City Clerk  
Planning and Economic Development Committee  
City of Hamilton  
71 Main Street West  
Hamilton, Ontario, L8P 4Y5  

Re: Written Submission in Opposition to Amendment of Zoning Bylaw No 6593 to Permit Residential Care Facilities and Retirement Homes

We submit that the proposed amendment to permit residential care facilities etc. is not a proper land use and is contrary to the original zoning plan of the Elmhurst area.

We have owned property on Elmhurst since 1964 when the area was first subdivided and we are opposed to the proposed zoning amendment.

Elmhurst was developed with oversized lots in what was and is the high end residential area on the North East Mountain.

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Forty-Seven years later the City violated our trust and rights as Hamiltonians when an attempt was made to amend our zoning without any notice to affected property owners. We submit this was contrary to the Bylaws and Procedures of the City and accordingly was illegal and the proposed amendment is null and void and the original zoning continues to apply to our area.

Although many owners strenuously objected to any change at a public meeting when this was first discovered on April 10th, 2006 and a signed petition by the residents present was given to Councilor Jackson, the City did nothing to put a Stop Order on the extensive renovations being carried out on 90 Elmhurst Drive.

It now appears that the City is attempting to rubberstamp a zoning change in order to accommodate the building permit that they improperly issued which should never have been permitted according to the original zoning which continues to govern the property in question.

There may well be need for residential care facilities but we submit it is contrary to good planning and zoning to permit same in the middle of a highly residential area that contains expensive residences and the highest assessments on the North East Mountain.

We submit the zoning change will not only destroy the residential character of the area but diminish the market value of all properties. In 2001, the attempted zoning change with out notice was improper, demonstrating a complete lack of
consideration for the interest of the citizens and the City and our Councilor knew or ought to have known that it would detrimentally affect the entire area.

We submit that your committee has a duty to do justice and to do the right thing, and in the interest of good planning and zoning to deny any amendment to our zoning. We thank you for your consideration of our submission.

June 8th, 2006

Margaret R. Scime
76 Elmhurst Drive
Hamilton, Ontario, L8T 1C6