

CITY OF HAMILTON

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO: Chair and Members Planning Committee	WARD(S) AFFECTED: WARD 11
COMMITTEE DATE: July 10, 2012	
SUBJECT/REPORT NO: Application for an Amendment to Township of Glanbrook Zoning By-law No. 464 for the Lands Located at 3250 Homestead Drive (Glanbrook) (PED12128) (Ward 11)	
SUBMITTED BY: Tim McCabe General Manager Planning and Economic Development Department	PREPARED BY: Alvin Chan (905) 546-2424 Ext. 1334
SIGNATURE:	

RECOMMENDATION:

That approval be given to **Amended Zoning Application ZAC-11-020, by Farzad Karambakhsh, (Owner)**, for a change in zoning to Township of Glanbrook Zoning By-law No. 464 from the Existing Residential “ER” Zone to the Neighbourhood Commercial “C1-272” Zone, with a Special Exception, for the lands located at 3250 Homestead Drive (Glanbrook), as shown on Appendix “A” to Report PED12128, on the following basis:

- (i) That the draft By-law, attached as Appendix “B” to Report PED12128, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.
- (ii) That the amending By-law be added to Schedule “F” of the Township of Glanbrook Zoning By-law No. 464.
- (iii) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan and Township of Glanbrook Official Plan.

EXECUTIVE SUMMARY

The purpose of the application is for a change in zoning to permit a 3-storey, mixed-use building with 6 ground floor commercial units and 12 residential units above (6 per residential floor), for the lands located at 3250 Homestead Drive (Glanbrook) (see Appendix "A").

The subject lands are currently designated "General Commercial" on Schedule "A" - Land Use Plan, and on Schedule "C" - Mount Hope Urban Settlement Area Land Use Plan. The proposed zoning implements the envisioned land use of the Township of Glanbrook Official Plan by providing for a mixed-use development with additional housing forms, tenures, and a complete community. Site-specific modifications have been proposed to facilitate Transit Oriented Design principles, and to ensure adequate separation and compatibility with the existing neighbourhood and land uses.

The proposed application has merit and can be supported as it is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow), the Hamilton-Wentworth Official Plan, the Township of Glanbrook Official Plan, and conforms to the general intent and purpose of the new Urban Hamilton Official Plan.

Alternatives for Consideration - See Page 21.

FINANCIAL / STAFFING / LEGAL IMPLICATIONS

Financial: None.

Staffing: None.

Legal: As required by the Planning Act, Council shall hold at least one (1) Public Meeting to consider an application for a Zoning By-law Amendment.

HISTORICAL BACKGROUND

Chronology

November 18, 2009: Formal Consultation File No. FC-09-206 received.

January 27, 2010: Development Review Committee meeting was held and Formal Consultation document completed January 28, 2010.

March 31, 2011: Zoning By-law Amendment Application ZAC-11-020 received.

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- April 4, 2011: Zoning By-law Amendment Application ZAC-11-020 deemed complete.
- April 15, 2011: Notice of Complete Application and Preliminary Circulation to all residents within 120 metres of the subject lands.
- April 16, 2011: Public Notice Sign installed on subject lands.
- July 13, 2011: Revision to Zoning By-law Amendment Application ZAC-11-020 received.
- September 8, 2011: Neighbourhood meeting was held in Mount Hope to discuss the proposed mixed-use development form, permitted uses, and design elements.
- October 21, 2011: Application revised requesting the Neighbourhood Commercial “C1” Zone with modifications.
- April 21, 2012: Councillor requested Public Information Meeting with respect to the future development as designated within the Mount Hope Secondary Plan.
- June 22, 2012: Circulation of Notice of Public Meeting to all residents within 120 metres of the subject lands.

Proposal

The applicant has applied for a change in zoning to Township of Glanbrook Zoning By-law No. 464 from the Existing Residential “ER” Zone to the General Commercial “C3” Zone, with a Special Exception.

The application was revised in light of submissions made at the Public Information Meeting held by the applicant on September 8, 2011.

Upon completion of the meeting and review of the public comments, the applicant amended the application to request the Neighbourhood Commercial “C1” Zone, but will maintain the original proposed concept for a 3-storey, mixed-use building comprised of 6 ground floor commercial units with 12 residential units above with 42 associated parking spaces (see Appendix “C”).

In addition, the following site-specific modifications to the Neighbourhood Commercial “C1” Zone are required to facilitate the proposed development.

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- To add “Retail Stores” and remove “Banks and Financial Institutions” from the list of “Permitted Uses”;
- To increase the maximum lot coverage from 30% to 37%;
- To reduce the minimum front yard setback (i.e. Homestead Drive) from 7.5m to a minimum of 6.7m;
- To reduce the minimum side yard setback on a corner lot abutting the flankage street (i.e. Longview Drive) from 7.5m to a minimum of 0.0m;
- To reduce the distance for parking abutting a Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes from 3.0m to a minimum of 2.0m;
- To reduce the distance for parking abutting Longview Drive from 3.0m to a minimum of 1.0m;
- To include a provision for the physical and functional separation of the residential and visitor parking areas from the commercial parking area;
- To reduce the parking space dimensions from 3m wide x 6m long to 2.6m wide x 5.5m long;
- To reduce the landscaped area adjacent to a Residential Zone from 3.0m to 1.8m;
- To reduce the landscape area adjacent to a street from 3.0m to 0.0m for any portion abutting the building, and a minimum of 1.0m for any other portion of the lot line adjacent to a street;
- To reduce the required loading from 2 spaces to 1 space with minimum dimensions of 2.6m x 5.5m to be provided along with any garbage enclosures within the interior of the building;
- To add a provision requiring that 50% of the ground floor façade along Longview Drive be composed of windows and doors; and,
- To permit a maximum of 12 residential units, whereas 4 units are permitted, as per the minimum required 465 square metres of lot area per dwelling unit.

All other provisions of the Neighbourhood Commercial “C1” Zone of Glanbrook Zoning By-law No. 464 will continue to apply.

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Details of Submitted Application

Location: 3250 Homestead Drive (Glanbrook) (See Appendix “A”)

Owner/Applicant: Farzad Karambakhsh

Agent: Sam Esposito Architect Inc.

Property Description:

<u>Total Lot Area:</u>	0.2 hectares
<u>Total Lot Frontage:</u>	30.48m (Homestead Drive) 69.4m (Longview Drive)
<u>Lot Depth:</u>	66.14 metres
<u>Servicing:</u>	Full Municipal Services

EXISTING LAND USE AND ZONING:

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands:</u>	Single Detached Residential	Existing Residential “ER” Zone
<u>Surrounding Lands:</u>		
North	Industrial Building	General Commercial “C3-044” Zone
South	Single Detached Residential	Existing Residential “ER” Zone
East	Single Detached Residential	Existing Residential “ER” Zone
West	Single Detached Residential	Residential “R4-199” Zone

POLICY IMPLICATIONS

Provincial Policy Statement

The application has been reviewed with respect to the Provincial Policy Statement (PPS). Staff recognizes that the application will be on full municipal services and is a use consistent with the policies that focus growth in Settlement Areas, Policy 1.1.3.1.

However, Policy 2.6.2 outlines that development and site alteration may be permitted on lands containing archaeological resources or areas of archaeological potential if significant archaeological resources have been conserved by removal and documentation, or preservation on site. An Archaeological Assessment was submitted with the subject application. City of Hamilton Cultural Heritage staff and Ministry of Tourism and Culture have signed-off on the Study and the Provincial interest has, therefore, been satisfied.

Policy 1.7.1(e) of the Provincial Policy Statement outlines that long-term economic prosperity will be supported by planning so that major facilities (such as airports, transportation corridors) and sensitive land uses are appropriately designed, buffered, and separated from each other to prevent adverse effects from odour, noise and other contaminants, and minimize risk to public health and safety.

Due to the proximity of the subject lands to the John C. Munro Hamilton International Airport and Homestead Drive, a Noise Study was submitted with the subject application. Upon review, the findings conclude that noise levels can be addressed through inclusion of specific building components and warning clauses, which shall be registered on title. These findings will be implemented through the future Site Plan Control application and building permit.

The current concept shows balconies less than 4 metres in depth and, accordingly, would not be classified as an Outdoor Living Area (OLA) and are, therefore, not subject to noise level assessment, as per the Ministry of Environment definition. However, should the site plan be revised, whereby balconies exceed 4 metres in depth, an addendum to the submitted Noise Study will be required. This can be addressed at the Site Plan Control stage.

The proposal will provide a mix and range of employment and housing options within the Urban Area, where full municipal services are available. Provincial interests pertaining to archaeological resources and noise levels have been addressed and, therefore, the proposal is consistent with the policies of the Provincial Policy Statement.

Growth Plan for the Greater Golden Horseshoe (Places to Grow):

The proposed mixed-use building is consistent with the Guiding Principles, Section 1.2.2 of Places to Grow, whereby the proposed development provides for a compact, vibrant, and complete community which protects, conserves, enhances, and wisely uses the valuable natural resources of land, air, and water for current and future generations; optimizes the use of existing and new infrastructure to support growth in a compact, efficient form; and is a planned and managed form of growth that supports a strong and competitive economy.

The subject application implements the growth management policies of the Growth Plan for the Greater Golden Horseshoe (Places to Grow). In particular, Section 2.2.2 indicates that population growth will be accommodated by building compact, transit-supportive communities in designated Greenfield areas.

As the proposed development is a form of residential intensification within a mixed-use development form, providing for a mix of both jobs and housing in a compact urban form; establishing local stores and services in proximity to the Upper James Street primary corridor; serviced with full municipal services; and within the built-up Urban Area, the proposal conforms to the policies of the Growth Plan for the Greater Golden Horseshoe (Places to Grow).

Hamilton-Wentworth Official Plan

The subject property is designated as “Urban Area” in the Hamilton-Wentworth Official Plan. Policy C-3.1 outlines that a wide range of urban uses, defined through Area Municipal Official Plans and based on full municipal services, will be concentrated in the Urban Areas. Urban Areas are intended to accommodate approximately 96% of new residential housing units in the Region to the year 2020.

As well, Policy C-3.1.1 states that a compact higher density urban form, with mixed-use development in identified regional and municipal centres and along corridors, best meets the environmental, social, and economic principles of sustainable development. A mixed form of development within the Urban Area is preferable to widespread, low density, residential development.

Additionally, Policy B-9.2 states that the City shall consider the protection and preservation of regionally significant historical and cultural resources, including recognized archaeological sites, in the review of proposals for development and redevelopment. Where possible, these attributes will be incorporated into the overall design in a manner which minimizes adverse impacts and encourages maintenance and protection. As mentioned above, staff has no further comments and/or concerns with regard to archaeological resources, as the Provincial interest has been satisfied.

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As the proposed development is a compact, mixed-use development form within the Urban Area, where full municipal services are available, the proposal conforms to the policies of the Hamilton-Wentworth Official Plan.

Township of Glanbrook Official Plan

The subject lands are designated “General Commercial” on Schedule “A” - Land Use Plan and on Schedule “C” - Mount Hope Urban Settlement Area Land Use Plan.

The General Commercial policies permit residential development, as per Policy B.2.3.1. In particular, Policies B.2.3.6 and B.2.3.7 provide general design policies, which have been addressed through the provided design concept attached as Appendix “C”.

Policy B.2.3.11.2 provides the development policies for the Residential and General Commercial land uses within the Mount Hope Urban Settlement Area. In particular, Policies B.2.3.11.2(a) Residential and B.2.3.11.2(c) Commercial, amongst other applicable policies, permit mixed-use forms of development providing predominantly for general commercial uses fronting onto Homestead Drive and Airport Road West within the Mount Hope Urban Settlement Area. This form of development is to be designed and regulated through the Zoning By-law and Site Plan Control process in order to provide adequate protection to existing residential uses, among other matters.

Due to the proximity of John C. Munro Hamilton International Airport, all new development and redevelopment within the General Commercial area of the Mount Hope Urban Settlement Area shall adhere to and satisfy the Registered Zoning (Height) Regulations for the Hamilton Airport and the Noise Exposure Forecast and land use compatibility policies and requirements of Transport Canada, the Ministry of Housing, and the Canada Mortgage and Housing Corporation, as well as the noise control requirements of the Ministry of Environment and Energy. As mentioned above, a noise study was submitted and reviewed with the recommended findings to be implemented through the future site plan application and building permit processes.

The proposed development will be located at the intersection of Longview Drive and Homestead Drive, which is well setback from the adjacent residential uses, and is of a scale and bulk consistent with the envisioned neighbourhood character, while implementing the Transit Oriented Design principles.

Accordingly, the proposed zoning implements the envisioned Commercial land use, as established through the Mount Hope Urban Settlement Area Secondary Plan and, through the future site plan control process, will include visual barriers and adequate buffering in order to mitigate any potential negative spill-over impacts on the adjacent residential properties. Based on the foregoing, the proposed development conforms to the “General Commercial” policies of the Township of Glanbrook Official Plan.

New Urban Hamilton Official Plan

The Urban Hamilton Official Plan received Ministerial Approval from the Ministry of Municipal Affairs and Housing on March 16, 2011, and, therefore, can no longer be modified. The final decision on the Urban Hamilton Official Plan has been appealed.

The subject lands are designated as “Neighbourhoods” on Schedule “E” - Urban Structure and “District Commercial” on Schedule “E-1” - Urban Land Use Designations. The lands are also designated “District Commercial” on Map B.5.4-1 - Mount Hope Land Use Plan.

Section B.2.4.3.1 provides direction for residential intensification involving cultural heritage resources, whereby development shall be in accordance with Policy Section B.3.4. However, it is noted that an Archaeological Assessment was submitted with the subject application, and the Provincial Interest has been satisfied.

In review of the proposed development, Policies B.2.4.1 and B.2.4.2, amongst others, provides the Residential Intensification Policies. The proposed development conforms to these policies, as it will provide for additional forms of dwelling units and will be of a scale, form, and character consistent with the Mount Hope neighbourhood character and the policies of Section E.2.0 - Urban Structure. Sufficient infrastructure and transportation capacity is available to service the subject development, which has been sited in a location conducive to the City’s Transit Oriented Design principles.

As referenced above, Section E.2.6 provides direction with respect to the “Neighbourhoods” designation. Policy E.2.6.5 states that: *“The Neighbourhoods element of the urban structure shall permit a range of commercial uses, including retail stores and services...Over time, some of these commercial areas may evolve into a mixed-use form, where appropriate. The policies of Section E.4.0 - Commercial and Mixed-Use Designations, Section E.3.0 - Neighbourhoods Designation, and applicable secondary plans of Volume 2 shall provide specific direction on the scale of commercial uses in the various commercial and mixed-use designations.”*

Section E.3.0 provides more detailed policies, as it relates to the “Neighbourhoods” designation. The proposed development satisfies the Policy goals of Section E.3.1 and is a permitted use, as prescribed under Policy E.3.2.3 (a) and (d), being residential dwellings and local commercial uses designed in accordance with Policies E.3.2.4 through to E.3.2.7, inclusive, which provide scale and design criteria for the Neighbourhoods designation. Generally, the concept attached as Appendix “C” conforms to the scale and design criteria, but it is noted that detailed review of the design will be implemented through the future Site Plan Control application.

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With respect to “District Commercial”, Policy Section E.4.7, in particular Policy E.4.7.2, permits a mixed-use building with residential uses above a commercial ground floor.

Furthermore, Policy E.4.7.5 permits a built form which may include stand-alone stores, multiple unit commercial buildings, or live work units. However, Policy E.4.7.9 prescribes that although residential development is permitted and encouraged, it is not the intent of the Plan for the District Commercial designated areas to lose the planned retail and service commercial function set out in the Plan.

The proposed development has been sited with respect to Design Policies E.4.7.10 through to E.4.7.17, inclusive, which encourage that development within District Commercial designated areas are of a smaller retail building format located up to the street with a consistent minimal setback creating a strong pedestrian orientation, particularly along adjoining collector roads with the principal entrances facing the public street, providing direct access from the sidewalk, and with windows and signage predominantly facing the street and buildings. Parking is provided away from the street and appropriately screened through the use of landscaping and fencing to be implemented through the future Site Plan Control application (see Appendix “C”).

Lastly, Policy B.3.6.3.6 requires that development within the vicinity of John C. Munro International Airport shall be in accordance with Section C.4.8 - Airport. In particular, *Table C.4.8.1 - Requirement for Development in the Vicinity of John C. Munro International Airport and Policy C.4.8.10* requires that “*Any permitted development, redevelopment, or infill development at or above 25 NEF or within the Airport Influence Area shall be required to submit a detailed Noise Study, implement noise mitigative measures in accordance with Provincial and Federal guidelines/standards or municipal approaches that achieve the same objective, and include appropriate warning clauses in lease or rental agreements, agreements of purchase and sale, and within development agreements.*”

The subject lands fall within the 28-30 NEF contour, and in review of Table C.4.8.1, the residential component of the proposed development would be prohibited. It is noted that this application was submitted prior to adoption of the New Urban Hamilton Official Plan, which is not yet in force and effect. Furthermore, the applicable Hamilton-Wentworth Official Plan permits sensitive land use developments on lands currently designated “Urban”, such as 3250 Homestead Drive, and as the requisite Noise Study was submitted, and the required mitigation measures are to be implemented through the future Site Plan Control application to achieve Ministry of Environment standards, the proposal maintains the general intent and purpose of the new Urban Hamilton Official Plan and, therefore, complies.

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In review of the policies above, the proposed mixed-use building is a form of residential intensification consistent with the “Neighbourhoods” and “District Commercial” policies of the new Urban Hamilton Official Plan, as the development provides commercial uses complementary to the neighbourhood, providing for additional housing forms, establishes a Transit Oriented streetscape, and provides for a complete community.

RELEVANT CONSULTATION

The following Departments and Agencies had no comments or objections:

- Taxation Division, Corporate Services Department.
- Environment and Sustainable Infrastructure Division, Public Works Department.
- Enbridge Pipelines Inc.

Public Consultation

In accordance with the new provisions of the Planning Act and Council’s Public Participation Policy, 84 Notices of Complete Application and Preliminary Circulation were sent to property owners within 120 metres of the subject property on April 15, 2011, requesting comments on the application. Furthermore, a Public Notice Sign was posted on the property on April 6, 2011.

Finally, Notice of the Public Meeting was given in accordance with the requirements of the Planning Act. To date, 13 public comments have been received identifying concerns with respect to property values, traffic and safety, parking, building height, privacy and overview, alternate commercial sites in the neighbourhood and within driving distance, garbage enclosure location and hours of operation for garbage collection, landscaping, improper notice, and Flooding and Municipal Services (see Appendix “D”). These concerns are addressed as Item/Bullet 9 in the Analysis/Rationale for Recommendation section below.

It is also noted that 3 public comments were sent directly to the Clerk’s Office (see Appendix “D”), with 1 set of comments identifying concerns as it relates to appropriateness of the development and the remaining 2 submissions being requests for notice of Public Meeting and notice of decision.

ANALYSIS / RATIONALE FOR RECOMMENDATION

1. The proposal has merit and can be supported for the following reasons:
 - (i) It is consistent with the policies of the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow).

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- (ii) It conforms to the “Urban Area” policies of the Hamilton-Wentworth Official Plan.
 - (iii) It conforms to the “General Commercial” policies of the Glanbrook Official Plan and the Mount Hope Land Use Plan.
 - (iv) The proposed amendment is consistent with the “Neighbourhood” and “District Commercial” policies of the new Urban Hamilton Official Plan.
 - (v) The proposal is compatible with existing land uses in the immediate area and represents good planning by, among other things, providing for the development of a complete community, enhancing the streetscape along Longview Drive and Homestead Drive, and making efficient use of land and existing infrastructure within the urban boundary.
2. The proposed change in zoning conforms to the Provincial Planning documents and implements the development vision of the Mount Hope Urban Settlement Area Secondary Plan by providing densities and a mix of land uses which efficiently use land and resources, and is appropriate for, and efficiently use the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion within the Built-up Area promoting residential intensification and complete communities.
- The mixed-use development form provides for a compact, higher density urban form, with mixed-use development along corridors, which best meets the environmental, social, and economic principles of sustainable development through the provision of a mix of land uses, a range and mix of employment and housing types and tenures, with high quality open space and easy access to local stores and services.
3. The subject lands are designated “General Commercial” on Schedule “A” - Land Use Concept and on Schedule “C” - Mount Hope Urban Settlement Area Land Use Plan, which permits residential uses, provided the residential component is designed as part of a permitted commercial use. The proposed mixed-use building has been designed comprehensively and implements the envisioned commercial function along Homestead Drive and, therefore, conforms to the policies of the Glanbrook Official Plan.
4. The subject lands are designated as “Neighbourhoods” on Schedule “E” - Urban Structure and “District Commercial” on Schedule “E-1” - Urban Land Use Designations in the new Urban Hamilton Official Plan and designated “District Commercial” on Map B.5.4-1 - Mount Hope Land Use Plan.

As the proposed development is a form of residential intensification providing for alternate forms of dwelling units and tenures along with ground floor local stores and services, located in proximity to a Primary Corridor, within the built-up area, on full municipal services, implementing the transit oriented design principles, and compatible with the existing neighbourhood and streetscape, the proposal is consistent with the policies and direction of the new Urban Hamilton Official Plan.

5. In order to facilitate the proposed use, as shown on Appendix “C”, amendments to the Neighbourhood Commercial “C1” Zone are required. In particular, the following provisions are proposed for modification:

Permitted Uses:

The applicant has requested the removal of “Banks and Financial Institutions” and the inclusion of “Retail Stores” to the list of permitted uses. The requested changes to the list of permitted uses maintain the intent for local stores and services; therefore, staff supports the requested modification.

Lot Coverage:

The applicant has requested that the lot coverage be increased from 30% to 37%. A 7% increase in lot coverage on this property would allow for an additional 141.54m² of floor space.

It is noted that the intent and purpose of the lot coverage provision is to regulate development in accordance with the parcel size and in order to ensure adequate engineering and servicing for the proposal.

Staff supports the proposed modification, as no servicing or capacity issues have been identified and, accordingly, detailed stormwater management and engineering requirements will be addressed through the future Site Plan Control application.

Furthermore, the increase in footprint does not increase any impacts on the adjacent land uses as appropriate screening will be implemented through the future Site Plan Control application. Therefore, given the proposed increase has minimal impact, staff supports the requested increase in lot coverage.

Minimum Front Yard Setback:

By definition, the front lot line is deemed to be Homestead Drive. Accordingly, the applicant has requested a reduction in front yard setback from 7.5m to 6.7m.

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It is noted that the building location was requested by staff to be located as close as possible to the intersection for improved urban and transit oriented design with a strong pedestrian connection, and to allow for the potential of a gateway feature and urban street furniture at the intersection.

As the proposed reduction is minimal in nature and required for the implementation of both transit oriented and urban design principles in order to establish the streetscape and pedestrian orientation, staff supports the requested reduction.

Flankage Side Yard:

By definition, the flankage yard is deemed to be Longview Drive and, as noted above, the proposed building location has been requested for implementation of the transit oriented and urban design principles. Accordingly, staff supports the proposed reduction from 7.5m to 0.0m.

In addition, it is noted that staff has included a provision for the ground floor façade along Longview Drive to be composed of 50% windows and doors, further strengthening the transit oriented and urban design principles.

Parking Abutting a Street and a Residential Zone:

The applicant has requested a reduction in the setback of the parking area from Longview Drive from the required 3.0m to 1.0m. It is further noted that there are no proposed widenings along Longview Drive, and the existing 5.7m boulevard would be maintained in addition to the 1.0m setback provided on private lands. Therefore, the parking would be set back 6.7m from the physical roadway, and will be appropriately screened.

With the inclusion of the municipal boulevard, appropriate plantings will be incorporated within the landscape area, and through the requirement of façade treatment along Longview Drive, the pedestrian scale and streetscape shall be maintained.

With respect to the parking along the west lot line adjacent to a residential zone, the requested reduction from 3.0m to 2.6m landscaped area to be established with appropriate plantings, along with the inclusion of a 1.8m visual barrier, is minor in nature and provides adequate protection from any potential spill-over impacts of the proposed parking area.

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Lastly, with regard to the reduction in setback of the parking areas adjacent to residential zones along the south lot line, the proposed reduction from 3.0m to 2.0m is supportable, as the Glanbrook Official Plan and new Urban Hamilton Official Plan envision commercial redevelopment of these lands in the future; which would alleviate the landscaping requirements as the lands would no longer be a residential zone or use. Therefore, the interim provision of a 2.0m landscaped area with a visual barrier is supportable.

Physical and Functional Separation of Residential and Commercial Parking Areas:

It is noted that, as per Policy B.2.3.6 of the Glanbrook Official Plan, mixed-use development within the Mount Hope Secondary Plan is required to physically and functionally separate the residential and commercial parking areas.

This would further implement the Traffic Department comments to restrict commercial vehicles from utilizing the Longview Drive access. Therefore, in order to maintain the intent and purpose of the Glanbrook Official Plan and Mount Hope Secondary Plan, staff has included this provision in the amending By-law.

Reduction in Parking Space Dimensions:

The applicant has requested a reduction in parking space dimensions from 3.0m wide x 6.0m long to 2.6m wide x 5.5m long, which is the new standard in City of Hamilton By-law No. 05-200. Accordingly, staff supports the proposed modification.

Reduction in Landscape Area Adjacent to a Residential Zone:

It is noted that the proposed building has been sited in a location as far away as possible from the adjacent Residential zones to provide adequate separation of uses and to minimize any potential spill-over impacts.

Furthermore, as discussed above, the proposed 1.8m landscape strip, with appropriate plantings to be determined through the future Site Plan Control Application and a 1.8m visual barrier, will provide adequate screening of the commercial use from the adjacent residential uses along the west lot line.

The proposed 2.0m landscape strip and 1.8m visual barrier will provide adequate screening of the commercial use from the adjacent residential use along the south lot line, until such time as these adjacent lands have redeveloped for the envisioned commercial uses of the Mount Hope Secondary Plan. Therefore, the requested reduction is supportable.

Reduction in Landscape Area Adjacent to a Street:

The minimum required 3.0m landscape strip will be provided along Homestead Drive.

A 0.0m landscape area will be provided along Longview Drive, abutting the building in order to facilitate the transit oriented design guidelines. All other areas not encumbered by a building and ingress or egress will maintain a minimum 1.0m landscaped area along Longview Drive.

As previously mentioned, with the inclusion of the municipal boulevard, appropriate plantings will be incorporated to ensure the pedestrian orientation with respect to the Longview Drive streetscape.

Therefore, staff supports the requested modification, as ample landscaping will be maintained, while facilitating the City's transit oriented design guidelines.

Reduction in Loading Space Requirements and Required Garbage Enclosure Location:

The applicant has requested a reduction in loading spaces from 2 spaces to 1 space, along with a reduction in dimensions to a minimum of 2.6m x 5.5m. In addition, in response to comments provided by Hamilton International Airport, staff has included a provision requiring that the proposed loading and garbage enclosures shall be located within the interior of the proposed building.

Staff notes that based on the average dwelling unit size and the list of commercial uses requested, the use of large-scale delivery vehicles will be minimal, and would likely be serviced through the use of standard cube-vans and/or small trucks or personal vehicles.

Lastly, it is noted that post commercial hours in the evening would also provide ample opportunity for any large-scale deliveries/loading that may be required. Therefore, staff supports the requested modification, as the loading proposed will be satisfactory in addressing the functionality of the proposed development.

Longview Drive Façade Design Requirements:

In order to provide for an animated pedestrian streetscape along Longview Drive, staff has included a provision requiring that a minimum of 50% of the ground floor façade along Longview Drive be composed of windows and doors.

Minimum Lot Area per Dwelling Unit:

Notwithstanding the minimum lot area requirement per dwelling unit, being 465m² per dwelling unit, a maximum of 12 residential units has been requested notwithstanding the current lot area of 2,000m² would only permit 4 residential units. The average residential unit size proposed is 123.5m², which would provide for ample interior amenity space within the unit.

The minimum lot area is required to ensure adequate area remains for required parking and amenity areas associated with the dwelling units, and to ensure the proper function of the residential component within the principle building.

The proposed development will have amenity areas provided through private balconies, and provides for sufficient residential and visitor's parking, as required by Glanbrook Zoning By-law No. 464. Therefore, staff supports the proposed modification, as there is adequate amenity and parking to support the function of the proposed residential units.

6. The Growth Management Division has identified that a future road widening of 3.048m (10 feet) shall be required along Homestead Drive through the future Site Plan Control application. In addition, details and information have been provided as it relates to the existing services.

In review of the Servicing Report, as prepared by Urbex Engineering Ltd., Growth Management staff has no concerns with the approval of the proposed land use and zoning application, as the remaining detailed review can be undertaken through the future Site Plan Control application.

7. In response to the City of Hamilton's Notice of Complete Application and Preliminary Circulation, the following issues were identified by the public:

Reduction in Property Values:

Concerns have been raised regarding the potential loss of property values that would occur should the proposed application be approved. Staff is not aware of any supporting real estate information that would substantiate this concern or any empirical data with respect to property devaluation. Based on the foregoing, staff is satisfied that the public concern has been addressed.

Traffic and Safety Concerns:

Concerns have been raised regarding potential traffic increases and a request for signalization of this intersection. Traffic Engineering has not identified any concerns with the expected traffic volumes as a result of the proposed development.

Furthermore, on August 25, 2011, at the request of the Ward Councillor, staff inquired with Traffic Engineering if signalization or an all-way stop sign would be possible at the intersection of Longview Drive and Homestead Drive. Traffic Engineering staff reviewed the available data for this intersection and replied on August 26, 2011, advising that the intersection did not meet the requirements of the Council-approved "Installation Policy for All-way Stop Control".

In addition, they have also advised that visibility of oncoming traffic on Homestead Drive is satisfactory, with relatively low traffic volumes, and no reported collisions at this intersection over the past 10 years.

Moreover, the inclusion of a residential component will provide additional eyes on the street during the evening hours and on weekends, unlike a conventional commercial plaza. The proposed mixed-use form of development promotes the 24-hour usage of the subject lands and reduces the opportunity for unwanted individuals and vandalism to occur.

Based on the foregoing, staff is of the opinion that the traffic and safety concerns have been thoroughly analyzed and, with the inclusion of a residential component in the development form, have been appropriately addressed.

Adequate Parking:

Concerns have been raised with regard to adequate parking and the potential on-street parking in the neighbourhood. Staff notes that upon review of the proposed uses and number of dwelling units, a total of 42 parking spaces are required and have been provided on the concept plan (see Appendix "C").

Furthermore, it is noted that the commercial parking area would generally provide additional parking for the residential component in the evening hours and on weekends. Therefore, as the required parking will be provided on-site, and with the availability of additional parking on evenings and weekends, staff is of the opinion that the above concerns have been addressed.

Building Height:

Concerns were raised regarding the height of the building and its fit with the existing neighbourhood. As mentioned in the Policy Implications section above, the proposed development implements the Secondary Plan and, accordingly, the commercial zoning requested does not include any increase in height beyond that which would be permitted under any of the commercial zones within Glanbrook Zoning By-law No. 464, being 10.7 metres or 3-storeys.

The proposed 10.7 metre height is the commercial standard across the former Township of Glanbrook in Zoning By-law No. 464 and is, therefore, consistent with the land uses and built form envisioned by the Mount Hope Land Use Secondary Plan.

In addition, to minimize impact on surrounding development, the proposed building location has been sited at the intersection of Longview Drive and Homestead Drive, as far away as possible from the adjacent residential uses, while providing for a gateway element at the entrance to the neighbourhood affording enhanced views, vistas, and streetscape. Adequate buffering and screening will also be required along the lot lines adjacent to the existing residential uses and implemented through the future Site Plan Control application.

Privacy and Overview Concerns:

As mentioned above, the proposed building has been sited in a location that maximizes the distance between the proposed use and that of the surrounding, existing residential uses. Additionally, adequate buffering is ensured through the requirement for a visual barrier and plantings, which are to be implemented through the future Site Plan Control application.

It is further noted that there has been no request for an increase in height, and given that the maximum height for all commercial zones in Glanbrook By-law No. 464 is 10.7 metres, the proposed development conforms and implements the envisioned land use and development form of the Mount Hope Land Use Secondary Plan.

Appropriateness of Commercial and Alternate Commercial Sites:

Several comments have been received identifying other vacant commercial lands, which may or may not be appropriately zoned for the proposed development. Staff notes that the City of Hamilton has no authority over private site selection and the corresponding submissions of development applications, unless it was not contemplated in the Official Plan and/or Secondary Plan.

SUBJECT: Application for an Amendment to Township of Glanbrook Zoning By-law No. 464 for the Lands Located at 3250 Homestead Drive (Glanbrook) (PED12128) (Ward 11) - Page 20 of 22

It is further noted that comments identified existing commercial development within driving distance of the neighbourhood. However, the proposed development is located within the Built-up Area and, therefore, subject to the Growth Plan for the Greater Golden Horseshoe (Places to Grow).

In particular, staff notes that the proposed development will implement the complete community concept envisioned by the plan through the mixed-use form of development, on a primary transit corridor with the provision of local stores and services within walking distance of the neighbourhood.

Additionally, it is noted that the submitted development application implements the land use, as envisioned by the Glanbrook Official Plan, Mount Hope Land Use Secondary Plan, and the new Urban Hamilton Official Plan.

As the proposal is for commercial development, as envisioned under the applicable Provincial and Municipal planning documents, the proposed site is suitable for commercial development, and staff is of the opinion that the above concern has, therefore, been addressed.

Garbage Enclosure Location and Potential Collection Hours:

Comments have been received, as it relates to the potential for nuisance and noise due to hours of operation that may be incurred by the use of an outdoor garbage enclosure location. It is further noted that the Hamilton International Airport has also identified concerns with the garbage enclosure location due to the potential for birds and potential impacts on the operation of the Airport.

Staff has included a zoning provision requiring that the location of the garbage enclosure shall be located within the proposed building. This will eliminate the potential for birds, pests, and odour issues as the garbage collection area will be managed within the interior of the building.

With regard to collection hours, the subject lands are eligible for municipal garbage collection and will, therefore, occur at standard hours of operation. Therefore, staff is of the opinion that the requested amending provision and, subject to municipal garbage collection, the above concerns have been satisfactorily addressed.

Landscaping:

Comments were received requesting enhanced landscaping and maintenance of the established streetscape as a result of the required landscaping. Staff notes there are minimal reductions in landscaping, with minimal impact on the surrounding neighbourhood. Additionally, the building location has been established in order to implement the Transit Oriented Design Guidelines.

It is further noted that appropriate screening, buffering, and public space and pedestrian massing will be ensured through the future Site Plan Control application. This will be the first formal commercial development along this portion of Homestead Drive and will, therefore, establish the streetscape in this area, as this area is to be redeveloped for commercial purposes in the future, as per the Official Plan and Secondary Plan. Therefore, staff is of the opinion that this concern has been addressed.

Improper Notice:

Staff reviewed the circulation list and mapping, and note that the address of 3294 Homestead Drive was provided circulation in the normal manner through the City of Hamilton Clerk's office. Upon discussion with the owner, it was identified that it is an issue with the method in which Canada Post provides delivery to the subject residence, being the use of a P.O. Box, as opposed to direct mailing to the residence. Based on the foregoing, staff is of the opinion that appropriate notice was provided in accordance with the requirements of the Planning Act, and has no further concerns.

Flooding and Municipal Services:

A Functional Site Servicing Report was submitted with the application. Growth Management staff reviewed and confirmed that adequate services are available, and stormwater management will be contained on the subject lands and/or directed to a suitable outlet through the future Site Plan Control application, with all costs to be borne by the owner/developer.

ALTERNATIVES FOR CONSIDERATION:

In the event Council does not support the application, the subject lands will remain and may be used and/or redeveloped for a single detached dwelling and uses/buildings accessory thereto, as prescribed by the Existing Residential "ER" Zone.

SUBJECT: Application for an Amendment to Township of Glanbrook Zoning By-law No. 464 for the Lands Located at 3250 Homestead Drive (Glanbrook) (PED12128) (Ward 11) - Page 22 of 22

CORPORATE STRATEGIC PLAN (Linkage to Desired End Results)

Focus Areas: 1. Skilled, Innovative and Respectful Organization, 2. Financial Sustainability, 3. Intergovernmental Relationships, 4. Growing Our Economy, 5. Social Development, 6. Environmental Stewardship, 7. Healthy Community

Financial Sustainability

- ◆ Effective and sustainable Growth Management.
- ◆ Delivery of municipal services and management capital assets/liabilities in a sustainable, innovative, and cost-effective manner.
- ◆ Generate assessment growth/non-tax revenues.

Growing Our Economy

- ◆ Provides for Live/Work units and a complete community.

Healthy Community

- ◆ Plan and manage the built environment.

APPENDICES / SCHEDULES

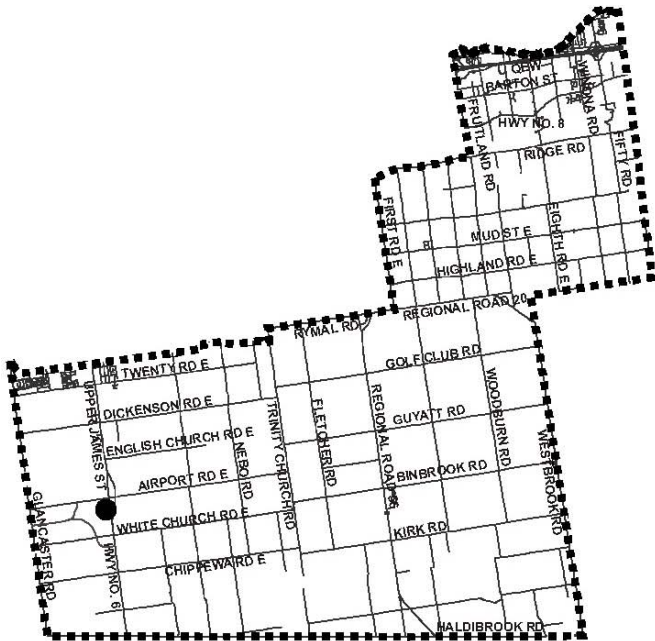
- Appendix "A": Location Map
- Appendix "B": Zoning By-law Amendment to Glanbrook By-law No. 464
- Appendix "C": Conceptual Site Plan for 3250 Homestead Drive
- Appendix "D": Public Submissions

:AC

Attachs. (4)



● Site of the Application



Ward 11 Key Map

N.T.S.

Location Map



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
ZAC-11-020

Date:
January 23, 2012

Appendix "A"

Scale:
N.T.S.

Planner/Technician:
AC/AL

Subject Property

3250 Homestead Drive

Change in Zoning from the Existing Residential "ER" Zone to the Neighbourhood Commercial "C1-272" Zone

Authority: Item [REDACTED]
Planning Committee
Report 12-[REDACTED] (PED12128)
CM: [REDACTED]

Bill No. [REDACTED]

CITY OF HAMILTON

BY-LAW NO. [REDACTED]

To Amend Zoning By-law No. 464 (Glanbrook) Respecting Lands Located at 3250 Homestead Drive

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City Of Hamilton";

AND WHEREAS the City Of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Township of Glanbrook" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City Of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 464 (Glanbrook) was enacted on the 16th day of March, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

AND WHEREAS the Council of the City of Hamilton, in adopting Item [REDACTED] of Report 12-[REDACTED] of the Planning Committee, at its meeting held on the [REDACTED] day of [REDACTED], 2012, recommended that Zoning By-law No. 464 (Glanbrook), be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Township of Glanbrook Official Plan, approved by the Minister under the Planning Act on June 16, 1987.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Schedule "F", appended to and forming part of By-law No. 464 (Glanbrook), is amended by changing the zoning from the Existing Residential "ER" Zone to the Neighbourhood Commercial "C1-272" Zone, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. That Section 44, "Exceptions to the Provisions of the By-law", of Zoning By-law No. 464, be amended by adding a new special provision, "C1-272", as follows:

"C1-272" 3250 Homestead Drive

Notwithstanding **SECTION 23: NEIGHBOURHOOD COMMERCIAL "C1" ZONE**, Sub-section 23.1 - **PERMITTED USES**, the following uses shall be prohibited on the lands zoned "C1-272":

Banks and Financial Institutions.

Notwithstanding **SECTION 23: NEIGHBOURHOOD COMMERCIAL "C1" ZONE**, Sub-section 23.1 - **PERMITTED USES**, the following use shall also be permitted on the lands zoned "C1-272":

Retail Stores.

Notwithstanding **SECTION 23: NEIGHBOURHOOD COMMERCIAL "C1" ZONE**, Sub-section 23.2 - **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUB-SECTION 23.1**, Clauses (e), (h), (i), (l)(ii), (l)(iv), (m), and (n), the following provisions shall apply on the lands zoned "C1-272":

- | | | |
|------|--|-------------|
| (e) | Maximum Lot Coverage: | 37 percent. |
| (h) | Minimum Front Yard: | 6.7 metres. |
| (i) | Minimum Side Yard: | |
| (ii) | 0.0 metres on a corner lot for the side yard abutting the flankage street. | |

(l) Minimum Parking Requirements:

- (ii) That notwithstanding Paragraph 7.35(b), the minimum number of parking spaces shall be provided in accordance with the provisions of Paragraph 7.35(b) of this By-law for those uses specified therein, at a minimum parking space dimension of 2.6m wide x 5.5m long.
- (iv) No parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle at a distance of less than 2.6 metres from any rear lot line, or 1.0 metres from any street line, or 2.0 metres from the boundary of any Residential or Institutional Zone or any Zone where the adjoining lands are used for residential or institutional purposes.

(m) Minimum Loading Requirements:

A minimum of one loading space shall be provided and maintained for the entire development with a minimum dimension of 2.6m wide x 5.5m long.

(n) Minimum Landscaping Requirements:

- (i) A landscape area, in the form of a planting strip having a minimum width of 1.8 metres and a fence having a minimum height of 1.8 metres, shall be provided and maintained adjacent to every portion of any lot line that abuts any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes.
- (ii) A landscaped area having a minimum width of 3 metres shall be provided and maintained along every portion of any lot line that abuts Homestead Drive, and 0.0m shall be provided along any portion abutting the building along Longview Drive, and a minimum of 1.0m for all other portions abutting Longview Drive.

(p) That any garbage enclosure shall only be provided and maintained within the interior of the building.

(q) That a minimum of 50% of the ground floor façade along Longview Drive shall be composed of windows and doors.

(r) That residential and visitor's parking areas shall be physically and functionally separated from the commercial parking area.

Notwithstanding **SECTION 23: NEIGHBOURHOOD COMMERCIAL "C1" ZONE**, Sub-section 23.3 - **REGULTIONS FOR RESIDENTIAL USES PERMITTED IN PARAGRAPH (b) OF SUB-SECTION 23.1**, Clauses (a) and (b), the following provisions shall apply on the lands zoned "C1-272":

- (a) A maximum of 12 residential units shall be permitted within the principal building, provided they are located above the permitted ground floor commercial.
 - (b) Lot Area shall not apply.
3. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Neighbourhood Commercial "C1" Zone, provisions, subject to the modifications referred to in Section 2.
 4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this [REDACTED] day of [REDACTED], 2012.

R. Bratina
Mayor

Rose Caterini
Clerk

ZAC-11-020



This is Schedule "A" to By-Law No. 12-
 Passed the day of, 2012

 Mayor


 Clerk

Schedule "A"

Map Forming Part of
 By-Law No. 12-_____
 to Amend By-law No. 464

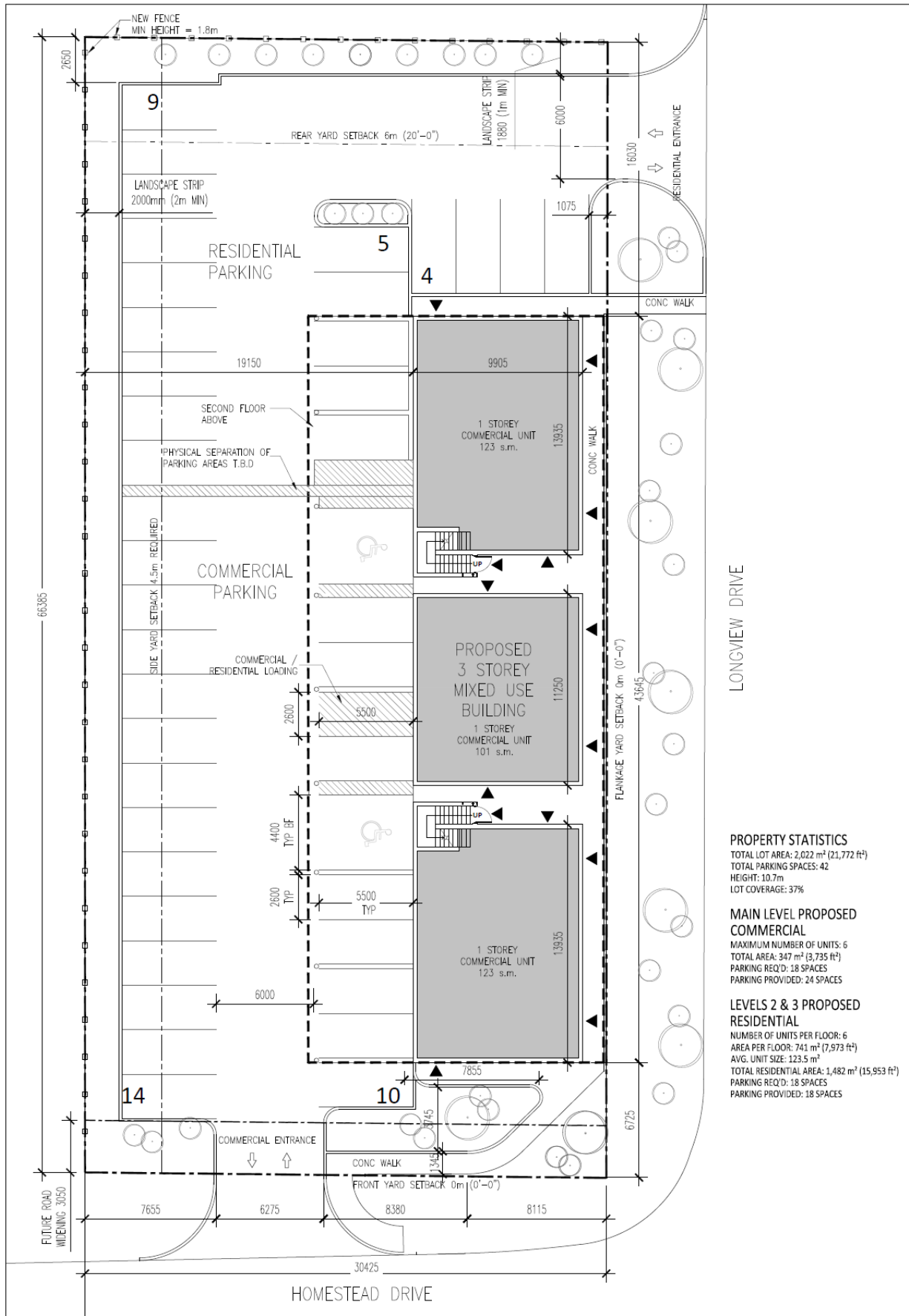
Subject Property

3250 Homestead Drive

 Change in Zoning from the Existing Residential "ER" Zoneto the Neighbourhood Commercial "C1-272" Zone

Scale: N.T.S.	File Name/Number: ZAC-11-020
Date: February 9, 2012	Planner/Technician: AC/AL
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	





PROPERTY STATISTICS
 TOTAL LOT AREA: 2,022 m² (21,772 ft²)
 TOTAL PARKING SPACES: 42
 HEIGHT: 10.7m
 LOT COVERAGE: 37%

MAIN LEVEL PROPOSED COMMERCIAL
 MAXIMUM NUMBER OF UNITS: 6
 TOTAL AREA: 347 m² (3,735 ft²)
 PARKING REQ'D: 18 SPACES
 PARKING PROVIDED: 24 SPACES

LEVELS 2 & 3 PROPOSED RESIDENTIAL
 NUMBER OF UNITS PER FLOOR: 6
 AREA PER FLOOR: 741 m² (7,973 ft²)
 AVG. UNIT SIZE: 123.5 m²
 TOTAL RESIDENTIAL AREA: 1,482 m² (15,953 ft²)
 PARKING REQ'D: 18 SPACES
 PARKING PROVIDED: 18 SPACES



Norman D. Butt,
3266 Homestead Drive,
Mount Hope, Ont. L0R1 W0.

File No. Zac-11-020.

RECEIVED APR 29 2011

Dear Sir/Madam,

I am writing to you as a concerned resident of Mount Hope Regarding the application to amend the zoning by-law for the lands at 3250 Homestead Drive, Mount Hope.

if this development is allowed to take place at this location it will only serve to lower the the property values in this area which I trust would mean a reduction in property taxes to all the residents in the surrounding vicinity.

Has the developer included a fence at the western boundary to reduce yhe noise and pollution from idling vehicles, not to mention the smell and inconvenience of the proposed garbage enclosure which will not be emptied on a regular basis if there is traffic parked in proximity to the enclosure.

Have the airport authorities been infor med of the proposed height of this building as it will be the tallest building in the environs of the airport.

Has a Three-way stop sign been considered at the intersection of Long view Drive and Homestead Drive in order to reduce the possibility of a serious or fatal collision. Has the possibility been considered of making Long view Drive a one-way street West , entering from Homestead Drive and exiting via Marion street onto Airport Road West.


ALSO there are two sites in Mount Hope that would be more suitable for this development and these sites are already zoned commercial without ripping diown existing houses.

SITE No.1 is located at the intersection of Airport Rad west and Marion street.

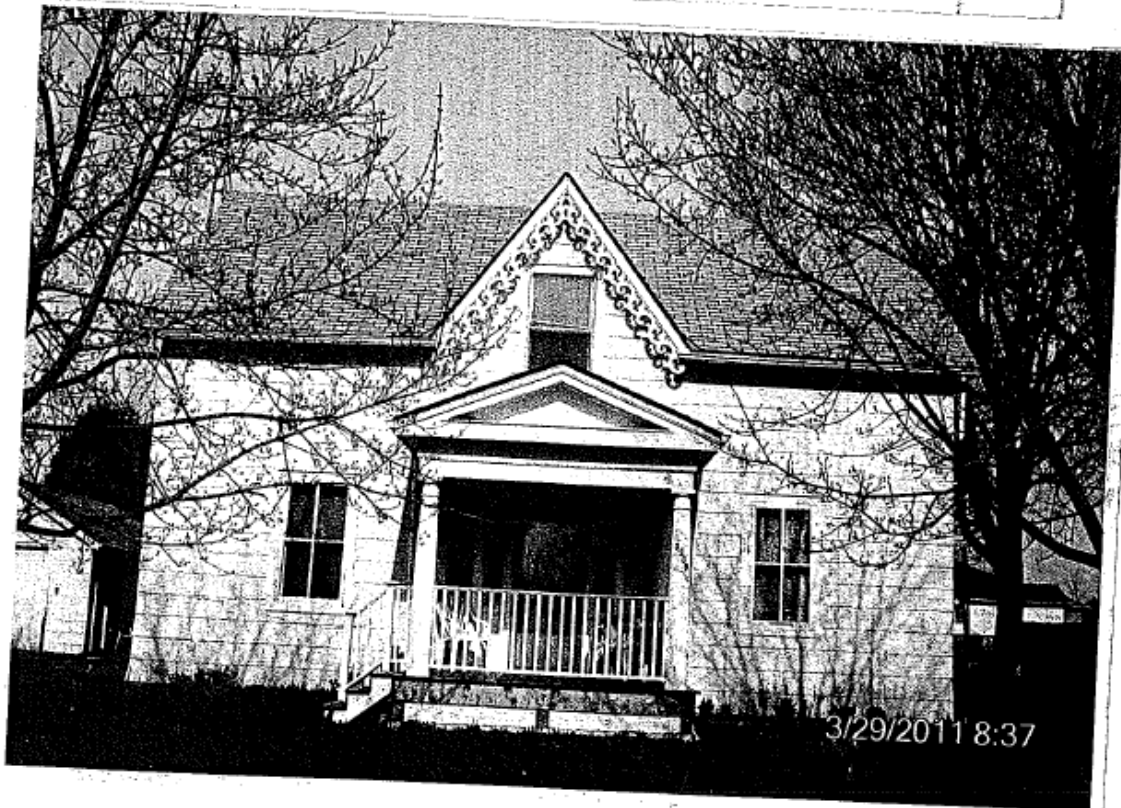
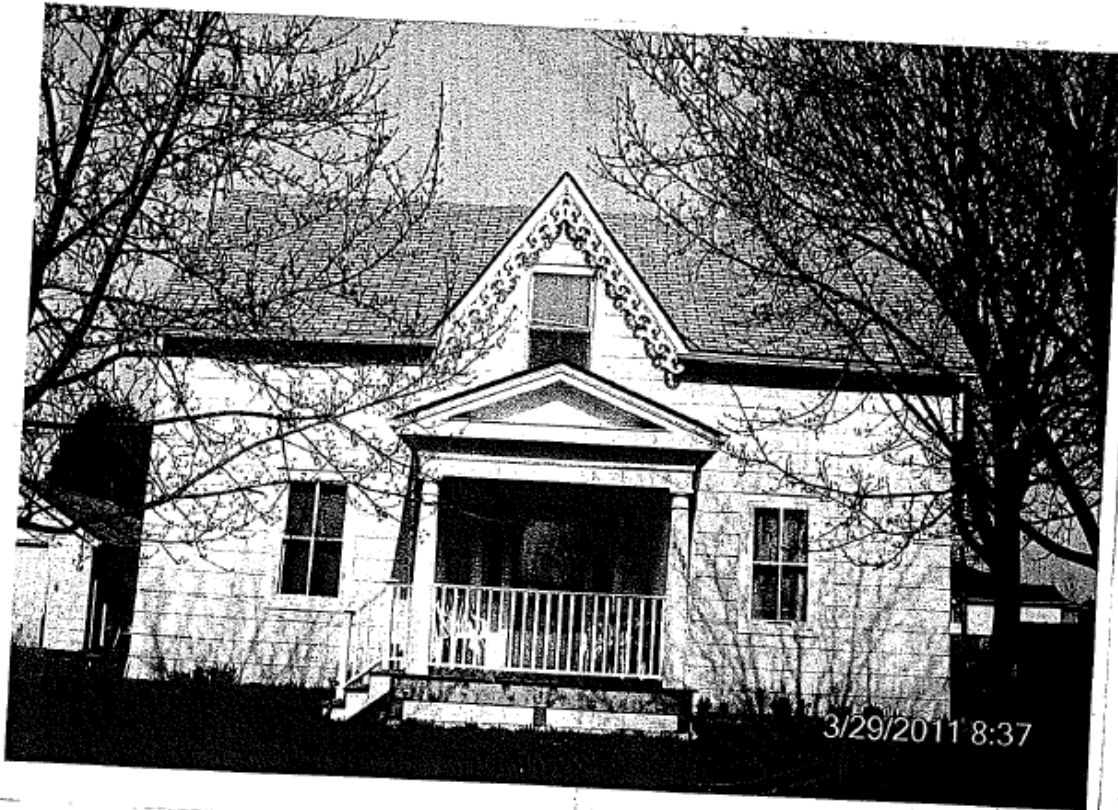
SITE no.2 IS LOCATED AT 3150 Homestead Drive, which would mean incorporating the existing store into the new building which would be of great advantage to the residents of this area, and due to size of the lots the building would not need to be so high.

Yours sincerely,

Norman D. Butt.



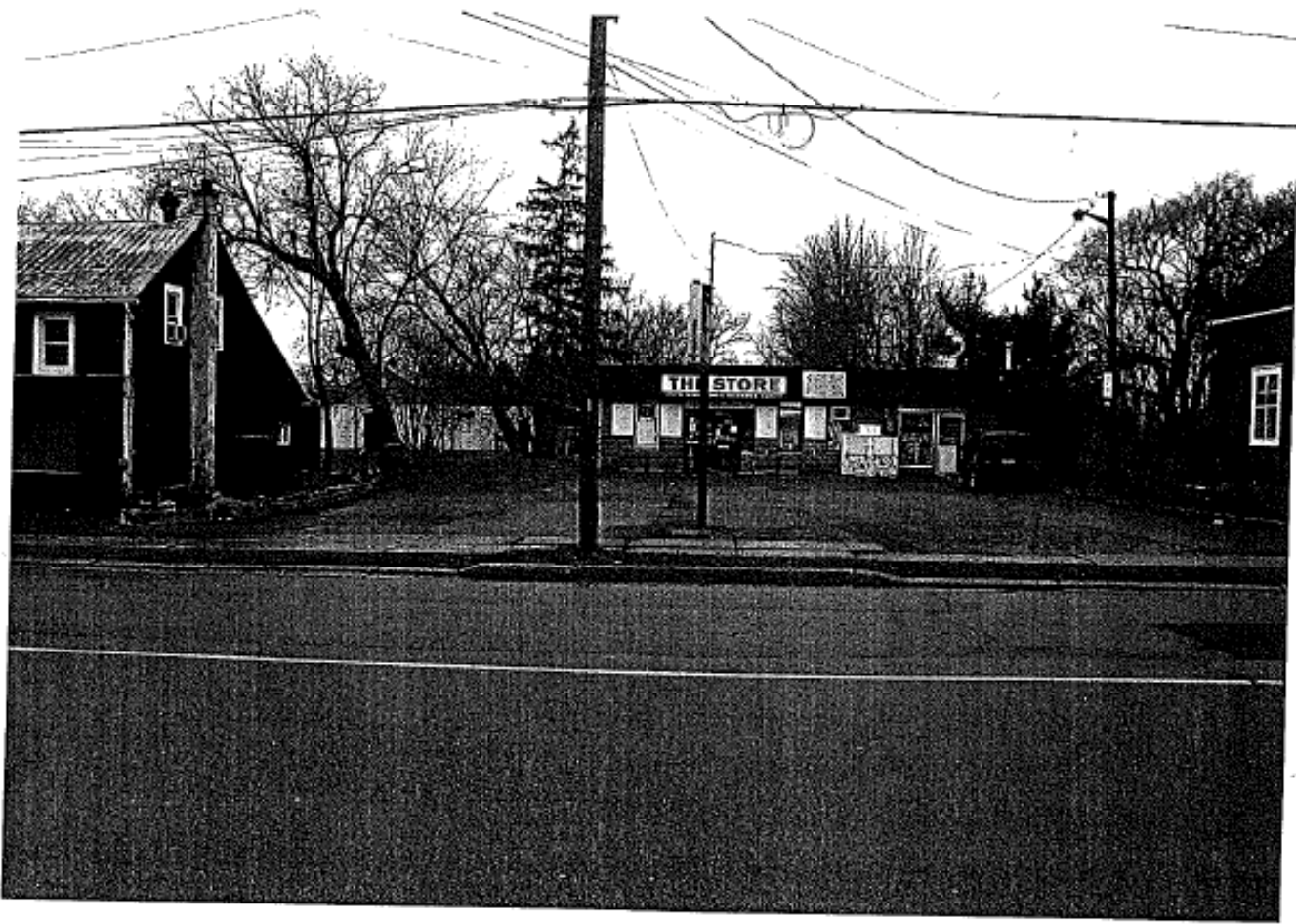
Most People who live in this vicinity sre retired people, their property sits on a half-acre lot and the resale value of their homes is approximately \$360,000.these prices would be seriously lowered if this proposed development was allowed to go ahead.





SUGGESTED
SITE. NO 1





SUGGESTED SITE #2

April 27, 2011

File No: Zac-11-020

Alvin Chan, City of Hamilton

Planning and Economic Development Department

Planning Division-Development Planning-East Section

71 Main St W, 5th Floor, Hamilton, ON, L8P 4Y5

RECEIVED APR 29 2011

Dear Mr. Chan:

As the owners of 3 Longview Drive, we wish to oppose the Zoning By-law Amendment for 3250 Homestead Drive (File No: ZAC-11-020).

When we purchased our home, we felt that this would provide the perfect setting to raise a family. We also felt that this area was a great investment opportunity. We feel that this proposed building, in the bid to raise their property value, will deflate our property value. A possible decrease in our property value is disheartening to say the least. There is no need for another commercial building to be erected when this community has a tough time supporting businesses that are already here. There is an abundance of commercially zoned land in the area that is currently unoccupied. The intrusion of this proposed amendment to allow for a three storey mixed use building on our quiet street makes us question what our future holds.

The sheer size of the building will destroy the character and charm of the neighbourhood. Many of the residents have moved to this area to enjoy the tranquil setting it provides. The tranquil setting will be lost to this development. We feel that this development is not compatible for this corner lot. The occupied commercial properties (more specifically 3234 Homestead Drive and 3243 Homestead Drive) take great pride in working within the community to keep up with our character. The commercial properties keep business hours that do not impede on our humble lifestyle and the upkeep of their holdings is impeccable.

The zoning designated to the land on 3250 Homestead Drive by the former Township of Glanbrook was adopted by the City of Hamilton under the new Urban Hamilton Official Plan. The Urban Hamilton Official Plan has been under scrutiny by an appeal with the Ontario Municipal Board. New policies for Commercial and Mixed use designations are included. We wonder if proposed Commercial and Mixed Use Zones are still on hold until the whole Official Plan is approved. If that is the case, why would council even be considering this application? In the surrounding areas, there is an abundance of

commercial land that is not used to its full potential. Our first goal should be to help those lands achieve success before we add to the pile of vacant lots.

The lands that are primarily located around 3250 Homestead Drive are single family dwellings. We have three small children. We are fearful of the detrimental effects that an increase in traffic flow to the proposed site may cause. There are limited easy and safe access points for pedestrians. Limited access points are predominant on Longview Drive. There is only one clearly marked crosswalk in the general area. In fact, there is not a sidewalk lining the residential side of Longview Drive. The residents must cross the road to access the sidewalk. The proposed building plan has a drive located on Longview Drive; therefore, the increased traffic flow will be putting my family at risk.

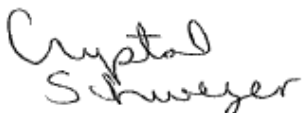

The lack of proper parking spaces will also cause traffic flow problems. The proposed plans do not provide the correct amount of spaces set out by the City of Hamilton's By-laws. Why have by-laws if our own City Council does not abide by them? Where does the owner of the building suggest that the occupants of the building and the visitors park? Lack of provided parking spaces means that we will find the vehicular overflow parked on our streets. Cars parked in the street cause traffic congestion. Traffic congestion hinders fire routes. The safety of my family and other residents are placed in danger again.

Sewer and water may also be a problem. We question whether the proposed site has the ability to sustain proper sewer and adequate water supply. Will the building hinder our water and sewer services? If there are changes or upgrades needed, who will be responsible for those costs? If the city is responsible for a portion of the costs, can the taxpayers truly afford it?

In regards to water, we are also concerned about the grading of the property. Our property contains a catch basin in the back yard. We do not want to see our property flooded every time it rains. The city has enough issues with flooding.

The concerns previously stated are only a few that we have in regards to the application to amend the Zoning By-law. Overall, we wish to clearly state, once again, that we strongly disagree to an approval of the proposed zoning amendment.

Sincerely,

Crystal Schweyer and Cameron Brown

3 Longview Drive, Mount Hope, ON, L0R 1W0

April 26, 2011

Dear Alvin Chan:

REGARDING THE 3-STOREY MIXED USE BUILDING WITH
5 GROUND FLOOR BUILDING COMMERCIAL UNITS AND
6 RESIDENTIAL UNITS PER FLOOR, TOTALING 12
12 RESIDENTIAL UNITS

My family house is located on R4-119 #9 which is the 4 houses away from the 3 storey building that is proposed for 3250 homestead. I don't think it's a good idea to have that development in Mount Hope because of the lack of privacy and the height of the building. The building in 10 years will be a welfare structure which the community doesn't like. We can't see Mount Hope having high rise building (like apartment buildings). Mount Hope is a community full of children, adults, teens and elders that don't want the to happen.

We want Mount Hope to be developed, but not that way. The community wants a plaza with stores like shoppers, dollar store or a supermarket.

In that section of the development there should be a plaza or something for the kids and teens to play in like a splash pad, roller skate rink and play ground equipment.

April 26, 2011

Page 2

Continued

We as a community will fight until we will have signs in front of the house or development. It will effect the surveys and also have more people that don't want in the community.

We are all paying too much taxes on our properties, if this is going to be developed our taxes will be worse.

**Sincerely yours
The Hughes**

APR 28 2011

Gordon C. Snell
Martha Pat Snell
79 Marion St., P.O. Box 344
Mount hope, ON L0R 1W0

April 26, 2011

Alvin Chan, City of Hamilton
Planning and Economic Development Department
Planning Division - Development Planning - East Section
71 Main Street West, 5th Floor, Hamilton, ON, L8P 4Y5

Re: Zoning By-law Amendment Application (File No. ZAC-11-020)

Dear Mr. Chan:

As owners and residents on Marion Street, Mount Hope; we wish to oppose any approval to rezone the Residential property at 3250 Homestead Drive, Mount Hope, to Commercial.

There are no shortages of, and no needs for more commercial lots and properties in the area, that would justify the need to rezone that existing residential property.

When we bought our home on Marion Street, it was because we wanted to live in a residential area with a residential atmosphere, and not next to commercial units. The view from our back yard looks on to the back yards of other homes. We don't want that view to, instead, change to a three story commercial building and all its business activities. The extra automobile traffic this commercial building will generate on Longview Drive and Marion Street, is also not welcomed. More commercial business and vehicle traffic at that corner, would also mean having extra visiting motorists parking their vehicles on our streets in front of our homes in the area. It will also not be as safe for our children.

Our residential property values in the area will be negatively affected by the presence of such a commercial building.

Rezoning that residential property will also set a precedent for adjacent residential property owners to also want their properties rezoned to commercial.

The residents in the area deserve the right to choose what their community should look like and be like for themselves and their neighbors.

Please keep us informed of any further proposals or news in regards to this matter. Thank you.

Sincerely yours,

G. Snell
m P Snell

Chan, Alvin

[REDACTED]

Sent: Wednesday, April 27, 2011 8:05 PM

To: Chan, Alvin

Subject: Zoning By-law

Marian Chamberlian
John Evely
3260 Homestead Drive
Mount Hope.
Lor 1W0
[REDACTED]

File No. ZAC-11-020

Dear Sir,

We are writing in regards to zoning of property at 3250 homestead Drive, Mount Hope. If this development should go forward, it will serve to lower property values in the area. therefore reasons against such development are as follows.

- increased traffic (parking, idling, vehicles, deliveries, resident units)
- increased noise (commercial vehicles and customers)
- increased people (loiters, gangs, customers, residents living there)
- increased garbage and litter do to out door storage and odors and rodents and other animals.
- loss of privacy (high of building)
- lack of landscaping (not enough room for said development)

There for being the owners of the property next door and living next door. We are totally against this development. We have been hear since 1966 and do not want the loss of the home town feeling. Also no one else wants this development either.

Yours sincerly
Marian Chamberlain
Jonh Evely

Chan, Alvin

From: [REDACTED]
Sent: Thursday, May 05, 2011 11:41 PM
To: Chan, Alvin
Subject: file #ZAC-11-020
Follow Up Flag: Follow up
Flag Status: Flagged

Mr. alvin chan

I would like to express my disapproval with this proposed zoning change

reasons:

1. I don't like the concept of a three story building in the midst of single family homes
2. the buliding will block the light to neighbors
3. the property across the road at 3234 Homestead dr. is currently a welding shop but retirement for the owners is not to far away.
ht e building will be converted into some sort of multi-purpose commercial facility, or more likely to be removed and replaced with housing units. the owners have had discussions with the city and have received verbal approval for rezoning to residential
- 4.the north west end of town has been waiting for commercial development for years, and many buildings are slowly are slowly getting run down due to the wait 9 reluctant to put good money into something that could get demo'd
5. In my opinion a three story or even a two story commercial building just doesn't fit at this location
- 6 .were my house to be next to this property I would be distressed
6. adjacent homes property values would in all likelihood go down

signed; john holtrop
of 3234 homestead dr.
part owner of welding shop
and reside two doors north of this said property

AC

Robert D. E. Henderson, BSc, MSc
45 Thames Way, Mount Hope, ON, L0R 1W0

May 5th, 2011

RECEIVED MAY 09 2011

Mr. Alvin Chan

City of Hamilton
Planning and Economic Development Department
Planning Division - Development Planning - East Section
71 Main St. W., 5th floor,
Hamilton, ON, L8P 4Y5

RE: FILE ZAC-11-020 REZONING APPLICATION FOR 3250 HOMESTEAD Dr., Mt. HOPE

Dear Mr. Chan,

I am writing to you to express my grave concern with the recently-completed rezoning application for 3250 Homestead Drive, Mount Hope (file ZAC-11-020). When I moved here in 2009, this area was (and still is) exclusively residential, save for the commercial properties north of Airport Road. It is my firm position that allowing commercial developments into our residential neighbourhoods will damage the quiet, family-oriented lifestyle that was present and expected when I arrived.

Not only would a commercial development increase noise, it would also present a danger to children. I frequently note children (and families) walking, cycling and playing in the vicinity of the property in question. Such a development would significantly increase the traffic flow and thus increase the risk to families who have become accustomed to walking through a quiet, safe residential area.

In addition to traffic flow and noise, the proposed commercial development comes with many other features that unquestionably do not fit within the parameters of our residential area. Parking lots, garbage bins and 3 stories of blocked views are not welcomed in the slightest.

I also question why this application has been put forth. There is plenty of commercial property north of Airport Road and away from our neighbourhoods. With family members who also live in Mount Hope, I have seen its development proceed for a number of years. Multiple businesses have come and gone. Why does this application suggest the need for more commercial property, when it is difficult enough to support what is already here?

What attracted me to Mount Hope, in particular, was its quiet, residential, family-oriented atmosphere away from noisy commerce, despite its proximity to the airport (another benefit), and the fact that it is within *driving* distance from other city resources, such as grocery stores. I would not have been so keen to move here had there been commercial developments so close to what are clearly purely residential properties. I have reason to expect that this is true for most residents of these neighbourhoods. I urge you to reject this application.

Sincerely,



Robert D. E. Henderson, BSc, MSc

Chan, Alvin

From: [REDACTED]
Sent: Friday, May 06, 2011 11:01 PM
To: Chan, Alvin; Johnson, Brenda
Cc: Gord Morris
Subject: File no.: ZAC-11-020
Importance: High

Dear Alan

I am writing you in opposition of the re-zoning the the property in the above file number. My mother owns the property known as 3253 Homestead Dr. We hav been residents in this community since 1954. Our reasons are as follows:

- 1) Traffic. At present getting out of our lane with Longview Drive situated in our proximity can at times give cause to having vehicles approaching from blind spots. This property will only add to the difficulty.
- 2) At present there is an excess of commercial property available in the town that probably should be used for its set purpose first before re-zoning is considered.
- 3) All the properties except for Holtrop steel which has been established for many years and the Gas Station are single family dwellings. Putting in a three story building in the middle in my opinion will create an eye sore.
- 4) The present commercial properties such as the new property where the post office is located have always had trouble getting occupancy it seems. Do we need open / vacant commercial space.
- 5) According to the attached drawing there is a short fall of 10 parking spaces. Where are these going to come from. This adds to street congestion and creates a safety issue for the children and pedestrians of the area.

These are a few of our concerns with this proposal. Hoping they will be taken into consideration before approval.

Yours truly,
Gord Morris

Gord Morris

MAY 06 2011

DEAR MR. CHAN.

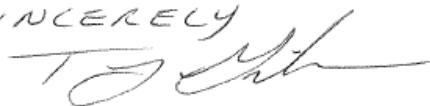
AS THE OWNER OF 7 LONGVIEW DR
I WISH TO OPPOSE THE ZONING BY-LAW
AMENDMENT FOR 3250 HOMESTEAD DR.
(FILE NO: ZAC-11-020).

I MYSELF BELIEVE THIS MAY
DECREASE MY PROPERTY VALUE. I
ALSO NO THERE IS OTHER COMMERCIALY
ZONED LAND IN THE AREA THAT IS
NOT OCCUPIED.

THE SIZE OF THE BUILDING WILL
OVER TOWER AND BE AN EYE SORE
TO OUR NEIGHBOURHOOD. I LIKE MANY
OTHERS, HAVE THREE SMALL CHILDREN
WHO HAVE GROWN UP HERE. THIS
IS WHERE THEY PLAY. I FORSEE MORE
TRAFFIC, PARKED VEHICLES ON MY
STREET WHICH MAKES FOR A LESSER
SAFE PLACE. THIS WILL ALSO DRAW
IN ~~LOITERS~~ LOITERS.

THESE ARE ONLY A FEW OF MY
CONCERNS. I STRONGLY DISAGREE TO
AN APPROVAL OF THE PROPOSED
ZONING AMENDMENT.

SINCERELY



TAMMY GILLMOR
7 LONGVIEW DR.
MT. HOPE ONT
LORINO

MAY 06 2011

April 30, 2011

FILE: ZAC-11-020

Alvin Chan, City of Hamilton

Planning and Economic Development Department

Planning Division-Development Planning-East Section

71 Main St., W. 5th Floor,

Hamilton, Ont., L8P 4Y5

RE: Rezoning Application for 3250 Homestead Dr. Mount Hope. (File No: ZAC -11-020)

Dear Mr. CHAN

As owners of 55 Marion St., Mt. Hope, we are strongly opposed to the change in zoning and the proposed development of the subject property.

When Glanbrook Township Council in the late 1990's, submitted and had approved their Mount Hope Secondary Plan, such a development was not acceptable. The basic proposition was that the lands around the airport, on Airport Rd. East and West of Homestead Dr. also on Homestead, North of the intersection of these main roads, would be for commercial development. This would form a buffer between the airport and the reserved residential component of the village to the South.

Housing development was to be to the South of Airport Rd. This was done to protect the *quality of life* of current and future residents. I refer you to the new proper development of South Hampton Estates.

There is no planned or zoned major Residential Development North of Airport Rd. The area was set aside as described for Commercial Development around the Airport and for proper separation of commercial and residential. This protects the residential area from the bustle, incompatibility and noise of the commercial/airport development.

The people who moved into Mount Hope had something to refer to when choosing the village as their home. A contract, if you will, between the existing residents and the new residents WITH Glanbrook and The Region of Hamilton Wentworth. Now, we have the City of Hamilton to administer this covenant.

There still exists an ethical and moral contract with the Council of Hamilton, "**to do no harm**", to their *people*. To respect and guard, the published agreements, between the citizens of Glanbrook and the elected representatives who have accepted this trust.

Yes, there are several existing Commercial properties South of Airport Rd., which existed prior to the agreement. These were included in the agreement to honour the promises made to them. They are all

good corporate citizens and blend, as much as possible, with the quality of life in Mt. Hope., just as the, Commercial Properties already existing to the North of Airport Rd. Conform.

We have a variety/grocery store, we have professional office space, we have medical space, and we have other office space, **many looking for tenants or for sale**. The question is: Why do we NEED this development NOW? Why is it so important as to violate the agreement with the people?

Mount Hope Terrace was designed as a quality residential development, with homes for middle class working and retired people in mind. A majority of the neighbourhood was created with single family homes, a few links/semis and some good quality "freehold" town homes. Everyone has or should have ownership of their neighbourhood and for the most part we do. It was not designed for rentals. In fact, the attempt was to avoid this situation as much as possible, because of the expected pressures of the Airport on the community.

Unfortunately, a couple of absentee landlords gained control of several homes zoned for single family use and modified them with no approvals and rented them as multiple units. This is why so many are asking for the developer's name. We are sure the people who are renting the units, are doing their best with overloaded services; but in fairness they should not be here in keeping with the zoning. The community is not designed or able to handle this type of intrusion. It is not fair to them or to the people who purchased their homes for the long term. We have cars parked on the street twenty-four/seven and longer, doing mechanical work for others, dog kennel/training centers, vehicles without licences, and noise. Oh! By the way, be sure to lock your car over night. We often have people, in the middle of the night, trying the car doors in your driveway.

Over the years, there has been little or no enforcement of the rules; and now, **you want us to accept more apartments**, and possible commercial in the middle of the neighbourhood. Where is the agreement between the people and the City of Hamilton **TO PROTECT** our Neighbourhood, Town, Township, and Quality of Life, from this never ending assault?

YOURS TRULY,



MARIANNE & HUGH BROWN

55 Marion St.

Mt. Hope Ont.,LOR 1W0

RECEIVED MAY 12 2011

Co-ordinator, Planning Committee
City of Hamilton
71 Main Street West, 1st Floor
Hamilton, ON
L8P 4Y5

May 4, 2011

File No: ZAC-11- 020

Dear Co-ordinator:

We Nelson and Marie Viveiros, wish to be notified as to the result of proposed zoning By-law Amendment for the property of 3250 Homestead Drive, Mount Hope file No: ZAC-11-020.

Thank you,

Marie and Nelson Viveiros

11 Longview Dr.
Mount Hope ON.
L0R 1W0

OFFICE OF THE CITY CLERK

MAY 06 2011

REC'D BY..... DATE.....

REF'D TO..... DATE.....

REF'D TO..... DATE.....

REF'D TO..... DATE.....

ACTION:

Gordon C. Snell
Martha Pat Snell
79 Marion St., P.O. Box 344
Mount Hope, ON L0R 1W0

av

RECEIVED MAY 12 2011

April 26, 2011

Co-ordinator
Planning Committee
City of Hamilton
71 Main St. W., 1st Floor
Hamilton, ON L8P 4Y5

Re: Zoning By-law Amendment Application (File No. ZAC-11-020)

Dear Co-ordinator:

We wish to be notified of the adoption of the proposed Zoning By-law Amendment,
or of the refusal of a request to amend the Zoning By-law.

Thank you.

Yours truly,

G. Snell
M.P. Snell

OFFICE OF THE CITY CLERK	
APR 28 2011	
REC'D BY.....	DATE.....
REF'D TO.....	DATE.....
REF'D TO.....	DATE.....
REF'D TO.....	DATE.....
ACTION:	

RECEIVED MAY 12 2011
AC

From: Eunhong, Jang, Sonja Jang.
5 Longview Dr.
Mount Hope. ON. LOR1W0.

An opinion about zoning By-law Amendment
Application (file No: ZAC-11-020)

Dear Co-ordinator,

I disapprove of this idea!

This plan must be infringe the
right of comfortable residing and
tranquil dwelling.

So this idea should be abolish
immediately!

yours truly.

Apr. 26. 2011.

OFFICE OF THE CITY CLERK	
APR 28 2011	
REC'D BY.....	DATE.....
REF'D TO.....	DATE.....
REF'D TO.....	DATE.....
REF'D TO.....	DATE.....
ACTION:	

Planning and Economic Development Department

File No. ZAC-11-020

Am sending this email on behave of my mother. We live at 3249 Homestead Drive, Mount Hope.

Why didn't we receive any notice of the above file. I heard the May 6 was the deadline for any comments.

While May 6 has past – and we never received any notice.

Ivan E. Killins