SUBJECT: Applications for Approval of a Draft Plan of Subdivision and Zoning By-law Amendment by 998153 Ontario Inc. (G. Schuit) for Lands Located at 114 Pleasant Avenue (Dundas) (PED05144) (Ward 13)

RECOMMENDATION:

(a) That approval be given to Subdivision Application 25T200508, 998153 Ontario Inc. (G. Schuit), owner, to establish a draft plan of subdivision on lands located at 114 Pleasant Avenue, comprising nine lots for single-detached dwellings, and one block for a condominium development comprising twenty one single-detached dwellings on a private road, as shown on Appendix “C” to Report PED05144, subject to the execution of a City standard form Subdivision Agreement, including the conditions contained in Appendix “D” to Report PED05144 and the following:

(i) Acknowledgement that there will be no City share for any municipal works related to this development; and,

(ii) That payment of Cash-in-Lieu of Parkland will be required pursuant to Section 42 of the Planning Act, prior to the issuance of building permits for each unit within Lots 1 to 9 of the plan of subdivision. For the single-detached dwellings on Block 10, the calculation of Cash-in-Lieu payment shall be based on the overall unit density of that block and the payment shall be based on the value of the block as of the day before the day of issuance of the first building permit within that block;

all in accordance with the Financial Policies for Development and the City’s Parkland Dedication By-law, as approved by Council.

(b) That approval be given to Zoning Application ZAC-05-50, 998153 Ontario Inc. (G. Schuit), owner, for changes in zoning from the “PPS” (Public and Private Service) Zone to the “R2/S-106” (Single Detached Residential) Zone to permit a maximum of twenty-one single-detached dwelling units on Block “1”, and from the “PPS” (Public and Private Service) Zone to the “R2/S-107” (Single-Detached...
Residential) Zone to permit nine single detached dwelling units on individual lots on Block “2”, on lands located at 114 Pleasant Avenue, Dundas, as shown on Appendix “A” to Report PED05144, on the following basis:

(i) That Block “1” be rezoned from the “PPS” (Public and Private Service) Zone to the “R2/S-106” (Single Detached Residential) Zone.

(ii) That Block “2” be rezoned from the “PPS” (Public and Private Service) Zone to the “R2/S-107” (Single Detached Residential) Zone.

(iii) That the draft By-law, attached as Appendix “E” to Report PED05144, which has been prepared in a form satisfactory to Corporate Counsel, be enacted by City Council.

(iv) That the proposed changes in zoning are in conformity with the Dundas Official Plan and the Hamilton-Wentworth Official Plan.

(c) That the existing “No Parking” designation along the north side of Turnbull Road adjacent to the subject lands be maintained. Any revisions to the “No Parking” designation will be based on residential complaints for the need to provide on-street parking and a site investigation by City staff to ensure that on-street parking can be accommodated along this section of road, all to the satisfaction of the Hamilton Municipal Parking System.

Lee Ann Coveyduck
General Manager
Planning and Economic Development Department

**EXECUTIVE SUMMARY:**

The purpose of the applications is for approval of a draft plan of subdivision and a change in zoning to permit the development of the subject lands for nine lots for single detached dwellings, and one block for a condominium development that will consist of twenty one single detached dwellings on a private cul-de-sac road, on lands located at 114 Pleasant Avenue, Dundas, as shown in Appendix “B”.

The proposal has merit and can be supported since the draft plan of subdivision and changes in zoning are consistent with the Provincial Policy Statement, and implement the intent of the Hamilton-Wentworth Official Plan and the Dundas Official Plan. The proposal is consistent and compatible with surrounding residential uses, and is an appropriate infill development that will make efficient use of existing services.
BACKGROUND:

Proposal

The purpose of the applications is for approval of a draft plan of subdivision and a change in zoning to permit the development of the lands located at 114 Pleasant Avenue, for nine lots for single detached dwellings and one block for a condominium development that will consist of twenty one single detached dwellings on a new private cul-de-sac road (Appendix “B”).

The proposed draft plan of subdivision in Appendix “C” shows nine lots, Lots 1-9, for single-detached dwellings with frontages ranging from 13.4 to 14.37 metres, and lot areas ranging from approximately 450 to 735 square metres. The depths of these lots range from approximately 33.5 to 55 metres. Block 10 has frontage on Pleasant Avenue of 32.64 metres and an area of approximately 1.3 hectares.

In order to implement the proposed draft plan of subdivision, the applicant has applied to change the zoning of the subject lands from the “PPS” (Public and Private Service Zone) to a modified “R2” (Single Detached Residential) Zones as shown on Appendix “A”. The “PPS” Zone only permits public and private services, such as schools.

The applicant has requested the following modification to the standard “R2” Zone regulations in order to permit single-detached dwellings on Lots 1 to 9:

- A minimum lot frontage of 13 metres, whereas the Zoning By-law requires a minimum lot frontage of 15 metres.

The applicant has also requested the following modifications to the standard “R2” Zone regulations in order to permit 21 single-detached dwellings on Block 10:

- A minimum front yard of 6.0 metres from Pleasant Avenue, which is in conformity with the current standards of the “R2” Zone.

- Minimum side and rear yards of 7.5 metres, except for Unit 1 (Appendix “B”), which may locate within 3 metres of an interior side lot line, and for Unit 21, which may have an attached garage within 6 metres of an interior side lot line.

- A setback from a common element condominium roadway of 6 metres, except Unit 1 (Appendix “B”) where the face of the dwelling excluding the garage may locate with 3 metres of the edge of the private road.

- A minimum separation distance of 2 metres between the sides of the units, whereas currently, within the “R2” Zone, the minimum side yard between the lot line and the dwelling is 1.2 metres, which amounts to 2.4 metres between the sides of units.

- Maximum of 21 units.
Staff has reviewed these requested modifications and has considered additional modifications as discussed in the Comments Section of this report.

The applicant has also submitted a draft plan of condominium application (25CDM200509) for Block 10 (Appendix “C”) that would create a condominium of 21 single detached dwellings with a common element road, and exclusive and common element landscape/amenity areas. The draft plan of condominium application is not before the Planning and Economic Development Committee for consideration, as the approval authority for all condominiums has been delegated to the General Manager, Planning and Economic Development Department. The condominium application could be approved contingent on the draft plan of subdivision and rezoning of the subject lands being finalized, and upon site plan approval for Block 10. Site plan control will further address issues such as refinements to building and driveway locations, the design of a proposed gateway feature, building elevations, fencing design, landscaping/buffering, and grading/drainage.

**Owner/Applicant:** 998153 Ontario Inc., c/o G. Schuit

**Agent:** Planning and Engineering Initiatives, c/o J. Ariens

**Location:** Lands located north of Turnbull Road, south of Pleasant Avenue and east of King’s Gate, in the Pleasant Valley West Neighbourhood of the former Town of Dundas, known as Part of Block “A”, Pleasant Valley Survey No 4, Registered Plan No. 1325, City of Hamilton.

**Description:**
- **Frontage:** 122.54m (Turnbull Road)
  32.64m (Pleasant Avenue)
- **Depth:** 172m
- **Area:** 1.789 ha
EXISTING LAND USE AND ZONING:

<table>
<thead>
<tr>
<th>Subject Lands</th>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
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<td>Vacant/Previous Elementary School, recently demolished</td>
<td>&quot;PPS&quot; (Public and Private Service) Zone</td>
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Surrounding Lands

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<th>Existing Zoning</th>
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<td>South</td>
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<tr>
<td>West</td>
<td>Single Detached Dwellings</td>
<td>&quot;R2&quot; (Single Detached Residential) Zone</td>
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FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial: N/A.

Staffing: N/A.

Legal: As required by the Planning Act, Council shall hold at least one (1) Public Meeting to consider an application for a change in Zoning and a Draft Plan of Subdivision.

POLICIES AFFECTING PROPOSAL:

Provincial Policy Statement

The applications have been reviewed with respect to the Provincial Policy Statement (PPS). The subject applications have shown proper regard towards focusing growth in settlement areas (Policy 1.1.3.1). However, Policy 3.2.2 states that contaminated sites shall be remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects. Therefore, due to the age of the building and materials previously present, staff recommends that the owner completes a Record of Site Condition (RSC) for the property in accordance with Standard Development Planning Condition No. 6, as provided for in Appendix “D”, Condition (ii)(2).
Hamilton-Wentworth Official Plan

The subject property is designated as “Urban Area” within the Hamilton-Wentworth Official Plan. Policy 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. As well, the Urban Areas are intended to accommodate approximately 96% of new residential housing units in the Region to the year 2020.

Therefore, as the nature of the applications are for the development of a residential rezoning and plan of subdivision where full municipal services are available, the applications conform to the Hamilton-Wentworth Official Plan policies.

Town of Dundas Official Plan

The subject property is designated “Major Institutional” on Schedule “A” – Land Use, Town of Dundas Official Plan.

The following policies of the Town of Dundas Official Plan, among others, are applicable to the subject lands:

3.8.4.3 A school site declared surplus to the needs of the relevant Board of Education may be developed for low density residential uses and/or park purposes without amendment to this Plan, provided an appropriate revision to the implementing Zoning By-law is approved.

3.1.3.3 Infill residential development is permitted in Residential Neighbourhoods by means of a specific amendment to the implementing Zoning By-law (where appropriate zoning provisions are not already in place), provided that Council is satisfied that the following principles will be attained:

(a) density shall not exceed 28 units per net hectare.

(b) building height shall not exceed 3 storeys.

(c) the development will not overload existing storm and sanitary sewers.

(d) schools, parks and neighbourhood commercial facilities will be adequate for the increased residential density resulting from the development.

(e) ingress and egress to the property will not create congestion on surrounding local streets.

(f) adequate off-street parking can be provided.
(g) the development will be consistent with the Infill Guidelines contained in Sub-Section 2.5 of this Plan.

2.3.3.1 A local housing environment that is responsive to the changing needs of area residents is crucial in maintaining a successful and healthy community. Accordingly, the Town will:

(a) support residential development that provides a range of types and tenure to satisfy the needs of the residents of Dundas at densities and scales compatible with the established development pattern.

(b) facilitate the process of residential infill, intensification and reurbanization, as outlined in the Urban Design Policies of this plan, as a means of using the available urban land supply as efficiently as possible, reducing servicing costs, and creating a more amenable urban environment.

2.5.5.1 Infill, intensification and reurbanization in Residential Neighbourhoods, Residential/Employment Mixed Use; Downtown Mixed Use; and Residential/Commercial Mixed Use Areas shall:

(a) be of compatible size, height, proportions, and conceptual design to surrounding buildings to create a harmonious streetscape. Building heights should not exceed or be significantly less than adjoining properties, except where permitted by the policies of this plan.

(b) complement the roof profiles of adjacent buildings. In particular, new apartments shall have architecturally finished roofs which mask roof appurtenances.

(c) be located to reflect the existing pattern of setbacks along the streetscape.

(d) be designed and sited so that their main entrances and facades front onto public roads.

2.5.5.2 In addition to the above guidelines, the following shall apply specifically to residential infill and intensification projects in residential neighbourhoods:

(a) street-oriented development will be promoted through the provision of front porches and innovative housing designs that support social interaction on public streets.

(b) housing designs which reduce the dominance of garages along streetscapes will be encouraged.
(c) in the development of new residential areas and as far as possible in the infilling or redevelopment of established areas, high standards of residential amenity will be promoted through the use of the following design principals:

(i) separate pedestrian walkways will be provided where feasible, designed to facilitate access to elementary schools and parks and to give a physical separation of pedestrian and vehicular traffic.

(ii) varieties of residential types will not be mixed indiscriminately, but will be arranged in a gradation so that higher density developments will complement those of a lower density, with sufficient spacing between tall apartments and lower row and single detached dwellings to maintain privacy, amenity and value.

(d) in evaluating the merits of any proposal for multiple family residential development, Council will be satisfied that the following considerations are met:

(i) the height, bulk and arrangement of buildings and structures will achieve harmonious design and integrate with the surrounding area.

(ii) appropriate open space, including landscaping and buffering, is provided to maximize the privacy of residents and minimize the impact on adjacent lower density uses.”

The proposal will increase the supply of housing in the neighbourhood in a manner that is compatible with existing surrounding residential uses. The proposal represents an appropriate example of infill development that will make efficient use of existing services, while ensuring that the existing low density, grade oriented character of the neighbourhood is maintained.

Based upon the forgoing, Planning staff is of the opinion that these applications conform to the Dundas Official Plan.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Agencies/Departments Having No Comment or Objections

- Hamilton-Wentworth District School Board.
Open Space Development and Park Planning Section, Capital Planning and Implementation Division, Public Works Department has reviewed this proposal and has the following comment:

“Since there is no parkland proposed in this draft plan, we are asking for the equivalent of 5% of the total land area for parkland dedication, with payment as Cash-in-Lieu.”

Culture & Recreation, Public Health & Community Services Department has also identified that Cash-in-Lieu of parkland dedication must be collected on the 9 residential lots and condominium block. They have also requested, that a plaque commemorating the educational building that was once the focus of this neighbourhood and the history of the site, be provided and erected on site, at the owners/applicants expense.

Recommendations

That special Development Planning Condition (ix) be included (Appendix “D”).

Hamilton Street Railway has reviewed this proposal and has the following comments:

- HSR operates the Route #52 Dundas local bus along Turnbull Road with weekday peak service only.

- No Saturday, Sunday or Holiday service is provided.

- Street orientation and pedestrian entrances are important. Direct short walking distances between dwellings and transit service are preferable.

- The proposed density of just under 17 units/hectare is transit supportive.

Strategic and Environmental Planning Section, Public Works Department has reviewed this proposal and has the following comments:

Based on the information provided, the application does not appear to require an Environmental Assessment (EA) study, based on the following:

- The proposal is for a condominium common element road, as opposed to a municipal road.

- There are no proposed road closures or temporary roads to be closed in the future.

- There are no proposed stormwater management facilities. There is no proposal to further upgrade or extend the service beyond the limits of the proposal.
Forestry Section, Operations and Maintenance Division, Public Works Department has reviewed this proposal and has the following comments:

“An assessment of the plans for the above noted development shows that there are no Municipal Forestry concerns or conflicts. There is a tri-stem Norway Maple located on the Road Allowance of the Turnbull Road side of this proposed development. This tree located in front of the proposed Lot 1 was found to be in poor condition and will not impact this rezoning and subdivision request.”

Traffic Engineering and Operations Section, Public Works Department, has reviewed this proposal and has the following comments:

“The driveway access to the condo development must be a minimum 7.5m wide at the property line and must align centreline with Green Meadow Way. The sidewalks must be continuous through the driveway.

We require minimum 3m by 3m visibility triangles between the access limits and the ultimate road allowance limits of Pleasant Avenue in which the maximum height of any objects or mature vegetation cannot exceed a height of 0.70m above the corresponding perpendicular centreline elevation of the adjacent streets.

As a condition of Site Plan Approval, the applicant/owner must apply and receive an Access Permit from the Public Works Department. Prior to commencing any work within road allowance we recommend that the applicant/owner contact all the respective Utilities. Any costs for Utility relocation or other items are the sole responsibility of the applicant/owner.

The above noted comments will all be addressed in conjunction with the Site Plan Approval required for Block 10.

Revenues Division, Corporate Services Department, has advised that the owner/applicant has an outstanding balance to the end of September 2005 of $1,452.38.

Hamilton Conservation Authority has reviewed the plan of subdivision application and has the following comments:

“…the subject property is located on the northern end of Pleasant Avenue within the Sulphur and Spring Creek subwatersheds. The site currently contains one building and associated parking area. The remainder of the site is vacant. We understand that the applicant proposed to create 21 condominium units for single detached residential purposes. Such a development will require an increase in the amount of impervious area currently on the lot.”
Please be advised that the proposed development is not affected by the Authority’s Fill, Construction and Alteration to Waterways regulation, Ontario Regulation 151/90, therefore, a permit from the HCA is not required.

As noted, however, the proposed development will result in an increase in impervious area. As such, the Authority will require Level 1 storm water quality and quantity controls.”

Recommendations

That Hamilton Conservation Authority Conditions Numbers 1 and 2 of the “Standard Conditions of Draft Plan Approval for Plans of Subdivision” be included (Appendix “D” – Condition (ii)(3)), in addition to one special condition (Appendix “D” – Condition (x)).

**Bell Canada**

Bell Canada has determined that there are adequate telecommunication facilities existing within the area, therefore, Bell Canada does not require any easement or lease.

However, Bell Canada has requested that one condition be included as a condition of draft plan approval requiring the developer to enter into a Letter of Understanding for underground servicing.

Recommendations: That Bell Canada Standard Condition No. 1 be included in the draft plan of subdivision approval (Appendix “D”, Condition (ii)(4)).

**PUBLIC CONSULTATION:**

In accordance with the Public Participation Policy that was approved by City Council on May 29, 2003, notice of this application was pre-circulated to 211 property owners within 120 metres of the subject lands. A Public Notice sign was posted on the subject lands and notice of the Public Meeting will be given in accordance with the Planning Act. In addition, two community meetings were hosted by the applicant, Ward Councillor and staff.

Fifteen letters and a petition were received in response to the pre-circulation letter (attached as Appendices “F” and “G”). Four of these letters outlined the residents support for the development with some concerns. The remaining eleven letters were in opposition to this development and raised several issues. An analysis of the issues is included in the Comments Section of this report.

**CITY STRATEGIC COMMITMENT:**

The City of Hamilton’s Strategic Plan encourages development which makes efficient and economical use of infrastructure and services. The subject lands are within the defined urban area and full municipal services are available. The proposed draft plan of
subdivision and change in zoning applications are consistent with the objectives of sustainable development and support VISION 2020’s goals within the Land Use in the Urban Area Theme. The goals include encouraging development which makes efficient and economical use of infrastructure and services, as well as curbing urban sprawl and suburban encroachment onto rural and agricultural lands. No adverse impacts with respect to economic, social, health and environmental matters have been identified with these applications.

**COMMENTS:**

1. The proposal has merit and can be supported for the following reasons:

   i) The proposed draft plan of subdivision and changes in zoning are consistent with the Provincial Policy Statement, and conform to the Hamilton-Wentworth Official Plan and the Town of Dundas Official Plan.

   ii) The proposal is consistent with the type and form of residential development in the surrounding neighbourhood.

   iii) The proposal is an appropriate infill development that will make use of existing and adequate services presently available to the site.

2. The recommended zoning (Appendix “E”) permits only single detached dwellings and accessory uses. Nine single detached dwellings are permitted fronting Turnbull Road and a maximum of 21 single detached dwellings all on one block are permitted on the remainder of the site with access to Pleasant Avenue. The built form permitted is the same as permitted by the surrounding “R2” and “R1” zoning and the resulting density (see Page 18 – Density & Streetscape Character) is comparable. The applicant has requested the following modification to the “R2” Zone which staff has included in the recommended zoning for the 9 lots along Turnbull Road:

   - A minimum lot frontage of 13 metres, whereas the Zoning By-law requires a minimum lot frontage of 15 metres.

In staff’s opinion, this reduction is compatible with the surrounding streetscape character, given the mix of lot sizes and the orientation of the surrounding lots. There are currently flankage lots at each end of the proposed lots and the existing “R2” zoning on the north side of Turnbull Road allows for minimum 15 metre frontage lots while the “R1” zoning on the south side allows for minimum 18 metre wide lots. The lots along Turnbull Road on the proposed draft plan of subdivision (Appendix “C”) comprise 7 lots with frontages of 13.4 metres (44 feet) and 2 end lots abutting the existing flankage lots with frontages of 14.37 metres (47 feet). The proposed lots are considered large by today’s market standard and are not considered “small lot singles”.

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The applicant has also requested the following modifications which staff has included in the zoning for Block 10:

- A minimum front yard of 6.0 metres from Pleasant Avenue. This is the same as currently required by the surrounding zoning.

- Maximum of 21 dwelling units. This results in a net density of 18.5 units per hectare and is comparable to the average net density in the surrounding neighbourhood of 17 units per hectare (see also Page 18 – Density & Streetscape Character).

The applicant has requested the following modifications for Block 10 which staff do not recommend:

- A minimum setback from the interior or rear lot lines of 7.5 metres, except for Unit 1 (Appendix “B”) which may locate within 3 metres of an interior side lot line and for Unit 21 which may have an attached garage within 6 metres of an interior side lot line. The current “R2” Zone’s standard minimum yard for ensuring adequate outdoor amenity area is 7.5 metres, which staff recommends. Staff will work with the applicant at the Site Plan Control stage to accommodate all 21 units within the required minimum yards.

- A minimum setback from a common element roadway of 6 metres, except Unit 1 where the face of the dwelling (excluding the garage) may locate within 3 metres of the edge of the private road. Staff prefer not to control these types of “internal” setbacks through zoning which do not impact the adjacent lands for flexibility at the Site Plan Control stage. A site plan application has not yet been evaluated.

- A minimum distance between the sides of the units of 2 metres. As stated above, staff prefers to control these separation distances through the Site Plan Control process in conjunction with Building Code regulations for flexibility in design.

Staff has also added the following regulations for Block 10 to reflect that it is being developed under one ownership (Condominium Corporation) and to ensure compatibility with the surrounding lands:

- Minimum lot area of 1.3 hectares and frontage of 32 metres to reflect the draft plan and to discourage future severances.

- Maximum height of 10.5 metres which is the “R2” standard requirement for the surrounding lands, ensuring compatibility.
• Minimum Landscaped Area of 50% to ensure a compatible scale of development and to protect against “overbuilding”. Discussions with the applicant indicate they agree to this provision.

• Maximum second floor building area equal to 60% of the ground floor area. This provision is recommended in recognition of a community desire to maintain less building mass to complement many of the surrounding bungalows, although the adjacent zoning has no such restriction. Discussions with the applicant indicate they agree to this provision (see Page 19 - Height).

• Minimum of 4 parking spaces per unit which may be in tandem and 2 of which may be located within a garage. This provision is recommended in recognition of community concerns about the possible impacts of visitor parking on Pleasant Avenue and other surrounding streets, and because it is not known at the present time if parking will be provided on the private road. Discussion with the applicant indicates they agree to this provision.

• Staff has recommended the standard “R2” regulations for accessory buildings which are also appropriate for this type of cluster development.

3. In May 2003, the City of Hamilton reviewed its requirements for parkland against a list of seventeen schools slated for closure by the Hamilton Wentworth District School Board. The school that recently existed on the subject land, Pleasant Valley, was on the list of schools slated for closure. Using certain criteria (existence of parks in the neighbourhood, parkland deficiency, number of schools in the area), the City reviewed the schools on the list to determine if the City should acquire the school lands in order to increase the parkland in each respective neighbourhood. The Pleasant Valley School site (the subject property) was not identified as a Priority Acquisition site for the City, due to the fact that this neighbourhood has surplus parkland, according to this study. The site was then sold to private interests.

4. In accordance with the City of Hamilton’s Parkland Dedication By-law, the proposal will be subject to either a parkland dedication equal to 5% of the total area of the site, or a Cash-in-Lieu payment equal to the value of the dedication. Given the proximity of the subject property to Sanctuary Park, the surplus of parkland in the neighbourhood, and the small amount of parkland that would be created as a result of a dedication, staff has recommended that Cash-in-Lieu of dedication be applied. This payment will be required prior to the issuance of building permits in accordance with the By-law.

In addition, the City’s Transition Policies would allow for the following phase-in for Cash-in-Lieu:

(a) 3% of land value on the day before building permit issuance between 2003 and December 31, 2005.
(b) 4% of land value on the day before building permit issuance between January 1, 2006 and December 31, 2006.

(c) 5% of land value on the day before building permit issuance, as of January 1, 2007.

5. Site Plan Control By-law No. 03-295 states that the provisions of this By-law shall apply to: “single detached dwelling, duplex dwellings and semi-detached dwellings forming part of a linked housing or similar innovative house grouping development as described in the City’s Official Plan, any approved Neighbourhood Plan or any other planning policy document approved by the City. Any development proposing to locate multiple single, semi or duplex dwellings on a single parcel of land is hereby deemed to be an innovative house grouping development within the meaning of this clause.” As such, a Site Plan Approval will be required for the proposed condominium development on Block 10. Site Plan Control will further address building/deck and driveway locations and orientations, the design of a proposed gateway feature, building elevations, fencing design, landscaping/buffering, and grading/drainage issues.

6. The application was circulated to all property owners within 120 metres of the subject lands. Fifteen letters and one petition were received from the public in regard to this application (refer to Appendices “F” and “G”). Several concerns were raised in the letters, including the following: traffic/safety issues, construction impacts, preservation of greenspace, securing a walkway, maintenance of existing sidewalks, height, density, streetscape character, coverage, and infrastructure issues. In addition, two community meetings were held by the owner and his agent, one prior to the submission of the application (Feb. 22, 2005) and one recently (September 8, 2005), in which approximately 70 residents attended each meeting. A separate meeting was also held between the Councillor, staff and neighbourhood representatives on August 19, 2005. The issues raised in the letters and at all the community meetings are addressed as follows:

Traffic/Safety Issues

The Traffic Engineering and Operations Section has further reviewed this application based on the concerns that the residents raised at the community meetings and provide the following information:

- The vehicular trip generation for this proposed development is estimated at 20 trips in the AM peak hour. The previous use of a K-6 elementary school with a student population of 180 students (2002 data from the School Board) would have generated at least 52 vehicular trips in the AM peak hour. Therefore, traffic will actually decline.
• The children that attended this school have been transferred to Dundas School and some of them are now outside of walking distance requirements and consequently can be bussed, so that not all the children are required to be driven to school. (The criteria for walking is Kindergarten > 1 km and Grades 1 to 6 > 1.6 km).

• Vehicular counts were completed on the roads surrounding this proposed development with the following findings:

  - Turnbull Road between Old Ancaster Road and Autumn Leaf Road = 115 vehicles in the peak hour (17 westbound and 98 eastbound).

  - Pleasant Avenue between Old Ancaster Road and Portal Court = 346 vehicles in the peak hour (81 westbound and 265 eastbound).

  - Old Ancaster Road between Turnbull Road and Pleasant Avenue = 538 vehicles in the peak hour (219 westbound and 319 eastbound).

The Traffic Engineering and Operations Section does not have concerns with the impact that the proposed development would have on current traffic volumes. Some delay may be expected at the intersections during peak hours, however, a single lane of pavement can accommodate 800 vehicles per hour and, therefore, Old Ancaster Road would still have available capacity. Therefore, the Traffic Engineering and Operations Section has determined that there is no need for a Traffic Impact Study for this development.

• The sight distances for the proposed driveways along Turnbull Road were measured and meet the required minimum sight distance of 65 metres based on a design speed of 50 km/h. Furthermore, the actual posted speed is 40 km/h and, therefore, the required minimum sight distance is only 45 metres. In order to ensure absolute safety for this development, the Traffic Engineering and Operations section have recommended additional conditions as part of the draft plan approval and as part of the Recommendations Section of this report (see below).

• Emergency vehicles will still be able to access this neighbourhood. The intersections evaluated above are typical of those throughout the City and the Traffic Engineering and Operations Section has not received any complaints from Emergency Services.

• Residents also had concerns regarding Deer Crossing Signs: The policy regarding Deer Crossing Signs is: “at sections of road 8km or less in length, that have at least one deer collision annually, for a minimum of 5 years”.
The overall Accident History of the site for the past 5 years is:

- Intersection of Old Ancaster Road and Pleasant Ave. = 0
- Intersection of Old Ancaster Road and Turnbull = 2
- Turnbull Road between Old Ancaster Road and King’s Gate = 1 (single motor vehicle)

The Traffic Engineering and Operations Section recommends the following:

1. As a condition of the draft plan of subdivision, Traffic Engineering and Operations Section, Public Works Department, will require that the driveway to Lot 9 be placed along the west lot line which must be shown on the detailed engineering drawings (Condition (xi), Appendix “D”).

2. As a condition of the draft plan of subdivision, all driveways must be a maximum 3% grade in the road allowance and a maximum 5% grade for the first 7.5m on private property and 10% grade thereafter (Condition (xii), Appendix “D”).

3. That the existing “No Parking” along the north side of Turnbull be maintained directly adjacent to the subject site, as reviewed by the Hamilton Municipal Parking System (see below).

The Hamilton Municipal Parking System Section has further determined that the following recommendation be incorporated:

1. The existing “No Parking” designation along the north side of Turnbull Road should be maintained. Any revisions to the No Parking designation will be based on residential complaints for the need to provide on-street parking and a site investigation by staff to ensure that on-street parking can be accommodated along this section of road. This is a City operational matter that has been included in the Recommendation section of this report.

The applicant has also revised their submission to reflect parking concerns in the area. The proposed condominium development for Block 10 will incorporate 4 parking spaces for each unit, as required by the recommended zoning (Comment 2), whereas the existing zoning for the surrounding neighbourhood only requires a minimum of 1 parking space per unit plus an additional 6.0 metres of manoeuvrability space that can accommodate an additional vehicle. These additional 2 spaces per unit will reduce any spill-over effects onto adjacent public roads.

Overall, the Traffic Engineering and Operations Section of the Public Works Department, along with the Hamilton Municipal Parking System Section of the Planning and Economic Development Department, have thoroughly reviewed
and studied this proposal and have determined that there are no traffic or parking concerns regarding this development. The traffic impact on the existing neighbourhood will be minimal, if not reduced from the previous use, and therefore, further study is not required or warranted given the relative size of this proposal in relation to the roadway capacity in this neighbourhood.

**Density & Streetscape Character**

The residents were concerned that the density of this development would not fit into this neighbourhood. Discussion of this topic at the most recent community meeting indicated that this concern was more directly related to streetscape character.

This proposal for 30 single detached homes on a parcel that is approximately 1.8 hectare in size amounts to an overall net density of 18.5 units per hectare when the private cul-de-sac road has been subtracted from the equation. In comparison, the neighbourhood surrounding the proposal has an average net density of 17 units per hectare. Therefore, in reviewing the relationship of the neighbourhood it appears that this proposal has a very minimal increase on a per hectare basis and is well below the maximum density for infill development, as indicated in Policy 3.1.3.3 of the Dundas Official Plan (28 units per net hectare).

Also, this application is unique to the surrounding neighbourhood because a portion of the single detached dwellings are within a cluster development on Block 10, which will have both exclusive and common amenity/landscape areas. In staff’s opinion, the streetscape character of Pleasant Avenue will be maintained because the recommended zoning requires a built form, maximum height, minimum setbacks and a scale of development that is largely consistent with that existing and permitted by the zoning along the street. The roadway proposed within Block 10 will be private, and staff has recommended that a gateway feature (with a commemorative plaque in accordance with Culture & Recreation comments) be installed at the entrance to signify the development and roadway as private (Condition (ix), Appendix “D”). For information purposes, the applicant’s proposed building elevations for Block 10 are contained in Appendix “B1” which will be evaluated as part of the future site plan application.

The remaining 9 dwellings proposed along Turnbull Road (Lots 1-9, Appendix “B”) will reflect the current “R2” zoning provisions of the area on the north side, with the exception of a 2 metre reduction in minimum lot frontage which is considered compatible for the reasons noted in Comment 2 above.

The entire proposal is low density residential in character and thereby complements the adjacent neighbourhoods. The proposal is reflective of the policies of the Dundas Official Plan, which states (Policy 2.3.3.1):
“A local housing environment that is responsive to the changing needs of area residents is crucial in maintaining a successful and healthy community. Accordingly, the Town will:

(a) support residential development that provides a range of types and tenure to satisfy the needs of the residents of Dundas at densities and scales compatible with the established development pattern;

(b) facilitate the process of residential infill, intensification and reurbanization, as outlined in the Urban Design Policies of this plan, as a means of using the available urban land supply as efficiently as possible, reducing servicing costs, and creating a more amenable urban environment;”

Finally, the proposal satisfies the provincial intensification policies. Policy 1.1.3.3 of the Provincial Policy Statement states:

“Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.”

The above noted policies, along with the previously stated policies (Policies 3.1.3.3, 2.3.3.1, 2.5.5.1 & 2.5.5.2 – see Pages 6 to 8) of the Dundas Official Plan provide that Infill residential development is permitted in residential neighbourhoods, where it is compatible and complementary to the surrounding area through harmonious design and integration. This proposal conforms to all these planning policies. The proposal represents an appropriate example of infill development that will make efficient use of existing services, while ensuring that the existing low density, grade oriented character of the neighbourhood is maintained.

**Height**

Residents were concerned over their loss of vistas and views of the escarpment, due to the possible height of this proposal and, therefore, have suggested that a restriction in building height be placed on this development.

The existing neighbourhood around this proposal was reviewed in the field, whereby, a mix of housing styles that incorporate bungalows and two storey dwellings throughout were identified. The maximum height in the recommended zoning for the proposal, and currently permitted for the entire neighbourhood, is 10.5 metres which can accommodate a two and half storey home. Discussions with the applicant also indicate their agreement to limiting the second floor of the dwellings in the recommended zoning to a maximum floor area of 60% of the ground floor area, in recognition of the surrounding neighbourhood’s desire to
maintain a lower building mass more complementary to existing dwellings in the area. This reflects the applicant’s proposal of creating an enclave of loft style one and a half storey homes that will be marketed to empty nesters.

**Deck Height**

Residents were also concerned with regard to adjacent deck heights in proximity to the existing neighbourhood and overshadow into adjacent rear yards.

Some of the concern was raised with regard to the proposed single detached dwellings along Turnbull Road. The existing grades along Turnbull Road are such, that only Lots 3 to 7 and possibly Lot 8 could contain full walkout basements, thereby leaving the potential for a deck at the first floor height. Upper decks in the middle of the Turnbull lots should not impact the adjacent existing homes. Both Lots 1 and 9 only change in grade about 1 metre within the building envelope area, and therefore, would not accommodate a walkout basement. Additionally, Lot 1 has a small swale along the west boundary that will be filled during grading the site, thereby matching the elevation to those of the three lots along King’s Gate. Lot 9 has an even gentler slope and will be regraded to match the 2 abutting properties on Autumn Leaf Road. Matching the grade, in both these instances, should address the adjacent residents’ concerns over privacy.

**Wildlife Corridor**

Several residents raised the concern that the subject lands were being used as a wildlife corridor through the neighbourhood which should be preserved.

The subject lands are currently surrounded on all four sides by built up residential areas and bounded by roadways on both the north and south sides. The lands do not in any way connect to any other linear open space and were never planned as part of a wildlife corridor. However, wildlife does enter the area from open space areas further away.

**Impact of Construction**

The negative impacts associated with future construction, such as dust, noise and traffic (heavy vehicles) will be regulated and monitored by City By-laws and by the City’s Inspectors. In addition, it is a standard clause in the City’s Subdivision Agreements to require the owner to provide a plan or written procedure for approval to address issues concerning dust control and street cleaning on roads internal and external to the plan throughout construction.
Infrastructure Issues

Residents were concerned over the sewer system and services in the area, its capacity and surcharging possibilities due to the increase in residential units.

Staff has reviewed the applicant’s Functional Servicing Report and notes that:

(1) There are existing Municipal watermains and storm and sanitary sewers available within the Pleasant Avenue and Turnbull Road right-of-ways to service this development.

(2) The City has no road widening requirements on Pleasant Avenue and Turnbull Road at this time.

(3) A detailed stormwater management report is required from the perspective of quality and quantity of run-off and also to confirm that there is an adequate outlet for the major system (Development Engineering Condition (vi) – Appendix “D”).

(4) The overland route along the exclusive use boundaries of the condominium units is permitted in principle. Cut-off swales are still required and rear yard catchbasins may be necessary.

(5) The pre-to-post balance is not sufficient as the major system does not have an outlet, therefore, storm flows must be limited to the capacity of the existing sewer.

Development Engineering Condition (vi) of Appendix “D”, will ensure that the current situation with regard to storm sewers will not worsen. The applicant is required to contain the amount of storm flow on its property to ensure that the existing sewer does not surcharge. Along with this, the Hamilton Conservation Authority has also reviewed this proposal and have stated that the proposed development will result in an increase in impervious area, and therefore, the applicant/owner must ensure that adequate Level 1 storm water quality and quantity controls are implemented as required by condition (ii)(3) of Appendix “D” for the draft plan approval.

Walkway

The residents also raised a concern that the site has been used as a pedestrian connection between Pleasant Avenue and Turnbull Road. They are concerned that with the development of this site, this unofficial connection will be lost.

This land may have functioned as a public access; however, it was owned by the school board and is currently zoned for school purposes. Several departments have determined that imposing a walkway through the proposed development
would only create undue hardship. (i.e. maintenance issues, liability issues within the condominium development, as well as safety issues). As such, it is not recommended that the applicant be required to provide a walkway through the subject lands. King’s Gate is currently only 33.5 metres (110 ft.) to the west of the subject lands and runs parallel to this proposed development between Turnbull Road and Pleasant Avenue, and therefore, could perform the same function as a walkway through the site if a sidewalk were constructed on the west side. The Department of Public Works has the Infrastructure Extension Program in place to construct a sidewalk within the King’s Gate road allowance if deemed appropriate in the future.

7. The conditions of draft approval set out in Appendix “D” to this report are comprised of relevant conditions from the Streamlining and Harmonization of Subdivision, Condominium and Part-Lot Control Approvals and Administration Process and have been updated to meet the new Financial and Engineering Guidelines for development. Several special conditions will also apply, many of which have already been referenced in this report. In addition, conditions relating to payment for survey monumentation, stormwater management, securities, road rebuilding, a gateway feature, lot grading plan, and driveway grades and locations have also been included.

CONCLUSION:

Based on the foregoing, staff supports the applications for draft plan of subdivision and changes in zoning, as recommended for approval in the Recommendations Section of this report, subject to the draft approval conditions in Appendix “D”.

:TH
Attachs. (7)
Planning and Economic Development Department

Location Map

File Name/Number: ZAC-05-50/25T200508
Date: May 24, 2005
Appendix "A"
Scale: N.T.S
Technician: TH/LM

Subject Property
114 Pleasant Avenue

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Block 1 - Change in Zoning from "PPS" (Public and Private Service) Zone to "R2/S-106" (Single Detached Residential) Zone, Modified.

Block 2 - Change in Zoning from "PPS" (Public and Private Service) Zone to "R2/S-107" (Single Detached Residential) Zone, Modified.

T&C File Name: ZAC-05-50
“Pleasant Valley School Site Redevelopment”
Conditions of Draft Approval

(i) That this approval apply to the Draft Plan of Subdivision entitled “Pleasant Valley – Draft Plan of Subdivision, Block A, Plan 1325, Formerly Town of Dundas, Now in the City of Hamilton”, dated April 14, 2005, to provide for nine (9) lots (Lots 1 – 9) for single detached dwellings and one (1) block (Block 10) for a condominium development comprising a private cul-de-sac and twenty-one (21) single detached dwelling units.

(ii) That the following standard conditions of draft plan approval from Appendix “A” of Report PD01184 (Streamlining and Harmonization of Subdivision, Condominium and Part Lot Control Approvals and Administration Processes) shall apply;

   (1) Development Engineering Conditions Nos. 1, 2, 7, 15, 21, 24, 25, 26, 27, 29 and 30;
   (2) Development Planning Conditions Nos. 3, 4, 5, 6, 20 and 21;
   (3) Hamilton Conservation Authority Conditions Nos. 1 and 2;
   (4) Bell Canada Conditions No. 1;

Development Engineering

(iii) That the Owner enter into a subdivision agreement with the City of Hamilton prior to registration of any portion of the draft approved plan.

(iv) That the Owner agree in writing to satisfy all conditions, financial and otherwise, of the City of Hamilton prior to registration of any portion of the draft approved plan.

(v) That the Owner agree in writing to make a cash payment to the City in-lieu of providing Horizontal and Vertical Control Survey Monumentation;

(vi) That the Owner shall submit a detailed Storm Water Management report to address quality and quantity of run-off and to confirm that there is an adequate outlet for the major storm system. The Owner must demonstrate that resulting runoff from the proposed development for the 2 to 100 year storm will not negatively impact downstream properties.

(vii) That the Owner provide sufficient securities to the City of Hamilton to ensure that any existing municipal works (i.e. sidewalk, roads, etc.) on Pleasant Avenue and Turnbull Road will be repaired at the Owner’s sole expense to the satisfaction of the Manager of Development Engineering.
(viii) That the Owner agree in writing to rebuild Pleasant Avenue and Turnbull Road along the full frontage of the subdivision, for the whole width of the road, to the satisfaction of the Manager of Development Engineering.

Development Planning

(ix) That the Owner agree to provide and maintain on Block 10 along the frontage of Pleasant Valley at the Owner’s sole expense, a gateway feature for the condominium development which shall include a commemorative plaque recognizing the history of the site and the former existence of Pleasant Valley Elementary School, to the satisfaction of the Manager of Development Planning.

Hamilton Conservation Authority

(x) That the applicant prepare and implement a lot grading plan to the satisfaction of the Hamilton Conservation Authority.

Traffic Engineering and Operations

(xi) That the driveway to Lot 9 must be placed along the west lot line and must be shown on the detailed engineering drawings, to the satisfaction of the Manager of Traffic Engineering and Operations.

(xii) That all driveways must be a maximum 3% grade in the road allowance and a maximum 5% grade for the first 7.5m on private property and 10% grade thereafter.
CITY OF HAMILTON

BY-LAW NO. __________

To Amend Zoning By-law No. 3581-86
Respecting Lands Located at 114 Pleasant Avenue, Dundas,
Block ‘A’, Registered Plan No. 1325

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 municipality known as the “The Town of Dundas” 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 and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the Town of Dundas passed Zoning By-law No. 3581-86 (Dundas) on the 22nd day of May 1986, which by-law was approved by the Ontario Municipal Board by Order dated the 10th day of May 1988;

AND WHEREAS the Council of the City of Hamilton, in adopting Section of Report of the Planning and Economic Development Committee at its meeting held on the day of , 2005, recommended that Zoning By-law No. 3581-86 (Dundas), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Dundas), approved by the Minister under the Planning Act on June 21, 1999.

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

1. Schedule “K” of Zoning By-law No. 3581-86 (Dundas) is hereby amended,
(a) by changing the zoning from Public and Private Service “PPS” Zone to Single Detached Residential “R2/S-106” Zone, the lands comprised of Block 1; and,

(b) by changing the zoning from Public and Private Service “PPS” Zone to Single Detached Residential “R2/S-107” Zone, the lands comprised of Block 2;

the extent and boundaries of which are shown on a plan hereto annexed as Schedule ‘A’.

2. **SECTION 32: EXCEPTIONS** of Zoning By-law No. 3581-86 (Dundas), is hereby further amended by adding the following new subsection:

**SINGLE DETACHED RESIDENTIAL R2/S-106**

Notwithstanding the provisions of SUBSECTION 6.16 ONE DWELLING PER LOT of SECTION 6: GENERAL REGULATIONS and of SUBSECTION 9.1: PERMITTED USES, and SUBSECTION 9.2: REGULATIONS FOR SINGLE-DETACHED DWELLINGS, of SECTION 9: SINGLE-DETACHED RESIDENTIAL ZONE (R2), the following uses and regulations shall apply on the lands shown as “R2/S-106” on Schedule “K”:

(a) **PERMITTED USES**

   (i) Single-Detached Dwelling Units

   (ii) Accessory Uses to the uses identified above.

(b) **REGULATIONS FOR ALL SINGLE-DETACHED DWELLING UNITS**

   (i) Minimum Lot Area – 1.3 hectares.

   (ii) Minimum Lot Frontage – 32 metres.

   (iii) Minimum Front Yard - 6.0 metres.

   (iv) Minimum Side Yard and Rear Yard - 7.5 metres.

   (v) Maximum Building Height – 10.5 metres, maximum 2 storeys.

   (vi) Maximum Number of Dwelling Units - 21 Dwelling Units.

   (vii) Minimum Landscaped Area – 50%.

   (viii) Maximum Floor Area of a Second Floor - 60% of the Floor Area of the ground floor, including the garage.

   (ix) Off-Street Parking – minimum 4.0 parking spaces per dwelling unit which may be arranged in tandem and 2 spaces of which may be included in a garage.
(c) Subsection 9.5: REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES shall continue to apply.

3. SECTION 32: EXCEPTIONS of Zoning By-law No. 3581-86 (Dundas), is hereby further amended by adding the following new subsection:

SINGLE DETACHED RESIDENTIAL  R2/S-107

Notwithstanding regulation 9.2.1.2: LOT FRONTAGE of SUBSECTION 9.2: REGULATIONS FOR SINGLE-DETACHED DWELLINGS, of SECTION 9: SINGLE-DETACHED RESIDENTIAL ZONE (R2), the following shall apply on the lands shown as "R2/S-107" on Schedule "K":

(a) Minimum Lot Frontage – 13.0 metres.

4. All other provisions of Zoning By-law No. 3581-86 (Dundas) as applicable shall continue to apply.

5. 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 day of , 2005.

MAYOR

CLERK

ZAC-05-50 & 25T200508
This is Schedule “A” to By-Law No. 05——

Clerk

Passed the .................. day of .................... , 2005

Mayor

Schedule "A"

Map Forming Part of By-Law No. 05-——

Subject Property
114 Pleasant Avenue

Block 1 - Change in Zoning from "PPS" (Public and Private Service) Zone to "R2/S-105" (Single Detached Residential) Zone, Modified.

Block 2 - Change in Zoning from "PPS" (Public and Private Service) Zone to "R2/S-107" (Single Detached Residential) Zone, Modified.
Horzelenberg, Trevor

From: Steve Austin
Sent: Monday, June 27, 2005 10:20 PM
To: Horzelenberg, Trevor
Subject: Planning & Development for Pleasant valley, Dundas
Importance: High

I have just returned from a meeting in the Pleasant Valley community of Dundas. There were serious concerns raised about the development plans for the now demolished Pleasant Valley School site. Here are but a few concerns & questions:

1. The name of the developer, G. Schuit, is listed as 214 Pleasant Valley, Dundas. There is NO such address in this street. The numbers go from 212-216.
2. A letter was sent to households in the area that "...the developer believes he has our full support...". NOT TRUE! The developer has very little, if any, support from those who surround the area of proposed construction of 30 houses. And he had few answers to many of the questions from those who attended his meeting.
3. There are major concerns of all those living in this area.

- What is the proposed density of people & houses? (OMB requirements, etc.)
- What variances can be made in regards to the height of any buildings proposed?
- What requirements are there for Park Lands, Green Space & Public Lands?
- What access and pathways are being required?
- In light of previous drainage & flooding in side areas, what plans are the for sewage?
- When is a FORMAL Site plan available for this community?
- When & how will the zoning be changed from 'PPS' to 'R2'?
- When will the results of a Traffic & Safety survey be available?
- What are the allowances & requirements for house & curb-side parking?
- What changes are being made for electrical & cable-TV connections?
- What restrictions (hours of the days, days of the week, Sundays? Christmas & New Year, summer, etc.) are being considered to minimize the 2 - 3 yr. disruption of community traffic for the 500+ homes already in this area?
- Will this become a 'gated-community'?
- What studies are being done in order to build on what will be basically land-fill areas?
- Are all the decisions being made by the City of Hamilton without regard to the individuals living in the proposed-Dundas area?

A. These are only a few of the many questions being asked.

B. ARE THERE ANY ANSWERS?

6/29/2005
from....*Steve & Esther Austin*, 3 King's Gate Ct., Dundas
Horzelenberg, Trevor

From: Mary Poudrier
Sent: Friday, July 01, 2005 10:20 AM
To: Whitehead, Terry; Rawlings, Alexandra; Horzelenberg, Trevor
Subject: Proposed Development on Pleasant Valley School Property


This is to advise that I object very strongly to the application by Mr. Schuit to change the Dundas Zoning By-law from PPS Zone to R2 (Public and Private Service to Single Detached Residential) in order to build a block of 21 single detached residential units and 9 single family detached residential lots on the land that once held Pleasant Valley School.

The main reason is that there are far too many houses/units planned for the size of the area and, rather than enhancing the rest of Pleasant Valley, it will be detrimental and an eyesore to the community at large. I cannot imagine that so many houses all crammed together could possibly improve the value of the houses in Pleasant Valley, particularly the homes on Princess Court, Kingsgate, Turnbull Road and Pleasant Avenue which surround it. Already the school has been knocked down, the green space which children and adults used for pleasure and recreation has been fenced in, and now this awful new plan to crowd so many houses together has come up.

We are very concerned about the extra traffic - 30 houses means 60 cars in most cases - and the safety problems they will cause. Lots of young families have moved into Pleasant Valley in the last few years because it was a safe, attractive and desirable community in which to live. They do not need the hassle of safety issues regarding their children because of a lot of extra traffic due to this proposed plan.

We are also very concerned about flooding. There were many houses near us on Pleasant Avenue that had flooded basements when there were heavy rains 30 years ago, and it was many years before the problem was finally fixed. Thirty houses on this building site could easily cause more flooding for the other lower lying houses. I'm no engineer, but I wonder if that issue will be very carefully studied and a report made on the result.

I am very concerned about the speed in which these events have occurred, with little or no publicity so that much of the community is still in ignorance of these proposed plans. We all lead very busy lives and it is difficult to keep up with such events unless they are publicly and widely advertised.

A plan with 15 houses or less would fit in with the rest of the community because of lot size, but 30 houses is definitely not acceptable.

Thank you for your time.

Renald and Mary Poudrier
14 Princess Court Dundas, On.
June 30, 2005

Trevor Horzelenberg, Development Planner II
City of Hamilton, Planning & Development Dept.,
Development and Real Estate Division (West),
City Hall, 71 Main Street West
Hamilton, Ontario
L8P 4Y5

Dear Mr Horzelenberg

Kindly accept our comments related to the File No. ZAC-05-50/25T200508 or the development of the former Pleasant Valley School property in Dundas.

We have lived on Turnbull Road directly across from the former school for the past 26 years. We have witnessed this property being enjoyed by the community for numerous activities throughout the year. This is especially true for the younger people whether it’s soccer, baseball, football or tobogganing. This current development plan will be a tremendous loss to the youth of this neighbourhood.

With regard to the draft plan for a 30-unit subdivision, I offer the following specific comments.

1. Compatibility with the current community
   The proposed 9 new homes on Turnbull will be directly across from 4 existing homes. There should be no more than 6 new homes built on Turnbull within this development.

   The existing homes on Turnbull facing this property are all one-storey. Restrict the height of the new homes on Turnbull to one-storey homes.

2. Infrastructure
   There are questions related to sewage and traffic. What infrastructure construction will be involved along Turnbull Road? Will new sidewalks be added? Where? Will there be road widening? Where? Will existing sewer lines be used?

3. Safety
   There is a safety risk as westbound drivers on Turnbull Road have a blind hill just prior to this development. To add to the issue, most vehicles will probably back onto Turnbull Road. In the winter, this hill can be difficult to manage (eastward) unless you take a longer run at it.

Please forward a copy of the staff report your department will present to Council as outlined in your letter of June 6, 2005.

In closing,

Jim and Carol Campanella
45 Turnbull Rd
Dundas L9H 3W5

Cc. Art Samson
Horzelenberg, Trevor

From: Brian Cook
Sent: Monday, July 04, 2005 1:09 PM
To: Horzelenberg, Trevor
Cc: 'pvc'
Subject: Pleasant Valley Community

We live on Skyline Drive in Dundas just off of Pleasant Ave. We moved here last year to get away from noise pollution in a former Dundas region. I must say that the planned proposal for this smaller parcel of land is way out of keeping with the neighborhood. I voice my strong disapproval for this planned development and would like to see only single family homes, reasonably spaced. There are lots of town homes in Dundas if someone needs one. Please listen to the people in the area and respect that we do have a voice, as in a democracy. Thank you.

Rose Cook-Carroll and Brian Cook
FACSIMILE TRANSMITTAL SHEET

TO: Trevor Horzelenberg
FROM: Marnee Maroes

COMPANY: City of Hamilton
DATE: 7/5/2005

FAX NUMBER: 905-546-4202
TOTAL NO. OF PAGES INCLUDING COVER: 3

PHONE NUMBER: 905-546-2424 x 5803
SENDER'S REFERENCE NUMBER:

RE: Pleasant Valley School
YOUR REFERENCE NUMBER: File No. ZAC-05-50/25T200508

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Dear Mr. Horzelenberg:

Please find my letter regarding this planned development attached to this fax.

Thank you,

Marnee Maroes

112 PLEASANT AVENUE, DUNDAS, ON, L9H 3T8
505-628-2161

1891 10:30AM MARNEE MAROES JUL 05 2005
July 5, 2005

Trevor Horzelenberg, Development Planner II
City of Hamilton, Planning and Development Department
Development and Real Estate Division (West),
City Hall, 71 Main Street West
Hamilton, ON, L8P 4Y5

Dear Mr. Horzelenberg:

Re: File No. ZAC-05-50/25T200508
Zoning Amendment Application ZAC-05-50 and Draft Plan of Subdivision
Application 25T200508 “Pleasant Valley School”

Thank you for your recent letter describing the new survey planned by Mr. Schuit. Mr. Schuit had visited us at our home, which borders on this property (112 Pleasant Avenue), several months ago to discuss with us his plans. This was before the first community meeting held at Dundas TownHall.

I am writing to advise you that I support this proposed development project. Though I lament the loss of the neighborhood school and wish that the city, province, and school boards were able to work together in a rational manner regarding our public spaces, the school board disputes are a matter of the past.

In my opinion, increasing the density of our neighborhood is desirable. We are surrounded by conservation lands, trails, and Sanctuary Park is only one block away. The environmentally responsible thing to do is to increase density instead of continuing to swell up agricultural or other lands that surround our city.

I agree with my neighbors who have expressed concerns regarding traveling by foot from Turnbull to Pleasant and would like to request that Mr. Schuit be asked to construct a sidewalk on Kingsgate to make up for the loss of a through-way. In fact, the school has always been private property and the people who are in the habit of walking through it have been trespassing on school grounds.

Related to what I feel is desirable increased density, I would further like to see the city and Mr. Schuit partner to increase transit service to our neighborhood. Particularly because Mr. Schuit is planning to market the condominium units to elderly home owners, transit ties to our Dundas downtown community as well as the HSR system will be important. Currently, we only have “rush hour” service. I am requesting that the city, HSR, our community, and Mr. Schuit use this opportunity to add to the transit service to our community.

Finally, on a related environmental concern, I would like to request that Mr. Schuit commit that the condominium association will not use pesticides, herbicides, or chemical
fertilizers on the common areas of the condominium development. This is in anticipation of a general city-wide ban coming into effect (hopefully very soon).

In summary, I am writing to let you know that I approve of Mr. Schuit's plan to add his proposed development to our community. I would like to request, as part of Mr. Schuit's approval, that a sidewalk be constructed connecting Turnbull to Pleasant through Kingsgate, that our local bus service be increased, and that the condominium association have a bylaw preventing chemical spraying on its grounds.

Thank you again for offering me this opportunity to have input into a zoning decision in my neighborhood. Do not hesitate to contact me if you have any questions or require further information from me.

Sincerely,

Marnee Maroes
112 Pleasant Avenue
Dundas, ON, L9H 3T8
905-628-2161
July 05, 2005

29 Turnbull Road
Dundas Ontario
Canada L9H 3W5

Tel: (905) 627-0738
Fax: (905) 627-9816

Mr. Trevor Horzelenberg, Development Planner II
City of Hamilton, Planning & Development Department
Development and Real Estate Division (West)
Corporation of the Municipality of Hamilton
City Hall, 71 Main Street West
Hamilton Ontario
Canada L8P 4Y5

IN REFERENCE TO:: FILE:ZAC-05-50/25T200508

Dear Sir,

I have the following concerns about the proposed rezoning of the former “Pleasant Valley School” property on Pleasant Avenue, Dundas, Ontario.

1. Safety of vehicular traffic on Turnbull Road with the addition of nine houses on the north side of Turnbull as the road is a “blind hill” at this location.
2. The effect upon the existing infrastructure; specifically storm sewer system, sanitary sewer system and electrical service system.
3. The necessity to upgrade the sanitary sewer system on Turnbull Road between Autumn Leaf and King’s Gate and resulting costs.
4. The density of the proposed development.
5. The height of the houses in the development.

I respectfully request that the Council and Corporation of the City of Hamilton withhold approval of these applications until these concerns have been addressed.

sincerely

[Signature]

Kathleen M. Lyne,
KML/kml
41 Turnbull Rd.,
Dundas ON L9H 3W5
July 4, 2005

Mr. Trevor Horzelenberg, Development Planner II
City of Hamilton, Planning & Development Dept.,
Development and Real Estate Division (West),
City Hall, 71 Main Street West
Hamilton On. L8P 4Y5

Re: Zoning Amendment ZAC-05-50 and Draft Plan of Subdivision Application 25T200508
“Pleasant Valley School”, 998153 Ontario Inc., c/o G. Schuit, Applicant, 214 PLEASANT
AVENUE, Dundas, Ward 13

I would like to draw to your attention that there is no such place as “214 Pleasant
Avenue”, the last house I believe on Pleasant Avenue is at number 205, the western terminus of
Pleasant Avenue.

My wife and I have lived at 41 Turnbull Road since July 1966. We raised three children in
a truly “Pleasant Valley”. The Pleasant Valley School was “our green space” even though
Sanctuary Park is now considered “our green space”, in the Pleasant valley Subdivision phase 1, 2
& 3. Sanctuary Park was not accessible for over 20 years because of the active Toronto Hamilton
and Buffalo rail line that bisected the Pleasant Valley Subdivision and Sanctuary Park. All of the
children in the area played soccer, baseball and winter sports on the play ground of the Pleasant
Valley School. This has been taken away from the residents of Pleasant Valley.

The plan to build 30 single family units on the site exceeds a reasonable density and is not
in harmony with the existing established neighbourhood. We have been told by the developer that
the condominium site will be fenced in and no public access. Is it the intention of the Planning
Department to permit the building of what will amount to a GHETTO on land that was once
green space for the residents of Pleasant Valley?

The sewer which the six houses at #s 29, 33, 37, 41, 45, 49 Turnbull Rd. are connected
to, was engineered and constructed in the early 1970s for the six houses not fifteen as would be
the case if nine more houses on Turnbull Rd. were approved and hooked up to the sewer.

The sewer on Pleasant Avenue has a history of backing up into the basements of the
homes from Kingsgate eastward to Edenbridge Crt. during heavy rain falls. An overflow pipe was
installed between #11 and #9 Edenbridge Crt. leading to a ravine, to alleviate the problem, but on
occasions, when a heavy rain fall hits the area there has been a mixture of storm water and
sewage that has flowed into the ravine that is east of Edenbridge Crt. and west of Glen Court and
south of The Rail Trail. What will happen when thirty more residences are hooked into a sewer that is at or near capacity now?

I was intrigued by an article in the current issue July/August 2005 of the Canadian Geographic Magazine Pages 62, 63 concerning a concept of developments that involve footpaths in the City of Stratford Ontario. What would stop the Hamilton Planning and Development Department from insisting that the developer be required to incorporate a similar concept of a footpath through the development for both the established residents in order to access Sanctuary Park as well as the new residents?

We therefore oppose this plan for development until all of the issues raised are clarified.

Yours respectfully

Penny Evenden

T. Bruce Evenden

cc Councillor Art Sampson (Ward 13)
Attention:

Trevor Horzelenberg, Development Planner 11
City of Hamilton, Planning and Development Dept.,
Development and Real Estate Division (West),
City Hall, 71 Main Street West
Hamilton ON L8P 4Y5

From:

David and Valerie DiSalvo
9 Kings'Gate Dr.
Dundas On L9H 3Z6

July 6, 2005

Attached please find a submission to the Planning Dept. re:

File No. ZAC-05-50/25T200508

Respectfully submitted,

[Signature]

[Signature]
To the Honourable City Council, City of Hamilton

We, the undersigned residents of 9 Kings' Gate Dr., Dundas in Pleasant Valley, state that we are opposed to the submission “Pleasant Valley Community Petition”. Our reasons are:

1. We are vehemently opposed to any public access pathway in this development. It was not greenspace for the community (Sanctuary Park is very large and accessible), but a school yard that some residents claimed to be a park. This pathway would just be a shortcut between Pleasant Avenue and Turnbull Road. It is being argued for by a few self serving residents who would have to walk an extra 100 feet to the corner of the block. As far as Kings’ Gate not having sidewalks, the children of our street and Monarch Court have never had them and they have never been a safety issue in our 36 years here. In regards to a wildlife corridor, this proposed housing development is in the middle of an already well established area of homes, not a park bisected by roads and is not an appropriate consideration. In our opinion, this pathway has great potential to be a garbage collecting area, subject adjacent homes to vandalism and be a safety issue (raises questions re maintenance, snow and ice removal, to be usable) and is totally unnecessary.

2. As we own a 2 storey home (as do many others in our neighbourhood), to say that only single storey homes are acceptable re privacy and aesthetic concerns, is nonsensical. After viewing proposed architectural drawings of the planned 30 single family homes we feel they will enhance our neighbourhood and increase the value of our homes.

3. The vehicular traffic will increase, but as most residents of Pleasant Valley are aware, many of the people who live here now, do not obey the stop signs or observe the 40km speed limit. The petitioners are assuming that all new residents will be as reckless as many of those who already live here. Furthermore, Turnbull Road has a much better traffic flow not that the school is closed. At arrival and dismissal times the “parental traffic” (sometimes parked two across and impeding even the school busses) was horrendous.

Thank you for your consideration of our concerns.
Respectfully submitted,

Materie D’Isalvo

July 6, 2005

We would like a copy of the staff report. Thank you.
Horzelenberg, Trevor

From: Mark Jolink
Sent: Thursday, July 07, 2005 10:44 PM
To: Horzelenberg, Trevor
Cc: Mark Jolink
Subject: Pleasant Valley School re-zoning application

Trevor Horzelenberg
Development Planner II
City of Hamilton
Planning and Development Dept.,
Development and Real Estate Division (West),
City Hall
71 Main Street West
Hamilton, ON
L8P 4Y5

Dear Sir,

I am writing to with regard to the proposed zoning change and subdivision development that is being applied for by Jerry Schuitt of Schuitt Homes

The Zoning Amendment Application ZAC-05-50 and Draft Plan of Subdivision Application 25T200508 have been submitted to the City of Hamilton to develop the former Pleasant Valley School site in Dundas.

The amendment application indicates a proposed plan to build 30 single family units on the old school site which greatly exceeds the current residential density of Pleasant Valley and is not in harmony with the established neighbourhood.

The developer has indicated in information sessions that he is proposing to build a gated community for this site. Aesthetically this is not very appealing as a resident of the area and leads to other issues such as:
- access to green space that may be potentially fenced off to the public (this was a public school with available green space before)
- public walkways from Turnbull to Pleasant Ave. - currently the path went through the school grounds, if fenced off, then people would have to walk down Kings Gate where there are no sidewalks - would the developer be required to provide these sidewalks as an alternate to cutting off the existing path?
- has a wildlife study been done for this site? As a large greenspace it has provided a corridor for Deer and other wildlife through Pleasant Valley
- can the existing infrastructure (sewer, water, hydro) support the development and addition of so many homes? The Storm and Sewer on Pleasant is currently at it's maximum and raw sewage flows into the valley when there are storms. Will the developer be required to install or provide additional infrastructure support as a result of the new development?
- The application for the Pleasant Ave Condominium complex shows road widening on Turnbull, but the Turnbull application does not show any road widening.
- The lots shown on Turnbull are only 13.4 (?) metres wide, what is the required spacing between homes?
- Why is this development not being planned according to the existing housing density? Was the current housing density not set when the Pleasant Valley development originally was built?
- Has a traffic study been done for done Turnbull and Pleasant Ave.? The planner for Jerry Schultt had indicated this was not necessary, but based on personal and professional experience such a study should always be required for any built-up area. This study should include traffic calming measures, parking issues, access to Turnbull from Driveways, traffic sightlines, access to Pleasant from the “gated” community.
- How will the construction traffic be dealt with?
Based on other residential developments, there is a great deal of dust, noise and construction traffic associated with new developments. As this potential development will be located within an existing mature neighbourhood, will restrictions be placed on the developer for noise, dust, cleaning of roads and adjacent homes on a regular basis?

These are but a few of the issues that I would like to have considered for the pending zoning change application and potential construction permit.

Please include me on any future correspondence and information with regard to the Pleasant Valley development submitted by Schult Homes.

Regards,

Mark Jolink
12 Four Winds Place
Dundas, On
L9H 3X9
(905) 627-0512
Horzelenberg, Trevor

From: Ted Porter
Sent: Thursday, July 07, 2005 8:05 PM
To: Horzelenberg, Trevor
Subject: RE: Zoning Amendment Application ZAC-05-50 and Draft Plan of Subdivision Application 25T200508

To the Honourable City Council, City of Hamilton:

I currently reside in Pleasant Valley, Dundas near the site addressed in the zoning amendment application ZAC-05-50 and draft plan of subdivision application 25T200508 recently submitted to the City of Hamilton. I have reviewed the plans and attended the community meetings that were held. I am very concerned about the proposal being considered.

Several months ago, there was a community meeting held with a representative of PEIL Engineering and Mr. Schuitt. At that meeting several concerns about their proposal to develop the old Pleasant Valley School site were raised by concerned citizens of the area. Although we were appreciative of the situation Mr. Schuitt is in and that he is considered to be a better developer, we were still concerned with what we saw.

There were several concerns, which I know have been identified in a petition that is being presented, that were raised with general consensus of people in attendance that these concerns needed to be addressed. There were other concerns raised as well. We left the meeting with the understanding that Mr. Schuitt would address the concerns and respond to the community with what he could and could not do. A very responsible thing to do.

And then we heard nothing. That is until a sign went up indicating a very short time frame for a meeting where the notice period spanned a long weekend and the first week of summer vacation. At that point, a meeting was called by concerned citizens to discuss what was going on.

To date, I have not been satisfied that all concerns that were raised several months ago have been addressed or even looked into.

In addition to the points in raised in the Pleasant Valley Community Petition, as quoted below, I feel I need to bring to your attention specifics about some concerns I have. I am in agreement with all 5 concerns raised in the petition as stated:

2. We have had an opportunity to review these applications by the owner and hereby register our objections to the proposed development:
   i) the plan to build 30 single family units exceeds a reasonable density as it is not in harmony with the established neighbourhood, creating issues related to privacy, infrastructure (item iv) and safety (item v);
   ii) the height of the homes should be restricted to a single storey to ensure integration with the existing community and address privacy and aesthetic concerns;
   iii) accessible greenspace in the heart of Pleasant Valley will be lost as the developed site eliminates public access, particularly if the condominium site is a gated community as proposed,

7/8/2005
and therefore parkland and public pathways between Turnbull Road and Pleasant Avenue (the latter which would also serve as a wildlife corridor) must be included in the development;

iv) the required infrastructure must first be ensured prior to the applications' approval to address the existing and future capacity to deal with sewer overflow and electrical service, as well as drainage problems caused by grade changes;

v) the proposed development is unsafe as it increases vehicular traffic, forces pedestrians onto King's Gate (a street with no sidewalks), provides inadequate parking and puts drivers at risk along Turnbull Road because of the "blind" hill.

I am very concerned that a wildlife impact study has not been addressed. Pleasant Valley is located between two conservation areas and is traversed by wildlife (deer, fox) on a daily basis. They use the existing public space (the school yard) as a pathway through the survey. As we continue to develop areas that remove their natural habitat, they are being forced more and more into our developed areas. This is not necessarily a problem by itself - I enjoy watching the deer graze in the school yard and move through our neighbourhood. But removal of their travelways without study is a development I cannot support.

I am even more concerned with the planned development of the lower land of the school yard. It appears that this would be a gated community surrounded by privacy fencing. That in itself removes the natural travelway of the herd of deer. But more disturbing is the creation of a community within a community. And this community, as planned, is extremely dense - a fact which I think is not in keeping with the surrounding neighbourhood. According to the plan I've seen, it appears that houses on King's Gate may have the equivalent of two or more houses built back onto their backyards. Residents of Pleasant Valley have prided themselves in that the entire survey are single detached family homes with a character and sense of safe, comfortable space.

Again with the houses at the bottom of the land (those off of Pleasant Avenue) appear to all be two storey homes with rooftops 30 feet off the ground. The vast majority of the homes in the survey are split levels or single floor plans. I fail to see how these new homes can be considered consistent with the existing residential homes. As well, we were informed by Mr. Schuitt that these new homes would be targeted to empty nesters - older people where children have moved out. All of the other empty nester developments that I know of are based on single floor plans. I am nearing the stage of life of an empty nester - I don't want to be going up and down stairs. In fact, all the empty nesters I know don't want the stairs.

In the interest of trying to find solutions that all can live with, I have thought of a possible solution. I understand that development is inevitable - Mr. Schuitt purchased the land with the express interest in development. However, we do have a park land (Sanctuary Park) that is larger than the school yard and a place that I personally would not send my kids to play in without supervision as I feel it is not a safe zone like the school yard. I have wondered if in fact a land swap could be considered. If Mr. Schuitt were given a similar size piece of land to develop at Sanctuary, it would provide a larger park land (the current school yard) in a highly visible "safe" zone and a smaller park at Sanctuary that probably would be utilized more as it too would be visible by residents. It would also alleviate the concerns about density and height within the existing neighbourhood as it could easily be a gated community on its own. Sanctuary Park is currently the other side of the rail trail where no housing currently exists.

I would ask that in the interim, until all concerns have been addressed, that you not approve the zoning amendment. I would also ask that the land swap be seriously considered in the event that all the current land, Sanctuary Park and the Pleasant Valley School yard, cannot be

7/8/2005
saved as public access park land.

I also would welcome any and all opportunity to speak to these concerns at City Council and/or Planning Department meetings.

Sincerely,

Ed Porter

7/8/2005
37 Turnbull Road  
Dundas, Ontario L9H 3W5

Mr. Trevor Horzelenberg, Development Planner II  
City of Hamilton, Planning & Development Dept.  
Development and Real Estate Division (West)  
Hamilton, Ontario L8P 4Y5

Dear Sir:  
Re: File No. ZAC-05-50/25T200508

I have reviewed the letter sent to us regarding the development of the former Pleasant Valley School site. I attended the community meeting and have reviewed the petition that was put together registering our objections to the proposed plan.

I agree with all the points in the petition regarding density, height restrictions, public access, infrastructure capacity and safety due to increased traffic and feel strongly that they require further assessment as well as discussion and compromise with the existing community.

The issues that I feel strongest about are the density and height. That would be a very packed parcel of land with many more people and cars and very increased usage of our local limited facilities. Considering the homes surrounding this land are on quite wide lots (Turnbull Road) to reasonable lots for smaller homes on the surrounding courts, the proposed homes are just too packed in. Perhaps the owner could see how the new luxury homes on South Street are on wide lots which would be just as valuable for real estate instead of 9 homes across from the existing four. As well, the condominium area is extremely dense and closed from the other streets very much like a ghetto.

My next issue is height. As I live across the street I will look at two storey homes all right beside each other with two garages each and minimal land or air space in between for any landscape etc.

The condominium homes are in a low lying area, also two storey and right behind the majority of single storey homes, thereby taking away privacy in height as well as by width. All of these changes are not in harmony with our existing neighbourhood in general.

Please consider my request for review of all of these issues. We are very proud of our neighbourhood and wish to meld peacefully with the new homeowners and the current owner.

Please notify me of further discussion and compromise.

Sincerely,

Harold Michael Gruneberg
37 Turnbull Road
Dundas, Ontario L9H 3W5

Mr. Trevor Horzelenberg, Development Planner II
City of Hamilton, Planning & Development Dept.
Development and Real Estate Division (West)
Hamilton, Ontario L8P 4Y5

Dear Sir:

Re: File No. ZAC-05-50/25T200508
Formerly Pleasant Valley School c/o G. Schuit, Applicant

I am replying to your letter of June 6, 2005 regarding the above named property and the proposed draft plan. We live in one of the four houses across the street on Turnbull Road and are therefore directly affected. Pleasant Valley School and its grounds have been a large part of our family's life for the twenty years we have lived here and we are truly disappointed about the school boards' decision. However, we understand that what is done is done and are focusing on the future of our community and the changes this is bringing to our neighbourhood. We have read your plan and attended the formal meeting during the winter. Our original verbal concerns have not been addressed at all when we see this application.

We have all been very "pleasant" and open to these changes and really at this point want the owner to Actually work with the community needs instead of just saying he will. We ask that the concerns of our longstanding surrounding community be respected, investigated and that a compromise can be made through open negotiations.

The Pleasant Valley Community Petition that was circulated focuses on the main concerns. The density of the proposed homes, loss of greenspace with no public access from Turnbull Road and the minimal safety regarding traffic affects almost all Pleasant Valley residents. The problems with drainage and height affects mainly the surrounding courts. All need to be addressed to blend this new survey into the old.

**My major issue** regards the density of homes in this small area and the loss of much used public space and access to Pleasant Avenue/Sanctuary Park.  
Firstly: The latter should not be used as our only greenspace as it is on the perimeter of our community and therefore unsafe for children to be on their own as well as somewhat difficult for older people to get to, especially during bad weather or soccer season. 

Secondly, our four houses now have 9 houses proposed in the same length of space, which means 18 garages in front of us and much more traffic. I ask that Mr. Schuit consider limiting himself to six or seven homes with some access/greenspace at the top of Turnbull Road leading into an accessible path through or beside the condominium homes. As well, since the entrance at Pleasant Avenue is quite narrow so that two houses must be squeezed in lengthwise, perhaps these two houses can be eliminated to again give some greenspace and visual relief (benches, swings etc.) to that very busy intersection. (There are many examples of access walkways through newer communities in Hamilton and therefore no reason why this cannot also happen here.)

**RESULT OF COMPROMISE:** Mr. Schuit still makes a mighty dollar, the present and new community is less packed in and the entire neighbourhood can be connected and enjoy some green space with road accessibility. This can all be done even within the new limitations.

I respectfully ask that the proposal be made to Mr. Schuit and his planners to revise their present plan and move forward by **RESPECTING AND WORKING TOGETHER WITH THE COMMUNITY.** I wish to be notified of the next meeting.

Sincerely,

[Signature]

Juliane Anders Gruneberg
Julianne Burgess &
Hugh Tye
1 Autumn Leaf Road
Dundas, Ontario
L9H 3V6

City of Hamilton
Planning & Development Dept.
Development and real Estate Division (West)
City Hall, 71 Main Street West
Hamilton, Ontario
L8P 4Y5

July 7, 2005

Attention: Trevor Horzelenberg
Development Planner II

Re: File No. ZAC-05-50/25T200508

Dear Sir,

Thank you for the opportunity to make comments regarding the application to amend the By-law from PPS Zone to R2 Zone and develop the lands located at 214 Pleasant Avenue (the former Pleasant Valley School site). We appreciate that these comments will be incorporated into your staff report. We request a copy of the staff report when it is available.

We are in favour of the development of the property into single family homes. We also appreciate that the developer has indicated a desire to work with the community so that the subdivision will not interfere with the integrity of the neighbourhood.

Turnbull Road

We object to the density and potential height of the housing along Turnbull Road. Currently, the community enjoys an unencumbered view of the Niagara Escarpment from Turnbull. Nine homes, particularly if some or all are two storey, will destroy the esthetic
beauty of the neighbourhood. There are four bungalows on the stretch of Turnbull facing the Pleasant Valley site. If the developer attempts to squeeze nine luxury houses in the same stretch of land, it will be completely out of character with the current neighbourhood. As the grade of the land will accommodate basement walkouts, single storey properties would more appropriately integrate with the landscape, making the subdivision much less obtrusive. Reducing the number of homes along Turnbull would further this outcome. Accordingly we request that the height of the homes be restricted to single storey and two houses be eliminated from the plan. This latter amendment would also accommodate parkland, as noted below.

Parkland

We ask that the City require the developer to meet the requirement of 5% parkland on the site, rather than allowing a payment in lieu. Although there is parkland at Sanctuary Park, it is a much different space than is currently enjoyed on the school lands. Neighbours consider the Pleasant Valley School site the heart of the community. It has been, for many generations, a safe, open place for kids to play in summer and winter, and for families to gather. The loss of this green space is significant. The existing community garden area, on what is designated as “lot 9” on Turnbull Road, would be an ideal place for a parkette. From that location people would still be able to watch sunsets over the escarpment. There would be minimal maintenance. A parkette would maintain a small amount of the community’s lost green space. It would also build good relations between the developer and the Pleasant Valley community - as well as the development’s new occupants and the current citizens. The benefit to the entire community would be immeasurable.

Public Walkway

The school site is a natural thoroughfare for pedestrian traffic between Pleasant Avenue and Turnbull Road. It is another reason this space is the heart of the community. The subdivision plan completely shuts out community, rather than integrating into the neighbourhood. An easement has been created by use over generations and the development as proposed will violate the right of the public to pass through the lands.
The proposed development will force pedestrians to walk on King's Gate, a street with no sidewalks. With the potential of thirty new homes in the development, there will be a significant increase in the number of cars on Turnbull, Kingsgate and Pleasant Avenue, putting at significant risk the safety of pedestrians, pet owners, and children on foot, in strollers and on bikes. Is the City prepared to take on the liability for accidents or loss of life?

We request the inclusion of two public walkways on the site, mirroring the existing pedestrian pathways. The walkways could easily be accommodated in the development. They could also be linear parks. The perimeter of the condominium development is labelled "common element", specifically green space. This space is currently where the natural walkways exist for pedestrians. The community garden is part of the walkway now, and this should be preserved.

The issue of safety has been raised as an argument against a public walkway. With respect, this is a red herring. Virtually all neighbourhoods, old and new, have public walkways between housing to allow for safe public movement. This kind of public use actually makes for a safer community. Our backyard is adjacent to one of these natural walkways and we have never had any trouble or felt unsafe. The flow of people traffic would be a safety feature for both existing residents and new buyers.

Infrastructure

The topography of the Pleasant Valley area along with inadequate sewer systems has for years caused basement flooding for residents. As well, sewage overflow currently runs into conservation lands between Edenbridge and Glen Courts. The required infrastructure must first be ensured prior to the City's approval of the applications, to address the existing and future capacity to deal with sewer overflow and electrical service as well as problems caused by grade changes. Is the City prepared to face a class action law suit if this foreseeable outcome results from the development?
Community Petition

We endorse the community petition prepared by residents of the Pleasant Valley area and submitted to the City on Jul 7, 2005.

Right to Light and Privacy

The above comments address community issues. We also have a personal concern. Lot 9 is adjacent to our backyard, where we have a small onground pool and large deck. It is our summer livingroom. A two storey house, four feet from our fence, would block sunlight to our yard, as we face west and enjoy sun from early afternoon through to sunset. We have enjoyed this right for 15 years as owners of the property. We object to the infringement of our sun rights and ask that the City respect and enforce this property right. As well, we strongly object to any windows overlooking our property and violating our privacy.

Thank you again for this opportunity to make comments. We look forward to working with the City and the developer to address these concerns. We also request the right to appear at the hearing of these applications by the Planning and Economic Development Committee when it receives the staff report.

Yours very truly,

Julianne Burgess & Hugh Tye
September 8, 2005

To whom it may concern

We are neighbors located at 64 Turnbull Road, only steps from the old Pleasant Valley School Site.

With respect to the proposed development on that site I offer the following:

The proposed development can do nothing to detract from our neighborhood. What we must keep in mind is that 'something' is going to be built on the site and we should be far more concerned with the quality of the development rather than whether we get one or two less homes, or whether the homes are one or two stories.

We know of Schuit Construction by reputation and the quality of homes they build have won numerous awards from both local and national builders associations. The homes they build should enhance our neighborhood and ultimately increase the value of the homes in the direct vicinity, including mine.

When Pleasant Valley School was in existence the amount of traffic at school start and end from teachers and parents was far greater than 29 or 30 homes will create, and I can't fathom why it would be easier to cut across the old school yard rather than go down Kingsgate or Autumn Leaf or Orchard. This might benefit the half dozen homes right across from the school yard on the south side of Turnbull, but I can't see it as being of value to anyone else.

The bottom line is this, someone is going to build on that site. We had better make sure it is someone with both integrity and the ability to build quality homes. I think Schuit can do it.

Yours truly

[Signature]

David W. Rams
64 Turnbull Road
Dundas, Ontario
Horzelenberg, Trevor

Subject: FW: Pleasant Valley development

-----Original Message-----
From: Hugh & Julianne
Sent: Tuesday, August 23, 2005 11:47 PM
To: Horzelenberg, Trevor
Cc: 
Subject: Pleasant Valley development

Dear Mr. Horzelenberg and Mr. Walters,

As stated at our meeting of Friday, August 19, 2005, the Pleasant Valley community is extremely concerned about the plans to develop the former Pleasant Valley school site and requires specific provisions in the zoning to ensure the present neighbourhood will be protected.

1. The community insists on the preservation of greenspace and a pathway on the site. The Municipality - the government closest to the people - has not served the people of Pleasant Valley. The Parks and Public Works Departments and Council have made incorrect assumptions about the use and importance of our greenspace and pathways without any true consultation with residents. For generations this area has served as a recreation and gathering space, safe passage and a wildlife corridor, but to our shock we have learned that the municipality has concluded this greenspace does not exist! We would argue that legally, an easement has been created by generations of use by residents. If allowed to stand, the uninformed decision made by Council will fundamentally change our community and rob us of one of its most defining characteristics. The Planning Department and Council have an opporunity to right this wrong. We look forward to the Municipality coming up with a satisfactory solution through the form of a partnership with the provincial government and/or the 5 per cent parkland dedication to protecting a section of our greenspace from development.

2. Current sidewalks along Turnbull Road and Pleasant Avenue must be preserved.

3. If the municipality is not prepared to put a sidewalk along King's Gate (there is no consensus on this issue among residents), the community will expect a lit sidewalk along the condominium road with full public access, extending from Pleasant Avenue to an adjoining path to Turnbull Road.

4. A 50 per cent provision, as per Glanbrook, applied to the proposed homes along Turnbull Road and in the condominium development. The second storey of the homes would be limited to no more than 50 per cent of the ground floor ensuring there will be no full second storey, thus homes in the new development will integrate with those in the existing community.

5. Maximum height should be at Average Grade. We are concerned that there is no way to fully comment on this development without details on elevations, in particular rear elevations. Residents expect a limit to the height of back walls so that there will not be three full storeys at the back of the new homes (full basement walk-outs plus two storeys).

6. Decks must be considered part of the building and placed inside building envelopes (as in Ancaster). Residents expect maximum size and height restrictions placed on decks, ensuring that they fit within city-allowed setbacks.

7. Coverage, as per Burlington and Oakville: Buildings - including house, garage and deck - must be limited to 25 per cent of the total area of the lot.

8. Density: the community does not support the building of 30 homes on this site. We expect the Builder and Planning Department to employ creative solutions and good planning practices to create a

9/13/2005
design that integrates with the existing community.

We understand that the Municipality is bound by Provincial Policy and Greenbelt legislation. We fully support Mr. Walters’ assessment that the law calls for intensification to be achieved while harmonizing with the existing community. It is clear the Pleasant Valley development poses unique challenges. We believe good planning practices which respect and protect existing communities - such as those found in Oakville, Burlington, Waterdown, Glanbrook and Ancaster - can and must be applied to this development. Good planning will not only benefit the present community, it will result in a safer, greener and more desirable "product" for the Builder to offer his clients.

Sincerely,
Julianne Burgess and Hugh Tye
on behalf of the Pleasant Valley Community
Pleasant Valley Community Petition

To the Honourable City Council, City of Hamilton:

The petition of the undersigned residents of the Pleasant Valley Community in Dundas states that:

1. Zoning Amendment Application ZAC-05-50 and Draft Plan of Subdivision Application 25T200508 have been submitted to the City of Hamilton to develop the former Pleasant Valley School site in Dundas.

2. We have had an opportunity to review these applications by the owner and hereby register our objections to the proposed development:

i) the plan to build 30 single family units exceeds a reasonable density as it is not in harmony with the established neighbourhood, creating issues related to privacy, infrastructure (item iv) and safety (item v);

ii) the height of the homes should be restricted to a single storey to ensure integration with the existing community and address privacy and aesthetic concerns;

iii) accessible greenspace in the heart of Pleasant Valley will be lost as the developed site eliminates public access, particularly if the condominium site is a gated community as proposed, and therefore parkland and public pathways between Turnbull Road and Pleasant Avenue (the latter which would also serve as a wildlife corridor) must be included in the development;

iv) the required infrastructure must first be ensured prior to the applications’ approval to address the existing and future capacity to deal with sewer overflow and electrical service, as well as drainage problems caused by grade changes;

v) the proposed development is unsafe as it increases vehicular traffic, forces pedestrians onto King’s Gate (a street with no sidewalks), provides inadequate parking and puts drivers at risk along Turnbull Road because of the “blind” hill.

Your petitioners respectfully request that the Honourable Council withhold approval of these applications until the above-listed objections are addressed to the satisfaction of the Pleasant Valley community. Dated this 7th day of July, 2005.