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Sent: August 9, 2024 8:22 PM

To: clerk@hamilton.ca

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Subject: FW: Properties of 173 & 177, Dundas Street East, Flamborough; Re-Zoning Application; File UHOPA-18-020 and ZAC-18-045

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Subject: Properties of 173 & 177, Dundas Street East, Flamborough; Re-Zoning Application; File UHOPA-18-020 and ZAC-18-045

I am submitting reasons for my opposition to the above proposal for 18 Townhouse Units to be built on above subject properties.

But first, in light of your staff report, I stress this is not about NIMBY. You are simply not being fair. The fact of the matter we as citizens of the neighbourhood should be given the respect we deserve of a due diligent review of all our current 2024 letters and our request to speak absolutely before any inkling of approval by staff or planning committee. Otherwise, this starts to look like you have no intention of doing your due diligence. Out of the blue you have a report leaning to approval, while all along Stephanie Card has been asking for an updated report and this did not happen until no! You can understand why the situation is suspect to us. Am I mad. Yes. And you would be if you were in this situation. The developer doesn't live here so he does not care! His main goal is a healthy profit and he has no skin in the game other than that. Yours is getting taxpayer dollars not always justified in every situation; and I strongly believe this is one of those situations.

It is interesting that you could not figure out to immediately approve the purchase of Potruff Church by a developer from the congregation and turning this building into condos or apartments or whatever, until you got a whole bunch of pushback; and you could only then figure out that perhaps the developer could leave the front façade of the church. And this building was on level ground and already in place.

We pay your salaries and we expect you to make sure you have covered all your bases, not just on the developer's side but on the neighbourhood side thoroughly.

Nowhere do you seem to understand the danger of the intersection at Riley St and Dundas St East and the fact that young children and teenagers going to school cross at this intersection early morning with heavy traffic and the fact that drivers run red lights there as they do elsewhere.

Nowhere in your report do you seem to realize that the townhouse unit being so close to the intersection and have to cross two lanes of traffic what just might these residents decide to do.

Nowhere do you seem to realize that single car garages will probably be used as storage and that a good many of the residents will have 2 cars a potential 36 car (maybe less); where do you think the overflow parking will go?? In the 5 visitor spots. Get realistic!

It is interesting that you could not figure out to ask the developer who was interested in buying Potruff Church from the congregation and turning into condos or apartments or whatever, that please leave the façade until you got a whole bunch of pushback. You were thinking of designating this building as historic even though you badly need residential dwellings. **And this building was on level ground and already in place.**

You are not granting approval for two-story townhomes to be built on level ground between existing two-story single homes you are instead grating the building of 18 townhouse units with significant elevation difference between already existing homes in a mature neighbourhood. Can you absorb this fact?

So again, nowhere in your report do you mention this **significant elevation difference between the properties 173 and 177 on Dundas Street East and the properties on Scott St and southern end of Riley Street and the fact the backfill will be up to the top of our 6 feet fences for the houses on Scott Street and Riley Street. The fact that is just plain ludicrous** before starting the building of the retaining wall is started and another fence 1.8m fence on top of that.

Nowhere can you fathom the **dirt and dust raining down on our property for a very significant height up above**; not on level ground with our houses! Nowhere do you consider that the two 2-story townhomes at the rear of properties 177 and 173 will be like 4 stories high. In fact, I do not believe you get the true picture at all and that you truly did your due diligence for our neighbourhood. **To get the picture, you need to see the properties!**

No how do you realize what it will mean to us to lose our peaceful backyards. We in this neighbourhood have paid taxes for several years. We should be given a fair hearing!!

Nowhere in your report do you consider the Biodiversity of this mature neighbourhood.

There has definitely been major building going on along Dundas Street East in Waterdown and further along. **All built on level ground with no significant elevation differential.** I have compiled a list at the end of some of the already built dwellings. Waterdown area has contributed significantly and is still contributing significantly along Dundas Street East without you picking on the little guy!

I BEGIN AS FOLLOWS:

Home Owners on Scott St, Flamborough for 43 Years:

My husband and I (Curth Martell and Mary Ann) have resided at [REDACTED] [REDACTED] for 43 years. The 7 houses at the east end of Scott Street are all essentially 43 years old and basically our area and surrounding area is now a mature neighbourhood. One of the main reasons we purchased this property was the area was zoned residential and the houses behind us on Dundas St were already there so they are even older. We never dreamed with the big elevation difference and mature neighbourhood that the "Low Density Residential 2e" classification would ever be changed to "Low Density Residential 3c".

Traffic & Neighbourhood Safety of Kids and Adults First Always:

The density intensification building along Dundas St has brought an immense increase in traffic volume over the past 6 years. At the same time we have an

increase in families with young children and teenagers who have moved into our neighbourhood (Scott; Melissa; McDonald; Riley Streets and existing neighbourhoods over on the Southern side of Dundas Street East).

At the intersection of Riley St and Dundas St East are Traffic Lights. We have had accidents at this intersection and near accidents. This is a dangerous intersection which must be negotiated with caution. Vehicles run the red lights. My neighbour across from me on Melissa told me her friend's vehicle was totalled due to someone running a red light on Dundas St East. There are numerous small and very large trucks that travel on this road. During the school year early in the morning when children are going to Guy Brown Public School and Waterdown District High School they cross at these lights and return later in the afternoon. Adults cross and these lights some very elderly. Adding a potential 36 cars (possibly 2 cars for each Townhouse unit) and the Townhomes' driveway exiting onto Dundas St. E. will be very close to the traffic lights at this intersection (only 200m away); and the Townhouse residents if turning left to go to work, will have to cross 2 lanes of traffic. This is adding to the danger and congestion.

Traffic & Potential Townhouse Residents:

I would not be surprised if some or all of the Townhouse residents get the idea to turn right onto Dundas St E and then right onto McDonald and right onto Scott St and maybe right onto Riley St or left onto Braeheid St and travel through the side streets to eventually get to Dundas St East. Residents in our neighbourhood have been known to do the same to avoid pulling out onto Dundas St E. They are many more young families in these neighbourhoods with young children and teenagers. Teenagers who are on their cell phones and also some adults who sadly do not pay enough attention; so with more traffic travelling along these streets, it makes it more dangerous and there is the likelihood of an accident that could result in death of a child or adult. Again, it should be SAFETY FIRST, NOT TOWNHOMES FIRST!

Was it not approximately 2 years ago that a child got killed on Evans Road. We do not need any repeats of this tragedy due to unneeded high traffic volume on our streets in our neighbourhood.

We have drivers coming out of the Municipal Library parking lot who turn right onto Dundas Street East, right onto McDonald and right onto Scott

Street. **Why would that be??** Probably because it is easier for them to get out of the parking lot.

Traffic - Bad News Procedure:

The house on the corner of Dundas St East and Riley St which is extremely close to the traffic lights at this intersection, the 2 ladies have a procedure to turn left. When their vehicle is at the end of their 6 – 8 car driveway, the one lady goes and pushes the walk signal button and gets in their car and they proceed to make their way in their vehicle onto Dundas St East?? Hello!!!

Traffic - Near Head-On Collision:

A couple of weeks ago I approached the Riley St and Dundas St East intersection. When I got to the top of the hill, the traffic light I was facing had turned green and the traffic lights facing east and west on Dundas St East were red. I drove into the intersection with my left signal light flashing and was about to turn into the outside lane when to my dismay a vehicle came racing out of a south side Dundas St East property into my outside lane?? I managed to brake in time to avoid a head-on collision and thankfully there were no vehicles behind me. This driver then turned immediately into the neighbour's driveway next to the driveway he came out of. Is that not a dangerous move or what??

Parking – What Happens Currently:

I am not giving you this information because I believe people are parking illegally. It is public parking. This is to give you examples of what actually goes on with regard to the parking on Scott Street and why ultimately adding 18 Townhome units on Dundas Street East is just going to add to this parking.

Houses on Scott , Riley , Mellissa and McDonald Streets basically have 2 car garages and double car driveways. Many garages are used as storage and their 2 cars are parked on the driveways.

The white Mazda car (licence [REDACTED]) is parked on the north side of east end of Scott St and is the overflow from he house on the corner of Scott and Riley Streets (house #1).

Black vehicle whose owner lives in the corner house of Riley St and Dundas St East parks on the north side of the east end of Scott St. The driveway for this house can hold 6 to 8 parked cars. He chooses to park on Scott St probably to avoid pulling into the traffic at the intersection of Riley St and Dundas St East.

The black Impala car that is parked on the north side at the east end of Scott St (licence [REDACTED]) which has been parked in the same spot without moving since July 24, 2024. Who knows what goes on in this situation.

The lawn maintenance people for lawns on Scott Street with their trucks and trailers park on east and west end of Scott Street (but mostly the east end).

The landscaping/lawn maintenance people for the larger houses on the south side of Dundas Street East. Those houses have very large driveways. Why do the maintenance people park on Scott St? Has to be to avoid pulling out into the traffic on Dundas Street East.

The overflow vehicles from the Municipal Library park on the west end of Scott Street.

The vehicle overflow from the people living on east and west end of Scott Street who have more than 2 vehicles.

In the summer, a person on the north end of Riley St has a friend that visits him and has a large truck pulling a large trailer with a boat on it and his vehicle stays parked on the north side of the east end of Scott St for 5 to 7 nights without moving.

When there is an event at the small park at the corner of Riley and Chudleigh Streets; we end up with heavy overflow parking on the north and south side at the east end of Scott Street (and sometime west end).

When people on Riley Street have family over for special dinners/parties they park on Scott Street.

And of course, we need overflow parking on Scott St when our family and friends come to visit or we have family dinners/parties.

And This Parking Takes The Cake:

The Red Industrial Truck belonging to property 177 (name on side: Pete Smith Crane; Rental Rigging Corp; licence [REDACTED]) parks on the Municipal Library Parking Lot. It belongs to the son of the developer who is currently living property 177. **The question is WHY DOES HE FEEL THE NEED TO DO THAT??** Could it be to avoid turning left onto Dundas Street East early in the morning?? I have a picture of the truck on the Municipal Library parking lot. The driveway of property 177 holds 4 vehicles.

Additional 18 Townhouse Units on Dundas Street East & What About The Parking?:

The 18 Townhouse Units will have single car driveways and single car garages. 5 Visitor parking spots. Potentially they could have 2 cars so this could be an additional 36 cars or less but probably not that much less. Single car garages would end up mostly being storage units for the 18 Townhouses. One car can park on the single car driveway.

Where is the vehicle overflow going to park? On Scott Street and add to the traffic? On the Municipal Library Parking Lot? Where are their family and friends going to park? I highly doubt 5 visitor parking spots will do the job for all the parking.

Where are the construction workers going to park? On Scott Street and add to the traffic? On the Municipal Library Parking Lot?

Elevation Difference/Privacy Issue:

The front of the properties 173 and 177 on the north side of Dundas Street East are elevated off the sidewalk and each property currently have single bungalow houses. Property 177 has living quarters over the garage. Halfway into their backyards there is a substantial drop in elevation. At the rear property lines of 173 and 177 which back onto the east end properties of Scott Street and have a side property line with 1A Riley Street; **the elevation drop is significant!!**

From behind my house which is [REDACTED] and standing on my patio at ground level I can see the lower roofline of the bungalow on property 177 and of course the upper roofline and the upper living quarters over the garage.

Imagine this if you will, the backyards of properties 173 and 177 will be levelled up by 2.0m (6 ft) which is at the top of my fence and the fences of the other affected properties on Scott St. There will be a retaining wall I believe behind my property and another 1.8m (approx. 4 Ft?) fence on top of this. The ground floors will be 4m higher than the top of my yard. The 2 story Townhouses in the rear might as well be 4 stories high. Where are the windows on these rear Townhouses? And do they have balconies as well? Probably.

The 8 Townhouses at the front on properties 173 and 177 are on a bit of an elevation from the sidewalk level to begin with and are going to be 3 stories high with roof top terraces.

The 18 Townhouses will be seeing well into everyone's backyard in the mature neighbourhood and **TOPPING WELL ABOVE THE HOUSES** in our mature neighbourhood. They will be shading some of our backyards big time **with loss of sunlight and no privacy.** Garden in our backyard was planted according to where the trees and shading was coming into our backyard at [REDACTED] from our neighbour's backyard us behind which is property 177. A lot of money and time was spent creating a thriving backyard of plants for our enjoyment and attracts a variety of species. **Now we will have Just one big fish bowl for the property owners on Scott St.! How does this transition or blend in with existing mature neighbour?? They will be towering over the houses on the south side of Dundas Street. Do you expect we are happy that your are Destroying our peaceful backyards that we have taken care of for several years?**

I can hardly think if the developer was living in our situation on [REDACTED] he would be welcoming the 18 Townhouse units with open arms! ESPECIALLY WITH SUCH AN ELEVATION DIFFERENCE!! HE HAS ONE GOAL.....TO MAKE A HEALTHY PROFIT!! I can hardly believe that even one city planner on the committee or any city councillor would be very happy to have this occurring behind them in a mature neighbourhood with the significant elevation difference!

Waterdown Density Intensification:

Along Dundas Street there has been major density Intensification (Condo buildings, Townhouses etc.) and no shortage of providing living places for

People. Hawk Ridge Home Inc just finished building a Condo unit at the corner of Dundas St East and Hamilton Road. So he has recently participated in building density intensification and making profit.

At the bottom of my e-mail I have listed several builds along Dundas Street/Hwy #5 as an example. Several more are in the stages of being built.

Waterdown has contributed greatly to having dwellings along Dundas Street/Highway #5.

What Fits into Our Mature Neighbourhood with a Significant Elevation Difference?

It should be the right density intensification in the right location. Two 2-story houses on each lot where there is now one bungalow house on each lot and no removal of mature trees and levelling up of the back half of the yards for properties 173 and 177. This is what blends into a mature neighbourhood. **Not every spot along Dundas Street East is the right spot for several Townhouse units and Condo buildings.**

Builder/builders that built the 4 newer houses on the east and west side of Braeheid near Parkside built 2-story homes that fit into a mature neighbourhood. The builder that took down the house on the corner of Braeheid Ave and Brian Blvd built two 2-story homes that fit into a mature neighbourhood. This makes perfect sense.

Trees:

There will be the removal of mature trees on the property. There is one huge healthy tree with a very very very large trunk and a mighty large canopy which is close to the fence line of properties [REDACTED] [REDACTED]. The roots on this tree must be massive and the other mature trees must also have extensive roots – how close to the property lines are some of these other trees I do not know. But my question is if there is any damage to the existing fences along the property lines due to the removal of these trees.....**who will be paying for this? Are we neighbours going to be chasing people for compensation and who will compensate for the damage?**

Tree Removal and Backfill of Property Yards 173 & 177 - Is This Buyer Beware??

With the tree removal there will be more large holes/craters to backfill and there will be **extensive amount of backfill** to level up the 173 and 177 properties **to the top of our fences. I have to interject that this in itself is ludicrous.** This backfill will not be very well compacted even if they have machines to do the job. The 10 rear Townhouses will have basements according to the plans...how are these basements going to hold up? **Should this be buyer beware??** I sure would not want to be the purchasers of those Townhomes. And how are the surrounding properties going to hold up? Putting extensive boulders in place and the soil has not been compacted for a number of years.

Heavy or Torrential Rain/Rains During Construction plus Backfill:

If there is torrential or heavy rains and there is this huge amount of backfill that will be required, what will happen to our backyards in the process of backfilling properties 173 and 177? Besides water coming into our yards at time of construction will we get mud coming through under our fences or through the trees on the property line which does not have a fence. This could potentially wreck our backyards. **Does this not count for anything? Or does everyone just want to turn a blind eye?**

Trees, Plants in Gardens – Biodiversity Being our Strongest Defense Against Climate Change:

So if you are approving this re-zoning, then I guess all the nature and green space that exists in those yards and is going to badly affect my biodiverse backyard and other yards on Scott St, as well as the yards of properties 173 & 177. Wiping out the habitat for birds, squirrels, chipmunks, rabbits, foxes, raccoon. Potentially with all the massively tall structures my biodiverse peaceful backyard garden is going to be adversely hit (butterflies, bees, birds etc all gone). This is of no consequence to Hawkridge Home Inc and I guess neither the city planners and ward councillors. **A great pity what you will be doing to my backyard and my oasis! And other peoples backyards!**

Construction Will Bring:

From way above our mature properties the construction will bestowing on our Scott Street, Riley Street houses and Dundas Street East's bungalow house; our backyard plants, our garden furniture and our storage deck boxes

and our garden sheds; dust, dirt big time and lots of noise; perhaps even garbage into our backyards from the large overpowering construction cite. And we should be extremely grateful?? This may not count for anything in your books because you are not affected. But you must surely be able to understand the stress this is going to bring into our mature neighbourhood.

Developer To Plant Trees:

The developer states there will be trees planted along the rear and side properties. At what ground height will these trees be planted? And does the developer intend to plant them near to our fence lines. If so, he should be careful how close they are planted because they should not be affecting our fences down the road when they eventually get to be quite tall in maybe 8 to 10 years or longer. It will be a screening; but again ensures the loss of sunlight that will occur from these very highly elevated Townhomes. So again not good at all for my very well thought-out biodiversity garden planning.

Potential Flooding from Water Runoff

As stated the properties of 173 – 177 Dundas Street East will be at a much higher elevation than they are now compared to the 7 properties on the east end of Scott Street. The west end of Scott St is higher than the east end. The very large grassy backyards for properties 173 and 177 will no longer exist as is and there will be considerable pavement, so not spongy ground soaking up water. I understand there will be a catch basin for property 177 but not 173. [REDACTED] is behind property 173 and because there are large evergreen trees on the property line, they cannot be touched. But there will be the significant height elevation and again, no catch basin. Since the west end of Scott Street is higher than the east end of Scott Street, and no catch basin behind [REDACTED] there will still be potential flooding issues from a torrential rain storm. There is no way of stating with 100% proof that no flooding will occur in our yards (murphy's law.....anything that can go wrong will go wrong).

Hamilton City Planning Dept and City Councillor are putting our properties at risk. No skin in the game so to speak, so no problem??

Property Values and Fairness:

Another **BIG ISSUE** for this neighbourhood will be our property values. A check with a local realtor, and the estimate will be that our property values

will drop 10+ percent. That makes the property owners behind and beside this townhome development even more upset . Is the city of Hamilton going to make up the loss in property values? Absolutely not. Is the developer going to make up the value? Absolutely not. The developer nor does the city even care about this because this does not affect the developer or the city!! Where is the fairness? We moved into a neighbourhood zoned residential single-family detached homes and expected it to remain so. Some newer home owners who have done extensive renovations and purchased their homes at a higher market price, and now suddenly they are about to lose their built up equity. Somehow, this Doesn't seem fair. Can you understand how we feel about this?? Some of us are retirees and we are depending on this for wherever our future residence may be and the cost that we will have to pay for the future residence.

Our uneasy feeling about this is the value will go down considerably due to the elevation differential; the closeness of the rear townhomes to the backyard property lines; the privacy issues; the once peaceful backyards of our neighbourhood will be noisy; the loss of sunlight; there could be potential flooding even with the catch basis (again, murphy's law – there are no guarantees).

MY ATTITUDE:

Hawk Ridge Home In just another opportunistic developer seeing a chance to make big bucks at the expense of the neighbourhood and the people without the big bucks. The developer does not care about the neighbour hood and he does not live in the neighbourhood. He does not care about the results of construction site and the building of the Townhome units and wrecking this neighbourhood. This will be more tax dollars to be obtained by the City of Hamilton. One gets the hopeless feeling the neighbourhood just cannot win even when it is justified that the “little guy” in all this should be winning. I certainly hope that the City of Hamilton does not just see us as another group of people to be brushed aside. You do not know our neighbourhood personally. Most of you have not been in our backyards or taken the time to see the properties and situation up close, nor maybe did not do the proper due diligence, or maybe you don't even care, but the fact of the matter is you should care. This in my mind is not right since you should have OUR BEST INTEREST AT HEART and not the almighty buck! We are looking for fair justice and consideration and we should have the right to be heard and have our letters read before any decision is made. The decision should be well

thought out and mindful of the unjustified re-zoning of the single detached home of our neighbourhood. We the people who have lived here for several years and have been keepers of our properties have the right to fairness.

Beyond The Face of the Neighbourhood:

City of Hamilton has allowed quite a number of townhomes, Condo Buildings, Apartment Buildings in Waterdown on Dundas Street East and other streets, and they are still many projects along Dundas Street East (Highway #5) in the process of being built and to be built fast and furious and that is good for providing housing to people. It is complying with the higher density intensification along a major road. **I am pointing out these are all built on level ground (no elevation factor). Again, it should be the right density intensification and in the right location.** The list compiled below is just the tip of the iceberg so to speak:

- 1) Between Perelli Street and Riley Street, immediately east of the Dairy Queen, Dawn Victoria built these townhomes/condos.
- 2) Travelling east from Riley Street towards Perelli Street on the north side of Dundas Street East, the first set of townhomes/condos are the Bohemian Units built by Brant Haven, 3 blocks deep.
- 3) There are condos on the south side at the corner of Dundas Street and Hamilton Street which is the old Waterdown High School that got converted to condos and there are several units.
- 4) Another several condos/townhomes have been built on Barton Street between Hamilton Street and Flamborough Street. The church on the corner of Barton and Flamborough Street was converted to condos.
- 5) On the corner of Hamilton & Barton Streets, Chelton Homes built 96 condo units.
- 6) There are townhomes/condos built on the north side of Dundas Street East between Spring Creek and Avonsyde.
- 7) There are several townhomes/condos built on the south side of Dundas Street East between Howlandmill Street and McDonald Street.
- 8) There are condos units built on the site where Connon Nursery existed, corner of Dundas Street East and First Street.
- 9) Lastly and again for my list, **Hawk Ridge Home Inc** recently completed a condo building on the corner of Dundas Street East and Hamilton Road on **level ground.**

And as stated above, there are numerous more being built on Dundas Street East/Highway #5 so Waterdown area is substantially contributing to the building of homes of different types for people to dwell in. The build behind Scott St is completely not fitting into the mature neighbourhood and in my humble opinion, is irresponsible in nature.

Thanking you for reviewing my letter.

Respectfully,
Mary Ann Martell (Mrs)