

Robicheau, Vanessa

Subject: RE: Opposition to File ZAC-09-030 Mattamy

From: Leigh-Ann Saddington
Sent: February-17-14 3:59 PM
To: Partridge, Judi; Macdonald, Greg
Cc: Robicheau, Vanessa; Morrison, Alison; Judi Partridge
Subject: RE: Opposition to File ZAC-09-030 Mattamy

Dear Judi and Greg:

On Friday the 14th I submitted a letter to you, via email and also by fax to the City Clerk, stating my opposition to the Zoning Amendment for file ZAC-09-030.

I was hoping to attend the hearing on February 18th, however, I am due in court on another matter at 10am. After speaking with several neighbours, I thought I should email you with my further concerns and comments.

My main environmental concerns regarding the proposed expansion to 85 units are the following:

1. There will be a significant increase in traffic in the area, and specifically Fellowes Crescent. Did the previous study include the increase in units and is the math correct? There appears to be inconsistencies with the amount of egress and ingress during peak times (more cars go out than in, one assumes people return home at night).

2. There will be damage to an overtaxed infrastructure as the road surfaces were not designed to handle the increased amount of traffic. Sewers, water supply, emergency services, and schools will all be negatively affected. No provisions have been stated in the staff report.

3. There are no provisions for street parking, and Fellowes Crescent already has parking issues. Due to the town homes at 222 Fellowes which have no street parking, Fellowes Crescent is always crowded. I have already phoned traffic enforcement several times due to the construction workers from Mattamy who park outside my house and block my drive.

4. There is no provision for a park or green space. With increased traffic, the children are not safe to play outside their homes and should be allotted a play area. I have already expressed my concerns for not only the neurotypical children in the neighbourhood, but for those with special needs and the heightened safety risks increased traffic will present.

With regard to procedural issues, I read Hamilton's Zoning Amendment by-laws brochures available online at: <http://www.hamilton.ca/NR/rdonlyres/B31290AA-6F01-4D87-85B8-A9B8A6ED9905/0/PLZoningByLawAmendment.pdf> and I found the following issues:

1. There was no community meeting as is required under the Zoning Amendment by-laws once opposition is raised. In 2009, enough residents filed complaints via letters and emails to the proposed expansion. To my knowledge, there was no community meeting, nor were the residents' concerns addressed

by the city. Now, on Tuesday February 18, 2014, the council is ready to vote without having had any community meeting or given the residents' answers to their concerns.

Paragraph 4 of Hamilton's Zoning By-Law Amendment Brochure states:

"Community Information Meeting

If significant public interest or opposition related to the proposed amendment is apparent, an informal community information meeting with the neighbourhood will be arranged. The Ward Councillor may also initiate a community information/wardmeeting prior to the formal public meeting."

2. The notice of the hearing was dated on January 31, 2014. The residents should have had a minimum of 17 days' notice, but does that include weekends? The report was available on Friday February 14, 2014, which is less than 5 days' notice as provided in the Brochure. I am not sure if this is the Planning Division's report or a staff report or if they are one and the same.

Paragraph 6 of the Brochure states:

"Notice of Public Meeting

Notice is sent a minimum of 17 days prior to the meeting to the prescribed persons and public bodies, advising of the date, time, location and various details regarding the proposed amendment and process. Sufficient information and material is made available to enable the public to understand the proposed amendment. The report prepared by the Planning Division will be available to the public five days prior to the public meeting. A copy of the staff report will be made available to everyone who responded to the Planning Division's preliminary circulation letter within one week of the public meeting date."

Finally, if the council does vote and the amendment is passed, all residents who wrote in should be sent a notice of the decision so that they can (and will) file an appeal.

Paragraph 10 of the Brochure states:

"OMB Appeals

Appeals must be filed within 20 days of Notice of Decision. Only the applicant or a person or public body who made oral submissions at a public meeting or written submissions to Council can appeal an approval".

I am requesting that I receive such notice as I will file an appeal.

Thank you for your attention to this matter.

Leigh-Ann Saddington