SUBJECT: Amended Application for a Change in Zoning for Lands Located at 16 Sydenham Street (Dundas) (PED09087) (Ward 13)

RECOMMENDATION:

That approval be given to Amended Zoning Application ZAC-08-058, by Georgina Mitropoulos, Owner, for a change in zoning from the Low Density Residential Zone (R4) to the Low Density Residential Zone (R4/S-116) Modified, to permit a licensed restaurant with a 30-seat outdoor patio, and an accessory dwelling unit, in the existing building, on the lands located at 16 Sydenham Street, as shown on Appendix “A” to Report PED09087, on the following basis:

(a) That the draft By-law, attached as Appendix “C” to Report PED09087, which have been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(b) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan and the Town of Dundas Official Plan.

Tim McCabe
General Manager
Planning and Economic Development Department
EXECUTIVE SUMMARY:

The purpose of the application is for a change in zoning in order to permit a licensed restaurant having a capacity of approximately 50 persons with a 30-seat outdoor patio, and an accessory dwelling unit within the existing building. The existing building on the subject lands is designated under the Ontario Heritage Act. All proposed exterior façade modifications will be subject to a Heritage Permit to ensure any historical features affected by the proposed conversion are preserved.

The proposal has merit and can be supported since the proposed rezoning will facilitate the adaptive reuse of a Designated Heritage Building. In the event the Owner does not proceed with the restaurant, the zoning will permit the continued use of the existing building for residential purposes. The proposal is consistent with the Provincial Policy Statement, and conforms to the Hamilton-Wentworth Official Plan and the Town of Dundas Official Plan.

BACKGROUND:

Proposal

The proposal is to permit the conversion of the existing single detached dwelling to a licensed restaurant with a 30-seat outdoor patio and accessory dwelling unit.

The subject lands contain a single detached dwelling, and are accessed via a legally established right-of-way from Park Street West (Appendix “B”). The existing single detached dwelling is also known historically as the John Cowper House, and the exterior features are protected under the Ontario Heritage Act. The proposal to convert the existing single detached dwelling to a restaurant will be managed via Site Plan Control (MDA-08-138) to restrict the vehicular use of the existing right-of-way, and ensure the overall functionality of the site.

Details of Submitted Application

Location: 16 Sydenham Street (Dundas)

Owner/Applicant: Georgina Mitropoulos (Owner/Applicant)

Agent: Fothergill Planning and Development Inc.

Property Description: Frontage: 21.9m±
Depth: 41.1m±
Area: 1,805 sq.m±
EXISTING LAND USE AND ZONING:

<table>
<thead>
<tr>
<th>Subject Lands</th>
<th>Existing Land Uses</th>
<th>Existing Zoning</th>
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<tbody>
<tr>
<td>North</td>
<td>Residential</td>
<td>Low Density Residential</td>
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<tr>
<td>South</td>
<td>Commercial</td>
<td>Central Area Commercial</td>
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<tr>
<td>East</td>
<td>Residential</td>
<td>Low Density Residential</td>
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<tr>
<td>West</td>
<td>Residential</td>
<td>Low Density Residential</td>
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**ANALYSIS/RATIONALE:**

1. The proposal has merit and can be supported for the following reasons:
   
   (i) It is consistent with the policies of the Provincial Policy Statement;
   
   (ii) It conforms with the “Urban Area” designation of the Hamilton-Wentworth Official Plan and the “Downtown Mixed Use” designation of the Dundas Official Plan;
   
   (iii) It provides for the adaptive reuse of a Designated Heritage Building; and,
   
   (iv) It is compatible with the surrounding residential and commercial area by maintaining the historical character of the building.

2. To recognize the existing site conditions and regulate the permitted uses within the existing structure, the following special provisions have been incorporated into the amending By-law:

- **Permitted Use:**

  The applicant has proposed to convert the existing single detached dwelling into a licensed restaurant with a 30-seat outdoor patio. Staff supports the adaptive reuse of the Designated Heritage Building to a restaurant, but also recommends permitting an accessory dwelling unit in keeping with the conversion policies of the Official Plan whereby residential uses are encouraged in the upper storeys of existing buildings.
• Existing Setback Conditions:

To permit the proposed uses, site-specific zoning provisions would recognize only the existing site conditions. Given the existing front yard, side yard, and rear yard setbacks, the provisions in the proposed By-law would not permit the expansion of the existing structure. Similarly, should the existing building be removed, a replacement building would have to meet the zoning provisions of the existing Low Density Residential Zone (R4).

• Off-Street Parking:

The applicant is proposing to provide no parking on the subject lands. In accordance with the provisions of the Central Area Commercial Zone (C.A.C.), a minimum of 1 space per 10 seats is required for a restaurant use, and 1 space for an accessory dwelling unit could be required, for a minimum of 6 spaces. Alternatively, a minimum of 1 space per 6 people accommodated is required in all other commercial zones, plus 1 space for an accessory dwelling unit, for a minimum of 10 spaces.

Staff has received confirmation from Parking and By-law Services that there is significant parking available at the existing municipal parking lot immediately south of the subject lands, as well as on-street parking on Sydenham Street. Therefore, the proposal to provide no on-site parking can be supported for both the restaurant and accessory dwelling unit.

Parking and By-law Services, as well as Traffic Planning, have commented that any vehicles providing service to the proposed restaurant may use the on-street meter parking stalls at the applicable rates.

• Access:

The subject lands have legal frontage on Sydenham Street, but are currently accessed via a legally established right-of-way from Park Street West as no access from Sydenham was ever provided. As on-site parking will not be required/permitted for the restaurant and accessory dwelling unit, access to the subject lands will not be required, and removal of the vehicular access will be addressed through Site Plan Control.

• Landscaping and Buffer Strips:

The applicant proposes to establish a 2m buffer strip along areas abutting a residential zone, and 2m of landscaping along the street line, whereas 3m is required for non-residential uses. The buffering strip will provide a visual barrier for the residential uses abutting the restaurant. The 2m buffer strip also recognizes the existing side yard setback condition on the subject lands.
Patio:

The proposed outdoor, concrete patio will be located in the southerly side yard of the subject lands, adjacent to the abutting commercial zone, thereby mitigating potential spill-over impacts to the adjacent residents to the north. As there are no provisions in the Dundas Zoning By-law for patios, it is appropriate to apply the provisions from the new Downtown Hamilton Zoning By-law and limit the seating capacity to 30 seats. In this regard, the patio would be restricted from being used for commercial entertainment or commercial recreation, which includes live or recorded music or dance facilities.

3. An application for Site Plan Control (MDA-08-138) has been submitted and has been circulated for comments. As a result of the circulation, the Building Services Division has advised that the conversion of the existing single detached dwelling to a restaurant requires the installation of a ventilation system for the restaurant’s stoves, which will result in alterations to the exterior of the designated building. In this regard, a Heritage Permit will be required. Additionally, Development Engineering has advised that installation of a grease trap on the property, to be connected to the sanitary connection between the house and municipal connection, is required.

Comments have also been received from Waste Management, Traffic Planning, and Parking and By-law Services. Each of these departments provided positive feedback to indicate how garbage collection and grease trap maintenance can be conducted. Municipal collection of the garbage generated by the subject lands is available on Sydenham Street on a weekly basis. However, with bag limits, municipal collection may be impractical. Therefore, the applicant is contemplating to have a private hauler remove the garbage, curb side, from Sydenham Street. Similarly, servicing of the Grease Trap will be done privately. The applicant will have the service vehicle park in an available parking space, at the applicable rates, in front of the property on Sydenham Street, twice per month for 15-20 minutes. All servicing requirements will occur during the week and prior to the opening hours of the restaurant.

Outdoor lighting, landscaping, buffering, and any additional mitigation for potential impacts, will all be addressed at the Site Plan Control stage.

4. In addition to Council’s Public Participation Policy, the applicant held an Open House at the subject property in an effort to obtain neighbourhood support and to address concerns and questions resulting from their proposal to amend the Zoning By-law. City staff received 10 letters in support of the application, and 2 letters of objection, attached as Appendix “D”. The concerns raised from the neighbourhood included:

- Permitted commercial uses on the subject property and maintaining the concentration of commercial uses to King Street;
• Protection of the historic residential character of Sydenham Street and protection of the heritage features of the John Cowper House;
• Noise, light, and dust pollution associated with parking and outdoor dining;
• Loss of on-street parking; and,
• Life expectancy of the restaurant use.

The modification to the Low Density Residential Zone (R4) is site-specific to include a restaurant as the only commercial use permitted in the existing Designated Heritage Building. The outdoor dining area (patio) is to be located in the southerly side yard adjoining the municipal parking lot, therefore, being more compatible with the commercial area of King Street West, and reducing potential spill-over impacts to the residential areas to the north. As a Designated Heritage building, a heritage permit will be required for any proposed alterations, thereby maintaining the historic integrity of the subject lands, and the character of the surrounding area. Vegetative buffering along the property lines abutting residential uses will mitigate the potential impact of noise and light associated with outdoor dining. Furthermore, the proposed outdoor patio abuts the municipal parking lot, which already mitigates for light, dust, and noise pollution associated with parking lots, as required when in proximity to residential uses. No parking will be provided on site. Further, no vehicular access to the subject lands will be provided as there is sufficient parking available in the abutting parking lot. To ensure the longevity of the subject lands, the Low Density Residential Zone (R4) is recommended as the principal zoning on the subject lands to ensure that the existing building can return to residential uses.

As noted by the many letters of support, the restaurant will provide the opportunity for a fine dining establishment in Dundas, and will allow patrons to enjoy the heritage features of the John Cowper House in a non-residential setting. According to the letters of support, the residents and business owners in the Dundas area are looking forward to entertaining their out-of-town guests and clients at a dining location that will showcase Dundas’ heritage.

**ALTERNATIVES FOR CONSIDERATION:**

If the application is denied, the building would still be used as a single detached dwelling in accordance with the existing Low Density Residential Zone (R4).

**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.
Policies Affecting Proposal:

Provincial Policy Statement

The application has been reviewed with respect to the Provincial Policy Statement (PPS). The application is consistent with the policies that focus growth in settlement areas 1.1.3.1.

However, Policy 2.6.1 states that significant built heritage resources and significant cultural heritage landscapes shall be conserved. The existing single detached dwelling located on the subject property is a Designated Heritage Property within Hamilton’s Heritage Volume 1, and is known as the John Cowper House. Prior to the proposed conversion of the Designated Heritage Property to a restaurant, the owners will be required to obtain a Heritage Permit. Obtaining the permit will be implemented during Site Plan Control. Therefore, the proposed Zoning By-law Amendment conforms to the policies of the Provincial Policy Statement.

Hamilton-Wentworth Official Plan

The subject lands are designated “Urban Area” in the Hamilton-Wentworth Official Plan. Policy C-3.1 outlines that a wide range of urban uses, defined through Area Municipal Official Plans and based on full municipal services, will be concentrated in Urban Areas. As the nature of the application is to facilitate the conversion of the existing single detached dwelling with heritage features to a restaurant, Policy B-9.2 also applies to have regard for the protection and preservation of regionally significant historical and cultural resources. Prior to the proposed conversion of the Designated Heritage Property known as the John Cowper House to a restaurant, the owners will be required to obtain a Heritage Permit. Obtaining the permit will be implemented during Site Plan Control. Therefore, the proposed Zoning By-law Amendment conforms to the policies of the Regional Official Plan.

Town of Dundas Official Plan

The lands are designated as “Downtown Mixed Use” in the Dundas Official Plan. The following policies of the Town of Dundas Official Plan, among others, are applicable to this application:

“3.5 DOWNTOWN MIXED USE

3.5.2 Objectives

3.5.2.2 To promote additional residential uses in the Downtown Mixed Use area.

3.5.2.3 To maintain and strengthen the strong pedestrian orientation of the Downtown Mixed Use area.

3.5.2.4 To ensure that new development reflects the existing scale, character and built-form of the Downtown Mixed Use area.
3.5.2.5 To maintain and enhance the physical appearance, historic characteristics, and cultural heritage resources of the Downtown.

3.5.3 Policies

3.5.3.1 In the area shown on Schedule “A” as DOWNTOWN MIXED USE, permitted uses shall include retail stores, offices, personal service, entertainment and restaurant uses, hotels, community facilities, public uses, recreational facilities and residences.

3.5.3.2 Infilling and redevelopment shall:

   (a) be strictly controlled through Site Plan Control and the Zoning By-law.

3.5.3.3 The Town will support infilling, redevelopment, and the expansion of the residential function of the Downtown Mixed Use area by:

   (a) encouraging the development of mixed commercial/residential buildings;

   (b) encouraging the rehabilitation and renovation of the upper storeys of existing buildings and their conversion to residential uses; and,

   (c) additional parking and residential amenity space shall not be required for additional residential units in buildings constructed prior to the adoption of this Plan.

3.5.3.7 Because the concentration of historic and architecturally significant buildings in the Downtown Mixed Use area play a central role in creating Dundas’ unique character, the Town will promote the retention of the existing downtown streetscape; specifically the landmarks, view corridors, prominent buildings and entranceways/gateways by:

   (b) developing a coordinated program to improve publicly-owned lands, and to encourage the improvement of privately-owned land. In this regard, the Town will work with the Business Improvement Area to enhance the physical and functional attractiveness of the Downtown Mixed Use area, and support the actions of individual property owners to rehabilitate buildings in keeping with the historic and architectural character of the area;

   (c) promoting the retention, renewal and conservation of built heritage resources and historic landmarks; and,

   (d) preserving significant views in the downtown through building height controls in the Zoning By-law."
The adaptive reuse of the Designated Heritage building, as proposed, maintains the existing character of the subject lands and neighbourhood, and is geared to pedestrian traffic. Therefore, the rezoning of the subject lands from the Low Density Residential Zone (R4) to the Low Density Residential Zone (R4/S-116) Modified, conforms to the “Downtown Mixed Use” policies of the Dundas Official Plan.

**ECONOMIC IMPACT:**

Based on the information provided by the applicant, the operation of the proposed restaurant will result in the creation of 20 jobs. Additionally, the increased use of the adjacent Municipal Parking Lot and metered on-street parking will generate additional revenue for the City of Hamilton.

**RELEVANT CONSULTATION:**

The following Departments and external agencies had no comments or objections, as it pertains to the subject re-zoning application:

- Water and Wastewater Division, Public Works Department.
- Urban Forestry Planning and Protection, Public Works Department.
- Traffic Planning, Public Works Department.
- Parking and By-law Services, Hamilton Municipal Parking System.
- Hamilton Conservation Authority.
- Hamilton Police Service.
- Emergency Services.
- Union Gas.
- Horizon Utilities.
- Hydro One Networks Inc.
- Bell Canada.

**PUBLIC CONSULTATION:**

In accordance with Council’s Public Participation Policy, the application was precirculated to 220 property owners within 120 metres of the subject property on October 28, 2008. To date, the department has received 10 letters in support of the application and 2 letters of objection to this application (see Appendix “D”). The details of the letters are addressed in the Analysis/Rationale section of this report.

Notice of the Public Meeting will be given in accordance with the requirements of the Planning Act through circulation to property owners within 120 metres of the subject lands, and the posting of a sign on the property.
CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑ Yes ☐ No
The adaptive reuse of the existing building will preserve the unique historical features of the John Cowper House. Furthermore, the public are involved in the definition and development of local solutions.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
As the proposal is for the conversion of an existing building in the Urban Area, there will be no environmental impacts.

Economic Well-Being is enhanced. ☑ Yes ☐ No
The new business will create a total of 20 jobs and the use of the adjacent Municipal Parking Lot will generate revenue. Investment in Hamilton is enhanced and supported.

Does the option you are recommending create value across all three bottom lines? ☑ Yes ☐ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☐ Yes ☑ No

:KM
Attachs. (4)
CITY OF HAMILTON

BY-LAW NO. __________

To Amend Zoning By-law No. 3581-86 Respecting Lands Located at 16 Sydenham Street in the former Town of Dundas, now in the City of Hamilton

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

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as the “The Corporation of 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 Zoning by-law No. 3581-86 (Dundas) was enacted on the 22nd day of May 1986, and approved by the Ontario Municipal Board on the 10th day of May, 1988;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 9 of Report 09-PED09087 of the Economic Development and Planning Committee at its meeting held on the day of 2009, recommended that Zoning By-law No. 3581-86, 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), in accordance with the provisions of the Planning Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:
1. That Schedule “A”, appended to and forming part of By-law No. 3581-86 (Dundas), as amended, is hereby further amended as follows:

(a) by changing the zoning from the Low Density Residential Zone (R4) to the Low Density Residential Zone (R4/S-116) Modified;

on the lands the extent and boundaries of which are more particularly shown on Schedule “A” annexed hereto and forming part of this by-law.

2. That Section 32 - “EXCEPTIONS” of Zoning By-law No. 3581-86 (Dundas), as amended, is hereby further amended by adding the following subsections:

R4/S-116 That notwithstanding the provisions of Section 11: Low Density Residential Zone (R4), Sections 6.11.1 Landscaping Along Street Lines, 6.11.2 Buffer Strip and 7.12 Off-Street Parking Space Requirements, the following Special Provisions shall apply to the lands known municipally as 16 Sydenham Street, shown as R4/S-116 on Schedule “A”.

1. PERMITTED USES:

A licensed restaurant and an accessory dwelling unit shall also be permitted only within the building existing on the date of the passing of this by-law, being the day of , 2009,

An outdoor patio having a maximum seating capacity of 30 persons shall also be permitted ancillary to a licensed restaurant.

2. REGULATIONS FOR A LICENSED RESTAURANT AND ONE ACCESSORY DWELLING UNIT

2.1 OFF-STREET PARKING

No off-street parking shall be required or provided and maintained on the subject lands for a licensed restaurant, or an accessory dwelling unit.

2.2 BUFFERING
Minimum: 2.0m wide shall be provided and maintained where abutting a residential zone.

2.3 LANDSCAPING ALONG STREET LINES
Minimum: 2.0m wide shall be provided and maintained.

3. REGULATIONS FOR OUTDOOR PATIO

3.1 LOCATION
Shall be located only in the southerly side yard.

3.2 USE
That portion of a lot on which the outdoor patio is permitted shall not be used for commercial entertainment or commercial recreation including live or recorded music or dance facilities.

3. That By-law No. 3581-86 (Dundas) is amended by adding the by-law to Section 32 as Schedule S-116.

4. That Schedule “A” of the Zoning Schedule Key Map is amended by marking the lands referred to in Section 1 of this by-law as R4/S-116.

5. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this [blank] day of [blank], 2009,

______________________________  ________________________________
Fred Eisenberger                  Kevin C. Christenson
Mayor                             Clerk

ZAC-08-058
This is Schedule "A" to By-Law No. 09-
Passed the ............. day of ...................., 2009

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Clerk

---
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 09_____

to Amend By-law No.3581-86

Subject Property
16 Sydenham Street

[Symbol] Change in zoning from Low Density Residential (R4) Zone to Low Density Residential (R4/S-116) Zone

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Date: February 27, 2009

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Planner/Technician: KM/AL

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
November 5, 2008

City of Hamilton
77 James St. North,
Hamilton, ON.,
L8R 2K3

Attn: Jason Thomson
Senior Project Manager
Development Planning - West Section

Dear Mr. Thomson,

Subject: Re-Zoning Application – Georgina Mitropoulos - 16 Sydenham St., Dundas, ON.

As President of one of the largest manufacturing firms in Dundas (El-Met-Parts Inc.), I am writing to tell you that I support this application. There is a tremendous need for a fine-dining establishment in this Town. On a regular basis, we have to travel over 20 minutes to have business lunches or dinners with our out of town guests.

The time spent travelling could be put to better use.

We would welcome having the option of being able to entertain our guests in our own community.

Best Regards,

Alex Papakyriakou
President – El-Met-Parts Inc.
November 6, 2008

City of Hamilton
Attn: Jason Thompson
Acting Senior Project Manager of Development Planning
77 James St N, Suite 400
Hamilton, Ontario L8R 2K3

Dear Mr. Thompson:

I am writing this letter in support of a re-zoning application by Georgina Mitropoulos regarding 16 Sydenham Street, Dundas.

Re-zoning to commercial is consistent with the other properties adjacent to and surrounding the said property; all of the other major streets running off King St. are also commercially zoned.

We need a fine dining restaurant in Dundas. 16 Sydenham Street and Georgina's abilities and experience will serve Dundas in filling that void.

Sincerely,

Alex Szabo
Owner, Dundas Valley Collision Centre

77 Mercer Street, Dundas, Ontario, L9H 6C7
November 10, 2008

Corporation of the City of Hamilton,
Planning and Economic Development Department,
Planning Division – Development Planning – West Section,
77 James Street North, Suite 400
Hamilton, Ontario L8R 2K3

Attention: Ms. Kate Mihaljevic

Dear Ms. Mihaljevic,

Re: File No. ZAC-08-058

We are writing in support of the above mentioned application which seeks to permit the construction/renovation and opening of a restaurant at 16 Sydenham Road, Dundas. My understanding is that the application is being made by Georgina Mitropoulos and/or her husband Fraser McFarland and/or the catering business trading under the name “Saving Thyme”.

My wife, Ruth Caswell and I are long term residents and taxpayers of greater Hamilton and currently reside on Millgrove Sideroad, just above Dundas. We also work and very frequently entertain ourselves and our friends and clients in Hamilton and Dundas. My wife is a member of Dundas Valley Golf and Curling Club.

We have known Georgina and Fraser for a number of years and in our experience they are fine individuals and exactly the type of entrepreneurs our community needs if it is to rise to excellence out of the sad situation in which it currently finds itself. We need people who are willing to take a risk and establish a flourishing business complete with new employment; we need people who are committed to the highest quality in all that they do; we need our young people (such as these two) to stay and work in our community. We need people to think and act positively with respect to our community - and are willing to demonstrate this by investing! We do not need “naysayers” and complainers whose negative attitudes have significantly contributed to the decline Hamilton has experienced in the last 30 years – nor should we give them the opportunity to “rain on the parade” of those willing to move forward!

Georgina and Fraser represent exactly what our community needs and their proposed restaurant would be a welcome addition to the second rate bars and road houses that represent the available eateries in Dundas. My wife and I refuse to eat in Dundas – the available options are dreadful! The town badly needs an excellent, high quality establishment that Dundas can call its own! These two know how to produce a quality dining experience. Their training is at top-ranked restaurants on the continent and in

Landed Banking and Loan Building
47 James Street South, Hamilton, Ontario L8P 2Y6

Mail: Box 57208 Jackson Station, Hamilton, Ontario L8P 4X1
Toronto. Fraser currently works as a chef at one of the finest dining establishments in Burlington and Georgina operates a stunningly good catering operation – Saving Thyme. We have used the services of Saving Thyme many times with unbelievably favourable comments from our guests.

We would relish the opportunity to dine in our own town of Dundas and depart with a genuinely satisfied feeling! We are talking here not only about a potentially great restaurant, but also a new business which will generate new employment and tax revenues (and in today’s environment, wouldn’t that be a welcome addition?). With that in mind we encourage you and your Department to expeditiously approve the construction and opening of the restaurant as proposed by Georgina and Fraser.

Should you have any questions or wish to discuss this matter in person, we would be happy to make ourselves available.

Yours sincerely,

[Signature]

Paul Jaggard
Ruth Caswell

618 Millgrove Sideroad,
Millgrove, Ontario L0R 1V0

cc: Georgina Mitropoulos
November 11, 2008
Mr. Jason Thomson
Acting Senior Project Manager
Development and Planning-West Section
City of Hamilton
77 James Street North, Suite 400
Hamilton, Ontario L8R 2K3

Dear Mr. Thomson,

I am writing in regard to a permit and zoning application for 16 Sydenham Street, Dundas, Ontario. I am a business owner, property owner and a nearby resident of the proposed restaurant location which Georgina Mitropoulos is seeking approval for. I would like the City of Hamilton to know that I give my full support to this project. As a resident, I look forward to having a place to dine, take friends and family and also recommend to those who come to our town. The concept proposed by Georgina and her group, using local ingredients and supporting local producers, is one that is in high demand. It promotes sustainability and respect for the very important agriculture industry within our region. My knowledge of her skills and dedication to her craft comes from many people in the food community. Georgina and others involved in her project have worked very hard and definitely earned the respect of their peers, myself included. On the business side of things, I look forward to the inclusion of new business to our town. Their choice of location shows forward thinking. By converting what is essentially a space with limited use and worth, they have elevated the possibilities for all retail and business opportunities in our community. The grassroots enthusiasm since their announcement is quite overwhelming. I have had the opportunity to get to know Georgina both formally (as a supplier) and informally (just hanging out in town), and feel quite confident her ideas, style, skill, etc. will bring value to our community that will surely be reflected in improved merit to our retail and commercial spaces and get others to improve along with it. I have spent 7 years in this area and have seen many positives. Projects such as this should encourage some of the less concerned property owners to move forward as well. We have prime retail properties in the hands of ‘out of town’ owners that have no real value to anyone in the community. I’m sure that support from the City of Hamilton would begin the ball rolling and get people to invest back in this area in sustainable and viable ways.

If you have any questions, please feel free to call, write, etc. I look forward to your decision.

Sincerely yours,

Joseph Amaral

[Signature]
November 12, 2008

Ms. Kate Mihaljevic  
City of Hamilton  
Planning and Economic Development Department  
Planning Division – Development Planning – West Section  
77 James Street North  
Suite 400  
Hamilton, Ontario  
L8R 2K3

Dear Ms. Mihaljevic:

Re: Zoning Amendment Application  
File No. ZAC-08-058

Please accept this letter as our written submission in opposition to this amendment application.

To move from the existing single family dwelling (low density residential) to a restaurant with an outdoor patio (central area commercial) raises the following concerns:

1. Noise pollution – from patrons, late hours and increased traffic.
2. Light pollution – from patio, rear entrance lighting and vehicles exiting from rear parking.
3. Pollution – dust and dirt created from increase in traffic using the shared unpaved laneway (shared with 90 Park Street West) that exits onto Park Street West.
4. Loss of on-street parking.

These questions need to be addressed and answered as well:

a) Why was the shared unpaved laneway (shared with 90 Park Street West and across from our home) not indicated on the Location Map?
b) Why create a new designation when there are empty businesses on the main thoroughfare?
c) What is the life expectancy of an upscale restaurant in this economy?
d) If the home is resold in the future, will the designation revert back to low density residential?

Thank you for bringing our concerns forward.

Yours truly,

Jim and Lynn Mitchell.
Cc – Councillor Russ Powers
Ms Mihaljevic,

I just wanted to let you know that I support the re-zoning of 16 Sydenham St to a commercial property. The building is located on the border of the business district, therefore I don't feel it is upsetting the balance of the residential-neighbourhood. Fraser and Georgina have an exciting and viable plan to bring "fine dining" to Dundas, something we are in desperate need of. I fully support their proposed plan

Kate Gammal

25 Dundas Pk Dr
Dundas ON
L9H 7P4

Ask a question on any topic and get answers from real people. Go to Yahoo! Answers.
Via: Email
Kate.Mihaljevic@hamilton.ca

November 17, 2008

Ms. Kate Mihaljevic
City of Hamilton
Planning and Economic Development Department
Planning Division-Development Planning- West Section
77 James St. North, Suite 400
Hamilton, ON
L8K 2K3

Dear Ms. Mihaljevic:

Re: File no: ZAC-08-058 - 16 Sydenham Street, Dundas, ON

I am writing in regard to the above re-zoning application to commercial for the purposes of establishing a ‘fine dining’ restaurant at 16 Sydenham Street in Dundas, Ontario.

My husband and I fully support this application for re-zoning as we believe the town of Dundas will benefit from such an establishment.

Dundas is lacking when it comes to being able to eat out locally at a venue which provides excellence in dining. While we do have some eateries here, they are not of the calibre Ms. Mitropoulos and her husband have committed to installing.

Food service is an important industry and a ‘great’ restaurant could only attract diners by pleasing palates at a more sophisticated level. This, in turn, would bring destination diners to our town; and these diners could also spend dollars at other commercial ventures on our vital and thriving ‘main street.’ The possibility of bringing more spending dollars to Dundas can only be an economically pleasing concept, both to residents and business owners alike.

In closing, please accept this correspondence in support of re-zoning 16 Sydenham Street from residential to commercial.

Thank you for your attention to this matter.

Jane and George Lindsay
Residents of
17 Victoria Street
Dundas, ON - L9H 2B7
TO: Kate Mihaljevic, City of Hamilton, Planning and Economic Development Department-Planning Division-Development Planning

FROM: Jerry and Nina Chapple, 27 Sydenham St., Dundas, ON L9H 2T6

SUBJECT: 16 Sydenham St., Dundas File Number: ZAC-08-058

BACKGROUND:
Our house is located within the circulation area for the zoning application change, across the street and the third house going north. We have lived in our designated heritage house for 40 years. The Town of Dundas has always rigorously prohibited any change in the demarcation line that has divided the residentially-zoned property from commercially-zoned property about halfway up the first block of Sydenham St.

REASONS FOR OBJECTIONS:
We believe that the application to change the zoning for 16 Sydenham St. to Central Area Commercial should be denied for the following reasons:

1. Once this property is zoned commercial, it will set a precedent for other properties in the block to apply for commercial zoning. Sydenham St. is essentially a residential street, and as such is one of the most attractive in Dundas. This protection against commercial expansion has allowed this historic residential neighbourhood to improve substantially over the years, particularly in the last decade.

2. Once the property is zoned commercial, the value of the property goes up, which works against a possible return to a residential use. Furthermore, there is no guarantee that the proposed use will be retained in the future. For instance, our immediate neighbourhood has had to deal with the various changes at 53 Park St. West that has gone from a 7-person senior citizen home to a halfway house.

3. King St. has always been the commercial spine of Dundas and commercial uses should be concentrated there. Not all buildings on King St. are in use. By enlarging the commercial area, this concentration will be dissipated and the thriving King St. shopping area weakened.

4. 16 Sydenham St. is a heritage house, dating from the mid-nineteenth century. It should be protected. Changes to its exterior should go through an approval process, whether the building is designated or put on the City's Heritage Register. Commercial zoning can also put pressure on the corner houses at Sydenham and Park Streets, making them vulnerable to inappropriate change or demolition.

The new owners are very welcome in Dundas but a restaurant should be restricted to a commercial zone. This proposed change can lead to the gradual erosion of a desirable downtown residential adjacent to Dundas's charming main street.

Jerry Chapple
Nina Chapple
Mihaljevic, Kate

Sent: Tuesday, November 25, 2008 10:37 AM
To: Mihaljevic, Kate
Subject: A letter of support

2 Auchmar Road
Hamilton, ON
L8C 1C5

Kate Mihaljevic, City of Hamilton
Planning and Economic Development Department
Planning Division-Development Planning - West Section
77 James Street North, Suite 400
Hamilton, ON
L8R 2K3

Regarding File No: ZAC-09-058

Dear Ms. Mihaljevic:

I am writing in support of the fine dining restaurant which Georgina Mitropoulos and her husband wish to open in Dundas.

I understand that there are a few neighbours, and one in particular, who are opposed to the project.

Certainly the restaurant will not be a large one and not noisy to the outside world. Moreover, we have worked with Ms. Mitropoulos many times for fund-raisers and for our personal catering needs. We can tell you she and her husband are extremely talented chefs, cooperative, caring, and highly professional people. We are fortunate to have these young chefs in our midst, chefs who have learned their trade in Toronto and worked at some very high-calamile restaurants in that city, including Scaramouche. It is not every day such fine chefs decide to open, what we think will be, an exceptional restaurant in our community. And thus we should take advantage of their decision rather than pushing them away.

The reason they wish to start their first business in the Dundas/Hamilton area is because Ms. Mitropoulos was born and raised here. Her mother owns a very successful lady's clothing store in Hamilton. Georgina stated that she couldn't see herself and her husband living and working anywhere else. And they truly wish to make a difference to the restaurant scene in the Hamilton community. Please believe us when we say that the food these chefs will create will have no equal in Hamilton.

Dundas residents should be proud and honoured to have such a business presence in their area. The restaurant will be a coup, resulting in bringing more focus and extra business to our area.

Hopefully we are not too late with our letter and that the City will give this project it's due consideration with a positive outcome. In doing so, it will give these two exceptional chefs an opportunity to achieve their dream, and in turn, make the Dundas/Hamilton business mosaic all the more richer.

Respectfully yours,
Nancy and Albert Alexanian

11/25/2008
Kate Mihaljevic, City of Hamilton
Planning and Economic Development
Planning Division-Development Planning-West Section
77 James Street North, Suite 400
Hamilton, ON
L9R 2K3

Dear Ms Mihaljevic,

My husband Patrick and I have lived in Dundas for 7 years and we love our little town! We are very excited at the prospect of a new fine dining establishment being opened in Dundas by Georgina Mitropoulos and her husband Fraser. The fact that they plan on opening in an historical Dundas house is even better - it's very 'in keeping' with the historical nature of Dundas's town centre and will be sure to increase Dundas's appeal as a destination for visitors. Plus their food is amazing!!

We absolutely support their new endeavour and trust that the City of Hamilton will agree!

Best regards,
Jane and Patrick Rowan
6 Matilda Street South,
Dundas, Ontario.
L9H 3C2
Mihaljevic, Kate

Sent: Tuesday, February 03, 2009 1:59 PM
To: Mihaljevic, Kate

Subject: Rezoning application, Dundas

Dear Ms Mihaljevic: My wife and I have lived for 5 years in Dundas, and previously frequented this delightful town often! Although we enjoy several good restaurants in Dundas, we do lack an upscale dining place. Over the years several such restaurants located on the main business street (King St.) have folded, probably because of increasing rental costs. We understand that Ms. Georgina Mitropolos of "Saving Thyme Caterers" in Ancaster is hoping to establish a restaurant just off King street on Sydenham in a lovely old residence ideally located and suitable. We strongly support their application for the necessary rezoning adjustment and hope the timing is right for them to succeed and prosper! Dr. Gordon and Mrs. Patricia Cameron, #803 - 2000 Creekside Drive, Dundas L9H 7S7

Yahoo! Canada Toolbar: Search from anywhere on the web and bookmark your favourite sites. Download it now!
Mihaljevic, Kate

Sent: Monday, February 02, 2009 2:22 PM
To: Mihaljevic, Kate
Subject: file #ZAC-09-058

Dear Kate and Company,

Friends and neighbours have sent me a notice that Georgina Mitropoulos of "Saving Thyme" catering on Rousseaux St. in Ancaster is asking for re-zoning permission from the City to open a fine dining restaurant in downtown Dundas on Sydenham Street.

We Dundasians, are thrilled by this application. Dundas is devoid of fine dining and as a home-based business in the Arts, we are excited to think that we could stay in our own town for entertaining our out-of-town clients. The location is perfect from all points in the Dundas area. Our downtown is ripe for this quality of dining environment. We realize it is a residential street and yet, with parking in and around the centre of town being so ample, this should pose no extra strain on and could, in all likelihood, encourage evening business in the core. Big P Parking exists on the south and north sides in behind King Street, perfect for a short stroll to the restaurant.

As a former restauranteur, I could not be more pleased with this prospect. We strongly support this re-zoning and wish Georgina every success in our wonderful town.

Respectfully,

MJ Russell & Nick Blagona

2/3/2009