very involved in the community comment that is also being submitted in response to this proposal, we wanted to make our own personal concerns known separately.

We feel that the development as proposed is ill informed, environmentally unsustainable, at odds with many aspects of the Ontario Government's policies for intensification as outlined in the document "Places to Grow", and dependent on significant variances in the Zoning Bylaws for the Town of Dundas that would increase the negative effects on neighbours for the sole purpose of increasing profit for the developer. In particular, we feel that the variances requested by the proponent will cause significant harm to us and to at least eight of our close neighbours. Since the purpose of these variances would be to allow even more housing units than the bylaw permits, we feel that favouring economic gain for a developer who is keen to ignore the protections provided for neighbours in the Zoning Bylaws, while increasing economic costs to those whom the bylaws are intended to protect, is both unfair and contrary to responsible planning principles.

While we accept that intensification of residential units on this property is highly likely over the next few years, we do not believe that the excessively dense assembly of large, high-end townhouses proposed is complementary to the neighbourhood in any way, nor in the best interests of Dundas and its surroundings in general. We are encouraged by the statement of Jason Thorne, General Manager of Planning and Economic Development for the City of Hamilton in 2014 that he is "a very strong believer in community planning and community engagement, and bottom up planning...", and we hope that belief will guide decision making on this controversial application. We believe firmly that working with a developer interested in community-based planning could produce a much better plan for housing intensification that would eliminate or ameliorate many of the concerns expressed by us and by our neighbours, and produce a development that would fit into and enhance the West Highland neighbourhood. Approval of the current project would eliminate any chance of such compatible development, as there are no other comparable parcels of land in the immediate area.

Specifically, our property stands to suffer in several ways, without even lip-service in the proposal about measures to limit such harm.

Our property, at and those of two neighbours at 11 Lynndale and 9 Elizabeth Ct. currently receive overland flow from approximately 10 % of 264 Governor's Road during high rainfall events. 11 Lynndale is the lowest of these properties, and has a 45 year history of water management problems. In the four years we have lived at have consciously, and at a significant cost in money and labour, attempted to manage runoff on-site. Following City of Hamilton and Hamilton Conservation Authority recommendations, we have added storage facilities for almost 2 m³ of runoff storage and another 1.5 m³ of short term storage for major storm events, added many m³ of composted organic matter to the topsoil, added terracing and rain gardens to delay runoff and increase infiltration, and increased tree and shrub canopy to intercept more precipitation. Based on our experience we estimate that during the extreme flooding rains of April 2017 our property was able to handle close to half of the estimated 75 m³ received by our property, but reached saturation and was unable to handle inputs from 264 Governor's. We are adamant believers that storm water should be handled on-site to whatever degree is possible in an area of Dundas that is directly upstream of very flood prone neighbourhoods with chronic flooding. We find it very distressing to think that a developer might be able to allow increased runoff to overloaded existing storm sewers, which failed to handle the inputs from this and adjacent

#### Appendix "H" to Report PED19041 Page 17 of 37

properties just last year. Based on our own weather records, we estimate that the increased impervious surfaces proposed for the property would have generated approximately 300 m³ of runoff in last April's storm, would have prevented infiltration of approximately half of that input, and would have delivered the storm water to storm sewers faster during the periods of peak flow. Although that runoff is nominally handled by the storm water system, it is well known that the sewer system was overwhelmed by that storm and that water went directly into already flooded stream courses in April 2017.

While we have been assured that grading of the property in question would alleviate flow <u>onto our land</u>, the solution would be to divert that water, too, to the storm sewers on Governor's Road, simply transferring a problem from one set of neighbours to another. There is no evidence from the proposal that the developer has given any consideration of managing storm water, and the "Concpet Plan" certainly allows no space for such management. We are absolutely adamant that whatever development is permitted at 264 Governor's Road, it must have the capacity to handle and temporarily impound its own storm water runoff. If the kind of externalization of the problem evident in the proposal becomes a precedent for future developments, it will become harder and harder to provide a safe living environment for those already living in floodplains in the lower Dundas Valley. In the long term, it is much cheaper for the City of Hamilton to protect itself against the day when it may have to buy out residents of floodplains when chronic flooding due to climate change and over-development of the mid-valley, make such a move necessary.

We do believe that there are alternative ways to intensify habitations on this property, including ways that make environmental protection easier, and that would have profound social benefits for both the new residents and the existing neighbours. For example, there are more than 100 retirees of two generations living in the West Highland Neighbourhood. I have heard from several of them that, if they were able to downsize and remain in their familiar social environment, they would seriously consider doing so. Thus, development of low-rise, small homes suitable for seniors (whether or not they were designated as senior residences) would meet a known need, and free up single family homes for working families in a very desirable neighbourhood. This would have the added advantage of maintaining social contacts, which is well known to have significant benefits and cost savings for senior care.

It is also notable that a seniors-oriented development would eliminate many of the concerns other neighbours have about the effect development of this property would have on already congested traffic and student safety on Governor's Road in the vicinity of the cluster of schools there. While improvements to Governor's Road scheduled for this summer will take care of some of the existing congestion and safety hazards, the addition of as many as 62 commuters entering and exiting the road at this point will immediately undo some of that amelioration.

Should rezoning of the property to RM-1 nevertheless be deemed appropriate for this property, we are very concerned with and opposed to the many variances that the developers have requested. Almost all of these variances, originally written to control overdevelopment and minimize negative effects on neighbours, would have negative effects on our property and on the neighbourhood in general.

Most importantly, the developer is requesting exemption from the <u>mandated</u> buffer zones adjacent existing R1 zoned properties (Regulation 12.3.6.2) along the south and east sides of the property. Under the "Concept Plan" submitted, a 10 m high wall would rise just 3 m from our existing fence, eliminating any chance of privacy within our landscaped lot containing patios, ornamental gardens and vegetable gardens. This very narrow passage would also necessitate the removal of the existing deciduous hedge that currently provides a measure of privacy in summer, because it would obstruct the path of vehicles such as initial construction vehicles, lawn services, contractors, etc. This close encroachment would certainly affect the private amenity value of our property, and ultimately reduce its monetary value and potential for sale in the future. The effects on few of our immediate neighbours are even more harmful. Erroneously, in supposedly addressing this issue and justifying the variances, the application simply states, without foundation, that "private amenity spaces [on adjacent properties] are not adversely impacted." (p. 18, f)

A full reading of the official plan would require a minimum buffer of 3.0 m and a side yard of 7.5 m, with the latter possibly being reduced to 3.0 m under certain circumstances (Regulation 12.3.2.2). We also contend that, since the site planning of the proposed development, vis. a vis. the "Concept Plan", will clearly be constrained by the need for such

buffers and other factors, and may thus require more creative design than the envisioned straight lines of units, that no reduction in the side lot width be allowed at this stage. If a truly viable site plan can be proposed that would necessitate some reduction in side yards, a variance could be considered at the site planning phase. Whatever decision is made on variances, we hold that construction of a privacy fence and vegetated buffer around the property is an absolute need, and contend that a variance allowing for that fence to be at least 7 feet in height, as the existing fence is, rather than the 6 feet normally allowed, is a reasonable request.

We oppose the reduction of mandatory landscaped area (Regulation 12.3.6.1) from 50% to 32% on the grounds that it is contrary to good practice in an area that already has significant environmental constraints and problems, and that it would maximize the removal of existing tree cover that has local significance for privacy, aesthetics, and ecological function. It should be possible to maintain some of the mature tree cover on this lot to maintain its function as a stepping stone for migratory birds. At present, it is the only significant piece of highland forest that visually connects two areas of lowland and ravine forest to the north and south. It is certainly well known that birds will use visual stepping stones to cross unfavourable areas, and our observations indicate that a significant number of spring and fall migrants use this property for just that function. While it is understood that such factors are not generally considered as critical elements in urban decision-making, it is indeed myopic and destructive not to incorporate remedies for such ecological functions when they are available.

We are also completely opposed to the basic justification for the request of so many variances, the wish to cram far more units onto this parcel of land than the Zoning Bylaw intends. The allowable maximum density of 37 units per hectare is more than sufficient to allow reasonable intensification in this neighbourhood and within this environment. It allows for the inclusion of a landscape plan that actually maintains some of the amenity value and natural functions provided by the property today, for the inclusion of green infrastructure to lessen the impacts and external costs of development on the environment, and elimination of the need for many of the requested variances that are a source of major local concern.

In summary, it is our contention that the rezoning requested is predicated on an unreasonably high density of units that would eliminate most of the mandated protections for existing neighbours, would off-load additional problems to immediate and downstream neighbours and to the city, includes no evidence of a commitment to nor a willingness to include protections for the environment, and is not the best possible social or even economic decision for the neighbourhood and the city as a whole.

Dr. J. David Moffatt PhD (Zoology), BSc (Biology, Geography), Bed.

Carol Moffatt BA (Geography, Canadian Studies), Bed.

SMAJAN

Contact Information:

bais Uoffat

# Appendix "H" to Report PED19041 Page 19 of 37

RECEIVED FEB 1 4 2018

February 10, 2018

Mr. Adam Lucas City of Hamilton 71 Main St. West Hamilton, ON L8P 4Y5

Re: 264 Governors Road

File: UNOPA-17-040: ZAC-17-088

Dear Sir.

I appreciate the opportunity for engaged citizens of Dundas to comment upon the proposal for this interesting property.

Many times I have driven by this 1.6 acre "Oasis" and neighbourhood landmark surrounded by an area of significant urban density. Would it not be "innovative and visionary" for the city planners to consider this property as an asset as it stands, and simply revitialize it? A new and spacious home could be built in the current footprint; the barn could become a wonderful two-storey play area for children, or a studio, workshop, or even a "man cave". The creative person could also certainly envision similar appropriate uses for the smaller outbuildings even if they need repair.

The property already features healthy mature deciduous and evergreen trees, and even fauit trees, fertile soil for vegetable and flower gardens, and a vibrant rose hedge fronting the street, all features which add to aesthetics and air quality of the community.

I commend the efforts of city staff to "strengthen, protect, and preserve the character of Dundas", in spite of provincial pressures. Although proposed, this property, as yet it seems, has not been mandated to be forever submerged beneath cement, and thus deserves thoughtful consideration or re-consideration. Do 5 three and two storey buildings condensed into this space validate the above sentiments and vision/mission?

Yours respectfully,

Florence Acres Florence Acres

#### Appendix "H" to Report PED19041 Page 20 of 37

 From:
 David <</td>

 Sent:
 April-16-18 8:31 AM

To: Lucas, Adam

Subject: Amendment re comment on Files #UHOPA-17-040 and #ZAC-17-088 concerning 264

Governor's Rd. Dundas.

## Amendment re comment on Files #UHOPA-17-040 and #ZAC-17-088 concerning 264 Governor's Rd. Dundas.

Adam Lucas, City of Hamilton
Planning and Economic Development Department
Development Planning, Heritage and Design – Urban Team
71 Main St. E., 5<sup>th</sup> Floor, Hamilton, ON, L8P 4Y5

April 16 2018

Dear Mr. Lucas and team

Urban Solutions, through Councillor Arlene VanderBeek, held a public meeting on Thursday April 12 with approximately 30 objecting neighbours in regard to the rezoning and official plan application for 264 Governor's Rd. The meeting with Mr. Matt Johnston and Ms. Amber Lindsay of Urban Solutions, with proponent Don Newman in attendance, unfortunately did nothing to allay objections, and in fact raised at least two new concerns about the proposal.

Mr. Johnston's presentation to the gathered crowd was both facile in content and imperious in tone, assuming that the attendees knew nothing of the original proposal, essentially providing no new information except the realignment of the driveway with Huntingwood Dr., and implying that neighbours should be happy because the proposal wasn't worse! He basically told those gathered, when questioned, that the existing by-law was dated, and therefore that there was no need for the proposal to conform to it. While we know that revision and harmonization of Hamilton's Zoning Bylaws are in progress, we are very concerned that an applicant should think that it is acceptable to make an application for rezoning <u>under existing law</u>, but then openly deny the relevance of that law.

The realignment also required the shifting of the northeastern block of townhouses in a way that would require a further variance, not highlighted at all by the presenter. The eastern side yard of this block would be reduced to only 2m adjacent to the property at 260 Governor's Rd. well under the minimum 3m permitted under existing Zoning Bylaw Regulation 12.2.2.2, this already being a reduction to the standard 7.5 m side yard adjacent an R1 property. With much questioning, it was also revealed that the intention for this block was that it would require either filling to grade adjacent 260 Governor's Rd. or a retaining wall, neither of which is feasible, Filling to grade would eliminate the catchment pond at the northeast corner of the property, which is one of the most important features for limiting storm water runoff from this and adjacent properties during extreme weather events. It would also create a serious flooding and icing hazard on the adjacent sidewalks, roadway and proposed bicycle paths along Governor's Rd. Already the R1 properties east of 264 Governor's Rd., which are graded down to the road, have a surface drainage problem that leads to runoff across the

#### Appendix "H" to Report PED19041 Page 21 of 37

sidewalk and onto the roadway, and that forms extremely hazardous ice layers during periods of freeze-thaw, especially for pedestrians.

A retaining wall is equally untenable, given the above mentioned variance. With only a 2m side yard allowance, a retaining wall of sufficient thickness to resist movement of the extremely heavy and viscous Highland Clays next door would reduce the side yard to a width impractical for maintenance. Construction vehicles could not access this side of the building to deal with problems like basement flooding (which those of us living in the area see as inevitable in the long term for this block) or even for maintenance of the retaining wall. With a proposed height of 13.5m for this block, it would not even be possible to stand a ladder at a safe slope on this side of the building for maintenance of eaves troughs or similar work. Finally, a retaining wall would further reduce the volume of the existing catchment.

Mr. Johnston, when pressed about storm water management, gave a very superficial answer concerning storage tanks and slow release, but was unable (or unwilling) to provide any details about the location or capacity of such tanks. In order to achieve no net change in runoff, such tanks would have to have a capacity that the design concept does not allow, and would have to include at least one major tank at or near the low point on the property. I estimate that the amount of additional runoff during an extreme storm event like April 19, 2017 would generate an estimated 100 m³ of additional runoff in a matter of a few hours from the area of pavement and roofing proposed. Since the existing runoff created flood conditions downstream in April 2017, that extra water would have had to be held until after the storm subsided. Nowhere in the "concept" is there room for such storage. In the event that the property were to be graded to grade with the adjacent lots, eliminating much of the existing catchment volume at the northeast corner, the storage capacity would have to be significantly increased to accommodate that natural surface storage as well.

We were dismayed overall, given the lip-service paid to community-based planning in their public relations, that the representatives of Urban Solutions showed no interest or willingness to consider any local input on their proposal, and in fact projected an attitude that neighbours should simply accept their proposal gratefully without input. The neighbours clearly arrived at the meeting with the hope that the proponents would listen to ideas for making the inevitable development of this land less intrusive, better integrated into the surroundings, and more compatible with 21<sup>st</sup> Century goals of mitigating the effects of climate change and maintaining environmental amenity and integrity, as envisioned in the Greater Golden Horseshoe Area Planning Policy. We were severely disappointed.

We have submitted this response as quickly as possible after discussion with a number of the attendees. We have not yet had time to garner signatures from those consulted, but will add their names to this document as we are able.

Thanks for your attention, Adam.

Sincerely

David and Carol Moffatt

#### Appendix "H" to Report PED19041 Page 22 of 37

 From:
 David

 Sent:
 April-24-18 10:05 PM

To: Lucas, Adam

**Subject:** Additional signatures for amendment of April 16

Attachments: AmendmentApril 24.pdf

Dear Adam

Attached is a PDF file restating the issues that we raised on April 12 after a community meeting organized by Urban Solutions. In the interim, we have received requests to add the signatures of 30 additional objectors, including all of the immediate neighbours of 264 Governor's Rd., most of the immediately surrounding residents, and the majority of those citizens who attended the meeting.

The substance of the objection has not been changed, though a few typos and redundancies have been corrected in proof.

Thanks again

David Moffatt

Updated Amendment re comment on Files #UHOPA-17-040 and #ZAC-17-088 concerning 264 Governor's Rd. Dundas.

Adam Lucas, City of Hamilton
Planning and Economic Development Department
Development Planning, Heritage and Design – Urban Team
71 Main St. E., 5<sup>th</sup> Floor, Hamilton, ON, L8P 4Y5

April 24 2018

Dear Mr. Lucas and team

This is an update to the amended comment submitted under the names of David and Carol Moffatt on April 16. This amendment has now been signed by 32 objectors, including all of the immediate neighbours of 264 Governor's Rd., most of the nearly adjacent residents, and the majority of citizens who attended the meeting with Urban Solutions on April 12. The opposition has arisen without extensive canvassing on our part, as a direct result of the unwillingness of the applicant to entertain any community input on the proposal, notwithstanding their claims to the contrary on Urban Solutions' microsite, and the fact that they failed to identify a further variance that would be required by their new Concept Plan, but for which they have not applied according to their own document.

Urban Solutions, through Councillor Arlene VanderBeek, held a public meeting on Thursday April 12 with approximately 30 objecting neighbours in regard to the rezoning and official plan application for 264 Governor's Rd. The meeting with Mr. Matt Johnston and Ms. Amber Lindsay of Urban Solutions, with proponent Don Newman in attendance, unfortunately did nothing to allay objections, and in fact raised at least two new concerns about the proposal.

Mr. Johnston's presentation to the gathered crowd was both facile in content and imperious in tone, assuming that the attendees knew nothing of the original proposal, essentially providing no new information except the realignment of the driveway with Huntingwood Dr., and implying that neighbours should be happy because the proposal wasn't worse! He basically told those gathered, when questioned, that the existing by-law was dated, and therefore that there was no need for the proposal to conform to it. While we know that revision and harmonization of Hamilton's Zoning Bylaws are in progress, we are very concerned that an applicant should think that it is acceptable to make an application for rezoning under existing law, but then openly deny the relevance of that law.

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# Appendix "H" to Report PED19041 Page 24 of 37

weather events. It would also create a serious flooding and icing hazard on the adjacent sidewalks, roadway and proposed bicycle paths along Governor's Rd. Already the R1 properties east of 264 Governor's Rd., which are graded down to the road, have a surface drainage problem that leads to runoff across the sidewalk and onto the roadway, and that forms extremely hazardous ice layers during periods of freeze-thaw, especially for pedestrians.

A retaining wall is equally untenable, given the above mentioned variance. With only a 2m side yard allowance, a retaining wall of sufficient thickness to resist movement of the extremely heavy and viscous Highland Clays next door would reduce the side yard to a width impractical for maintenance. Construction vehicles could not access this side of the building to deal with problems like basement flooding (which those of us living in the area see as inevitable in the long term for this block) or even for maintenance of the retaining wall. With a proposed height of 13.5m for this block, it would not even be possible to stand a ladder at a safe slope on this side of the building for maintenance of eaves troughs or similar work. Finally, a retaining wall would further reduce the volume of the existing catchment.

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Thanks for your attention, Adam.

Sincerely

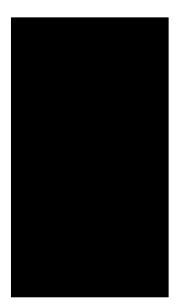
David and Carol Moffatt Marina Intson Carol Cole

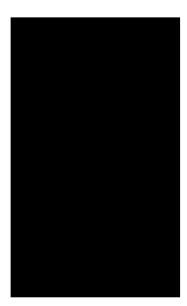




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Richard and Kelly Wood Bruce and Sylvia Hutchinson Roger and Mary Parliament Bob Parliament Fay Schmerling Nina Lewin and Dave Toth Ed and Jacqui Parker Herb and Carol Herauf Walter and Nella Sandrock Jim and Barbara Anderson Maureen Bergart Chuck and Judy Taylor Deb Fester Chuck Clark John and Judy Newitt Leslie and Bev Lasky Linda Larrett



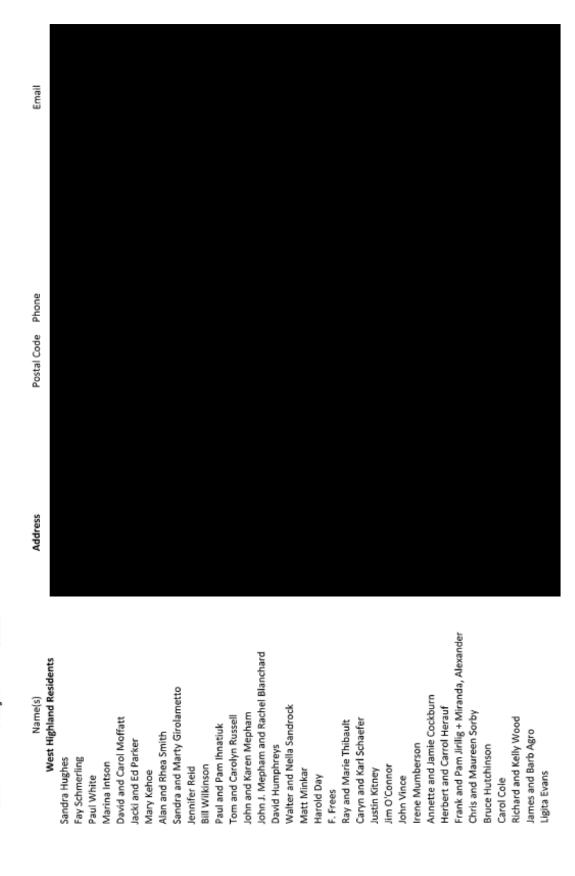


FEB 0 5 2018

## LISTS OF SIGNATORIES

Community comment Files #UHOPA-17-040 #ZAC-17-088

Re: 264 Governor's Road, Dundas Please note that this list is divided to separate those residents who are willing to have their information published as part of the public record, and a second list of those who requested that their personal information be withheld from publication, as permitted in the Notification sent to adjacent residents.





Frank and Bernice Marzola Dave Toth and Nina Lewin

Craig and Maribeth Parent

Wanda and Casey Kivell Ann Jansen

Lina Martinez and John Feleja

Bruce Lockhart and Christine Monaco Judy and John Newitt Bob Parliament

Wendy and Dave Lazenby Christine Roarke Paul Mitro

Bill and Nancy Lawrence Wayne Balardo Shelley Pirie Susan Willis

Bev and Ralph Orman Rail and Meral Allieu Sudeepa Sarkar

John H. Vince Mark Levine Mike Kehoe Blair Fisher

Adjacent Neighbourhoods

Corinne Wallace Chuck Clark Deb Fester

Michelle Yellin Liz Voogjarv Charles Kirk

Lloyd and Francine Orson Ira Greenspoon Julie Selden Susan Roth

Bev Miller

Garry and Amanda Barankin Jodi and Eric Waxman Carol Shogilev

Harriet and Michael Orlander Terry and Jerry Bennett Wendy Schneider



Other Hamilton
M. Scharinga
Peter and Martina Boles
Evan Haas
Bryan Campbell and Alanna Sandrock

# The following signatories have requested that their personal information be withheld from the public report and the City website made available to the general public.

West Highland Residents
Michael and Brenda Walters
Tom and Violette Wieklik
Bob and Linda Waterhouse
Gerry and Bev McGill
Jeff and Kathryn Stenhouse
Fred Bennett

Adjacent Neighbourhoods
Les and Gail Wolfe
Greg Best
Judy Hall
Gail Intson
Louise and Henri Bigras
Francoise Cyr

Other Dundas

L. Larrette
Valerie Owen
James Dincenzo
Alison Temperley
Rita Italiano
Deb Beedie
Barb Monaco

Chantal Lacrosse

Other Hamilton

Emily Seguin D. Stevens

FEB 0 5 2018

# Re: Files # UHOPA-17-040 AND ZAC-17-088 Concerning 264 Governor's Road, Dundas

Adam Lucas, City of Hamilton
Planning and Economic Development Department
Development Planning, Heritage and Design – Urban Team
71 Main St. E., 5<sup>th</sup> Floor, Hamilton, ON, L8P 4Y5

Please find enclosed an on-line petition opposing massive intensification at 264 Governor's Road, Dundas, conducted by Kelly Wood of 11 Elizabeth Court, Dundas, L9H3M1 over the Holiday Season prior to the compilation of the community comment submitted separately. It includes 118 signatories.

## change.org

Recipient: The City of Hamilton

Letter: Greetings,

Save 264 Governors Rd, Dundas!

# **Signatures**

Name	Location	Date
Holly Wood		2017-12-30
Suzanne Smythe		2017-12-30
Kelly Wood		2017-12-30
chris Holmes		2017-12-30
Debbie Atterton		2017-12-30
Holly Wood		2017-12-30
PETER RITTNER		2017-12-30
Nancy Roussy		2017-12-30
tracy ryckman		2017-12-30
Joanne Bibby		2017-12-30
Stacy Bennett		2017-12-30
Ingrid Thompson		2017-12-30
Laura Lyon		2017-12-30
Dan Cormier		2017-12-30
Helen Bedell		2017-12-31
Karen Criminisi		2017-12-31
Ahilan Sooriya		2017-12-31
Jujhar Singh		2017-12-31
Lisa Sproule		2017-12-31
Eric altmayer		2017-12-31

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Name	Location	Date
Lynn Vogan		2017-12-31
Colleen Woods		2018-01-01
Michelle Daleo		2018-01-01
Kirsten Clement		2018-01-01
Suzanne Moffatt		2018-01-01
Margaret Jones		2018-01-01
Karen Cowperthwaite		2018-01-01
Rachel Jaques		2018-01-01
Andrea Livesey		2018-01-01
Karen Leonard		2018-01-01
Jackie Hendricks		2018-01-01
Paulette Langlois		2018-01-01
alex moffatt		2018-01-01
Tina H		2018-01-01
Geraldine Livesey		2018-01-01
Amy Back		2018-01-01
Mark Gensey		2018-01-01
Sarah Parker		2018-01-01
James Davidson		2018-01-02
Linda Fracalanza		2018-01-02
Laura Meester		2018-01-02
Helen O'Carroll		2018-01-02

Name	Location	Date
naomi levy		2018-01-02
Melissa McKeown		2018-01-02
liz chantaj		2018-01-02
Davida Sobel		2018-01-02
Dorothy Kern		2018-01-02
Liz Kuchler		2018-01-02
Marianne Moseley		2018-01-02
Alexa Stovold		2018-01-02
Katia Grodecki		2018-01-02
Lynn Simon		2018-01-02
Branko simon		2018-01-02
Emily Fitzpatrick		2018-01-02
Craig Tewsley		2018-01-02
Evelyn Cahoon		2018-01-02
Chris Diggins		2018-01-02
Danielle Tateno		2018-01-02
Catharina Travale		2018-01-02
Linda chisholm		2018-01-03
Hannah Ward		2018-01-03
Valerie Heesen		2018-01-03
Merinda Yearham		2018-01-04
Mary Pat Hill		2018-01-04

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Name	Location	Date
Leonora Cimino		2018-01-05
Gilda Ennis		2018-01-05
Jordon Rioux		2018-01-06
Lisa Binkley		2018-01-06
Tara Roberts-Smith		2018-01-06
Beth Milner		2018-01-06
Nicole ribeiro		2018-01-06
Rachel Burrows		2018-01-06
Erika Keys		2018-01-06
Loreen Kelly		2018-01-06
Devin Walters		2018-01-06
Corrine Patterson		2018-01-06
Sharon VanShaik		2018-01-06
Robert Bill		2018-01-06
Joan Leatherdale		2018-01-06
Pamela Pettyan		2018-01-06
erinn eagles		2018-01-06
judith eagles		2018-01-06
Laura Sharoe		2018-01-06
Michelle Mitchell		2018-01-06
Lynn Watson		2018-01-06
becky corken		2018-01-06

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Name	Location	_	Date
Janice Sawayama			2018-01-06
Lyn Fabiani			2018-01-06
Lorinda Makoviczki			2018-01-06
Kimberley Reid			2018-01-06
Julia Goede			2018-01-06
Chris Whitfield			2018-01-06
Cory Huston			2018-01-06
Tobi Hawthorne			2018-01-06
Sarah Wilkinson			2018-01-06
Sharon Johnson			2018-01-06
Adrianna G			2018-01-06
Janice Ferguson			2018-01-06
Amy Bennett			2018-01-06
Rueben Williams			2018-01-07
Michelle Gallacher			2018-01-07
Christopher MacGregor			2018-01-07
William MacGregor			2018-01-07
Alexa Kritsonis			2018-01-07
Zack Shuman			2018-01-07
Sherry Shaw			2018-01-07
genelyn acebedo			2018-01-07
david grice			2018-01-07

## Appendix "H" to Report PED19041 Page 37 of 37

Name	Location		Date
Charles Taylor			2018-01-08
carole mccormack			2018-01-08
Grace Freeman			2018-01-08
Ryan Fisher		,	2018-01-08
Jordan Poole			2018-01-08
Will O'Brian			2018-01-08
KATE MAGEE			2018-01-09
Paul Weiss			2018-01-09
Lisbeth Walkinshaw			2018-01-09
Patricia Grodecki			2018-01-10