

From: [REDACTED]
Sent: August 16, 2021 1:43 PM
To: Van Rooi, James
Subject: File No. ZAC-21-030
Attachments: CCF08162021.pdf; application #AN_A-20_286.eml

Dear James Van Rooi:

I received today the Notice of Complete Application for the above subject File No, folder #2021 137759 00 Plan (1060542) and am submitting my concerns and request to not have this re-zoning be approved.

I had submitted back in February 2021 a letter of objections regarding the Notice of Public Hearing for Minor Variance to this site regarding the change to allow restaurants. Application #AN/A-20-286.

Like then as now I do not want additional restaurants so close to my residential property. There are currently 3 restaurants west of this site on Garner and several more across the street and many more on Wilson Street in the Longo/Lowes plaza. An area that is zoned for restaurants. There are enough restaurants to support the local community. This land has been zoned for office business and should remain as such. When the developer purchased this land they knew then what it was zoned for and should plan their construction/sale/leasing of the properties accordingly. Stable business is what this area needs, not volatile restaurants with liquor licence and late operation hours.

The Committee of Adjustments realized this back in February 2021 when they made the decision to decline the Zoning By-Law to permit a Restaurant use within this Planned Business Park. Please see attached copy of the Committee's decision.

Nothing has change from that time to now. This area does not need nor can handle additional restaurants. Land in the area has been designated for restaurants and that is where they should go.

I appreciate your consideration of my objection and wait to hear from you on the date of the Public Meeting.

Regards,

[REDACTED]



Committee of Adjustment
Hamilton City Hall
71 Main Street West, 5th floor
Hamilton, ON L8P 4Y5
Telephone (905) 546-2124
ext. 4221, 3935
Fax (905) 546-4202

COMMITTEE OF ADJUSTMENT
DECISION OF THE COMMITTEE

APPLICATION NO. AN/A-20:286
SUBMISSION NO. A-286/20

APPLICATION NO.: AN/A-20:286

APPLICANTS: Urban Solutions c/o S. Manchia on behalf of the owner Garner Investments Inc.

SUBJECT PROPERTY: Municipal address **1040 Garner Rd. W., Ancaster**

ZONING BY-LAW: Zoning By-law 05-200, as Amended by By-laws 10-128 & 18-219

ZONING: "M3, Exception 376 and 678" (Prestige Business Park (M3) Zone

PROPOSAL: To permit a Restaurant use within the Planned Business Centre currently under construction, notwithstanding,

1. A Restaurant use shall be permitted at this location whereas the Zoning By-law does not permit a Restaurant as a principal use at this location.

NOTES:

1. A Restaurant use is listed as a permitted use in the M3 Zone; however, pursuant to Section 9.3.3 r) of the Zoning By-law, the use of a Restaurant is restricted to specific locations and is limited by a maximum gross floor area.
2. The Planned Business Centre currently under construction was approved by site plan application DA-18-027.

THE DECISION OF THE COMMITTEE IS:

That the variances, as set out in paragraph three above, are **DENIED** for the following reasons:

1. The Committee having regard to the evidence is of the opinion that the relief requested is beyond that of a minor nature.
2. The relief requested is undesirable for the appropriate development of the land and building and is inconsistent with the general intent and purpose of the By-law and of the Official Plan as referred to in Section 45 of The Planning Act, 1990.
3. The Committee having regard to the intensity of use of the subject parcel of land is of the opinion that such development would not be appropriate for the lands.
4. The submissions made regarding this matter affected the decision by supporting the refusal of the application.

DATED AT HAMILTON this 4th day of February, 2021.

From: [REDACTED]
Sent: February 1, 2021 12:04 PM
To: Committee of Adjustment
Subject: application #AN/A-20:286

Dear Sir/Madam,

Please accept this email as my written comments/concerns with the above noted application for the construction site at 1040 Garner Road West. Ancaster.

This application is for the approval of a restaurant on this location which is currently approved for a Business Park.

My objection, being a residential property owner, is simply I do not want a restaurant so close to my house and backyard. The hours of business and the volume of traffic would be overly intrusive and disturbing to my standard of living. I am currently dealing with over exposed light pollution and traffic/noise pollution with the current developments in my backyard. A restaurant has longer operating hours than a business exposing me to this volume late into the evening and night. Possibly even jeopardizing my safety.

Not to mention this area is saturated with restaurants. Three restaurant just west of this site, many more across the street in the Wal Mart plaza, and dozens up the road at the Lowes, LCBO Wilson Street plaza. At a time when patrons cannot even go to restaurants why would another one be needed? Just take a look at the TinCup. Not even completed.

This site has been approved as a Business Park and viable business' are what this economy needs right now. Not volatile restaurants with high turn over and low success rates. People need a place of business to earn income before they can spend it at restaurants.

I hope this committee will review my concerns and reverse the decision to move forward the this restaurant.

Sincerely,

[REDACTED]