

February 1, 2019

Hamilton, ON L8P 3P7

RE: UHOPA-18-021 and ZAC-18-047

Not to be entered in public record, at writer's request

Dear Mr. Barnett,

We are writing to ask that the zoning application for a high-density residential unit at 184 and 186 Markland Street Hamilton be denied.

we are strongly opposed to this re-zoning application.

We proudly moved to this neighbourhood in 2014, and part of the decision to purchase our home was based on a careful look at the nearby zoning permits.

over the past two years we have been negatively impacted in a number of serious ways by the owners, who have proceeded with construction and addition of 8 units on these properties. We would be discouraged and devastated by the impact if the City allowed this re-zoning to proceed.

Some of our concerns are outlined below:

- 1) This is a quiet, community-oriented street filled with mostly single family homes. If re-zoning for these 8 (or more) rental units is allowed on the properties in question, the culture and make-up of our neighbourhood could change drastically, with significant impact on desirability and property values.
- 2) The proposal could have major implications to the neighbourhood with regards to safety, crime rates, traffic, noise levels, etc.
- 3) We have small children who use our backyard to play, and we enjoy spending time outside with friends and family. The Edmonds' additional units have created a 'fishbowl' effect with 4 of the units staring directly into our yard, with their frequent rotation of renters. They have also been building multiple balconies on the back of this property which have been compromising the peace and use of our backyard.
- 4) Street and lane parking for this stretch of Markland Street is already extremely limited, given the urban density and hospital workplaces nearby. Home-owners have difficulty finding parking close to their homes as it is, and the lane between Markland and Herkimer gets dangerously congested. With 8 or more units and the extra cars requiring parking, there is already a major impact on the needs of homeowners on this street.

- 5) We are extremely concerned that the proposed change of zoning could pave the way for demolition of the current structure and construction of a multi-story building on the property, which would be entirely out of keeping with the culture and historical significance of this part of the Durand neighbourhood.
- 6) The Edmonds' have already gone ahead and created the 8 rental units. Major exterior and interior renovations and construction has been going on for two years, which has impacted our property already (debris in our back yard, damage to our fence on multiple occasions, noise, etc.).
- 7) We know that there have been many City notifications on the property ordering them to cease/hold construction, which raises concerns to us about their level of civic consultation, building code adherence, and transparency in making this level of impact on the community.

We would like it to be known that we are vehemently opposed to the change in zoning being proposed. We plan to attend any public meeting regarding the applications in question to express our opinion, which is shared by many in the neighbourhood.

Please keep us informed regarding the notice of the public meeting and any decisions regarding this application.

Sincerely,

Paul & Helen Nichols

Hamilton, Ontario L8P 3T4

February 6, 2019

Daniel Barnett
City of Hamilton
Planning & Economic Development Department
71 Main Street West, 5th Floor
Hamilton, Ontario L8P 4Y5

Re: UHOPA-18-021, ZAC-18-047

Dear Mr. Barnett:

In response to the City’s above referenced letter, dated January 11, 2019, we are pleased to provide comment on the requested Official Plan Amendment (OPA) and Zoning By-law Amendment.

We fervently oppose the requested OPA to establish a site specific policy are in order to permit a high density residential use located on a local road. With limited access to arterial streets from the proposed location, significant increases in local density (even site specific increases) only serve to exacerbate the current traffic congestion along Queen Street South and James Street South. Additionally, ongoing conversations between local residents and the City – often through the Durand Neighbourhood Association – have acknowledged that, while increases in density will be a reality for the Durand, those increases should be contained to the northern portion of the neighbourhood. This allows for easier access to transit along Main Street, protects the historic character of the Durand, and provides a more appropriate transition from the high density buildings in the northern portion of the neighbourhood, to the lower density, single-family housing that characterizes south Durand.

We also oppose the requested Zoning By-law Amendment. While it is understood that the change in zoning would not result in any substantial building height increases, there are a number of other issues that arise. The nature of proposed amendment results in insufficient green space for the enjoyment of the building tenants. Reduced setbacks (and associated building/site modifications) will reduce permeable surfaces and negatively impact storm water run-off from the site. Finally, changes to parking dimensions / requirements will result in an untenable parking situation for tenants and adjacent neighbours.

The above detailed concerns, particularly those related to the proposed Zoning By-law Amendment, are not without basis. This is clear, as the impacts have already been realized as the building and site modifications that would be permitted through the amendments have already been completed. The increased hardscape on the front porch/entrance way has increased site run-off; the construction of storage huts and partial construction of rear exit stairways has removed any meaningful green space for tenant enjoyment; and the newly constructed parking spaces have resulted in the tenants (already residing in the most of the new units) encroaching into the public alleyway easement with their parked cars. In addition, the extra parking has resulted in additional traffic in the rear alleyways, causing increased wear and tear / rutting of the alleyway. For local residents that do not have driveways or alleyway parking they now have an even great challenge finding street parking, owing to guests visiting the increased number of units at the subject properties and parking on the nearby streets.

The owners of 184 and 186 Markland Street have operated in bad faith from the beginning. They did not seek the OPA or the Zoning By-law Amendment prior to commencing construction. Nor did they advise the neighbouring properties of their intentions. The design and planning of their project is deeply flawed from both an urban planning and a design perspective. Based on this, we do strenuously oppose the requested OP and Zoning By-law Amendments.

Thank you for providing us the opportunity to provide comment on the proposed changes. We hope the issues and deficiencies identified via this letter will be given the significant consideration they deserve.

Respectfully,

Paul L. Nichols, MASC, MCIP, RPP
Helen Burnett-Nichols, MA



February 7th, 2019

Daniel Barnett
City of Hamilton
Planning & Economic Development Department
71 Main Street West, 5th Floor, Hamilton, ON. L8P 4Y5
Re: UHOPA-18-021, ZAC-18-047

Dear Mr. Barnett,

We are writing in regards to the application for the Official Plan Amendment and Zoning By-law Amendment for the lands located at 184 & 186 Markland Street, Hamilton. (Ward 2)

We understand the applicants are seeking a zoning by-law amendment to modify the existing properties currently consisting of a single dwelling and a duplex dwelling, and redevelop them into a four unit dwelling on each lot for a total of 8 dwelling units. This is an increase of 5 dwelling units within the confines of the existing properties.

The applicants are asking the properties be rezoned from D to DE3 which allows multiple dwellings up to 3 storeys in height in order that they may legally comply.

There are no drawings and there is no site plan included with this proposal to indicate the extent of the modifications. The presumption is that the modifications are therefore all internal to the existing buildings.

The Durand Neighbourhood Association is not clear on the implications to the neighbourhood from this redevelopment. Our concerns would include the increased parking requirements and access and maneuverability from the greater density. Would the additional 5 dwelling units required parking come at the expense of the required landscape area being that $\frac{1}{4}$ of each lot must be soft landscape. Additional paving also comes at the expense of green space and contributes to our surface runoff and drainage issues.

Can the City confirm that the new proposal will legally meet the requirements of the proposed new DE3 zoning or will it require additional site specific variances? Specifically will the proposal comply with the DE3 zoning with respect to the following?

- Height
- Floor Area
- Side Yard Setbacks
- Front Yard Setbacks
- Lot Area
- Lot Width
- Landscape Area
- Parking

A further concern would be that there is a plan in place for the garbage and recycling.

Zoning amendments are a more major application unlike minor variances sought at Committee of Adjustment. We feel that there is currently a lack of information to determine implications to the neighborhood from this redevelopment proposal and suggest a deferral or denial until our concerns can be addressed.

Respectfully,



Christopher Redmond

President

The Durand Neighbourhood Association

On behalf of the Board of Directors: Roberta Harman, Anne Tennier, Dennis Baker, Geoff Roche, Janice Brown, Paul Nichols, Andrew McGilliard, Doug Tewksbury, Bianca Caramento, Erica Ippolito.

From:
Sent: February-06-19 6:06 PM
To: Barnett, Daniel
Subject: Application by Edmonds @ 184/186 Markland Street

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

Re: Application by Edmonds @ 184/186 Markland Street (UHOPA-18-021 and
ZAC-18-047)

Dear Mr. Barnett:

I am concerned about this application and am opposed to it.

1. The value of my property will diminish with this zoning being proposed.
2. Parking on the street and cross streets is at a premium already. The properties in question do not have adequate parking now.

As mentioned by the city, I wish to be kept apprised of any information of any development regarding this application.

Thank You,

Mark Stephens

Homeowner since 1985

Barnett, Daniel

From:
Sent: February-06-19 4:53 PM
To: Barnett, Daniel
Subject: Re: 184 and 186 Markland

Dear Daniel

I am writing to you today regarding 184 and 186 Markland St. (ZAC-18-047and UHOPA.18.021) and the proposed zoning and plan amendments they have applied for. Please do not use my personal information.

Though it is stated that they are applying to be a legal eight-unit multi-family dwelling, the change in zoning does not benefit the neighbourhood at eight units or if a future owner decides to implement additional units through expansion upwards or behind the current building which the new zoning would allow.

The illegal implementation of the current eight-plex has already affected traffic in the alley which we live. There are approximately 14 cars parking in the alley prior to the renovation of 184 and 186 Markland. The eight-plex has added an additional 8 cars to the alleyway. At one point, the owner tried to use the alley itself as an additional parking spot until neighbours complained that it was unsafe. The additional vehicles put further strain on an alleyway that is not maintained by the city. This cost of additional gravel and road maintenance being required by the influx of neighbours comes directly from the pockets of all those that use the alley.

Likewise, the renovations that have occurred thus far were not done by going through the proper channels. The builder did not apply for the proper zoning prior to construction. The basement apartments required digging further down into the foundation at both addresses to create proper ceiling heights for tenants and at the moment there are no active fire escapes for those living in the attic apartments. I am worried that some of the construction was also done without proper permits. The backyard consists of sets of storage sheds for bikes and recycling and garbage. They are the only home without fencing around their property.

In this area, we have had several issues with old homes and the old sewage pipes. Having that much pressure on older pipes and roads would create further sewer issues in the neighbourhood. Last year, it took crews four separate visits to fix Queen St. after pipes issues between Herkimer and Markland. Four homes continued to shake after due to poorly repair asphalt after the pipes were repaired. These homes are architecturally beautiful but are very sensitive to renovation and environmental changes.

There is also no promise that this dwelling will stay an eight-plex in the future and the change of zoning opens up further development. Most buildings in the neighbourhood are maximum three storeys, but if the zone changes allow for up to 10 storeys in such a lucrative area of the city, what would stop a future developer from further expansion? These eight apartments are already being rented for a premium price (over \$1000 for each) meaning they generate over \$8000 a month. Our community cannot support further infrastructure. Each house in the neighborhood is already built very close together (if not already in a townhouse style). Future development and expansion of old homes would not add to the historical integrity of the Durand community.

Sincerely

On Wed, Feb 6, 2019 at 1:51 PM Barnett, Daniel <Daniel.Barnett@hamilton.ca> wrote:

Hi

I have attached a copy of the Notice and the location map for the rezoning application for 184 & 186 Markland Street.

Daniel

From:
Sent: February-06-19 11:01 AM
To: Barnett, Daniel
Subject: 184 and 186 Markland

Hi Daniel

I have misplaced by letter about the aforementioned properties about a zoning and planning change. Could you possibly send me a copy of the information so that I can submit a letter to speak to these changes?

Thank you

February 6th, 2019, Hamilton, Ontario, Canada

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

RE: Application by Edmonds at 184 and 186 Markland Street (UHOPA-18-021 and ZAC-18-047)

Dear Mr. Barnett,

Further to your the letter of January 11, 2019, we wish to express the following concerns with respect to the redevelopment of
184 and 186 Markland Street, Hamilton, Ontario, Canada

1. Parking - We are concerned that the addition of more units will impact the limited amount of street parking on Markland between Hess Street South and Queen Street South.
2. Property Values - we are concerned a multiple unit dwelling will negatively impact property values of nearby homes.
3. Family Neighbourhood - we are concerned a multiple unit dwelling will impact the family neighbourhood.

As indicated in the letter, we expressly request the city remove our private information the public record.

We further request to be notified of dates, times of formal hearings/meetings and any decisions in writing.

Respectfully submitted

Owners :
Telephone:

Rec A
Feb 7
Feb 7/19

TO: DANIEL BARNETT, CITY OF HAMILTON
PLANNING DEPT & ECONOMIC DEVELOPMENT

RE: "EDMONDS" APPLICATION FOR 184 & 186 MARLAND ST
UHOPA-18-021 & ZAC 18-047

KINDLY include me @ _____
as being opposed to the re-zoning of 184 & 186
Marland into a 4 plex each.

My reasons are:

- 1/ PARKING IN ALLEY is an eyesore & inadequate
for 8 UNITS... NEVER MIND VISITORS.
- 2/ street parking is already compromised
- 3/ Added noise & commotion is considerable
- 4/ Will effect property values in neighbourhood
- 5/ Will open door for developers in a quiet res.
neighbourhood.
- 6/ I didn't buy into this area to be surrounded
by 4 plexes

KINDLY REMOVE MY PERSONAL INFORMATION

David Brown and Carina Fato

February 5th, 2017

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

RE: Application by Edmonds at 184 and 186 Markland Street (UHOPA-18-021 and ZAC-18-047)

Dear Mr. Barnett,

I offer you our thanks for notifying us of these 11-January 2019 applications regarding Official Plan and Zoning By-law Amendments.

I take this opportunity to state our opposition to these applications and thus ask you to deny them from being implemented. I offer the following reasons as homeowners and residents of the affected area;

- a) the character and quality of the existing neighborhood will diminish; current homeowner-residents here contribute greatly towards clean appearances and peaceful interactions. Although 184 and 186 Markland St currently presents as clean and tidy, some tenants have been rude and vulgar during regular interactions. It is anticipated that the addition of similar tenants will not improve the current neighbourhood atmosphere.
- b) Based on advice from realty professionals, the creation of this high-density zoning will diminish my property value by 10-15%.
- c) The increased tenancy associated with this application will further complicate and impede existing traffic volumes and challenges for parking spots. The majority of resident-homeowners in this area are 2-car owners with single car parking capabilities; street parking is presently at a premium due to the current tenant load and cannot withstand a higher population density.

As mentioned in the notification we received from the City, please ensure that we are kept abreast of developments regarding this application in a timely manner. I stand by to clarify/add towards any additional information you may need regarding our opposition.

Thank you for listening to our concerns

Sincerely,

David Brown and Carina Fato

Barnett, Daniel

From:
Sent: January-19-19 6:29 PM
To: Barnett, Daniel
Cc: McKie, Shannon
Subject: 184 & 186 Markland St.

Re: File No. UHOPA-18-021
File No. ZAC-18-047

Dear Mr. Barnett,

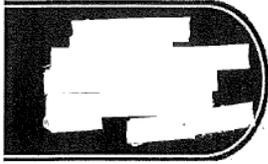
I am concerned about these proposed amendments because of their likely effect changing the nature of the neighborhood. One of the subject properties is a heritage house (184 Markland) and deserves protection. In both cases putting a fourplex on a narrow lot will be a marked departure from the character of structure that makes up the neighborhood, and manifestly would require deviation from the Official Plan. I would not like to see some of the last of the gracious 19th century neighborhoods move toward nondescript contemporary medium density housing.

I trust that the promised copy of the staff report will be provided well in advance of the public meeting so that I and other members of the interested public will have ample time to consider and evaluate it. If I were to come to the Planning Office would I be able to obtain a copy for my study. I would not like to be at a disadvantage relative to either the staff or the proponents in case I should have counter arguments.

Thank you very much for your attention to this matter.

Sincerely yours,

Michael G. Vesselago
5 Homewood Ave
Hamilton, On L8P 2M1



•Professional Corporation

February 6, 2019

Email: Daniel.Barnett@Hamilton.ca
Daniel Barnett
City of Hamilton
Planning and Economic Development Department
Development Planning,
Heritage and Design – Urban Team
71 Main Street West, 5th Floor,
Hamilton, On, L8P 4Y5

Dear Barnett:

Re: Office Plan Amendment Application
File No: UHOPA-18-021
184 and 186 Markland Street

As you are aware, Robert and Michelle Edmonds have applied to re-zone their properties at 184/186 Markland Street from a single dwelling unit / two dwelling unit to permit a four unit dwelling on each lot. In effect the property would be legally allowed to incorporate 8 separate apartments.

Markland street is residential, relatively low traffic and family friendly. Most of the homes on the street are owned by single families. Overtime, various parties have chosen to break the zoning bylaws and turn single family homes into four-unit apartments. The result is invariably the same in each case. The parties that move in are transient. The properties are not as well looked after. Traffic increases on the street and the people who live in these units are less engaged with the community at large.

Mr. and Ms. Edmonds have looked after their property to date, but no doubt they will eventually sell or pass on. If the property is designated as an eight-unit apartment, the chances that it will ever return to it's intended purpose as a family home for middle class families is significantly diminished. It also opens up the possibility for a developer to tear the building down and put up a unit that does not conform to the character of the neighbourhood.

As a general rule, I believe in the universal maximum: act in a way that you would will to become a universal law (thanks Kant). If everyone on Markland were to turn their



2

properties into four-unit apartments in order to maximize rent, the character of Markland would be ruined. This is a street of single-family homes for middle class people and it should remain as such.

Thank you for your consideration of our concerns. If you have any questions, please contact us. I would also ask that you please remove our contact information from this letter for the purpose of publishing. The Edmonds are our neighbours and we respect them. We try to be as accommodating to our neighbours as possible, however, we do not support this proposal.

Yours very sincerely,

Barnett, Daniel

From:
Sent: September-17-19 8:03 PM
To: Barnett, Daniel
Subject: Re: City of Hamilton public notice zac-18-047

Hi Daniel,

Thank you for the helpful information. I'd like to be added to any updates please. This email address is suitable for these purposes.

Regards,

On Tue., Sep. 17, 2019, 10:40 a.m. Barnett, Daniel, <Daniel.Barnett@hamilton.ca> wrote:

Hi Tim

I am the planner on the file and would be happy to answer any question you have on the file.

The application for 184 & 186 Markland St was originally submitted to legalize 4 dwelling units on each lot for a total of 8 units. Subsequently the applicant has altered the proposal to reduce the number of proposed units from 8 to 6 units and to merge the separate properties into a single lot.

Based on our current report timelines we are looking to bring the application forward to a public meeting in either December or January. Prior to the meeting the public notice sign will be updated with the date of the meeting and a revised notice will be sent out to all property owners within 120m and anyone outside of the 120m radius who has requested notification.

Daniel

From:
Sent: September-16-19 4:55 PM
To: Barnett, Daniel
Subject: City of Hamilton public notice zac-18-047

Hello,

Where can I find more information relating to City of Hamilton public notice zac-18-047?

Regards,

Comments in Response to Public Information Letter

Name/Date/Number/Address	Comments/concerns
	<ul style="list-style-type: none">• Happy with changes to parking (pulled back from the laneway)• Happy with the move of the accessory structures
	<ul style="list-style-type: none">• Concern with current number of units (8) and the parking requirements it generates• Concern of 3' x 3' raised platforms and their use/view into his property (they are the landings for stairs)