SUBJECT: Application for Approval of an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 427 Aberdeen Avenue (Hamilton) (PED09280) (Ward 1)

RECOMMENDATION:

That approval be given to Zoning Application ZAC-09-026, Urbancore Developments (Sergio Manchia), Owner, for a change in zoning from the “H” (Community Shopping and Commercial, Etc.) District, to the “E-3” (High Density Multiple Residential) District, Modified, with a Special Exception, to permit the development of a 7 storey, multiple residential building, on lands located at 427 Aberdeen Avenue, as shown on Appendix “A” to Report PED09280, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED09280, which has 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 Hamilton Official Plan.

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

The purpose of the application is to amend City of Hamilton Zoning By-law No. 6593 to permit the development of a 7 storey residential apartment building on lands municipally known as 427 Aberdeen Avenue (see Appendix “A”). The applicant is also seeking to maintain existing ‘as of right’ uses currently permitted within the “H” (Community Shopping and Commercial, Etc.) District. The building would consist of approximately 42 units on a 725m² parcel of land. A number of modifications would be required to accommodate the development as proposed; including, but not limited to, reduction to required parking; reduction to required front, side, and rear yards; and increase in Gross Floor Area.

The proposal has merit and can be supported since the application is consistent with the Provincial Policy Statement and Growth Plan, and conform to the Hamilton-Wentworth and City of Hamilton Official Plans. The proposed development is considered to be compatible with, and complementary to, the existing and planned development in the neighbourhood, and represents an efficient use of land and services within the urban boundary.

BACKGROUND:

Proposal

The application proposes to introduce a mid-rise residential apartment building at 427 Aberdeen Avenue (see Appendix “A”). The site is approximately 725m² in size, and located at the intersection of two arterial roads - Aberdeen Avenue and Dundurn Street South. The site has approximately 30 metres of frontage on Aberdeen Avenue, and 24 metres on Dundurn Street South. The site is currently occupied by a vacant commercial building (Tim Horton’s restaurant), and associated surface parking.

The proposal is located in the Kirkendall South Neighbourhood, surrounded by a mix of land uses, including residential, commercial and institutional. The residential component of the neighbourhood consists of larger single detached dwellings along interior roads and higher density dwellings (including apartment buildings 3 - 8 storeys) predominately adjacent to arterial routes. The commercial uses within close proximity to the subject lands consist of retail, convenience, and restaurant uses; as well as offices and recreational uses such as the Chedoke Civic Golf Course. It is also noted, that the site is within walking distance to the Locke Street Business Improvement Area, which provides a number of additional retail and convenience uses.

Currently, Hamilton Street Railway (HSR) operates on both Aberdeen Avenue and Dundurn Street South (with stops at this intersection); providing readily available access to Hamilton Downtown and additional conveniences, such as grocery stores and Civic Services.
The proposal would consist of a 42 multi-unit residential building with 2 levels of parking. The units are proposed to range in size and include studio, one bedroom, and two bedroom units. The total floor area of the building will be approximately 3,250 square metres, plus the parking area and proposed roof-top amenity area. The proposed two levels of parking will be located at the base of the building, taking advantage of the existing grades on site. As such, Parking Level 1 will be accessed from Aberdeen Avenue, and Parking Level 2 will have an entrance from Dundurn Street South. A total of 28 parking spaces are proposed for this development.

The applicant has requested that the following modifications be made to the standard “E-3” (High Density Multiple Residential) District in order to accommodate the building as proposed:

- Reduce the minimum Front Yard to 0.0m;
- Reduce the minimum Side yard (Aberdeen Avenue) to 0.0m;
- Reduce the minimum Side Yard (internal) to 1.0m;
- Reduce the minimum Rear Yard to 1.0m;
- Permit a Gross Floor Area of 3,250m²;
- Permit a minimum 30% landscaping requirement;
- Permit a Minimum of 28 Parking Spaces;
- Omit the requirement for a loading space;
- Amend parking stall sizes;
- Amend manoeuvring / aisle widths spaces; and,
- Modify required setbacks for access driveways.

These modifications, in addition to the merits of the proposal, are discussed in detail in the Analysis/Rationale section of the report.

**Details of Submitted Application**

**Owner/Applicant:** Urbancore Development (c/o Sergio Manchia)

**Agent:** GSP Group

**Location:** 427 Aberdeen Avenue

**Description:**

- **Frontage:** 30.4 metres (Aberdeen)
- **Lot Area:** 725m²
EXISITNG LAND USE AND ZONING:

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ANALYSIS/RATIONALE:

1. The proposed change in Zoning has merit and can be supported for the following reasons:
   
i) It is consistent with the Provincial Policy Statement and Places to Grow Plan, and conforms to the Hamilton-Wentworth Official Plan.
   
   ii) It is compatible with the type and form of development in the surrounding neighbourhood.
   
   iii) It is an appropriate development that will contribute to the range of residential options available to existing and future residents.

2. The subject lands comprise approximately 725m² of land within the Urban Area. The site is located in the Kirkendall South Neighbourhood, with frontage along Aberdeen Avenue to the north and Dundurn Street South to the east. Notable surrounding uses include single detached residential to the west, a 5 storey residential apartment building to the south, and a mixture of commercial and residential uses to the north and east of the subject lands.
The site is occupied by a vacant single storey restaurant (formally Tim Horton's) and associated surface parking. The subject lands are currently zoned “H” (Community Shopping, Commercial etc.) District, in the Hamilton Zoning By-law, which permits a number of commercial and lower order residential uses, and is designated “Residential” in the Hamilton Official Plan. The application, therefore, proposes to amend the Hamilton Zoning By-law in order to permit a high density residential use (up to 7 storeys), as well as maintain the existing ‘as of right’ commercial uses.

With regard to the proposed use, staff considers that the form and intensity of residential development proposed is acceptable, and would be both compatible with the surrounding area and conform to the Official Plan policies regarding residential developments (see Page 9 - Density and Streetscape Character for further analysis). With regard to the amending Zoning By-law, modifications to the “E-3” District have been requested to accommodate the proposed building with respect to setbacks, landscaping, Gross Floor Area, and parking/loading arrangements. These modifications are discussed, in detail, in the following sections of the report.

The application also proposes to maintain the existing range of uses currently permitted upon the site, as contained in the “H” (Community Shopping, Commercial etc.) District. Staff considers that the most appropriate accommodation of commercial uses for the site, given its location and unique site characteristics, would be in the form of a mixed use building. However, the impacts of a mixed use building, particularly with regard to traffic and parking, have not been addressed in the supporting technical reports submitted to date, nor considered, in detail, in light of this application. As such, the amending By-law will only provide the opportunity for residential uses upon the site, and does not support the dual zoning of the lands as originally requested by the applicant.

3. Staff notes that there are existing municipal storm and sanitary sewers, and a municipal watermain within the Dundurn Street South road allowance, available to service the subject lands. As detailed in the Site Servicing Brief, submitted by S. Llewellyn & Associates Limited (June 2, 2009), all storm drainage from the site will outlet to the existing storm sewer system and combined sewer system on Dundurn Street. This will be reviewed in more detail at the time of development, through Site Plan Control. With respect to existing road widths, staff confirms that no road allowance widenings are required at this time.

Given the previous use of the lands as a gas station, and that the proposed use is for residential, a mandatory filing of a Record of Site Condition will be required. The applicant subsequently submitted a Phase 1 Environmental Site Assessment, prepared by Landtek Limited, dated May 15, 2009. The Assessment recommended that a Phase 2 Environmental Site Assessment be completed for the subject lands. A Phase 2 Environmental Site Assessment
(ESA), titled “Phase 2 Environmental Site Assessment 427 Aberdeen Avenue City of Hamilton, Ontario”, dated June 26, 2009, and prepared by Landtek Limited, has recently been provided to staff.

Based on the subsurface investigation and test results, the Phase II ESA indicates that soil contamination encountered at the subject property comprises of petroleum hydrocarbons (PHC) associated with the former retail fuel facility. Evidence of residual petroleum hydrocarbons in the soil is concentrated in the area of the possible former concrete pump island. As such, the Owner of the property at 427 Aberdeen Avenue requisitioned a Remedial Action Plan (RAP) for the clean-up of the property from Landtek Limited, including soil disposal of approximately 1,400 tonnes of hydrocarbon impacted soil, groundwater handling fees, and management/engineering fees. The RAP will be carried out in order to permit a Record of Site Condition (RSC) for the subject property.

The applicant has subsequently applied for, and been approved, an ERASE Study Grant application for a Phase II ESA for the property at 427 Aberdeen Avenue, Hamilton, and has met all the requirements of the program. As such, although staff still requires that a record of Site Condition be submitted, the fulfilment of this requirement can be satisfied at the Site Plan Control stage of the development.

Staff also notes that the proximity of the proposed sensitive (residential) land use to road noise sources triggers the requirement for a noise study. Staff considers that the requirement for such a noise study can be satisfied at the Site Plan Control stage of the development, as the design concept for the proposed development has not been finalized at this time, and staff is of the opinion that potential noise impacts can be mitigated through building design.

4. In accordance with the new provisions of the Planning Act, and the Council Approved Public Participation Policy, a Preliminary Circulation was sent to 288 property owners within 120 metres of the subject lands, and a public notice sign was placed on the property. A petition, with 14 names on it from the residents of 394 Dundurn Street South, and 59 formal letters, were received in response to the preliminary notice of circulation (attached as Appendix “D”). Several letters were also received in support of the proposal. In addition, an Open House was hosted by the proponent of the application on September 14, 2009.

Many of the letters received stated concerns including insufficient parking, traffic volume and safety concerns, loss of amenity from privacy, loss of views, overshadowing, incongruent impact when compared with existing low profile neighbourhood, density too high, and concern over the loss of property values. An analysis of these issues is provided below.
5. **Traffic / Safety and Parking Issues:**

With respect to traffic, concerns from local residents regarding the potential for increased volumes along the major and local streets in the vicinity of the proposed development and associated safety implications. Concerns were also raised over the loss of parking within the area, particularly the residential neighbourhoods, as a result of the number of units and reduced provision of on-site parking.

In addressing the issue of capacity, staff has reviewed the proposal and considers that the existing capacity on Aberdeen Avenue and Dundurn Street South, given that they are both arterial routes, is sufficient enough to adequately accommodate the potential increase in traffic movements in a safe and orderly manner. Staff does, however, recognize the limitations of the site and has, therefore, requested that the driveway access from Aberdeen Avenue be restricted to right turn-in and right turn-out movements only. This requirement will be secured and implemented through the site plan process.

With regard to the impact upon parking, the proposal would provide two levels of parking at, and below grade, of the proposed building. The two levels of parking would provide 28 parking spaces, for a total of 42 residential units. The standard regulation for apartment buildings under Section 18A of By-law No. 6593, which currently governs the subject lands, requires parking be provided at a ratio of 1.25 spaces per unit. This would result in a requirement for 53 parking spaces (of which 11 would be required for visitor parking), creating a total shortfall of 25 spaces. For multiple dwellings outside of the Downtown area, By-law 05-200 requires 1.0 parking spaces per dwelling unit. In support of the reduced provision of parking, the applicant has submitted a Parking Study, compiled by Paradigm Transportation Solutions Limited, prepared May 2009.

The study reviewed a number of criteria including, but not limited to, existing parking conditions, potential parking demand, mitigation through a parking management plan and a review of access arrangements. The study concluded that there is a considerable supply of existing parking within the immediate area of the development, with a considerable supply of on-street parking spaces and a number of privately owned, off-street parking spaces. As detailed in the report, based on the Institute of Transportation Engineers (ITE) Parking Generation manual, the shortfall in parking spaces is estimated to be approximately 6 parking spaces, as opposed to the 25 spaces required under the existing By-law. Consequently, a number of measures have been incorporated into a Parking Management Plan in order to address this situation. These measures include the provision of two designated visitor spaces, the allocation of spaces to individual apartment owners, the incorporation of a car share program, the provision and support of a cycling and bike share program, and the provision of a public transit incentive for residents. The study considers
such measures should satisfactorily accommodate parking demand related to
the subject development.

Parking Services staff has reviewed the study and provided opinion consistent
with the analysis in the consultant’s report. Staff considers there to be merit in
assessing the development under the parking requirements of the new Zoning
By-law (05-200), currently only applicable to developments within the Downtown
Area, on the assumption that there are plans to apply the same or similar zoning
criteria to other areas of the City that would be inclusive of this development.
Based on that assessment, the development would require 39 spaces and, as
such, represent a shortfall of 11 spaces.

Notwithstanding this shortfall, staff considers that the site should function
adequately with the proposed reduced parking ratio, given the supply of on-
street spaces and the proposed introduction and promotion of green alternatives
over traditional travel modes, including bike and car share programs and
subsidized transit. It should also be noted that the subject lands are located
immediately adjacent to an HSR shelter that provides comprehensive transit
coverage of Hamilton Downtown and beyond, as well as being situated within
walking distance to a number of services including, but not limited to, Locke
Street BIA.

Consequently, while the style of development proposed is unique to the City of
Hamilton, the applicant’s decision to directly encourage the use of alternate
travel modes by residents of this development conforms with the Provincial
Government’s and City’s focus towards decreasing the reliance on the private
automobile.

In particular P.P.S. Policy 1.6.5.4 states:

“Policy 1.6.5.4 A land use pattern, density and mix of uses should be
promoted that minimize the length and number of vehicle
trips and support the development of viable choices and
plans for public transit and other alternative transportation
modes, including commuter rail and bus.”

The subject lands proximity to transit routes, cycling trails, McMaster Innovation
Park, McMaster University, and Mohawk College, in addition to the density of
development proposed, indicates that it would appear to be ideally suited to
take advantage of existing and proposed transit and infrastructure options.
Indeed, this Provincial direction is more clearly stated in the Growth Plan, and
specifically Policy 2.2.2 d), which states:
“Policy 2.2.2 d) reducing dependence on the automobile through the development of mixed-use, transit-supportive, pedestrian-friendly urban environments.”

As previously mentioned, the proposed development would introduce a residential building at a density which is not only transit supportable, but is in an urban setting in close proximity to a mix of uses, and which directly and indirectly encourages the use of alternative transit modes; factors which all serve to ensure the development conforms with the intent and direction of the Provincial Growth Plan.

The existing local Policy Framework provided in the Hamilton Official Plan similarly encourages developments that provide densities which are transit supportive.

“Policy 7.3 xii) Encourage development at densities conducive to the efficient operation of the Public Transit and which utilizes designs or construction techniques that are energy efficient;”

Regard has also been given to the policy framework contained within the new Urban Hamilton Official Plan, which has been adopted by Council and is awaiting Ministerial approval. On the basis of densities and the proposed innovative transit options to be made available to residents, staff considers the proposal to satisfy the Urban Design Goals detailed in Policy 3.3.1.4:

“Policy 3.3.1.4 Create communities that are transit-supportive and promote active transportation.”

Staff does, however, consider that all deficiencies for on-site parking should be disclosed to renter / purchasers of units by way of a discloser in a rental or purchase agreement. Staff would request such a disclosure through an undertaking attached to any associated Site Plan Approval, and it can also be a condition of Draft Plan of Condominium Approval. Staff also notes that parking demand on the adjacent residential streets south of Aberdeen Avenue is moderate at this time, with most streets having unrestricted parking available on one side of the street. There is slightly more demand for on-street parking on residential streets north of Aberdeen. However, the current demand is not significant enough to warrant residents to request the implementation of restrictive parking regulations. In instances where the demand for parking within the proposed development may exceed the on-site supply, the on-street parking network, within a reasonable walking distance of the site, should be able to handle the additional capacity with minimal disruption.
Finally, a number of siting issues with regard to the establishment of the bike and car share program were raised, and will be dealt with at site plan stage. Similarly, the request to omit the requirement of a loading facility can be supported, given that provisions under the new Zoning By-law (05-200) will be introducing no minimum for loading spaces City wide, and instead, will defer loading arrangements until the site plan stage of development.

6. **Density and Streetscape Character:**

The site is located in a typical urban setting, surrounded by a mix of land uses, including residential, commercial and institutional. The intersection of Aberdeen Avenue and Dundurn Street South is a local commercial node providing a number of commercial and retail services for the surrounding residential neighbourhoods. The predominant use of land within the Kirkendall Neighbourhood is residential, consisting of larger, single detached dwellings along interior roads, with higher density dwellings (including apartment buildings 3 - 8 storeys) and commercial uses, located predominately adjacent the arterial routes.

In terms of policy framework at the Provincial level, both the Provincial Policy Statement (PPS) and the Places to Grow (Growth Plan, 2006) Legislation, which supplements the basic intent of the PPS, provides general directions towards guiding new development. With regard to the PPS, Policy 1.1.3.1 states the intent to focus growth in settlement areas. Similarly, the Growth Plan in Section 2.2.2.1 - Managing Growth, details that population growth will be accommodated by directing it to built-up areas through intensification. The increase in density and Gross Floor Area, as proposed in this application, is therefore considered to be consistent with this legislation.

However, in terms of assessing the built form, character, and particular merits of implementing such an increase in residential density, staff must consider the intent and policies of the Hamilton Official Plan in general, and the individual site characteristics and site context in particular. In this regard, staff notes that the Kirkendall Neighbourhood is an older, more established part of Hamilton, with buildings located generally within close proximity to one another and, therefore, characterized by narrow side yards and minimal setbacks. The scale and typology of buildings around the intersection of Aberdeen Avenue and Dundurn Street South is varied, largely a result of the mixture of uses currently in operation. This is in opposition to the interior residential streets, which conversely, represent a greater consistency in both scale and form of buildings (typically ranging in height from 2-3 storeys).

Immediately adjacent the site to the south is a 5 storey apartment building, with a similar footprint and massing to that proposed. The building provides outdoor amenity in the form of balconies on both the northern and southern elevations of
the building, with those on the northern portion of the building approximately 2.5m from the property line. To the west is a 2-½ storey house; however, due to the existing grade changes between the sites, resembles a massing more in line with a 3-½ storey building.

Staff, therefore, considers that given the context, scale, and character of the arterial routes, and in particular this intersection, the opportunity exists to contemplate a higher density residential form upon the subject lands. More specifically, one that would be consistent with the scale of other existing apartment buildings adjacent and in proximity to the site, while preserving the character of the lower density residential forms located internal of the neighbourhood and fronting onto local roads.

Based on the existing mix of uses, the lotting fabric, and existing gradation of residential densities from the arterials to the local roads, staff, therefore, considers the location of a 7 storey apartment building at this location to be appropriate and consistent with Policy 7.2 of the current Hamilton Official Plan, which states:

“Policy C.7.2 Varieties of RESIDENTIAL types will not be mixed indiscriminately, but will be arranged in gradation so that higher density developments will complement those of a lower density, with sufficient spacing to maintain privacy, amenity and value.”

Policy A.2.1.8 of this Plan also states that it is the intent of Council that a variety of housing styles, types, and densities be available in all residential areas of the City, and that development shall contribute to the desired mix of housing, where practical. In this regard, staff also considers that the proposal would further contribute to the variety in the type and density of development provided for within the City. Policy C.7.3 of the current Official Plan furthers this intent, detailing that regard must also be given to building height, setbacks, mass, and privacy of the existing residential area.

The request to have 0.0m setbacks from the front and exterior side yards is considered appropriate, given that the proposal would integrate landscape and streetscape design measures, as well as cap a prominent corner, providing a sense of place, while enhancing the scale and visual interest of the streetscape. The particulars of the design approach, including the required treatment of the parking area at ground level in order to compensate for the lack of active uses at grade, will be evaluated and secured, in detail, at the site plan stage.

With regard to height, staff considers that although the proposal would be 7 storeys in height, the mass of the building would be considerably mitigated through its design (see Appendix “C”). The proposed “cut-out” balconies at each
corner would reduce the overall mass and impact of the upper levels of the building. It should also be noted that while the building is considered 7 storeys, the proposed 7th floor will accommodate 2 penthouse units that would be setback from the front and exterior side yard of the building, in order to accommodate a communal roof top garden. This treatment would further serve to diminish the height and overall massing of the building, and provide more consistent context with the existing streetscape, when viewed from the public realm.

The applicant is also requesting modifications to the maximum permitted Gross Floor Area (GFA), currently prescribed in the “E-3” (High Density Multiple Residential) District. As previously discussed, the site is modest in size and would accommodate a proposed 7 storey building, with 0.0m setbacks from the front and exterior side yards. Staff is, however, in support of this modification, as it is considered that the location and context of this particular site is conducive to accommodating intensification, as legislated in both the Provincial and Local Policy framework. The proposal represents an innovative design concept that staff considers efficiently maximizes the development potential of the site, while similarly demonstrating sufficient mitigation of any potential adverse impacts.

Finally, in terms of urban design, the concept plan (see Appendix “C”) and Planning Report provided by the applicant indicates that the materials used and detailed design will respect, and be sympathetic to, the surrounding area. The proposed reduction in landscaping, in particular, can be supported as it is considered the individual characteristics of the site, and that surrounding it, can accommodate such a reduction without significant impacts upon the character or amenity of the area. Staff will conduct further review of these details, and secure their implementation, at the Site Plan stage.

7. **Amenity / Sun-Shadow Analysis:**

Given the scale and massing of the proposal, the applicant submitted a sun-shadow assessment in support of the 7 storey residential building. The proposed development would be situated at the southwest corner of Aberdeen Avenue and Dundurn Street South, and as such, would cast shadows to the west and north during the early part of the day, and to the north and east towards the afternoon and evening. The sun-shadow report concluded that while there would be some shadowing of the adjacent rear yard of the single detached dwelling located at 429 Aberdeen Avenue, this would not be unacceptable, as it would be limited to the morning hours, with the yard remaining unaffected from late morning onward through most of the year. Given the aspect of the building, the proximity of the adjacent 5 storey apartment building, and the location of the proposed adjacent two arterial streets, remaining sun shadow issues were not considered significant.
The proximity of the building from the existing apartment building has, however, raised concern over the outlook and amenity of those existing residents at 394 Dundurn Street South. As discussed previously, the character of the area is typified by buildings in close proximity, benefiting from only narrow yards. As a consequence, most impacts resulting from the proximity of buildings onto side windows and balconies / amenity areas has already been established. This is particularly evident in the assessment of the existing relationship between 394 Dundurn Street South and 402 Dundurn Street South. The rear balconies on the south east side of the building are currently impeded in both outlook and day lighting due to the approximate 3.0m separation distance from the existing 2-½ storey dwelling to the south.

With regard to outlook, it is staff’s opinion that the proposed building, which would be approximately 4.0m from the balconies on the northeast side of the existing building, would exert similar impacts to that which are already experienced on the southern side. Furthermore, it is noted that the proposed building would have balconies at the southeast corner on each floor. This type of treatment is considered to reduce massing, as well as provide visual interest to residents of the existing apartment building. Based on the current situation, in addition to the proposed design measures, staff considers that the impact of the buildings proximity to 394 Dundurn Street South is acceptable and can be supported.

With respect to the single detached property at 429 Aberdeen Avenue, given the difference in built form and density, there is concern over the compatibility of the two buildings with respect to both massing and privacy. In particular, regard has been given to Hamilton Official Plan Policy C.7.3, which states:

“Policy C.7.3.iii) Support RESIDENTIAL development such as infilling, redevelopment and the conversion of non-residential structures that makes more efficient use of the existing building stock and/or physical infrastructure that recognize and enhance the scale and character of the existing residential area by having regard to natural vegetation, lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview.”

In order to address this issue of massing, the proposed building has incorporated a ‘cut out’ in the southwest corner. This ‘cut out’ serves the dual purpose of providing additional outdoor amenity space for future residents of the proposed building, in addition to significantly reducing the overall massing of the building when viewed from 429 Aberdeen Avenue (see Appendix “C”). The ‘cut out’ (approximately 5m from the building to the rear of the property) would, in effect, provide a rear yard similar in scale to that of a typical urban single detached house. Based on this approach, staff considers the relationship between the
single detached dwelling and the proposed apartment building, in terms of scale and massing, to be acceptable.

This approach would be consistent with the requirements of the new Hamilton Official Plan and, in particular, Policy E.3.6.7, which requires high density development in close proximity to lower density developments to provide transitional features to mitigate adverse impacts, as it states:

“Policy E.3.6.7 b) High profile multiple dwellings shall not be permitted immediately adjacent to low profile residential uses. A separation distance shall generally be required and may be in the form of a suitable intervening land use, such as a medium density residential use. Where such separations cannot be achieved, transitional features such as effective screening and/or design features shall be incorporated to mitigate adverse impact on adjacent low profile residential uses.”

On the matter of privacy and overview, staff notes that the existing apartment building at 394 Dundurn Street South provides balconies that currently overlook the rear of 429 Aberdeen Avenue, and as such, the minimal additional impact of the proposed building is not considered to further exacerbate the existing situation.

In conclusion, while it is acknowledged that the introduction of a building, as proposed, will change the built form and yard relationship with 429 Aberdeen Avenue, the impacts are considered acceptable and not inappropriate when it is considered in light of the proposed design treatments discussed above, nor when considered in light of the urban street character of Aberdeen Avenue, in which it will be accommodated.

8. Property Values:

Finally, there are concerns related to the proposed development reducing the values of the existing properties in the neighbourhood. As noted earlier, the subject applications propose high density residential development. Staff is, therefore, not aware of any data that would support this opinion.

**ALTERNATIVES FOR CONSIDERATION:**

If the application is denied, the applicant has the option of using the property for the current range of uses permitted in the “H” (Community Shopping, Commercial, Etc.) District, which provides for a range of commercial and limited residential uses.
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 approval of a change in Zoning.

POLICIES AFFECTING PROPOSAL:

Provincial Growth Plan for the Greater Golden Horseshoe

The application has been reviewed with respect to the Provincial Growth Plan for the Greater Golden Horseshoe (Places to Grow). Staff considers the application to be consistent with the policies that manage growth and direct general residential intensification to the built-up areas, as per the Policies contained in 2.2.2 and 2.2.3.

The proposal maintains the intent to create vibrant neighbourhoods, which provide residential uses that are transit supportive.

Provincial Policy Statement

The applications have been reviewed with respect to the Provincial Policy Statement (PPS). The applications are consistent with Policy 1.1.3.1 of the PPS, which focuses growth in settlement areas, and Policy 1.6.5.4, which seeks to provide a range of alternative and sustainable transportation options.

Also, Policy 1.7.1(e) outlines that long term economic prosperity will be supported by planning so that major facilities (such as airports, transportation corridors, sewage treatment facilities, waste management systems, industries, and aggregate activities) and sensitive land uses are appropriately designed, buffered, and separated from each other to prevent adverse effects from odour, noise, and other contaminants, and to minimize risk to public health and safety. Due to the proximity of the subject lands to traffic corridors and railway lands, the Owner is required to conduct a noise assessment. Staff considers that the requirement for such a noise study can be satisfied at the Site Plan Control stage of the development, as the design concept for the proposed development has not been finalized at this time, and staff is of the opinion that potential noise impacts can be mitigated through building design.

Policy 3.2.2 states that contaminated sites shall be remediated, as necessary, prior to any activity of the site associated with the proposed use such that there will be no adverse effects. Therefore, due to the fact the previous use of the site was for a gas station, and the proposed use is residential, Ontario Regulation 153/04 requires a mandatory filing of a Record of Site Condition (RSC) for the area. The applicant
subsequently submitted a Phase 1 and 2 Environmental Site Assessment, prepared by Landtek Limited. The findings of the Phase 2 ESA indicate that there is no evidence of significant environmental concern or impact on the study site, and that further assessment of the subject site, through a Phase 3 ESA or site remediation, is not considered to be warranted at this time. Although a record of Site Condition is required to be submitted, the fulfilment of this requirement can be satisfied at the Site Plan Control stage of the development.

**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.

Policy 3.1.1 states that a compact higher density urban form, with mixed use development along corridors, best meets the environmental, social, and economic principles of sustainable development. Mixed form of development within an Urban Area is preferable to widespread, low density residential development, and scattered rural development.

Policy B-2.3 states that identification of contaminated sites is essential, and that redevelopment must not occur until it has been demonstrated that a proposal will not put people in significant risk. Subsequent sub-policies direct proponents to submit a professional analysis of soils on the site in accordance with Ministry of the Environment and Energy requirements. Following the submission of a Phase 1 and 2 Environmental Site Assessment, staff is satisfied that the filing of a RSC, at the site plan stage, sufficiently addresses this concern.

**Hamilton Official Plan**

The subject property is designated “Residential” on Schedule “A”, Land Use Plan in the former City of Hamilton Official Plan. The proposal seeks to permit a high density residential building and, as such, the following policies of the Hamilton Official Plan, among others, are applicable to the subject lands:

“A.2.1.8  *It is the intent of Council that a variety of housing styles and types and densities be available in all RESIDENTIAL areas of the City, and further, that proposals for new development or redevelopment will contribute to the desired mix of housing, where practicable. In this regard, Council will be guided by the Housing Policies of Subsection C.7 and the Neighbourhood Plan Policies of Subsection D.2.*”
Staff considers that the proposed building would provide residential development at a density and type that further contributes to the variety of housing options currently available to residents of the neighbourhood, and that the proposed form is both desirable and suitable.

“C.7.7.1 In the development of new RESIDENTIAL areas and, as far as practicable, in the infilling or redevelopment of established areas, Council may undertake or require the following in order to achieve high standards of RESIDENTIAL amenity:

i) Provision and maintenance of adequate off-street parking.

ii) Alteration of traffic flows.

iii) Improvement and maintenance of street landscaping.

iv) Acquisition, removal or improvement of buildings or uses incompatible with a zoning district.

v) Provision of advice and assistance in the improvement and maintenance of private dwellings.

vi) Investigation into, and application of, other methods of encouraging the maintenance and improvements of buildings in RESIDENTIAL areas.

vii) The maintenance of adequate separation distances and the placement of buffering features between RESIDENTIAL and Industrial uses.

viii) Other similar actions or matters as Council may deem appropriate.”

As discussed within the Analysis/Rationale section of the report, staff considers the proposed development would provide sufficient parking, and is both in keeping with the character of the area and of sufficient density to ensure the subject lands are efficiently utilized.

“C.7.7.2 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 to maintain privacy, amenity and value.”

It is considered that the high density development proposed has been sensitively designed and scaled in order to ensure that the transition between adjacent higher and lower density developments are integrated and amenity is preserved, while maintaining
the intent to locate higher density development closer to transportation and transit corridors.

“C.7.7.3 Council will encourage a RESIDENTIAL ENVIRONMENT of an adequate physical condition that contains a variety of housing forms that will meet the needs of present and future residents. Accordingly, Council will:

(iii) Support RESIDENTIAL development such as infilling, redevelopment, and the conversion of non-residential structures that makes more efficient use of the existing building stock and/or physical infrastructure that recognize and enhance the scale and character of the existing residential area by having regard to natural vegetation, lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview; (O.P.A No. 128).

(v) Encourage new RESIDENTIAL development that provides a range of dwelling types at densities and scales that recognize and enhance the scale and character of the existing residential area by having regard to natural vegetation, lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;.”

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 character of the neighbourhood is maintained. Furthermore, it is considered that the design and scale of the proposed building enhances the existing streetscape, providing visual interest that successfully transitions and respects the variety of existing scales.

**New Urban Official Plan**

The proposal has also been evaluated against the policies of the Council adopted Urban Official Plan, which is currently awaiting Ministerial approval. The site is located within the Neighbourhoods Designation and, as such, the following Policies have been considered:

“Policy E.3.6.7 b) High profile multiple dwellings shall not be permitted immediately adjacent to low profile residential uses. A separation distance shall generally be required and may be in the form of a suitable intervening land use, such as a medium density residential use. Where such separations cannot be achieved, transitional features such as effective screening and/or design features shall be incorporated to mitigate adverse impact on adjacent low profile residential uses.”
Given the site context, the proposed high density residential building would be located adjacent to a lower density use (single detached dwelling). Notwithstanding the limited separation space, staff is satisfied that sufficient design elements have been proposed in order to effectively mitigate any potential adverse impacts on the adjacent low profile residential use.

“Policy 3.3.1.4 Create communities that are transit-supportive and promote active transportation.”

The proposal to accommodate a high density residential building that is both in close proximity to arterial routes and also encourages alternative transport options (i.e. car share and bike share program) is considered to meet the intent of the above policy.

Based upon the forgoing, Planning staff is of the opinion that the conversion of the lands to residential would be appropriate, and would conform to the new Urban Official Plan.

**RELEVANT CONSULTATION:**

**Agencies/Departments Having No Comments/Objections**

- Budgets, Taxation and Policy Services, Corporate Services Department.
- Traffic Engineering and Operations Section, Public Works Department.
- Forestry and Horticulture Section, Public Works Department.

**Public Works, Hamilton Municipal Parking System:**

Staff’s opinion is consistent with the analysis in the consultant’s report. The site should be able to function adequately with the reduced parking ratio, given the proposed introduction and promotion of green alternatives over traditional travel modes. Residents of this development will be encouraged to utilize an on-site bike share and car share programs, and short-term subsidized transit, in lieu of owning a personal vehicle, thereby reducing the demand for on-site parking.

The applicant shall be required to disclose the details of the on-site parking deficiency to renters or purchasers of units within this building by way of a disclosure in a rental or purchase agreement. Within this agreement, the applicant shall indemnify the City of Hamilton from the responsibility of accommodating tenants and their visitors with alternative parking arrangements, and disclose that existing on-street parking cannot be guaranteed in perpetuity.
On-street parking demand on the adjacent residential streets south of Aberdeen Avenue is moderate at this time, with most streets having unrestricted parking available on one side of the street. A few streets west of Dundurn Street are posted with a daytime 3 hour parking time-limit restriction, which is in place to ensure the turnover of non-resident parking. There is slightly more demand for on-street parking on residential streets north of Aberdeen. However, the current demand is not significant enough to provoke residents to request the implementation of restrictive parking regulations. In instances where the demand for parking within the proposed development may exceed the on-site supply, the on-street parking network, within a reasonable walking distance of the site, should be able to handle the additional capacity with minimal disruption. Aberdeen Avenue and Dundurn Street, north of Aberdeen, are classified as through streets and, therefore, overnight parking is not permitted. The section of Aberdeen Avenue, immediately adjacent to the building, is posted with a “No Stopping” parking regulation, which is in place to provide appropriate clearances for the signalized intersection, as well as the Hamilton Street Railway bus stop.

The applicant must note that on-street parking cannot be guaranteed in perpetuity, and is subject to change at anytime. Although most of the residential streets in the immediate area currently have unrestricted parking or time-limited parking, additional or more restrictive time-limit and/or permit parking regulations may be implemented at anytime. This property is located within Time Limit Exemption Zone “C5”, which is bounded by Aberdeen Avenue to the north, the escarpment to the south, Queen Street to the east, and Chedoke Avenue to the west. Should there be a demand for additional long-term resident parking, the applicant may submit a request to the Hamilton Municipal Parking System for a review of the site and inclusion of the building in the Time Limit Exemption Program, if necessary. Presently, there would be a limit of 11 Time Limit Exemption Permits allocated to residents in this building, and the time limit exemption permits would exempt vehicles from 1, 2 or 3 hour time limits only within Zone “C5”. The universal 12 hour time limit would continue to apply.

Staff recommends that the proposed Community Car Share parking area be contained exclusively within the property, perhaps in one of the two dedicated on-site visitor parking spaces, as the proposed use cannot be accommodated on a public roadway. In addition, staff is of the opinion that it cannot be guaranteed that the Community Car Share vehicle will be moved every 4 hours to comply with existing on-street parking by-laws that are effective for commercial vehicles or 12 hours for private vehicles. The Applicant may consider the option of entering into a Commercial Boulevard Parking Agreement to create a designated space for the Community Car Share vehicle within the road allowance that would have an independent access from the roadway.
Since loading activities cannot be accommodated off of Aberdeen Avenue, staff recommends that the entire lay-by adjacent to the building on Dundurn be designated as a No Parking-Loading Zone to facilitate the daily loading and delivery needs of the building, and that the small bump-out adjacent to the lobby is eliminated to maximize the length of the lay-by to allow access for larger moving / delivery vehicles. Alternatively, this area could provide additional public on-street parking.

This urban style development is unique to the City of Hamilton, and the Applicant’s plan to directly encourage the use of alternate travel modes by residents of this development is in line with the Provincial Government’s and City’s focus towards decreasing the reliance on the automobile. This application is considered to be a pilot project as it would be the first of its kind in Hamilton, and given its proximity to transit routes, cycling trails, Innovation Park, McMaster University, and Mohawk College, it would appear to be a good fit for this Community.

Public Consultation

In accordance with the new provisions of the Planning Act and the Council Approved Public Participation Policy, a Preliminary Circulation was sent to 288 property owners within 120 metres of the subject lands, and a public notice sign was placed on the property. A petition, with 14 names on it from the residents of 394 Dundurn Street South, and 59 formal letters, were received in response to the preliminary notice of circulation (attached as Appendix “D”). Several letters were also received in support of the proposal. In addition, an Open House was hosted by the proponent of the application on September 14, 2009.

Many of the letters received stated concerns, including the insufficient parking; traffic volume and safety concerns, loss of amenity from privacy, loss of views, overshadowing; incongruent impact when compared with existing low profile neighbourhood; Density too high, and concern over the loss of property values. These issues have been discussed, in detail, in the Analysis/Rationale section of this report.

In accordance with the requirements of the Planning Act, notice of the Public Meeting will be sent to owners within 120m of the subject lands and a sign will be posted on site.

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 public are involved in the definition and development of local solutions. In response to concerns raised, the applicant has provided technical (parking and shadow) studies in support of the application.
Environmental Well-Being is enhanced. ☐ Yes ☐ No
Applying the principles of intensification, and best use of available land, while ensuring impacts are mitigated and existing contaminated areas are remediated.

Economic Well-Being is enhanced. ☐ Yes ☐ No
Investment in Hamilton is enhanced and supported since the proposal provides for increased tax revenues.

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

:EJ
Attachs. (4)
CITY OF HAMILTON
BY-LAW NO. __________

To Amend Zoning By-law No. 6593 (Hamilton), respecting
lands located at 427 Aberdeen Avenue

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 Corporation of the City of Hamilton, 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 City of Hamilton passed Zoning By-law No. 6593 (Hamilton), on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item of Report 09- of the Economic Development and Planning Committee at its meeting held on the day of , 2009, recommended that Zoning By-law No. 6593 (Hamilton) be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton;

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

1. That Sheet No. W24 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended by changing the zoning from the “H” (Community Shopping and Commercial, Etc.) District to the “E-3” (High
Density Multiple Residential) District, Modified, on the lands the extent and boundaries of which are shown on the plan hereto annexed as Schedule “A”.

2. That the “E-3” (High Density Multiple Residential) District regulations, as contained in Section 11C of Zoning By-law No. 6593, be modified to include the following special requirements:

   (a) That notwithstanding Section 11C(1a)(a) of Zoning By-law No. 6593, a maximum height of 7 storeys or 25m shall be permitted.

   (b) That notwithstanding Section 11C(2) of Zoning By-law No. 6593, the following yards shall be required:

       1) A Front Yard (Aberdeen Avenue) having a depth of not less than 0.0 metres shall be provided and maintained for all buildings and structures.

       2) An exterior Side Yard (Dundurn Street South) having a depth of not less than 0.0 metres shall be provided and maintained for all buildings and structures.

       3) An interior Side Yard having a depth of not less than 1.0 metres shall be provided and maintained for all buildings and structures.

       4) A Rear Yard having a depth of not less than 0.8 metres shall be provided and maintained for all buildings and structures at ground level, and not less than 5.0m for buildings and structures located within 12m of the westerly side lot line (adjacent 429 Aberdeen Avenue).

   (c) That notwithstanding Section 11C(4) of Zoning By-law No. 6593, no buildings or structures shall have a total Gross Floor Area of more than 3,250m².

   (d) That notwithstanding Section 11C(5) of Zoning By-law No. 6593, there shall be provided and maintained at least 30% of the area of the lot as landscaped area.

   (e) Notwithstanding the definition of “Landscaped Area” contained within Zoning By-law 6593, the “landscaped Area” shall include areas located within or on the roof of any building.

   (f) That notwithstanding Section 18A(1)(a) and (b), and Tables 1 and 2, parking for a multiple dwelling shall be provided at a ratio of 0.65 spaces per unit.

   (g) That notwithstanding Section 18A.(1)(c) of Zoning By-law No. 6593, no loading spaces shall be required.
(h) That notwithstanding Section 18A.(14g) of Zoning By-law No. 6593, required parking shall be permitted in a required front yard.

(i) That notwithstanding Section 18A.(7) of Zoning By-law No. 6593, every required parking space, other than a parallel parking space, shall have dimensions not less than 2.7m wide and 5.5m long.

(j) That notwithstanding Section 18A.(Table 6) of Zoning By-law No. 6593, a minimum 5.5m maneuvering space aisle width shall be permitted for required parking areas.

(k) That notwithstanding Section 18A(25) of Zoning By-law No. 6593, a driveway access shall be permitted to be located within 3m of a residential district that does not permit such a use.

3. That no building or structure shall be erected, altered, extended or enlarged; nor shall any building or structure or part thereof be used; nor shall any land be used, except in accordance with the “E-3” (High Density Multiple Residential) District provisions, subject to the special requirements referred to in Section 2.

4. That By-law No. 6593 (Hamilton) is amended by adding this by-law to Section 19B as Schedule S-1618.

5. That Sheet No. W24 of the District Maps is amended by marking the lands referred in Section 1 of this By-law as S-1618.

6. 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   day of   , 2009.

_____________________________________________  _______________________________________
Fred Eisenberger              Kevin C. Christenson
Mayor                           Clerk

ZAC-09-026
Schedule "A"

Map Forming Part of By-Law No. 09-____

to Amend By-law No. 6593

Subject Property

427 Aberdeen Avenue, Hamilton

Change in Zoning from the "H" (Community Shopping and Commercial, etc.) District to the "E-3" (High Density Multiple Residential) District, Modified
John, Edward

From: gillian [ ]
Sent: Monday, September 14, 2009 5:32 PM
To: John, Edward
Subject: Regarding the proposed development on the site at Dundurn and Aberdeen

September 14, 2009

From:
Gillian Seaman
432 Dundurn St. S
Hamilton, ON L8P 4L7

Dear Mr. John Edwards,

I am sending you this as a letter of protest against the proposed development of the lot at 427 Dundurn St S, Hamilton - the old Tim Horton's site. I have several concerns about the proposed development of a 42-unit apartment building on that site.

My first concern is the issue of parking. It's my understanding that the developer has requested relief from having to provide, on site, the requisite number of parking spaces. I own a house at the end of the same block on the same side of Dundurn as the proposed development and we are already tight for parking on this block. With the exception of 1 or 2 houses, no one on the west side of Dundurn St. S in this block has off-street parking. There are many occasions when there are too many cars for the number of spaces available. I have no off-street parking for my house and I have arthritis in my arms, hands, and feet; as it is now, I often have to park my car away from my house and then make multiple trips from car to house to unload groceries etc. If the proposed development is allowed to go through, the parking situation will become untenable. Furthermore, there is a proposed bike lane, not related to
this development, for Dundurn St. on the east side of the street which will further compound the parking situation on the block and on the surrounding blocks; though the houses on the east side have off-street parking, the street parking is always full or close to full. The addition of 42 units with the potential for at least 42 additional vehicles would make parking impossible for those of us already living on that block and on the surrounding blocks. I’ve heard all the proposals for car-sharing etc but unless there is a by-law that says the people living in this proposed development can’t park on the street, no one can be sure of how many extra cars there will be as a result of the development. There’s no bus that runs the full length of Dundurn St. from end to end which makes it even more likely that some or all of those units will have a car.

My second concern relates to the safety at the corner, most especially the safety of the children in our neighbourhood who cross the intersection of Dundurn and Aberdeen twice or three times a day (if they come home for lunch) to get to and from the elementary school at Stanley and Dundurn. The morning crossing for those children is already challenging as commuters make left and right turns, and speed along Dundurn to get to the 403. I have additional concerns regarding everyone’s safety at the corner with the addition of another possibly 42 cars exiting the proposed building in the morning and entering in the afternoon. When Tim Horton’s was at this location, the morning congestion produced by drivers trying to get into and out of the Tim’s parking lot created a lot of havoc; any relief we have experienced since Tim Horton’s closed will be lost if the proposed development is allowed to go through.

My third concern is for the tenants of the apartment building located next to the proposed development. If the 7-story proposed apartment building is built, the tenants living on the north side of that building will lose all the natural light they now get and it’s little enough as it is. They’ll also lose any privacy they might enjoy now.
My final concern relates to the size of the units and the likelihood that they will become student housing. We're all familiar with the problems experienced by home owners in Westdale as a result of absentee landlords and student housing. The late night parties, the resulting noise, and the deteriorating condition of many of those rental properties is of great concern to us. At 400 square feet per unit, there is a high likelihood that the proposed units will be purchased as an investment and then rented to students. We're concerned about what this will do to our lovely neighbourhood, especially this first block of Dundurn, south of Aberdeen. We don't want more high density housing on that site. We also don't want to have a recreation of the Westdale situation in this neighbourhood. Many of those in this neighbourhood precisely because of what has and is happening in Westdale.

I will be at the meeting tonight and plan to voice my concerns there, however, I wanted to send a written protest as well.

Sincerely,

Gillian Seaman

9/15/2009
September 21, 2009

Denise Minardi
31 Mount Royal Avenue
Hamilton, Ontario
L8P 4H7

Edward Jolm,
City of Hamilton Planning and Economic Development Department

Re: Proposed Plan ZAC-09-026, for 427 Aberdeen Avenue

Dear Mr. Jolm,

I am concerned about the proposed changes to the 427 Aberdeen Avenue site and wish to make these known to the City of Hamilton Planning Department.

As you must be aware, due to traffic flow and environment assessments that would have been completed on the Aberdeen and Dundurn Avenue corner, the congestion at this site is of concern to the community. Small children cross the street regularly to attend Earl Kitchener School and the Mother Goose Daycare and visibility is already an issue due to the volume of traffic and parked cars that line Aberdeen and Dundurn Avenues. I think that the safety of the children in the community will be further compromised by the addition of a 7 story building and the cars that will be pulling in and out across the sidewalks at these corners and parking along the streets. There is already a safety issue with the apartment building on Dundurn Avenue as cars regularly double park and wait for tenants to exit the building and cars turning the corner are often stopped or drive around these illegally parked and stopped vehicles.

As well, there is presently not enough parking for the residents in the neighbourhood, as can be attested to by the overflow from Dundurn Avenue onto the adjoining side streets.

Further to this, I have concerns about traffic congestion during construction of the proposed apartment building and snow removal in the winter. For how long will the corner be closed for construction? How will this further affect visibility at this corner? Where will snow from the street be placed?

This submission is late as I was unaware that there had been a call for comments until I spoke with you last week. As I noted when I spoke with you, the sign on the former Tim Horton's building has had a TBA notice for a meeting for the last 3-4 months. I continue to wait for the date of the community meeting at which time I intend to present my concerns in person.

Sincerely,

Denise Minardi

cc. Brian McHattie,
    Councillor, City of Hamilton Ward 1
Message

John, Edward

From: McHattie, Brian
Sent: Friday, August 07, 2009 2:13 PM
To: 'Amy Schaefer', John, Edward
Cc: Wojewoda-Patni, Nicola
Subject: RE 427 Aberdeen File No: ZAC-09-026

Thanks for your input Amy. I have asked the developer to hold a community meeting so everyone has the same information and everyone can hear each other's concerns. I'll make sure you're made aware of that meeting date.

Thanks
Brian

-----Original Message-----
From: Amy Schaefer [mailto:...](mailto:...)
Sent: Monday, July 27, 2009 2:06 PM
To: John, Edward
Cc: McHattie, Brian
Subject: 427 Aberdeen File No: ZAC-09-026

Dear Mr John,

I am writing to you to express my concern about the proposed by-law amendment for the proposed development at Dundurn and Aberdeen (File No: ZAC-09-026).

The proposed development will have 42 residential units, and includes a request for reduced parking. If each unit is a one-car family, that will mean an additional 42 cars parking along Dundurn and other neighbourhood streets. As a resident of Kirkendall, I can attest that finding parking along Dundurn is already difficult, especially when the ophthalmologist at 436 Dundurn St South is open. Adding more than forty cars to the street will increase the hardship to everyone in the area who needs street parking, to say nothing of the situation if some families have more than one vehicle or what occurs when visitors arrive.

Dundurn is already a busy street taking a heavier car load than one would like in a neighbourhood with so many children. Earl Kitchener School (JK - grade 5) is a short block north of Aberdeen, and the area south of Aberdeen has constant foot traffic. I hate to see more cars forced on our neighbourhood. In the past, I have expressed the need for traffic calming measures to our councillor, Brian McHattie, and I hope that those measures will be implemented on the street.

Please do not force more cars onto Dundurn Street South and the Kirkendall neighbourhood. If the developer cannot provide full parking for its tenants, then it should rethink its plans.

Best regards,

Amy Schaefer

8/19/2009
John, Edward

From: Terry Cooke
Sent: Monday, July 13, 2009 10:51 AM
To: John, Edward
Subject: 427 Aberdeen Ave.

Edward,

I am writing as a lifelong resident of the neighborhood in question to offer my unqualified support for this development proposal. In my opinion it is the appropriate scale and density for this busy corner that is well serviced by public transit. The design is attractive and will complement adjacent properties. In summary, the proposal is an exciting and appropriate intensification compared to its previous and potential future use as a single storey commercial building and as such represents good planning.

Cheers,

Terry

Terry Cooke
14 Amelia Street, Hamilton L8P 2V3
John, Edward

From: L'Estrange, Chris
Sent: Wednesday, July 08, 2009 5:20 PM
To: John, Edward
Cc: Brown, Dale
Subject: File No: ZAC-09-026

Edward John, City of Hamilton
Planning and Economic Development Department
Planning Division - Development Planning - West Section
77 James St. N., Suite 400
Hamilton, ON L8R 2K3
Fax: 905-540-6142

I am a resident in the area and I am opposed to the idea of building a multiple unit dwelling on lands located at 427 Aberdeen Ave (Former Tim Horton's location at the corner of Dundurn & Aberdeen), for the following reasons:

- The property is too small for such a dwelling of this size and scope, to be developed as detailed in the File No: ZAC-09-026.

- The intersection of Aberdeen and Dundurn is too busy to handle the additional traffic.

1. Cars coming and going from a 42 unit complex at that intersection would slow down the existing traffic, and cause accidents.
2. Safety issues for children crossing there for school every morning, with the increased traffic is a hazard.
3. The Tim Horton's itself was a huge problem, and please out of curiosity, ask the police for a report on the number of accidents reported before and after the Tim Horton's closed for business. I am sure you'll see a reduction in traffic and pedestrian related incidents since the date of closure.

I am opposed for all these reasons.

Thanks you,

Chris L'Estrange
108 Hillcrest Ave
Hamilton L8P 2X2

7/31/2009
From: Brown, Dale [mailto:Dale.Brown@hamilton.ca]
Sent: July 8, 2009 04:53 PM
To: undisclosed-recipients
Subject: 427 Aberdeen application for rezoning (former Tim Hortons location) & Hamilton Fruit Tree Project Launch

Kirkendall -

An application has been received by Hamilton’s Planning and Economic Development Department for a Zoning By-law Amendment by UrbanCor Developments Inc. on

The purpose of the application is to change the existing Commercial District to a Residential District, in order to permit a 7 storey building with 42 residential units which includes at-grade ground floor parking, 5 residential storey, 1 storey pentouse/mechanical/roof top garden amenity area. A reduction in parking is also requested.

Public Input

Before a staff report is prepared for Council consideration, residents have the opportunity to provide comments. Any written comments received by the Department prior to July 28, 2009 will be published as part of the report.

Please forward your comments, quoting File No. to:

Edward John, City of Hamilton
Planning and Economic Development Department
Planning Division - Development Planning - West Section
77 James St. N., Suite 400
Hamilton, ON L8R 2K3
Fax: 905-540-6142

If you have any questions, please contact Edward John at 905-546-2424, ext. 5803 or by the email shown above.

Please note that the developer will be holding a community information meeting after Labour Day to share project plans and address concerns from area residents.

Hamilton Fruit Tree Project is pleased to announce its first ever launch!

Where: Dundurn Castle - under the apple trees
When: Saturday July 11th, 2009 from 11-2pm.

Drop by for some live music, apples, apple cider and relax under the shade of the trees.
Bring some instruments if you like for a little jam session 
Explore Dundurn Castle with “two for one passees” that have been generously donated.

For more information, contact Juby at 905-549-0900 or email jjee.eatlocal(at)environmenthamilton.org

7/31/2009
Message

Check out Fruit Tree's blog!!  http://hamiltonfruittreeProject.blogspot.com/

******** please advise if you do not want to be on the Kirkendall email list  **********

**********************

Susan Millman
(for Dale Brown)
Executive Assistant to
Councillor Brian McHattie
Ward 1, Chedoke - Cootes
City of Hamilton
phone: 905-546-2226
www.briannmchattie.ca

7/31/2009
Appendix “D” to Report PED09280
(Page 10 of 108)

Message

John, Edward

From: Rick Hutley
Sent: Wednesday, July 08, 2009 6:03 PM
To: John, Edward; McHattie, Brian
Subject: 427Aberdeen application for rezoning (former Tim Hortons location) - File No: ZAC-09-028
Importance: High

Mr. John / Mr. McHattie,

As a long term property owner (1 block away - Mount Royal Avenue) I have a strong concern about the proposed density of 41 units on 5 floors (approx 8 units per floor) and the obvious parking, vehicle access issues that would ensue if this Zoning By-Law Amendment was approved. It would be helpful to be open and “inform” area home owners of the nature of the proposed “residential units”. Are they senior apartments, university/college student rental units, condo units, etc. Even if future residents did not own a vehicle, it is only reasonable to assume they would regularly have visitors - who would have cars, and would park on area side streets. The same side streets that already have challenges with vehicle parking due to a large number of duplex/triplex housing units in the immediate area.

We have an Official Plan and By-Laws for a reason. They are in place to require reasonable building/property use standards are met. This proposal is not reasonable on several levels.

As a matter of interest: 1) what is the City’s By-Law requirement for parking spaces for a 42 unit residential/apartment building? And 2) What is the normal unit density for a 5/6 storey residential building within the land/space in question?

I object to this proposed Zoning By-Law Amendment and will be following this application closely.

Richard Hutley
3 Mount Royal Avenue
Hamilton, Ontario L8P 4H5

From: Brown, Dale
Sent: July-08-09 4:50 PM
Cc: McHattie, Brian; Sergio.manchia@bigroup.com
Subject: 427 Aberdeen application for rezoning (former Tim Hortons location)

Kirkendall -

An application has been received by Hamilton’s Planning and Economic Development Department for a Zoning By-law Amendment by UrbanCor Developments Inc. on lands located at 427 Aberdeen Ave (Former Tim Hortons’ location at the corner of Dundurn & Aberdeen).

The purpose of the application is to change the existing Commercial District to a Residential District, in order to permit a 7 storey building with 42 residential units which includes at-grade ground floor parking, 5 residential storey, 1 storey penthouse/mechanical/roof top garden amenity area. A reduction in parking is also requested.

Public Input

7/31/2009
Message

Before a staff report is prepared for Council consideration, residents have the opportunity to provide comments. Any written comments received by the Department prior to July 28, 2009 will be published as part of the report.

Please forward your comments, quoting File No: ZAC-09-028 to:

Edward John, City of Hamilton
Planning and Economic Development Department
Planning Division - Development Planning - West Section
77 James St. N., Suite 400
Hamilton, ON L8R 2K3
Fax: 905-540-6142
Email: edward.john@hamilton.ca

If you have any questions, please contact Edward John at 905-546-2424, ext. 5803 or by the email shown above.

Please note that the developer will be holding a community information meeting after Labour Day to share project plans and address concerns from area residents.

7/31/2009
To Edward John:

I am the third generation to have lived in this area and I have enjoyed growing up in the South-West end of Hamilton. I am currently raising my family here too. I have seen gas stations at this location and the previous Tim Horton's. I feel that this is not a good idea to turn this piece of property into a residential area for many reasons.

1) There may still be toxins or harmful fumes in the ground from the gas station.

2) Parking has always been an issue in this area and having an ugly apartment building doesn't suit this area.

3) To enter and exit to and from this property is dangerous due to the high volume of traffic.

4) The students and elderly in this area are at risk of being hit.

5) There is already an apartment building beside this property and is no need for one.

Please take into careful consideration of these hazards before implementing this project.

Theresa Monkelbaan

7/31/2009
John, Edward

From: Brigitte Kaiman
Sent: Wednesday, July 08, 2009 7:35 PM
To: John, Edward
Subject: File No: ZAC-09-026

HI Edward, thanks for the opportunity to respond to the application for building on the corner of Aberdeen and Dundurn. I had really hoped to see something other than an apartment building go on this corner for a few reasons.

• there is already an existing apartment building behind this location, what will happen to the existing tenants within this location, especially the ones who currently have a view of Aberdeen Ave? Will they be looking at a brick wall? Do current building permits allow for two structures to be so close and for one to impede the view of the other? I can imagine this may have significant impact on the owner or landlord of the current building being able to rent these units out.
• The corner of Dundurn and Aberdeen is already too busy. It was a welcome relief to see the Tim Hortons parking lot get blocked off and slow the flow of traffic from Dundurn into this parking lot. If you know anything about this corner, it is extremely busy with “young” pedestrian traffic every morning, lunchtime and afternoon as they walk to the local pre-school and elementary schools. The thought of having another parking lot and increased traffic flow as a result needs a lot more consideration I feel. To add to this I don't think that any type of construction should be considered in this location until there has been a real hard look at the bigger picture. What I mean by this is that if a structure like this goes up…traffic flow & pedestrian safety needs to be strongly examined and there needs to be some built in safety measures as part of the plan.
• Another building is unsightly. What this neighbourhood needs is a low lying structure that houses something that will benefit the community as a whole, like a small groceria, a cafe, a parkette or a local business. There are lots of rental properties in the area why do we need to add more, especially in a space that seems so unsuited for it??

I'll be interested to see what the outcome of this is. Thanks again for the opportunity to send comments.

Brigitte H

7/31/2009
John, Edward

From: Carol Town
Sent: Wednesday, July 08, 2009 7:48 PM
To: John, Edward
Subject: Aberdeen Apts

Dear Mr. John
While I am always in favour of intensification plans, I also think parking is a very important concern in our area. If they are not including at least one parking spot per unit, I would vehemently oppose this development. To meet the requirement, there should either be underground parking, or a reduction in the number of units. Where else does the developer think people will park? That's a lot of units for a very small lot.
Carol Town
37 Undermount Avenue

Please inform me of all meetings.

7/31/2009
Message

John, Edward

From: marilynneufeld

Sent: Wednesday, July 09, 2009 8:07 PM

To: John, Edward

Cc: Brown, Dale

Subject: RE: 427 Aberdeen application for rezoning former Tim Horton's location

File No: ZAC-09-026

Mr. Edward John
Planning and Economic Development Department
Planning Division-Development Planning-West Section

Dale Brown has forwarded this situation as impacted residents in the rezoning application of 427 Aberdeen. We appreciate you asking for input from the community in such a timely manner on this important community situation. I have copied Dale Brown so that she can keep our alderman informed.

We do not think that changing the by law to allow for the building of a low rise residential unit and reduced parking (therefore overflow into the streets) is able to be accommodated in the specified location.

Currently there is a thriving commercial enterprise on each of the other 3 corners coupled with a restaurant (with no parking) a 3 story office building, an automotive shop and an apartment building (immediately adjacent to this proposed multiunit residential building) a strip plaza with no designated parking, a senior’s residence and public primary school all side by side each other in the immediate vicinity to that corner property.

We also think there is a developmentally delayed adolescent’s home also close by, to say nothing of the residential homes immediately adjacent to the proposed multi unit residential building which is right next to this location.

The only entrance to this multiunit residential building likely would be off of Dundurn Ave, rather than onto Aberdeen Ave. and this means you are immediately adjacent to the Big Bear parking lot and the bus stop and also almost right into the intersection anyway you come out.

When Tim Hortons left we believe the reason in part was because it was too congested for automobile/delivery traffic onto Dundurn Ave. and they were not able to do the volume necessary to make the business viable. The situation had deteriorated to an unsafe level. In fact as a frequent visitor to that Tim Hortons it was a nightmare to exit and many times people parked wherever they could outside of the parking lot (including me) and ran into Tim’s rather than trying to negotiate that entrance.

We can’t imagine that there is enough realistic clearance between this proposed multiunit residential building and the high rise apartment building beside it. Talk about high density living all in the same area and at a crossing for seniors and to a public primary school.

We can appreciate that the owners of this property are anxious to realize a use and investment.

7/31/2009
as the property has been for sale since Tim Horton's vacated. The owners have not given back
to the community since Time Horton left in that they could have kept the parking area open for
the community residents who are challenged to find limited parking in that area. The tall
cement barriers went up quickly closing off that area from access. Perhaps they realized the
potential unsafe entrance and exit situation to the property and the liability risks.

This corner has been a high risk area for many years. As we recall there was an application
years ago for a change in zoning to make a bookstore in a house near the corner and it was
denied due to the lack of adequate parking situation.

Please rest assured we embrace change and indeed on Glenfern Ave have just finished many
many months of road work and change putting in a sidewalk and eliminating on street parking
for us and our neighbours. We embrace change when change increases community safety,
beautifies the environment, realizes tax savings or increases our collective green space
commitment.

We realize that this corner is an eyesore and does not create a pleasant welcome for a thriving
community; however putting in this multi-residential unit with frequent traffic flow at high traffic
times places everyone who is using the same limited space at risk. Changing the by law to
build this multi unit residential building is not the answer.

I propose that other options be discussed and that this corner property becomes a useful,
attractive and safe location, one in which we can all feel proud and secure.

Sincerely

Marilyn and Gordon Neufeld
141 Glenfern Ave
Hamilton Ontario
L8P 2T9

----Original Message-----
From: Brown, Dale [mailto:Dale.Brown@hamilton.ca]
Sent: Wednesday, July 08, 2009 4:53 PM
Subject: 427 Aberdeen application for rezoning (former Tim Horton's location) & Hamilton Fruit Tree
Project Launch

Kirkendale -

An application has been received by Hamilton's Planning and Economic Development
Department for a Zoning By-law Amendment by UrbanCor Developments Inc. on lands
located at 427 Aberdeen Ave (Former Tim Horton's location at the corner of Dundurn &
Aberdeen).

The purpose of the application is to change the existing Commercial District to a
Residential District, in order to permit a 7 storey building with 42 residential units which
includes at-grade ground floor parking, 5 residential storey, 1 storey pentouses

7/31/2009
mechanical rooftop garden amenity area. A reduction in parking is also requested.

Public Input

Before a staff report is prepared for Council consideration, residents have the opportunity to provide comments. Any written comments received by the Department prior to July 28, 2009 will be published as part of the report.

Please forward your comments, quoting File No: ZAC-09-026 to:

Edward John, City of Hamilton
Planning and Economic Development Department
Planning Division - Development Planning - West Section
77 James St. N., Suite 400
Hamilton, ON L8R 2K3
Fax: 905-540-6142
Email: edward.john@hamilton.ca

If you have any questions, please contact Edward John at 905-546-2424, ext. 5803 or by the email shown above.

Please note that the developer will be holding a community information meeting after Labour Day to share project plans and address concerns from area residents.

Hamilton Fruit Tree Project is pleased to announce its first ever launch!

Where: Dundurn Castle - under the apple trees
When: Saturday July 11th, 2009 from 11-2pm.

Drop by for some live music, apples, apple cider and relax under the shade of the trees. Bring some instruments if you like for a little jam session :)
Explore Dundurn Castle with "two for one passes" that have been generously donated.

For more information, contact Juby at 905-549-0900 or email jlee.eatlocal(at)environmenthamilton.org

Check out Fruit Tree's blog!! http://hamiltonfruittreeproject.blogspot.com/

****** please advise if you do not want to be on the Kirkendall email list *******

----------------------

Susan Millman

(for Dale Brown)
Executive Assistant to
Councillor Brian McHattie
Ward 1, Chedoke - Cootes
City of Hamilton

7/31/2009
John, Edward

From: sanshamur [Redacted]
Sent: Wednesday, July 08, 2009 8:25 PM
To: John, Edward
Subject: File No: ZAC-09-026

Is this subsidized housing? This is a primary concern.

How can more details be obtained to get better perspective on proposed intentions?

Thanks.

Looking for the perfect gift? Give the gift of Elsklct!

7/31/2009
John, Edward

From: John Margaritis
Sent: Wednesday, July 08, 2009 8:40 PM
To: John, Edward
Subject: 427 Aberdeen

Will these units be rentals or Condo's?

John Margaritis

7/31/2009
John, Edward

From: Temi Shirton
Sent: Wednesday, July 08, 2009 8:49 PM
To: John, Edward
Subject: Project Plans in Kirkendall - File No. ZAC-09-026 (and others)

To whom it may concern:

I have recently received information regarding plans proposed and underway in the Kirkendall neighbourhood—one concerning the old warehouse building at Dundurn and Chatham street, one concerning the old Tim Horton's property at Aberdeen and Dundurn, and finally the one at Dundurn and Charlton which is now under construction. Each of these has requested "reduced parking". As a resident of this neighbourhood at Dundurn and Charlton, I am wondering where the developers and the City propose that people park.

Many of the homeowners in this neighbourhood, including myself, do not have driveways and are forced to rely upon street parking. Others have only one spot and sometimes or always require street parking for visitors or additional vehicles. There is not a single municipal parking lot within walking distance of this neighbourhood. My neighbours and I are already finding it challenging to park at times with LCBO and Beer Store, Zarky's, Health Club, TCBY and other traffic. With the potential addition of 170 residential units at one end of the Dundurn and 42 more at the other end...plus the constant come and go of drop offs and pickups in between (at the Karate Studio/Day Care at Dundurn/Charlton) I am wondering where not only these potential neighbours, but myself and my neighbours are going to park our cars.

Does the City have any plans for this? Or is it being seen as a potential source of income as people will be forced to park illegally. I know many neighbourhoods in Hamilton with limited parking for residents of the neighbourhood have a "permit system" where, for a small fee one is given the "right" to park on a given street during certain hours while those without a permit are ticketed. Is this being considered in our neighbourhood?

In addition to the parking question, I am also wondering about the management of the increased traffic in this area as a result of all of this development. As I live on the west (dead end) of Charlton, I find that I am often required to take my life into my hands when making a left (or even a right) turn onto Dundurn from Charlton. The traffic moves far too quickly, the relationship between the two ends of Charlton where they meet Dundurn results in dangerous turns and frequent near misses as it is not clear who has the right of way. A similar situation exists at Dundurn and Chatham. The sheer volume of traffic leads to many vehicles just "going for it" at these intersections, regardless of right of way or who's "turn" it is and a serious accident is bound to result any day now. I have seen several "minor" collisions already in the past year or so. The additional volume of traffic from these residents, as well as they battle for parking will only increase this risk. Additionally, there is no pedestrian crosswalk anywhere between Herkimer St and Main St. W, resulting in constant jaywalking and more near misses (especially near the Beer Store and LCBO)...add parents dropping children for a day care and karate school and maybe a truck making a delivery to the Beer Store and navigating Dundurn Street near Charlton becomes a recipe for disaster. How does the City propose to manage this?

I am not against development by any means and I would love to see some positive use made of the empty buildings and space in my neighbourhood. On the other hand, I live here and pay taxes here and would like some assurance that I and my neighbours will be able to safely walk and cross the street in this neighbourhood. I also would like to know that I will have somewhere to park my vehicle. I am interested in hearing any comments or plans concerning these issues.

Temi Shirton

7/31/2009
John, Edward

From: Larry and Terry
Sent: Wednesday, July 08, 2009 9:01 PM
To: John, Edward
Subject: ZAC-09-026

In regards to 427 Aberdeen, I whole heartedly approve of the residential building there, maybe even check it out for myself. I'm concerned about the parking though... 42 units and only on-site surface parking?? There's probably space for only about a dozen cars... let alone any allowance for visitor. Without more parking (underground?) they will have a hard time renting/selling them and the neighbourhood will be over run with cars finding spots on the street.

Larry Holzheu, 11 Amelia St, Hamilton.
John, Edward

From: Jennifer Hennigar-Shuh  
Sent: Wednesday, July 08, 2009 10:03 PM  
To: John, Edward  
Subject: Re-zoning of old Aberdeen and Dundurn Tim Hortons

I personally think the neighbourhood needs a coffee shop or other community shop. This neighbourhood has too few meeting places. I would much rather see a Second Cup or a Starbucks or a Sweetwater Café in that space.

Jennifer Hennigar-Shuh  
125 Hyde Park Avenue  
Hamilton, ON L8P 4M3  

7/31/2009
John, Edward

From: Rob Baker
Sent: Wednesday, July 08, 2009 10:55 PM
To: John, Edward
Subject: 427 Aberdeen

Could you please send me details about the proposed building.

Thankyou
Rob Baker
50 Macdonald Ave.
Hamilton
L8P 4N7

7/31/2009
July 9, 2009

Mrs. Franca Dotchin

421 Dundurn Street South

Hamilton, Ontario L8P4L6

I am writing to you about the Zoning By-law Amendment by UrbanCore Developments Inc. On the lands located at 427 Aberdeen Avenue, Hamilton. I would like to express that by going through with this there will be an issue with parking in the area, especially on Dundurn where parking is at a premium. This is not very realistic and I think this would cause a great problem with the school kids if the building is built out to the sidewalk how can you see past the building? I am all for development but in that location not so great. 7 stores too high, I think it needs to be scaled down to a realistic size like maybe half the units then you would have enough parking for all tenants. Just as an example I lived at the corner of Aberdeen and Lock there was only one parking spot for 12 units, everyone had to find a spot on the street, there you have several streets to choose from not so bad but a pain. We lived there for 7 years and we hated the fact that we needed to find a parking spot. We finally got the one space that was there but it was not to long before we moved. I would agree with the zoning only if the number of parking spots matched the number of tenants or reduce what is purposed.

Regards,

Franca Dotchin
Hello,

I am a resident of Ward 1. Would you have a rendition of the proposed new building? Is this for geared to income housing or something else?

Thank you for your help.

Ilya Pinassi

This e-mail is confidential. Any unauthorized disclosure, use or dissemination, either whole or partial, is prohibited. If you are not the intended recipient of the message, please notify the sender immediately.

Ce message est confidentiel. Toute divulgation, utilisation ou diffusion de ce dernier, même partielle, doit être autorisée préalablement. Si vous n'étiez pas le destinataire de ce message, merci d'en avertir immédiatement l'expéditeur.
John, Edward

From: Rick Guinan
Sent: Thursday, July 09, 2009 6:46 AM
To: John, Edward
Cc: bmcastle@hamilton.ca
Subject: eyesore on Dundurn

Hello John

What is happening with that dilapidated bldg. on Dundurn across from the LeBO/Beer store.

Why can't we force the development of same or have it torn down? It is a travesty to this city that so many of these bldgs. are allowed to continue to deteriorate and the owners are allowed to get away with it.

I would appreciate your thoughts.

Rick Guinan
100 Beddoc Drive # 93
Hamilton

7/31/2009
From: susan west
Sent: Thursday, July 09, 2009 10:07 AM
To: John, Edward
Subject: Opposed to zoning change

Dear Mr. John,

Thank you for this opportunity to provide comments on the proposed zoning change at Dundurn and Aberdeen.

I am very much opposed to this plan, which I don't feel to be in keeping with the neighbourhood. The proposed plan does not take into account the already overcrowded parking in this neighbourhood and the height will be out of proportion to the rest of the neighbourhood. The traffic is already congested at this intersection and pedestrian safety is already being compromised. Another residential unit would only complicate these problems.

Sincerely,

Susan West
Resident
John, Edward

From: Angela
Sent: Thursday, July 09, 2009 12:47 PM
To: John, Edward
Subject: Aberdeen rezoning

Dear Planning Committee:

As a resident of Beulah Avenue, I would like to express my concern about parking for the 42 unit, 7 storey proposed apartment. It is difficult enough to find parking on Beulah Avenue as it is, particularly during winter months. I am hoping you will take this into consideration before the amended application for reduced parking is approved.

Angela Maloch
John, Edward

From: Nadia Morris
Sent: Thursday, July 09, 2009 9:35 PM
To: John, Edward
Subject: ZAC-09-028

an apartment building on that corner will bring down the demographic even further in an area that we are trying to build up. Once Innovation Park is up and running, the space would be better served as a coffee shop/bakery/restaurant... etc

thanks

7/31/2009

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

From: Kyle & Jennifer

Sent: Thursday, July 09, 2009 11:14 PM

To: John, Edward

Subject: 427 Aberdeen application for rezoning

Dear Mr. John,

While I support in principle development in Hamilton, I question the ability of the lot at 427 Aberdeen to provide sufficient area to provide sustainable living for a 42 unit complex complete with ground floor parking. I would expect that at a minimum 42 units of parking will be required to provide each owner access to for one vehicle. It does not appear to provide sufficient space to accommodate this. If there is a chance that it is able to provide sufficient parking, I would expect that it be at the expense of valuable potential green space. An ideal condominium development will provide adequate parking and green space for the potential residents.

If the parking is not matched to the volume of residents, I am also concerned that with time, overflow parking will use the local streets and create problems for current residents of the area.

I trust that you will take these issues in to consideration when reviewing the application for rezoning.

Thanks,
Kyle Edwards
16 Miles Crt.

7/31/2009
Apology graciously accepted.

Re: 427 Aberdeen: The old timers in our neighbourhood advise that this site used to be a gas station. So, City planning will likely want to see a Phase I Environmental Site Assessment and an appropriate site remediation plan. As to building design, this is a small site. I would want to see the future building address both Dundurn and Aberdeen at grade. I would recommend against soft landscaping, it won’t survive. Urban trees would be better. I would also recommend against using too much of the site for parking (ugh) and daylight triangle. Might also be worth a phone call to Hamilton Hydro w/r the high voltage line on the east flank of the site. Does Hydro plan to upgrade or relocate that service? Will this create design opportunities? LEED. Green roof. Etc. All good. Might even look for awnings/overhangs on the east and west face to reduce airconditioning demand.

BROCK CRIGER
This answers my question. I have no comments or concerns with the development proposal at 427 Aberdeen Avenue.

Brock Criger

---Original Message-----

From: Criger, Brock
Sent: Thursday, July 09, 2009 3:49 PM
To: John, Edward
Cc: McHattie, Brian
Subject: RE: 427 Aberdeen

John

I won't get the opportunity to get to City Hall to review the planning justification report.

BROCK CRIGER

From: John, Edward
Sent: July 9, 2009 9:39 PM
To: Edward John
Cc: McHattie, Brian
Subject: 427 Aberdeen

Thank you for your email.

I have available for review a copy of the planning justification report that was submitted in conjunction with the application for rezoning. Unfortunately the electronic version is too large to email out however I would be happy to make this available for anyone who wishes to review it here at the
office. I believe this will answer all the questions you raised, however if you have any further issues please do not hesitate to contact me. For those individuals who submitted your concerns by email and did not attach your municipal address, please be aware that if you want these concerns addressed in the report, then I would need you to supply this information to me at your earliest convenience. It will also allow the City to keep you informed of any updates and to notify you on the date that this will be dealt with at Planning and Economic Development Committee. On that note, please be aware that this item will not be heard until late September at the earliest.

Regards

Edward John
Senior Planner
T: 905-462-4242 ext: 5803
E: ejohn@hamilton.ca

7/31/2009
John, Edward

From: Sheila Sammon

Sent: Friday, July 10, 2009 1:23 PM

To: John, Edward

Subject: File number ZAC-09-026

Dear Mr. Edwards,

I am writing regarding the possibility of residential development at 427 Aberdeen Ave. Although I am supportive of the rezoning of the property to residential, I am concerned about two things:

1. Parking
   It is already challenging to find parking on neighbouring streets. Any building constructed in the neighbourhood will need to provide parking for all its residents and their visitors on site.
2. Safety
   This corner is a very busy corner where children travelling to Earl Kitchner school (JK-5), Ryerson Middle School (6-8), St. Joseph’s School (JK-8) and Westdale Secondary (9-12) must cross. Additionally, there is a senior's residence nearby.

Thank you in advance for your attention to this matter.
Sheila Sammon
48 Undermount Ave.

7/31/2009
John, Edward

From: Dean Lossing
Sent: Friday, July 10, 2009 3:17 PM
To: John, Edward
Subject: File No: ZAC-09-026

Edward,

We have several concerns about this application.

Safety concerns: entry to and from the property onto (we assume) Dundurn - was always a concern when Tim Horton's was at this location.

Reduced parking application - one level of parking on a lot that size is going to result in a lot of parking on Dundurn and side streets above Aberdeen to accommodate vehicles for 42 units and their guests. This area is already lacking in parking because many homes do not have driveways.

Building height - a seven storey building in this residential area does not fit in with the homes (a maximum of 3 storeys) in this area.

regards,
Dean and Lorraine Lossing

7/31/2009
John, Edward

From: Jenn Wulfenden
Sent: Saturday, July 11, 2009 5:52 AM
To: John, Edward
Subject: Proposed condo units at Dundum and Aberdeen

Hi Edward,

I have concerns about the building of condos at this location. This is an extremely tight corner for all traffic that goes through there, pedestrian, bicycle and vehicles. The visibility is hindered on the north west corner where the dry cleaners is, and a telephone pole right at the corner of the sidewalk. Many children walk this intersection to and from school, and it is that corner that has made it really hard for us to let our 10 year old bike without one of us. The amount of parked cars along Dundum, all leaving for work, or stopping to drop off kids at school, makes it impossible for us to have him obey traffic/bike rules in that stretch. Since our beloved Tim Hortons has left, one area of scary turning in and out traffic ended, as well the opposite lights has made a difference. But it would be absolutely dreadful to add something of that size in that particular location, and it needs to find another spot.

I also find it really hard to believe that they could build something with half the parking spots to number of units. I am all for public transport, and love my own 2 feet, and 2 wheels for getting around, but that condo must have at minimum one parking space for every unit plus visitors. The neighbouring streets cannot handle any more (there are 3 walk up units just west of this building with no parking...they all park on the neighbouring streets as it is). I think their reason for less spaces is just to catch Brian McHattie's eye, as we all know he loves all things bicycle, and auto-share ... but that is just hot air from them, they have no room to make the proper spaces for the units.

Our family says no to this proposal...find another spot!

Sincerely,

Jennifer Wulfenden and family
On Mountain Ave

7/31/2009
John, Edward

From: Wm. Warrick
Sent: Saturday, July 11, 2009 1:13 PM
To: John, Edward
Cc: Morelli, Bernie
Subject: No to more parking

Mr. Edward John
Planning and Development
City of Hamilton

July 11, 2009

In the Hamilton Spectator (July 9th or 10th) there is an article of 'Housing planned for Hortons Lot' at the corner of Dundurn and Aberdeen. This article tells us how many floors will be devoted to parking and how many will be devoted to apartments.

It goes on to say that the developer wishes the city to give him a reduction in the parking requirement.

Let me state that the City should never give any developer a reduction in required parking spaces. In fact, the City needs to increase the requirement. No apartment building, condo or other family dwelling should be permitted to be built unless it has at least two parking spaces per dwelling. It is my belief that apartment building and condo and yes even multi unit building be they converter homes or otherwise should also be required to provide on site one additional space for visitors.

If they are commercial buildings, a very good survey should be made of the intended use of the building. Once it can be determined approximately how many employees there are a space should be required for each employee. Then a very educated estimate should be made of how many clients could be in the building at any given time. One parking space should be required for each of these clients.

A good example of the City letting down its citizens and visitors is the area around St. Joseph’s Hospital where the City has permitted far too much expansion and did not require sufficient parking. This has allowed St. Joe’s to charge exorbitant prices which are totally unfair to their patients and visitors. This problem applies to all the Hospitals in Hamilton.

I am handicapped and am tired of not being able to park in parts of the City where I do not have a residential permit. The only reason for these residential permits is that this City has not done its job by limiting growth where there is insufficient parking.

Oh yes, I know you want us to use your buses therefore you see clogged parking areas as an incentive to use City transit. I don’t happen to agree with that theory. Handicapped people do not have these options if the bus stop is too far for them to walk or wheel their chair, or they are blind or may have other handicaps. Please know that I am able in some cases to do better on one day than another; however many handicapped people have few options other than to drive or be driven. Being driven is not a reasonable option for those capable of driving for themselves.

DO NOT CONTINUE YOUR SINS OF THE PAST by conceding to this developer’s request!

7/31/2009
With Thanks

Bill Warnick

William A. Warnick
180 Rosalyn Ave. South
Hamilton, ON L8M 3J5

Please do not print this e-mail unless you really need to.

7/31/2009
John, Edward

From: Mamie Bell
Sent: Sunday, July 12, 2009 9:27 AM
To: John, Edward
Subject: RE: ZAC-09-026

Hello Edward

Just to let you know that my address is 20 Flatt Avenue, Hamilton, ON L8P 4N1. Also, there is no way that 28 parking spaces are sufficient for the number of units intended for that site. At the moment many of the houses around here have 3 units with little or no parking and the 3 units in a house have 3 to 5 cars. When one has visitors on my street they cannot find a parking spot now because the apartment on Aberdeen and the houses there have no parking and have to use the side streets which I feel we are subsidizing their parking with our taxes and we cannot use our street parking. Mamie Bell

PS I am not the only one that feels this way, as I have heard many complaints about this issue from my neighbours.

Subject: RE: ZAC-09-026
Date: Fri, 10 Jul 2009 10:51:11 -0400
From: EdwardJohn@hamilton.ca
To: Mamie Bell

Hi Mamie,

Thanks for your input. Please provide me with your municipal address if you wish to have these comments addressed in my staff report and to also be kept informed of the application. As for your questions, the parking is proposed at grade and underground - a total of 28 spaces are currently proposed.

Regards

Edward

----Original Message----
From: Mamie Bell
Sent: Friday, July 10, 2009 8:18 AM
To: John, Edward
Subject: ZAC-09-026

I would like to know where the tenants are going to park if this building goes ahead and also the height of the building is out of character with the other buildings. How can you change it from commercial to residential when the Pearl Company cannot change its zoning, but this can go ahead. Mamie Bell

7/1/2009
John, Edward

From: Ken Platt
Sent: Sunday, July 12, 2009 3:31 PM
To: John, Edward
Subject: File No: ZAC-09-026

Re: File No: ZAC-09-026 or 427 Aberdeen Ave.

Mr. John,

The most troubling issue regarding this application is its potential effect on traffic at the corner of Dundurn and Aberdeen. Anyone who travels this route knows that it can take 15 mins to get from Locke to Dundurn at rush hour (a couple of hundred metres). Future development at the McMaster research facility will undoubtedly impact this situation already. To see a 42 unit (which could mean 60 or more cars) residential building at the worst possible location will not help to fix the problem. I am strongly opposed to any high density project at that location. I am not opposed to high density projects in this neighbourhood but this is NOT the spot.

Thanks for your time
Ken Platt
360 Herkimer st

7/31/2009
John, Edward

From: AE Beattie
Sent: Monday, July 13, 2009 9:32 AM
To: John, Edward
Subject: RE: file # ZAC-09-026

Address: 56 Hillcrest Ave., Hamilton, L8P 2W9

Subject: RE: file # ZAC-09-026
Date: Mon, 13 Jul 2009 09:26:16 -0400
From: EdwardJohn@hamilton.ca
To: 

Thank you for your email. Please provide me with your municipal address so that I can add your concern to my report and keep you informed on the application.

Regards

Edward John
Senior Planner
T: 9055462424 ext.5803
E: ejohn@hamilton.ca

---Original Message---
From: AE Beattie
Sent: Saturday, July 11, 2009 11:54 AM
To: John, Edward
Subject: file # ZAC-09-026

I live in this area. I have concerns about the rezoning at Dundurn and Aberdeen. This is a really busy corner. Children cross here to go to school. With a building here, it will obstruct the view. Cars travelling along Aberdeen often go very quickly and make it more dangerous.

Parking is also a problem. There is little street parking left. Even with a lot at the building, this does not account for any visitor parking. There is a restaurant one building down from this intersection with no parking, and this takes up even more room.

I hope this does not go ahead as planned.

AEBeattie

Windows Live helps you keep up with all your friends, in one place.

Windows Live helps you keep up with all your friends, in one place.

7/31/2009
John, Edward

From: [Redacted]
Sent: Monday, July 13, 2009 1:40 PM
To: John, Edward
Subject: Re: Re Zoning Change Application / Aberdeen and Dundurn

It's 80 Flatt Ave., L8P 4N3

Thx
Chris Carroll

---Original Message---
From: Christopher Carroll
Sent: Monday, July 13, 2009 10:30 AM
To: John, Edward
Subject: Re: Re Zoning Change Application / Aberdeen and Dundurn

Hi Edward,

My comments are with regards to file number ZAC - 09 - 026. I don't feel that a 7 storey building is at all the right fit for that corner and would oppose the application. It is not in keeping with the heights of the structures at the other corners and would set an ugly precedent. This is a high-traffic pedestrian zone. There is, I believe, a 3 or 6 storey building to the south of this site. Let this applicant propose something more in keeping with surrounding heights and the look and feel of this neighbourhood.

Thank you,
Chris Carroll
Flatt Avenue
Hamilton

7/31/2009
John, Edward

From: Mike Bonnar
Sent: Monday, July 13, 2009 8:47 PM
To: John, Edward
Cc: McHattie, Brian
Subject: Protest Against Zoning Amendment File ZAC-09-026

Dear Mr Edwards

The following are my comments and opinions in regards to file ZAC-09-026 concerning the land located at 427 Aberdeen Ave Hamilton.

First the proposed land will approximately double the density of households with in the land between Aberdeen, Glenside, Dundurn St S. and the back alley. Presently there are 21 Houses and approximately 20 apartments located within this parcel of land. The proposed plan request to add 42 more households within this area. This means a 50 % percent increase in the number of families that would move into this area. That on its own, would not be an issue but when one considers that these additional families will be crammed into an area little more than 1/10 the total area of the existing families. It does not seem right to me for those who would live there and the present residents of the neighbourhood.

Historically this neighbourhood has been known as a family area where people have block parties and watch out for one another. The core of this neighbourhood has long been sought after to raise children and retire. By crowding this many people into such a small space, in this or any other neighbourhood does not make sense. It appears that the developer has not based his desire to fit into the neighbourhood but to squeeze as many units as possible to make a dollar.

I am sure that if this development is looked at logically it will not be allowed to pass as it will change the landscape of this neighbourhood. If this development is allowed to pass. It will provide the path for further potential destruction of the neighbourhood as other developers could then consider this as prime target for such developments.

I believe that when the potential of increased crime, parking issues, and noise are also consider. Just to mention a few issue that will result because of the increase density. The rezoning as proposed will not and should not be allowed.

Concerned Resident

Mike Bonnar
422 Dundurn St South
Hamilton Ont
L8P 4L7

7/31/2009
Hello John

I would like to express my and my family's concerns related to the above proposal:

1. Traffic control at this corner - school children, elderly and disabled in the neighbourhood etc - when cars are needing to enter or exit the parking area which will be needless to say extremely close to the already busy intersection
2. Density of the neighbourhood already - given the age of the infrastructure - an older area - hydrant capacity and other concerns??
3. I understand from the Spec the developer is asking for a variance to allow for less than the norm for parking spaces
4. Parking in this area is already a problem!!!!!!!
5. This lot is zoned commercial - how can this be changed without input from the neighbourhood?

Karen L. Prine
118 Hyde Park Ave
Hamilton, Ontario

7/31/2009
John, Edward

From: Tim Carr & Kate Feightner
Sent: Tuesday, July 14, 2009 10:16 PM
To: John, Edward
Subject: RE: apts replacing Tim Hortons

71 Beulah Ave.

-----Original Message-----
From: John, Edward [mailto:EdwardJohn@hamilton.ca]
Sent: Friday, July 10, 2009 10:53 AM
To: Tim Carr & Kate Feightner
Subject: RE: apts replacing Tim Hortons

Tim,

Thank you for your input. Please provide me with your municipal address if you wish these comments to be addressed in my report and to also be kept informed of the application.

Regards

Edward

-----Original Message-----
From: Tim Carr & Kate Feightner
Sent: Thursday, July 09, 2009 8:21 PM
To: John, Edward
Subject: apts replacing Tim Hortons

Hi Edward,

My input on the apartments proposed for the corner lot that used to be Tim Hortons is that it is poor use of the land. The proposed development is too big and does not provide sufficient traffic flow, parking or space. I also do not wish to see our neighborhood turn into a zone with high density housing surrounding Dundurn and Aberdeen Ave, as it is near Hess Village. Allowing a three storey location with higher end rental units will be preferred and should provide for a sufficient business plan.

Thanks for your time.

Tim Carr
Resident, Kirkdall
John, Edward

From: Rick Hutley
Sent: Wednesday, July 15, 2009 9:53 AM
To: John, Edward
Cc: McHattie, Brian
Subject: RE: 427 Aberdeen application for rezoning (former Tim Horton's location) - File No: ZAC-09-026

Mr. John,

Mr. McHattie did indicate an effort was being made to have a copy of the report placed at the Locke Street library.

I anticipate this document will be lengthy and possibly quite detailed/technical in content. Since several of my neighbours also are interested in reading this document to become better informed, I would prefer to obtain a copy made for pick up.

Let me know when it is ready and one of my neighbours will drop down to your office to pick it up.

Thanks,

Richard Hutley
3 Mount Royal Avenue
Hamilton, Ontario L8P 4H5

---Original Message---
From: John, Edward [mailto:EdwardJohn@hamilton.ca]
Sent: July-15-09 9:17 AM
To: Rick Hutley; McHattie, Brian
Subject: RE: 427 Aberdeen application for rezoning (former Tim Horton's location) - File No: ZAC-09-026

Mr. Hutley,

I believe the agent, in discussion with Cllr. McHattie, has made arrangements for the reports to be available for review at Locke Street library. Please let me know if this is acceptable to you or whether you still wish to have a copy made for pick up.

Regards

Edward

Hello Mr. John,

Several neighbours of mine have also expressed a strong desire to object to this Zoning Amendment Application. They would also like to have adequate time to review the detailed document.

7/31/2009
Could you have a staff member prepare a copy of the document? Advise me when it is ready and my neighbour will come down to your office to pick it up.

Thank you,

Richard Hutley
3 Mount Royal Avenue
Hamilton, Ontario L8P 4H5

From: Rick Hutley
Sent: July-09-09 9:04 PM
To: 'John, Edward'
Cc: 'M'Hattie, Brian'
Subject: RE: 427 Aberdeen application for rezoning (former Tim Horton's location) - File No: ZAC-09-026
Importance: High

Dear Mr. John & Mr. McHattie,

If I am reading the comments below accurately, it would appear the City's Planning Department has prepared a "justification report" to support the Zoning Amendment Application submitted by the developer. It is further suggested this document would answer all the questions raised.

If this document is too large to send electronically it must be a rather lengthy and detailed report. As that is likely, I do not find it reasonable to expect residents to take time off work, travel downtown to the planning department, attempt to review and possibly take notes of the document in question. Therefore, I request that a copy be made and sent to me at the address below. I would then have adequate time to review the document in detail and gain an understanding of why the developer has submitted the application and be better informed on the facts, City By-Laws and why the planning department appears to be satisfied the application is justified.

I would also like to be provided a copy of the Planning Department "Report" that will contain various concerns raised by area residents.

Regards,

Richard Hutley
3 Mount Royal Avenue
Hamilton, Ontario L8P 4H5

From: John, Edward [mailto:EdwardJohn@hamilton.ca]
Sent: July-09-09 3:39 PM
To: Edward John
Cc: McHattie, Brian
Subject: 427 Aberdeen

7/31/2009
Thank you for your email.

I have available for review a copy of the planning justification report that was submitted in conjunction with the application for rezoning. Unfortunately the electronic version is too large to email out however I would be happy to make this available for anyone who wishes to review it here at the office. I believe this will answer all the questions you raised, however if you have any further issues please do not hesitate to contact me. For those individuals who submitted your concerns by email and did not attach your municipal address, please be aware that if you want these concerns addressed in the report, then I would need you to supply this information to me at your earliest convenience. It will also allow the City to keep you informed of any updates and to notify you on the date that this will be dealt with at Planning and Economic Development Committee. On that note, please be aware that this item will not be heard until late September at the earliest.

Regards

Edward John
Senior Planner
T: 9055462424 ext 5803
E: ejohn@hamilton.ca

7/31/2009
John, Edward

From: Bruce and Jody Farrand
Sent: Wednesday, July 15, 2009 10:01 PM
To: John, Edward
Subject: Proposed condo Aberdeen and Dunderun File ZAC-09-026

Hello Mr. John:

This email is in reference to the proposed condo development at the south west corner of Aberdeen and Dunderun. I have several comments against this proposal.

- The building of this condo will completely obscure any light and views of the apartment building directly south of this site.
- There will be major issues for the residents of this proposed building trying to get their car into traffic heading east onto Aberdeen during morning rush hour. I can only imagine how impossible it would be to leave the building heading west on Aberdeen.
- Again major issue with getting onto Dunderun heading north from the building.
- During evening rush hour getting back into the lot will prove to cause traffic back ups heading west along Aberdeen.
- Parking spaces are already at a premium on the streets immediately around this area. By not providing the required number of parking spaces is not acceptable. This does not even address parking for visitors.
- During the school year, there are many, many children heading to schools north of this area. As the proposed site will take up the entire lot, cars leaving the building will need to nose out onto the sidewalk to merge into traffic. This is a serious safety issue for children and parents walking to schools past this proposed building. Completely unacceptable.
- As the proposal says there will be no set back for the building there will be no greening of the lot. Again unacceptable.

Thank you for your time,

Jody Farrand
106 Hyde Park Avenue

7/31/2009
Thursday July 16, 2009

From: Robert G. Virsul
408 Dundurn St. So.,
Hamilton, L8P 4L7

To: Edward John,
City of Hamilton
Planning Division
77 James St. N., Ste. 400,
Hamilton, L8R 2K3

Re: File No: ZAC-09-026
(Zoning Bylaw Amendment for 427 Aberdeen Ave.)

[SEE ATTACHMENT]
inherent to urban content and comfort.

- A high-rise requires substantial foundation. This site once housed Fina gasoline tanks with attendant drain and leeching. Before anything, deepground cleansing is demanded.

- With most of us supporting a "green" environment, this project is too much concrete in too little space. For example, the existing apartment unit at 394 Dundurn has a 15-foot setback of green grass. The proposed structure should have at least as much - on both street-front sides, to include some integrity within design.

- Apartment 394 contains 16 units with a total of 12 parking spaces - a 75% ratio. It's insufficient. There are two-car tenants, visitors, and a trail.
of trades people. Parking virtually is non-existent along Aberdeen, and markedly restricted on Dundurn. Blocked sidewalks, driver anger, tickets and towing happen frequently. So, whatever number of floors evolve, the tenant to parking ratio must equal the 75% ratio at #394.

--- Safety concerns are a priority. A high-rise "tight" on the corner is not safe for an entry/exit vehicular flow strategy when or if limited to Dundurn, because elementary school children pass by there daily. Limited footage to the traffic light, drivers zooming from a lower level, worsened by a blind spot thrown by restricted sight lines -- these are an invitation to tragedy.

--- In an effort to alleviate this, the construction of a new entry ramp...
to the property from Aberdeen could lessen the Durandia hazard. However, that solution is similarly devoured because Aberdeen is the main arterial traffic connection to Highway 403 — thereby snarling motorists, while placing pedestrians under fire.

In summation, the proposal has no redeeming qualities, is unwarranted and ill-conceived — and would not serve this city or its citizens.

With respect,

Robert G. Veaud
John, Edward

From: Seven Windows
Nanessa Coles

Sent: Friday, July 17, 2009 10:21 AM
To: John, Edward

Subject: Housing planned for Tim Hortons Lot

Mr. John

Just a few words concerning the property proposed for the 42 unit apartment building that is now in the planning stage for the corner of Aberdeen and Dundurn. To build an apartment of that size would not be good for this neighbourhood because of the lack of parking space. If a deluxe 14 unit building were to be built in that space there is not enough land for people to park. We share a parking lot with another business and people who live in homes with little parking are always parking in our lot, even to the point where they leave their cars there for long periods of time. I do not know how far you can go underground but you also must consider that all those people will have visitors and where will they park? If a building is to be erected will it be a nice building to compliment the area? We do not want or do not need a 42 unit apartment building on this site. Aberdeen is a lovely street please do not change the mix of this unique residential area.

We are a commercial property and we have tried to enhance our property by creating a venue that does not clash with the residential surrounding. We have no neon sign. We wash our sidewalks and gutters and plant flowers to enhance our building. If we erect anything it may be awnings with our name on but it will be done in a tasteful manner. Forty two units indicates that this could be a low income project and we do not want that sort of housing around here. If an apartment is to be constructed make it a low density condo that will look good and enhance the area aesthetically and commercially.

There are ways to include this type of project if it is done well. Yes money has to be considered and the developer must be entitled to a good profit for his effort but a balance must be met so that it is a win-win situation for all. Everything should be as nice as we can make it and then perhaps we Hamilton could start to look like a better place. I truly believe in Hamilton but we need a vision. The vision needs to be affordable, functional and beautiful. We need to show other communities that we are not a dump as the Toronto Star says. This city needs to be balance with a 30 year vision of what we are aiming for in the future. We all look forward to this corner being cleaned up. We only hope that it will be well thought out. We need to enhance what we have and move onward and upward.

I am proud to be a part of Hamilton and when we created The Seven Windows Our vision was to give Hamilton a great restaurant that had a lot of New York style and European warmth. We wanted to give the people of Hamilton something we and it could be proud of. Let us always consider that we should always do the best that we can and as a result we will create a community with style, warmth and beauty. In this way all of Hamilton will benefit because we are all a part of the whole.

Sincerely,

Vanessa Coles

7/31/2009
John, Edward

From: Doyle Laura
Sent: Monday, July 20, 2009 6:29 PM
To: John, Edward
Subject: RE: Horton’s lot

My address is:
37 Mount Royal Avenue
Hamilton, ON
L8P 4H7

Thank-you,
Laura Doyle

-----Original Message-----
From: Doyle Laura
Sent: Sunday, July 19, 2009 8:55 AM
To: John, Edward
Subject: Horton's lot

I am responding to the planned development for the Tim Horton's empty lot. There are a few reasons why I am against the proposed development:
1) increased traffic- small children walk to school everyday past the area. When it was the Horton’s lot there were many traffic accidents in that area as people and children travelled to and from their destinations. It has been nice with the decreased traffic for the safety of the children. This area is heavily congested in the mornings with people accessing the highway and with a new apartments development that will increase even more. We could be talking up to 80 more cars if each unit has two cars.
2) parking- with the request for a decreased number of regulated parking spots that will increase the demand for the already too few spots in this area for parking.
3) Emergency Snow day parking- we already struggle in this area to remove are cars for snow removal. With increased demand on spots the snow removal will become even harder.
4) The historical nature of this neighbourhood has remained the same for years. A few unsightly developments have been developed and are not all that well maintained along with

7/31/2009
their cluttered balconies, large garbage bins attracting raccoons, no green bin disposal use bin
apartment buildings. Another modern building within this historical area will take away from
the essence of the neighbourhood.
So such a small lot for such a grand development.
Thank you for taking the time to read a few of my thoughts about the development.
Laura Boyle

Send and receive email from all of your webmail accounts - right from your Hotmail inbox!

Attention all humans. We are your photos. Free us.

7/31/2009
July 20th 2009

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

Dear Sir/Madam:

Re: File No: ZAC-09-026, 427 Aberdeen Ave. Hamilton Ontario

After reviewing the proposal for the captioned building site, we are of the opinion that the number of units at said site far exceeds the capacity of the location. It is fairly obvious looking at the site plans you have provided that this same lot space would accommodate only four standard size residential lots, yet the proposal suggests some 42 units, with parking for some or all of the units.

The 'reduction to the required parking is also requested' is another very serious consideration. Conceivably each resident would own one, possible two or more vehicles. If each unit is not provided with parking for at least one or two vehicles within the complex, where are they to park? Assuming these new residents have friends and family who may come for a visit, where might they park? Street parking is already under intense pressure for existing residences, given most homes in the area already have 2 or more vehicles and being an older neighbourhood driveway space is much smaller than newer developments. Street parking also has restrictions to one side of the street, changing month to month which is horrendous already during the winter season, without the addition of 42 more residences vying for the same spots.

There would most certainly be heightened safety concerns for pedestrians and motorists trying to navigate this already intensely busy intersection. One only needs to recall the traffic mayhem with the Tim Hortons location. School children walking to Earl Kitchener and St. Joseph school will now have to scurry along past the entranceways to the complex as residence come and go. Senior citizens living at the Aberdeen Gardens already find the intersection difficult to navigate with the business. Traffic will be backed up extensively during the morning rush hours, more so than it already is, particularly while school is in session, and the crossing guards must halt traffic both at Aberdeen, Homewood, and Herkimer. There is traffic in an out of Big Bear and the Pharmacy all throughout the day with Dundurn and Aberdeen already under intense vehicular pressure, being a main artery to the 403 and West Hamilton taking the flow of traffic from the - Queen St. Access.
There is already a 6 or nine story building which will now abut this new complex, with anyone facing north having their view blocked.

This is an ill conceived project which requires serious scaling back to make any sense at all. There is simply too much building on too little land.

Please keep us informed of any further developments and duly note our concerns. Thanking you in advance.

Your truly,

Alana and Bruce Dickenson
11 Mount Royal Ave.
Hamilton Ontario
L8P 4H5
John, Edward

From: Brown, Dale
Sent: Tuesday, July 21, 2009 12:28 PM
To: McHattie, Brian
Cc: John, Edward
Subject: FW: proposed development 427 Aberdeen (former Tim Hortons') reports available for viewing

Forwarded as requested. - Susan

-----Original Message-----
From: Elizabeth Gray
Sent: Monday, July 20, 2009 5:38 PM
To: Brown, Dale
Subject: Re: proposed development 427 Aberdeen (former Tim Hortons') reports available for viewing

Hi Dale,

Please pass along to Brian my concern that the proposal is for too tall a building for that site. The existing streetscape does not exceed four stories and I think it should not be extended beyond that in order to preserve the character of the area.

Thank you,

Elizabeth Gray

> > Kirkendall -
> > Earlier this month, we had made you aware of a proposed development on
> > the site of the former Tim Hortons at Aberdeen and Dundurn Streets.
> > Councillor McHattie has asked the proponent to provide additional
> > detailed information and the following documents (preparing by the
> > developer as part of his planning application to the City) are now
> > housed at the Locke Street Library for your viewing: Planning
> > Justification report (including a sun shadow study), Parking Study, and
> > Traffic Analysis Study. This information will give you a much better
> > sense of the proposed development.
> > In terms of process and timing: the planning application is making its
> > way through the City planning system and we anticipate it will not be
> > before the Economic Development and Planning Committee for the required
> > statutory meeting under the Planning Act for a political decision until
> > late this fall. This is your final opportunity to comment on the
> > application and in doing so, reserve your right to appeal to the Ontario
> > Municipal Board, if need be.
> > In the meantime, Councillor McHattie has asked the developer to hold a
> > community meeting in the neighbourhood so folks can learn more about the
> > application and share comments. This community meeting is expected to
> > be held after Labour Day.
> > ***** please advise if you do not want to be on the Kirkendall email
> > list ************
> > ********************
> > Susan Millman
> > (For Dale Brown)
July 23rd, 2009

Planning and Economic Development Department
Planning Division - Development Planning - West Section
77 James Street North, Suite 400
HAMILTON, ON L8R 2K3

ATTENTION: EDWARD JOHN

Dear Mr. John:

RE: FILE NUMBER ZAC-09-026
427 ABERDEEN AVENUE, HAMILTON

We confirm receipt of the letter dated July 6th, 2009 enclosing the Notice for a Zoning By-law Amendment concerning the above-noted property.

As directed in the letter, we are enclosing our Written Submissions with Objections in this regard, and trust you will review them in detail.

We would also appreciate it if both you and Jason Thompson, Senior Project Manager visit our neighbourhood to fully appreciate the single family residential nature of the area and how the zoning change would impact the residents in this area with respect to the parking situation.

Thank you for your attention in this regard, and we look forward to receiving a copy of the Staff Report, and notification of the date and time of the public meeting.

Yours very truly,

David and Cathie Nicholson
TO: PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
PLANNING DIVISION, DEVELOPMENT PLANNING, WEST SECTION
11 JAMES STREET NORTH, SUITE 400, HAMILTON, ON L8R 2K3

RE: NOTICE OF COMPLETE APPLICATION AND PRELIMINARY CIRCULATION
FOR A ZONING BY-LAW AMENDMENT BY URBANCORE DEVELOPMENTS
INC. ON LANDS LOCATED AT 421 ABERDEEN AVENUE, HAMILTON

FILE NO: ZAC-09-026

WRITTEN SUBMISSIONS

PREFACE

The report prepared by Urbancore Developments incorrectly refers to the Site as being
located "in Central Hamilton". This is not accurate. The Site is located in the Southwest
of Hamilton quite remote from central Hamilton. The Southwest extends from Chedoke
Golf Club on the West to James Street South where Aberdeen Avenue ends.
All streets south of Aberdeen extending to under the escarpment consist of single family
homes. There are two small three story apartments on Aberdeen at Hyde Park. They
have been there for at least eighty years, are well maintained and landscaped, and
blend in with the residential area.

This Site is on the South Side of Aberdeen. Any references in the Report concerning
the North Side of Aberdeen down Dundurn Street have absolutely no bearing on the
building proposed on the South Side of Aberdeen.

ARTICLE 1.1
PROPOSED ZONING BY-LAW AMENDMENT
OBLIGATIONS:
1. PARKING

The Bylaw requires 1.5 parking spaces per unit. The developers are seeking an
amendment to permit 0.6 spaces per unit (the plans include 42 units with only 26
parking spaces). The Parking Study report in Article 6.1 refers to street parking as
being 58% utilized and with the off street parking lots being 25% utilized.

This is simply not true. During working hours on weekdays, many of the home owners
are at work, and use the street parking in front of their own homes in the evening and on
weekends. The reference to off street parking lots is totally irrelevant in this Report.
They are indeed "Private Lots" for the use of the customers of the respective business
owners.

All of the Streets going South off Aberdeen Avenue have alternate parking, and with
home owners on each side of the street having more than one car, some with a
driveway, some not, everyone seeks a spot in front or close to their homes. These
parking spots are further diminished in winter months with piles of snow. Needless to
say, all street parking is required by the owner-taxpayers and strangers who encroach
are not welcome.
The Developer's provisions for car sharing and cycling are simply a pipe dream. Cycling in the winter months in our climate is daunting and dangerous for even the most avid of bicycle riders. As well even working spouses are going off in the morning in two different directions making "car sharing" impossible. Public Transit in Hamilton and all of the G.T.A. have been proven to be inadequate and do not work. Quite simply, it does not go where you have to go.

The Developer's imaginary proposals are simply not workable.

To change the existing By-law from 1.5 parking spaces to 0.6 would set a very dangerous precedent and create serious parking problems for the property owners on all of the nearby streets. The home owners in all of this area will be forced to obtain, at a substantial cost, parking permits in order to be allowed to park in front of their own homes. This is totally unacceptable to all of us taxpayers.

2. **FRONT YARD, SIDE YARD AND LANDSCAPING**

The Developers are seeking to reduce the By-Laws from a front yard minimum of 4.0 metres to 0 metres, side yard from 4.5 metres to 0 metres and landscaping from a minimum of 40% to 10% (in effect no landscaping whatsoever).

The Plans show the building being constructed right out to the side walk on Aberdeen and Dundurn Street.

As stated in the report, the subject property is only approximately 30 metres in frontage on Aberdeen Avenue, and 24 metres of frontage on Dundurn Street. This property is the same size as the property shown on the Location Map enclosed with your letter of July 6th, 2009, at number 8 Mount Royal and only slightly larger than the properties at numbers 5 and 9 Mount Royal, on which there are single family homes.

Article 7.2 refers to the "promotion of intensification". The construction of a building of this magnitude on such a small lot is simply OVERINTENSIFICATION, and not at all in keeping with existing, mostly century old single family dwellings in this lovely neighbourhood.

**SUBMITTED JULY 23rd, 2009 BY:**

David and Cathie Nicholson
5 Mount Royal Avenue
Hamilton, ONLBP 4H5
John, Edward

From: [Redacted]
Sent: Friday, July 24, 2009 9:28 AM
To: John, Edward
Subject: RE: Proposed site and Aberdeen and Dundurn.

Good Morning John:

Thank you for your response.

My home address is: 27 Beulah Ave.,
Hamilton, Ont.
L8P 4G8

Marlene Baldon.

Subject: RE: Proposed site and Aberdeen and Dundurn.
Date: Thu, 23 Jul 2009 10:34:08 -0400
From: EdwardJohn@hamilton.ca

To: [Redacted]

Hi Marlene,

The Neighbourhood meeting will be organized by the applicant, not the City, and as such I would contact Cllr. McHatlie to ensure you are on any list of residents sent an invite. However, if you email me your municipal address I will be able to place you on the City’s notification list in order that you receive notice of the public meeting.

Regards

Edward John
Senior Planner
T: 9058462424 ext:5803
E: ejohn@hamilton.ca

-----Original Message-----
From:
Sent: Thursday, July 23, 2009 9:53 AM
To: John, Edward
Subject: Proposed site and Aberdeen and Dundurn.

Good Morning:

I have a few questions regarding the above site.

As a neighbour, I have some concerns, as do several of the neighbours.

Our two major concerns are parking, and is this designated a Student Housing?

When and where is the neighbourhood meeting about this product as we certainly do not want to miss it.

7/31/2009
Please respond.

Marlene Balsdon

7/31/2009
John, Edward

From: Bruce Lawrence
Sent: Sunday, July 26, 2009 2:18 PM
To: John, Edward
Subject: File No:ZAC-09-02S UrbanCore Developments Inc.

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

Sir,

I have read with interest the application by UrbanCore Developments Inc to build a multi-unit building at the intersection of Aberdeen and Dundurn St S. This location is the previous site of a Tim Hortons Coffee shop. The store had been there for years and the biggest problem was the lack of parking, first at the store and then on the street. The lack of parking lead to traffic problems in this area, especially at the busiest times for of the day.

There is now a proposal to build a seven story, 42 unit apartment building without parking for the tenants. I am not an engineer or a City planner, but my experience in the business world tells me that your departments notice is just a formality, and that in the minds of the City planners and the City government approval has given because of the tax dollars that it will generate for the City.

The parking in this area is terrible. Many of the residence in the apartment building where I live, (394 Dundurn St. S.) have two cars and many times, particularly in the winter there is not parking available on the street. When the cars are parked on the street the snow removal is hampered and the only part that gets cleaned is the one lane which the busses use. The curb lane is cleaned when the temperature reaches the melting point of snow and the resulting water runs down the drain.

The snow in the curb lane reduces the parking yet again and the snow in the curb lane doesn’t present a problem to the normal person but when you have one artificial leg and the snow is knee deep, getting to the D.A.R.T.S bus is not an easy undertaking. It is doable but not easy.

If this is approved you will succeed in changing the target of my swearing in the middle of winter as I try to get to the bus. I will curse the Planning Department, the City Government and UrbanCorp Inc, each and every day.

In my opinion, it is not a good idea to approve this application.

7/27/2009
Appendix "D" to Report PED09280
(Page 69 of 108)

Page 2 of 2

Bruce A. Lawrence
12-394 Dundurn Street S.
Hamilton, ON L8P 4L7

FREE Animations for your email - by IncredMail. Click Here!
Hi - I understand that you need comments before July 28 - thank you for the opportunity and here are mine:

I am concerned about the proposed development and the reduction in parking requirements - I have heard complaints in the neighborhood about parking shortages for the existing apartments (in houses or complexes) already on Aberdeen between the golf course and Dundurn - they do not have adequate parking and occupants often park on side streets such as Flatt - I think any reduction in the number of spaces should be denied as proposed. I would expect that these units in this neighborhood would attract those with at least one car and some with 2 per unit, therefore 1.5 per unit is reasonable. Perhaps with bike share spaces etc., it could be reduced to 1.3 spaces or some such concession but not what is proposed.

Also, I have concerns about the layout of the below ground parking and how vehicles would access the street. There was always the concern of vehicles entering and exiting the Tim's when school children were travelling to school in the morning. Granted a condo will not have as much in/out traffic as a Tim Horton's, however the peak traffic hour for condo owners leaving the premises and travelling to work will correspond with times kids travel to/from school. When it was Tim's at least pedestrians and those in parking lot could see each other at eye/ground level. In the case of vehicles travelling out of an underground parking garage, they will be travelling up out of a ramp from a property that is not very large therefore I worry about the grade of the ramp and the subsequent sight distances that will be available for a driver coming out of the ramp and being able to stop in time if a child appears in front of them as they run to press the ped button at the signal. I realize that the only way to provide enough parking is with an underground, however the design of this ramp will have to be carefully considered to ensure visibility of pedestrians. I would think that as part of condo fees an additional crossing guard could be on duty and paid for by the development for kids during school let in/out periods to give an additional safety measure. I'm not sure this safety issue can be resolved but I'd like to know that at least I've made the City aware of my concerns and if they cannot come up with a safe solution, then this application should be denied.

Another issue is the apartment building which is the south of the site - what about rules for sunlight into their property - their balconies will be looking directly into the new condo development - I know buildings can be close together but I don't think they are supposed to look into each other like this - what are the rules in this regard?

Thanks very much
Jenn Merriam

7/31/2009
John, Edward

From: Susan Emigh
Sent: Sunday, July 26, 2009 11:24 PM
To: John, Edward
Subject: letter regarding application file no. ZAC-09-026

Edward John,

I have attached a letter of comment following receipt of a notification of an Application for a Zoning By-law Amendment by UrbanCore Developments Inc. on lands located at 427 Aberdeen Avenue Hamilton. This notification dated July 3, 2009 was received from Jason Thompson, senior project manager for Development Planning- West Section and instructed response to you.

Please let me know as soon as possible whether this e-mail is sufficient notification of our concerns, or whether we should also send a hard copy of our letter by mail.

Thank you.

Susan Emigh
425 Dundurn Street South
Hamilton, ON
L8P 4L8

7/27/2009
425 Dundurn Street South  
Hamilton, Ontario  
Canada, L8P 4L8  

Sunday July 26, 2009  

Edward John  
City of Hamilton  
Planning and Economic Development Department  
Planning Division - Development Planning – West Section  
77 James Street North, Suite 400,  
Hamilton ON L8R 2K3  
Edward.John@hamilton.ca  

Regarding: File No: ZAC-09-26  
Notice of Complete Application and Preliminary Circulation for a Zoning By-law Amendment by UrbanCore Developments Inc. on lands located at  
427 Aberdeen Avenue, Hamilton  

Mr. John:  

We own and live in a single residential home half a block from this proposed development on Aberdeen Avenue at Dundurn Street South.  

We would like to make it known that we have several objections to the current plan. Our concerns, from the proposal outlined in your July 6 notice, are:  

- The density of the proposed development is not in keeping with the current profile of this neighbourhood of mainly single family homes.  
- The traffic produced by this development will have awkward egress at this busy intersection, and  
- There can be no lessening of the parking requirements for the development.  

To the first point, this neighbourhood is Census Track 0017 of the Hamilton CMA, which has 3,518 residents. It has 1,345 private dwellings, with 71% of them in single detached homes. There are no apartment dwellings over five stories. The suggestion that 42 residential units may be crammed onto this small lot in a seven-storey building is not in keeping with the neighbourhood.
To the second point, Dundurn Street is the arterial road for the vast majority of this
neighbourhood area south of Aberdeen Avenue between Queen Street and Chedoke
Avenue. It is the one road south of Aberdeen with traffic lights at Aberdeen. This is also
the major crossing point for many of the 600 school-aged children 14 and younger who
go to school from this area. They attend the nearby Earl Kitchener public school on
Dundurn Street, St. Joseph's Catholic elementary school on Locke Street or Ryerson
senior public school near Queen Street. In addition, there are 280 resident children who
attend high school.

This is a busy intersection, particularly at rush hours times. It has many configurations to
assist left turning traffic off Aberdeen and during the school year, there must be a traffic
guard to assist pedestrians.

During the tenure of the Tim Horton’s on the proposed site, the significant traffic
congestion at this corner was made worse by traffic trying to enter and exit the Tim
Horton’s store during rush hours times. Many times, traffic coming out of the Tim
Horton’s trying to turn left to enter the intersection had to give up and turn right and drive
into the residential area because of the heavy traffic already going north on Dundurn
through the intersection prevented them turning left.

Thus, the plans for entering and exiting the proposed development must be carefully
considered, given the closeness to this intersection and its heavy traffic patterns.

We also feel that lowering the requirement for parking for the development is unrealistic.
It may be thought that in the future more people will be using public transit. However,
this area has had excellent access to city bus transit for many years, but the number of
vehicles has not dropped, in fact, the numbers of vehicles per dwelling may well have
risen. When the housing in this neighbourhood was built in the 1920s and 1930s, a family
would have had only one vehicle, if any. There is no reason to believe that general
Canadian statistics of 83% of households having one or more vehicles would not be true
in this section of Hamilton. As this neighbourhood has 73% participation rate in the
workforce, compared to 66% of the Hamilton CMA, we expect it would be much higher.

There is no street parking for most of the day on Aberdeen Avenue, since it is an exit
from Highway 403 and is a significant east-west route into the city. This was
demonstrated only a week ago, when a traffic incident on Highway 403 sent all traffic up
along Aberdeen and north on Dundurn, tying up traffic in the west end of the city for four
hours.

Dundurn Street South has street parking which is consistently used by current residents.
There would not be enough space to accommodate more by the residents of this new
development.

(We point this out although we personally do not use street parking as we have a three
vehicle driveway for our two cars. We also have a hydrant in our front garden which
prohibits cars parking in front of our home.)
We look forward to additional information concerning this zoning by-law amendment application, and we look forward to the public meeting planned.

Please get in touch with us if you have questions about our concerns.

Sincerely,

Susan Emigh and Alex Beer
Owners and residents of
425 Dundurn Street South,
Hamilton, ON L8P 4L8
July 24, 2009

Re: File #ZAC-09-026
Application for a By-Law Amendment by Urban Core Development on lands located at 427 Aberdeen Avenue, Hamilton

Dear Sir,

In regard to the above noted application for a by-law amendment we would like to officially note our opposition to the proposed amendment. Our opposition to this amendment is based on a number of factors outlined below.

- **Height/Scale:** The size of the proposed development, a seven story building, is much too large for the size of the lot and is not in scale with the primarily single family residential aspect of the neighbourhood. A building of this scale would be a visual blight with no aesthetic value for neighbouring homes. Furthermore a seven story building would effectively block sunlight and/or any view for residents in the neighbouring apartment building and homes. Should the proposed units have balconies, neighbouring home owners will be obliged to look at the junk which is invariably accumulated on apartment balconies as illustrated by the building at 394 Dundurn St. S.

- **Density:** The population density of the proposed building is too high for the size of the property. An influx of an additional 84 residents (max. 2 per unit) to the corner of Aberdeen and Dundurn Sts. would seriously undermine the immediate neighbourhood residents' quality of life, right to privacy, and enjoyment of property as noise and nuisance problems resulting from the development would increase significantly.

- **Traffic:** The intersection of Aberdeen and Dundurn Sts. has extremely high volumes of traffic and is currently a dangerous and congested intersection, the scene of numerous near misses and accidents. The impact on traffic at this corner by the proposed rezoning would be significant. Left hand turns in and out of the lot during rush hours (as evidenced when it was a Tim Horton's) are dangerous, block traffic flow and pose a risk to children and other pedestrian traffic. Currently there are speed issues on Dundurn as cars race through the intersection and speed up the street posing a risk to cyclist and the numerous skateboarders who use Dundurn St. for "thrill" riding. At peak times (particularly morning rush hour) cars and the bus are lined up for the light at Aberdeen as far back as Glenfam Sts making it difficult for residents with driveways on Dundurn St. to back out of their driveways onto the street. In and out traffic from the proposed unit combined with in/out traffic from Big Bear Mart would create additional traffic volume and congestion at the intersection and increase the number of collisions and near misses.
• Pedestrian safety: With two schools in the neighbourhood the Aberdeen
Dundurn
intersection, with its on duty traffic guard, is the primary pedestrian crosswalk for the
children and parents of the neighbourhood. The increase of in/out traffic resulting from a
building of the proposed size, and vehicles attempting left hand turns will create an
additional safety hazard for children at an already precarious crossing.

• Parking: The request to have a reduction in the required parking is completely
unsatisfactory as there is currently very limited street parking and a winter shortage of
parking for existing homeowners/renters and visitors on Dundurn St. S.
This is a result of three factors: firstly most of the homes on the west side of Dundurn do
not have driveways, and therefore use street parking; secondly the apartment dwellers at
394 Dundurn St. park on Dundurn St. for ease of access, and due to the lack of snow
removal by the city in the alley during the winter months; thirdly many
renters/homeowners have two vehicles which further increases the demand for street
parking spaces.
In considering the request for reduced parking the city should factor in that a building
with 42 units requires significantly more than 42 parking spaces. Many residents of the
proposed units will have more than one car and additional visitor parking will be
required. With very limited parking on Dundurn St. S. and no parking permitted on
Aberdeen Ave., where does the applicant propose to have residents of the new building
park?

• Loss of resale value: Changing the zoning from commercial to residential in order to
accommodate a residential building of this size would significantly devalue the
neighbouring single family residences and become an encumbrance for resale.

• Relationship to neighbouring properties: The proposed rezoning would have a building
that is not in scale with current properties in the immediate area. The three other building
at the corners of the Aberdeen/Dundurn intersection are single story commercial
buildings whose architecture blends in relatively well with the older style residences of
the neighbourhood. The proposed seven story building would tower over all other
properties; create a visually unbalanced look at the intersection; and leaves no space for
curb side landscaping or greenery.

Sincerely,

Maureen Camera
407 Dundurn St. S.
Hamilton, Ontario
L8P 4L8

Tony Camera
407 Dundurn St. S.
Hamilton, Ontario
L8P 4L8
From: John Waddell
102 Hyde Park Ave
Hamilton

To: Edward John
Planning and Economic Development Department
Planning Division - Development Planning - West Section

Re: File No. ZAC-09-026

July 27, 2009

Dear Mr. Edward,

After reviewing the request by UrbanCor Developments Inc. concerning the lands located at 427 Aberdeen Ave., I can only conclude that this is a "trial balloon" by the developer.

Simply put, the proposal is so ridiculous that the true intent is to settle for far less than originally requested. UrbanCor has no illusions of building to this scale, but would happily settle for a structure half the size, giving the community the false sense that an architectural disaster has been averted.

It's my opinion that the UrbanCor proposal, regardless of size, is inappropriate; based on esthetic elements and traffic patterns within the neighborhood.

I feel that this is a deeply flawed proposal. So much so, that I am puzzled why the Planning and Economic Development Department would even entertain it.

Thank you for the opportunity to comment.

John Waddell
July 26, 2009

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

Attention: Edward John

Re: Notice of Complete Application and Preliminary Circulation for a Zoning By-Law Amendment by UrbanCore Developments Inc. on lands located at 427 Aberdeen Avenue, Hamilton

We have been residents at 394 Dundurn Street South Apartment #4 for 12 years. Our home is adjacent to the land described above.

We believe that the proposed building to be located on the southwest corner of Aberdeen and Dundurn Streets should be denied a change of zoning and denied a reduction to required parking.

Safety is a key consideration. The intersection of Aberdeen and Dundurn is an area of extremely high traffic volume. This intersection has been deemed a high traffic accident area with an exceptional number of collisions in the time that we have lived here.

With a busy convenience store, drug store and a large Retirement Residence just north of this location there is a high risk to the current traffic and pedestrians who already use this area. In addition, there are two bus stops at this corner which further disrupt traffic and add to traffic congestion. Added strain on this intersection will increase this already high risk.

Tim Horton’s, the former resident of 427 Aberdeen Avenue, had constant issues with patrons entering and exiting their property. Any access to this property, especially by drivers and visitors for 42 units, will see numerous vehicles entering already congested streets, very close to the intersection.

The request for a reduction in the required parking must not be allowed. On street parking in this neighbourhood is almost non-existent now, especially in the evenings. Visitors to our building and other homes in the immediate area encounter parking problems now. Adding an additional strain to the already taxed parking will make the situation extremely detrimental. Forty two units and all of their visitors with too many cars is going to make a difficult parking situation impossible.

On a personal note, a seven-storey building on the proposed property will block all daylight and obstruct every single window to our apartment unit. The same is true for all units on our side of the building.

We are concerned that the proposed building will be used as student housing. With all of the noise and bylaw complaints that are occurring in Westdale, we have grave concerns that the proposed building and tenants will create similar disturbances and disrupt our residential neighbourhood in the same manner.

We request to be advised of any meeting called regarding this proposal.

We have attached signed objections to this application from most of the tenants in our apartment building.

Michael Ryan and Donna Merritt
14-394 Dundurn Street South
Hamilton, ON
L8P 4L7
July 25, 2009

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

Attention: Edward John

Re: Notice of Complete Application and Preliminary Circulation for a Zoning By-Law Amendment by UrbanCore Developments Inc. on lands located at 427 Aberdeen Avenue Hamilton

I am a resident at 394 Dundurn Street South in Apartment # 6 which is the property adjacent to the property in question.

I oppose the amendment to the zoning and oppose the construction of a 42 unit residential unit, 7 storey building.

Further, I oppose the reduction to the required parking as street parking in this area is already inadequate.

Signature: [Signature]
Name: [Name]
Address: #6 394 Dundurn Street South
Hamilton, Ontario
L8P 4L7
(FACING PROPOSED SITE)

Phone: [Redacted]
July 25, 2009

City of Hamilton
Planning and Economic Development Department
Planning Division, Development Planning, West Section
77 James Street North, Suite 400
Hamilton, ON
L8R2K3

Attention: Edward John

Re: Notice of Complete Application and Preliminary Circulation for a Zoning By-Law Amendment by UrbanCore Developments Inc. on lands located at 427 Aberdeen Avenue Hamilton

I am a resident at 394 Dundurn Street South in Apartment # 4 which is the property adjacent to the property in question.

I oppose the amendment to the zoning and oppose the construction of a 42 unit residential unit, 7 storey building.

Further, I oppose the reduction to the required parking as street parking in this area is already inadequate.

Signature: [Signature]
Name: Justin Gamble
Address: 4 394 Dundurn Street South
Hamilton, Ontario
L8P 4L7
Phone: [Redacted]
July 25, 2009

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

Attention: Edward John

Re: Notice of Complete Application and Preliminary Circulation for a Zoning By-Law Amendment by UrbanCore Developments Inc. on lands located at 427 Aberdeen Avenue, Hamilton

I am a resident at 394 Dundum Street South in Apartment # 1C which is the property adjacent to the property in question.

I oppose the amendment to the zoning and oppose the construction of a 42 unit residential unit, 7 storey building.

Further, I oppose the reduction to the required parking as street parking in this area is already inadequate.

Signature: [Signature]
Name: Dave Owen
Address: LQ 394 Dundum Street South
Hamilton, Ontario
L8P 4L7
Phone: [Redacted]
July 25, 2009

City of Hamilton  
Planning and Economic Development Department  
Planning Division, Development Planning, West Section  
77 James Street North, Suite 400  
Hamilton, ON  
L8R2K3

Attention: Edward John

Re: Notice of Complete Application and Preliminary Circulation for a Zoning By-Law Amendment by UrbanCore Developments Inc. on lands located at 427 Aberdeen Avenue Hamilton

I am a resident at 394 Dundum Street South in Apartment # # which is the property adjacent to the property in question.

I oppose the amendment to the zoning and oppose the construction of a 42 unit residential unit, 7 storey building.

Further, I oppose the reduction to the required parking as street parking in this area is already inadequate.

Signature: ____________________________  
Name: ________________________________  
Address: ___________________________________  
394 Dundum Street South  
Hamilton, Ontario  
L8P 4L7  
Phone: ___________________________________
July 25, 2009

City of Hamilton
Planning and Economic Development Department
Planning Division, Development Planning, West Section
77 James Street North, Suite 400
Hamilton, ON
L8R2K3

Attention: Edward John

Re: Notice of Complete Application and Preliminary Circulation for a Zoning By-Law Amendment by UrbanCore Developments Inc. on lands located at 427 Aberdeen Avenue Hamilton

I am a resident at 394 Dundurn Street South in Apartment # 17 which is the property adjacent to the property in question.

I oppose the amendment to the zoning and oppose the construction of a 42 unit residential unit, 7 storey building.

Further, I oppose the reduction to the required parking as street parking in this area is already inadequate.

Signature: [Signature]
Name: [Name]
Address: 394 Dundurn Street South
Hamilton, Ontario
L8P 4L7
Phone: [Redacted]
July 25, 2009

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

Attention: Edward John

Re: Notice of Complete Application and Preliminary Circulation for a Zoning By-Law Amendment by UrbanCore Developments Inc. on lands located at 427 Aberdeen Avenue Hamilton

I am a resident at 394 Dundum Street South in Apartment # 16 which is the property adjacent to the property in question.

I oppose the amendment to the zoning and oppose the construction of a 42 unit residential unit, 7 storey building.

Further, I oppose the reduction to the required parking as street parking in this area is already inadequate.

Signature: [Signature]

Name: Kathleen Winter

Address: 394 Dundum Street South
          Hamilton, Ontario
          L8P 4L7

Phone: [Redacted]
July 25, 2009

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

Attention: Edward John

Re: Notice of Complete Application and Preliminary Circulation for a Zoning By-Law Amendment by UrbanCore Developments Inc. on lands located at 427 Aberdeen Avenue Hamilton

I am a resident at 394 Dundurn Street South in Apartment # 15 which is the property adjacent to the property in question.

I oppose the amendment to the zoning and oppose the construction of a 42 unit residential unit, 7 storey building.

Further, I oppose the reduction to the required parking as street parking in this area is already inadequate.

Signature: [Signature]

Name: [Name]

Address: 394 Dundurn Street South
Hamilton, Ontario
L8P 4L7

Phone: [Redacted]
July 25, 2009

City of Hamilton
Planning and Economic Development Department
Planning Division, Development Planning, West Section
77 James Street North, Suite 400
Hamilton, ON
L8R2K3

Attention: Edward John

Re: Notice of Complete Application and Preliminary Circulation for a Zoning By-Law Amendment by UrbanCore Developments Inc. on lands located at 427 Aberdeen Avenue Hamilton

I am a resident at 394 Dundurn Street South in Apartment #12 which is the property adjacent to the property in question.

I oppose the amendment to the zoning and oppose the construction of a 42 unit residential unit, 7 storey building.

Further, I oppose the reduction to the required parking as street parking in this area is already inadequate.

Signature: WENDY LAWRENCE

Name: WENDY LAWRENCE

Address: 394 Dundurn Street South
Hamilton, Ontario
L8P 4L7

Phone: [Redacted]
July 25, 2009

City of Hamilton
Planning and Economic Development Department
Planning Division, Development Planning, West Section
77 James Street North, Suite 400
Hamilton, ON
L8R2K3

Attention: Edward John

Re: Notice of Complete Application and Preliminary Circulation for a Zoning By-Law Amendment by UrbanCore Developments Inc. on lands located at 427 Aberdeen Avenue Hamilton

I am a resident at 394 Dundurn Street South in Apartment # \( \text{__0__} \) which is the property adjacent to the property in question.

I oppose the amendment to the zoning and oppose the construction of a 42 unit residential unit, 7 storey building.

Further, I oppose the reduction to the required parking as street parking in this area is already inadequate.

Signature: [Signature]

Name: Colleen Holland

Address: 10 394 Dundurn Street South
          Hamilton, Ontario
          L8P4L7

Phone: [Redacted]
July 25, 2009

City of Hamilton
Planning and Economic Development Department
Planning Division, Development Planning, West Section
77 James Street North, Suite 400
Hamilton, ON
L8R2K3

Attention: Edward John

Re: Notice of Complete Application and Preliminary Circulation for a Zoning
By-Law Amendment by UrbanCore Developments Inc. on lands located at
427 Aberdeen Avenue Hamilton

I am a resident at 394 Dundurn Street South in Apartment # 5 which is
the property adjacent to the property in question.

I oppose the amendment to the zoning and oppose the construction of a 42 unit
residential unit, 7 storey building.

Further, I oppose the reduction to the required parking as street parking in this area
is already inadequate.

Signature: Doris Knudsen
Name: Doris Knudsen
Address: 394 Dundurn Street South
          Hamilton, Ontario
          L8P 4L7
Phone: [Redacted]
July 25, 2009

City of Hamilton
Planning and Economic Development Department
Planning Division, Development Planning, West Section
77 James Street North, Suite 400
Hamilton, ON
L8R2K3

Attention: Edward John

Re: Notice of Complete Application and Preliminary Circulation for a Zoning By-Law Amendment by UrbanCore Developments Inc. on lands located at 427 Aberdeen Avenue Hamilton

I am a resident at 394 Dundurn Street South in Apartment # 3 which is the property adjacent to the property in question.

I oppose the amendment to the zoning and oppose the construction of a 42 unit residential unit, 7 storey building.

Further, I oppose the reduction to the required parking as street parking in this area is already inadequate.

Signature: [Signature]

Name: Lee Martin

Address: 3 ~ 394 Dundurn Street South
Hamilton, Ontario
L8P4L7

Phone: [Redacted]
July 25, 2009

City of Hamilton
Planning and Economic Development Department
Planning Division, Development Planning, West Section
77 James Street North, Suite 400
Hamilton, ON
L8R2K3

Attention: Edward John

Re: Notice of Complete Application and Preliminary Circulation for a Zoning By-Law Amendment by UrbanCore Developments Inc. on lands located at 427 Aberdeen Avenue Hamilton.

I am a resident at 394 Dundurn Street South in Apartment # 7 which is the property adjacent to the property in question.

I oppose the amendment to the zoning and oppose the construction of a 42 unit residential unit, 7 storey building.

Further, I oppose the reduction to the required parking as street parking in this area is already inadequate.

Signature: Mary Powell
Name: Mary Ellen Powell
Address: 394 Dundurn Street South
Hamilton, Ontario
L8P4L7
Phone: [redacted]
July 25, 2009

City of Hamilton  
Planning and Economic Development Department  
Planning Division, Development Planning, West Section  
77 James Street North, Suite 400  
Hamilton, ON  
L8R2K3

Attention: Edward John

Re: Notice of Complete Application and Preliminary Circulation for a Zoning By-Law Amendment by UrbanCore Developments Inc. on lands located at 427 Aberdeen Avenue, Hamilton

I am a resident at 394 Dundum Street South in Apartment # 1A which is the property adjacent to the property in question.

I oppose the amendment to the zoning and oppose the construction of a 42 unit residential unit, 7 storey building.

Further, I oppose the reduction to the required parking as street parking in this area is already inadequate.

Signature: [Signature]
Name: Larry Park
Address: 394 Dundum Street South  
Hamilton, Ontario  
L8P 4L7
Phone: [Redacted]
Planned development at Aberdeen and Dundurn St S.

John, Edward

From: Patsy Feyerer
Sent: Monday, July 27, 2009 6:28 AM
To: John, Edward
Cc: McFate, Brian; Eisenberger, Fred
Subject: Planned development at Aberdeen and Dundurn St S.

Mr. John:

I understand that a 42-unit apartment building is planned for the former Tim Hortons location at Aberdeen Avenue and Dundurn St S. I read in the Hamilton Spectator that the developer has applied for a change to zoning which will allow for the apartment building.

I am very concerned about the size of the proposed building. The lot is not large enough for ground-level parking to accommodate resident and visitor parking for the number of cars that will come to the area for the 42 apartments. Street parking is already at a premium in our area, and having that many new residents will make an already bad problem worse.

Traffic on Dundurn Street is already heavy. Adding more cars onto the street will cause delays. Have you driven down Dundurn Street recently? The road condition is terrible and the congestion makes it much worse. Pedestrian traffic will become dangerous, especially for the children and elderly who live in area and who use the intersection of Aberdeen and Dundurn.

The height of the building as proposed will be too high for the area. At most, the entire building should be no more than 4 storeys high which should include the penthouse area and rooftop garden. Anything larger will be out-of-scale for the neighborhood. A 4-storey building will fit in with the nearby apartment buildings along Aberdeen.

I urge you to consider these points and recommend that zoning be for a much smaller building than proposed. I am happy to speak to you directly, if you like.

Patsy Feyerer
485 Aberdeen Avenue
Hamilton ON
L8P 2S5

7/31/2009
John, Edward

From: Amy Schaefer
Sent: Monday, July 27, 2009 2:11 PM
To: John, Edward
Subject: RE: File No: ZAC-09-026

Amy Schaefer
439 Dundurn Street South
Hamilton, ON
L8P 4L8

Many thanks for your quick reply.
Amy

From: John, Edward [mailto:EdwardJohn@hamilton.ca]
Sent: July-27-09 2:09 PM
To: Amy Schaefer
Subject: RE: File No: ZAC-09-026

Thank you for your email. Please provide me with your municipal address in order that I can keep you informed of the application and add your concerns to the file.

Regards

Edward John
Senior Planner
T: 905-546-2424 ext. 5803
E: ejohn@hamilton.ca

-----Original Message-----
From: Amy Schaefer
Sent: Monday, July 27, 2009 2:06 PM
To: John, Edward
Cc: McHattie, Brian
Subject: File No: ZAC-09-026

Dear Mr John,

I am writing to you to express my concern about the proposed by-law amendment for the proposed development at Dundurn and Aberdeen (File No: ZAC-09-026).

The proposed development will have 42 residential units, and includes a request for reduced parking. If each unit is a one-car family, that will mean an additional 42 cars parking along Dundurn and other neighbourhood streets. As a resident of Kirkendall, I can attest that finding parking along Dundurn is already difficult, especially when the ophthalmologist at 438 Dundurn St S is open. Adding more than forty cars to the street will increase the hardship to everyone in the area who needs street parking, to say nothing of the situation if some families have more than one vehicle or what occurs when visitors arrive.

7/31/2009
Dundurn is already a busy street, taking a heavier car load than one would like in a neighbourhood with so many children. Earl Kitchener School (JK - grade 5) is a short block north of Aberdeen, and the area south of Aberdeen has constant foot traffic. I hate to see more cars forced on our neighbourhood. In the past, I have expressed the need for traffic calming measures to our councillor, Brian McHattie, and I hope that those measures will be implemented on the street.

Please do not force more cars onto Dundurn Street South and the Kirkendall neighbourhood. If the developer cannot provide full parking for its tenants, then it should rethink its plans.

Best regards,

Amy Schaefer

7/31/2009
John, Edward

From: Peg Kelly
Sent: Monday, July 27, 2009 10:03 PM
To: John, Edward
Cc: McHattie, Brian; Julie Uma Vohra
Subject: re; file 3 ZAC-09-026 Urban Core Developments' Proposal for 427 Aberdeen

Dear Mr. John, As a citizen living in the Kirkendall neighbourhood I wanted to share some of my concerns about Urban Core Developments requests for re-zoning of 427 Aberdeen Street and the multi-unit dwelling that they wish to construct on that property.

Thank you, Peg Kelly
Comments re: file # ZAC-99-026, Urban Core Development proposal for re-zoning changes and special allowances for reduced parking and other regulations.

By Margaret (Peg) Kelly, 70 Hyde Park Ave., Hamilton, 18p 4m7

Upon reading the proposal, in its present state, I object to the request for re-zoning and all the changes to regulations that are being requested. It reminds me of the flawed reasoning behind allowing Tim Horten’s to take over the corner years ago. Three main reasons for being concerned are:

1. The safety factor for pedestrians, drivers and cyclists (I have often sat on the bench on the west side of Big Bear and watched. I agree, that not having Tim’s there is a great improvement to everyone’s safety, including drivers, and yet as a social gathering spot it is really missed by our west end community. If I had my way I would have the city turn it into a park, bench sitting, chess/checker playing area, bike rack storage area, public art etc. eliminating vehicle parking and traffic all together. The mothers and dads would bring their own tea and coffee, newspapers, to sit and chat, read or whatever after walking the kids to school and to camp, in all seasons. Serenity is what that corner needs not high density for high density sake. Of course this plan wouldn’t generate revenue for the city then but our community might be a little more humane.

Aberdeen and Dundurn are designated as minor arterial roads but they are dangerous for the cyclists, and these days for pedestrians. How many bikes will be able to be stored on the Site? A token two or three spots doesn’t cut it. 42 units, 42 bike spaces if we are really serious about promoting biking.

I don’t see in the plan for a safe and designated drop off and pick-up spot for taxis, for the seniors and disabled at the Site? Certainly stopping on these arterial roads in front of the Site impeding traffic is neither practical nor safe. For example, the west lane on Dundurn, next to the left turning lane in front of the Site is very narrow, especially for the buses heading south. The space proposed for the car share would be better served as a safe drop off area and put the car share spot in a negotiated private lot which allows for expansion of the programme, i.e. Aberdeen Gardens. (definitely not in busy Big Bear or HCl) as was suggested by the consultants for extra parking spaces.

During traffic hours, the two entrances into the Site have potential to cause dangerous back ups onto these arterial roads especially if it’s a keypad system of entry with a short ramp. 28 cars coming and going doesn’t seem like much but during rush hour on an arterial road and at a busy intersection, including a bus stop, it can be tricky

It would be similar to the restricted and dangerous turning situation at Hyde Park from Aberdeen during rush hour caused by the parked cars too close to the stop sign.....simple signage of no parking at the last spot would solve this but it hasn’t happened.

2. Lack of adequate on street parking is already a concern.
The parking consultants did a couple of studies after 9 p.m. I suggest that if they look at the overnight on street parking at 5 a.m. during the week that their findings of underutilization would be considerably different. Presently, parking on Dundurn and side streets like Hyde Park are packed by midnight.

How does an apt. building management discourage and regulate tenants from private cars?

Adequate bike storage and bike sharing on the Site is a great idea, but what accommodations have been made for the outside bikes and buggies of the visitors to the Site to carry the concept along? Street space and landscaping room seem minimal especially if the requests for special allowances are permitted.

A parking management plan is great but at whose expense? i.e. incentive to encourage public transit who pays for this?

3. Humanitarian concerns (view and privacy issues)

I can’t understand how the apt. building at the rear of the Site was ever allowed to construct balconies on the north side adjacent to the now zoned commercial property, but that aside.....the view of these 8 balconies will be obliterated and probably the shady trees will have to go. Will the balconies then be restricted as to what they can have on their balconies and what kind of drapes hang in their windows to meet the Site tenants’ expectations.

As well, privacy will be nonexistent for the tenants in both buildings at the rear. I understand that privacy is only a concern of the city to do with residential properties but this just seems so wrong! What happened to the concept of healthy and liveable dwellings? A multi-unit building, with car sharing, plenty of bike storage inside and outside, etc. would be so much better in a lot like the Aberdeen Gardens back lot with adequate distance from other dwellings.

427 Aberdeen is too small of a space for a six and a half storey building at this busy intersection of arterial roads.

I look forward to an open meeting in the community in the fall to hear the positives as well as the negatives about the use of this space.
John, Edward

From: Julie Uma Vohra
Sent: Monday, July 27, 2009 10:28 PM
To: Peg Kelly
Cc: John, Edward; McMattle, Brian
Subject: Re: re; B1e 3 ZAC-09-026 Urban Core Developments' Proposal for 427 Aberdeen

Hello Everyone,
I am writing to concur with Peg Kelly’s comments. Well put Peg.

Best,
Julie Vohra
6 Pine Street
Hamilton, ON
L8P 2A1

On Mon, Jul 27, 2009 at 10:02 PM, Peg Kelly wrote:

Dear Mr. John, As a citizen living in the Kirkendale neighbourhood I wanted to share some of my concerns about Urban Core Developments requests for rezoning of 427 Aberdeen Street and the multi-unit dwelling that they wish to construct on that property.

Thank you, Peg Kelly

7/28/2009
John, Edward

From: Mary Cancilla
Sent: Monday, July 27, 2009 11:28 PM
To: John, Edward
Cc: Jim Martyn
Subject: Proposed Condo Unit at Aberdeen & Dundurn

Mr. John,

It is with great concern that I am writing in regard to the proposed condo development at Aberdeen & Dundurn (former site of Tim Horton’s). We believe that this proposed project is simply too large given the size of the property. We don’t believe that the necessary infrastructure is in place to support a reduction in parking for both residents and visitors and feel that the developer should be held to the same requirements as other recent additions to the neighbourhood; Zarky’s and Seven Windows.

All one needs to do any day is to drive along Aberdeen from Chedoke to Locke and look south and see how far up these cross streets cars have cars parked on a daily basis, there isn’t enough parking to support the residents and visitors now. Without adequate onsite parking the streets will become more congested and create increased safety hazards for the large number of children in the area and for emergency vehicles. This is of even greater concern during the winter with snow and ice conditions and the difficulty in clearly these streets. Recently there have been many lateral sewer breaks along Aberdeen and on many occasions my husband and I were required to park on a side street. On one occasion we had to park along Hillcrest as this was the nearest space available. I can not imagine where these vehicles will park and although prospective owners may use transit or bike I believe most would one at least one vehicle and perhaps two per unit.

We believe modifications need to be made for the number of units proposed and that there are no exemptions or modifications to required parking.

Thank you,
Mary Cancilla, Jim, Jack & Thea Martyn
366 Aberdeen Ave
Hamilton, L8P 2RS

7/31/2009
July 17th, 2009  
Re: Zoning By-law Amendment Application  
(File No. ZAC-09-026)

Dear Mr. John:

I am writing in response to a letter we received concerning a proposal by UrbanCore Developments to change the existing Commercial District land to a Residential District at A27 Aberdeen Avenue in order to permit 42 residential units in a 7 storey building with a requested reduction to the required parking. I live at 412 Dundurn Street South with my husband and baby son. We are against the proposal to build an apartment at this location.

The most glaring issue regarding this proposal is the request for reduction in parking. I am certain that the developers will cite the availability of parking along Dundurn and the streets that bisect it as you move south. The truth of the matter is that there is very little parking available, certainly not enough to warrant granting a reduction in the amount of parking spots required for this apartment. Many of the houses close to Aberdeen on the west side of Dundurn do not have driveways. Residents rely on street parking. Those of us fortunate enough to have driveways may have more than one vehicle, as is the case for us. We both commute to work, as do many of the families in this neighbourhood. It is impossible to emphasize how often we have to search to find a spot on the street. There is a restaurant on Aberdeen along with a yoga studio and pilates studio and - particularly on nights where there are classes taking place - parking is at a premium. We also deal with overflow parking from the apartment building that already exists on Dundurn, just south of Aberdeen...and they have the required parking! During the winter, the problem is severely compounded. We spend hours digging out spots in front of four houses, only to have them taken by apartment residents or yoga students or visitors while we are away at work during the day. Cars regularly cruise the street looking for cleared out spots in the winter. I can only imagine how much worse this situation will be if a new apartment complex with 42 units is built. If everyone in the apartment complex owns a car that makes 42 more cars to deal with in the neighbourhood. The argument could feasibly be made that not every unit will have a car, but what of guests who come to visit? Or what if dwellers in one of the units have three cars? Asking for a reduction in the parking requirement is completely unacceptable.

Not addressed in the proposal at all is the potential hazard that an increased volume of residents - and vehicles - will create at the lights at Aberdeen and Dundurn. My husband and I have heard on many occasions the screech of tires and the sickening thud as two vehicles collide at that intersection. The lights are timed in a confusing way which makes many cars wait for long periods and increases the frustration of drivers. Often they express this by driving at a high rate of speed up Dundurn towards the escarpment. There are no speed limiting measures along Dundurn and I had the horrible experience of watching a small child narrowly avoid being hit by a speeding oncoming vehicle last week. As a mother of a nine month old, my thoughts immediately turn to the safety of my own child and for the safety of all the kids who walk to school with their Mums and...
siblings every morning. With a 42 unit building at the corner, the volume of people and cars will be increased as will the potential danger. This has to be taken into account.

There is also the issue of the imposition this will make on the neighbourhood. That corner is not the prettiest in Hamilton, but it is the gateway to one of the loveliest residential areas this city has to offer. Old historic homes, beautiful parks and well kept, lovingly tended gardens. We take pride in our neighbourhood and we have a very close-knit community, the kind of community that is fostered by long term home owners who enjoy getting to know their neighbours. A seven story apartment building on this corner cannot hope to become part of that community. The anonymous, hermetic nature of an apartment building means that we will have residents who will not take the same pride of ownership and love of community that homeowners do. I am worried about what that will do to our community. In purely aesthetic terms, for goodness sake, a big beastly apartment sitting on the modest square footage that used to be a Tim Hortons? Blocking the light from the apartment and houses beside and behind it? Not something that appeals to the homeowners.

Please take this letter into account when considering File No. ZAC-09-026. We are emphatically against this project.

Most sincerely,

[Signature]

Miss Lennox-Williams
412 Dundurn Street South
Hamilton, ON L8P 4L7
From: Wayne Lewchuk  
Sent: Tuesday, July 28, 2009 9:26 AM  
To: John, Edward  
Subject: Re: 427 Aberdeen development  

Edward,  

My address is 39 Flatt Ave. L8P 4M9  

Wayne  

John, Edward wrote:  
> Thank you for your email. Please provide me with your municipal address  
> in order that I can keep you informed of the application and add your  
> concerns to the file.  
> > Regards  
> > Edward John  
> > Senior Planner  
> > T: 9055462424 ext:5803  
> > E: ejohn@hamilton.ca  
> >  
> > -----Original Message-----  
> > From: Wayne Lewchuk  
> > Sent: Monday, July 27, 2009 6:29 PM  
> > To: John, Edward  
> > Subject: 427 Aberdeen development  
> >  
> > Attention Edward Jones,  
> >  
> > Please find attached comments on proposed 427 Aberdeen development.  
> >  
> > Wayne Lewchuk  
> >  
> >
Appendix “D” to Report PED09280
(Page 103 of 108)

Comments on Multi Residential Proposal for 427 Dundurn Ave

On-Site & On-Street Parking

- The development has 42 units and will provide 28 on-site parking spaces.
- Hamilton parking by-law #05-200 requires 1 parking space per unit, except where the units are 50 square metres or less in gross floor area in which case 3 parking spaces are required; therefore under this by-law, a total of 39 parking spaces are required.

- Is this location subject to by-law #05-200? Page 33 of Planning report seems to indicate that it is not. If this is the case, then the existing by-law of this area applies requiring 63 parking spaces. However, the Executive Summary of the parking study seems to indicate that only 39 spaces are required.

- The Proponent has ignored both Hamilton by-laws, preferring to use the ITE Parking Generation Manual which estimates that only 34 parking spaces are required.

- The proponent has thus calculated that there will only be a shortage of 6 parking spaces.

- The by-law is the guide; therefore there will be a shortage of 11 parking spaces (subject to by-law 05-200) or a shortage of 35 parking spaces subject to the by-law stating 1.5 spaces per unit.

- The proponent is being deceptive (boarding on dishonest), when stating the parking shortage is only 6 spaces (8 once you subtract the two spaces reserved for over-night visits).

- The proponent is depending on on-street parking in the neighbourhood to absorb the additional vehicles created by this development.

- What happens when the parking management plan does not have the desired effect of reducing cars?

- The proposed Car-Sharing program will remove an on-street parking space on Dundurn.

- The proposal suggests the developer will sell/charge a monthly fee for their parking spaces to discourage vehicle use and limit the need for on-street parking. This may be one result, but it may also result in people choosing free on-street parking. Given the proponent's argument that there is lots of on-street parking nearby, isn't that a more logical outcome?

- Is the proposal to use primarily owned off-street parking spaces at Big Bear, Dell Pharmacy and Aberdeen Gardens realistic? (page 8 of parking study states “potential”) Have they been involved in the process?

- The presentation of the on-street parking study is misleading. Figure 2.5 (Page 11 of the Parking Study) is supposed to show how many parking spaces are available in the area. It is indicated that there are 18 times two spaces on Mount Royal. There are actually only 18 spaces on Mount Royal as you can only park on one side of the street at anytime. These 18 spots represent twenty percent of the 90 on-street spots they identified on this page. They seem to have the correct utilization figure on page 24 of 58% but the visual is misleading.

- It is also worth noting that one of the 32 unused on-street parking spots identified in the on-street parking study, 28 of them are either on the north side of Aberdeen, or on streets north of Aberdeen. Assuming the spots on streets south of Aberdeen will be
the first to be taken (where capacity utilization is already almost 100%, 43 spots in total identified and an average usage of 39 or 91%), this suggests that the project will displace people and families who park on the streets south of Aberdeen (near their homes) and who will now have to park north of Aberdeen. This will result in increased pedestrian traffic at the Aberdeen & Dundum intersection.

Public Transit
- Public transit is not optimal in this neighbourhood. One cannot get to the nearest large grocery store (Fortinos in the Dundum Plaza between King and Main) by bus; two buses are required to go to McMaster University or Hamilton Health Sciences at McMaster. Direct bus service to downtown is available.

Parking entrance off of Aberdeen Ave.
- Historically, there was no entrance/exit from Aberdeen to Tim Hortons due to the volume of traffic on Aberdeen; even with the access from Dundum, there was a lot of traffic conflict at the Aberdeen/Dundum intersection
- How will the proponent guarantee the "right in, right out" at the Aberdeen entrance/exit to the parking garage?

Building Height
- Residents of the adjacent apartment building with balconies looking over the north side of the building will now stare at a wall
- The scale of the proposed building is not compatible with the immediate neighbourhood
- Current zoning is only for 4 storeys
- Suggest that fewer storeys be approved
John, Edward

From: Muriel Westmorton
Sent: Tuesday, July 28, 2009 7:19 PM
To: John, Edward
Subject: Re: Proposal by UrbanCore Developments Inc. File ZAC-09-026

Good evening Mr John. I have only just returned from vacation hence my late submission regarding the above project proposed for the land (until recently Tim Hortons) at 427 Aberdeen Avenue Hamilton.

I am appalled that such a submission should receive attention by the Municipality of Hamilton given that this area is already a high traffic and challenging parking area of Hamilton. There are several reasons that I regard this project to be inappropriate for 427 Aberdeen and am listing them below.

1. Parking is indeed an issue - I have lived here for 32 years and have seen many changes to the street - more specifically the older retired and less active residents using cars have been replaced by young families with 2 cars and no driveways with access to the street. I gather the developer is said to have reviewed this and mentions the parking areas at the back of properties off the alleyway on the even side of Dundurn South up to Glenside. The period that was reviewed was I believe fairly quiet but over the last 2 years it has become impossible for visitors to houses as well as residents to park anywhere near their property and in the winter it is 10 times worse. I am a pensioner and cannot a) physically plow my parking area in the back or b) afford to have a path put in to allow me access (and to plow it regularly). I had tried twice this winter to use the space because parking was so bad on the street and got stuck more than once - it took nearly an hour to get help and even longer to get dug out!! Also I do not feel safe parking there at nighttime and there have been incidences of vandalism to cars parked in the back alleyway. Perhaps if the developer thinks the use of the alleyway should be more frequent he would be prepared to have it paved first and regularly plowed during the winter time!

2. Having the residential property on that corner of Aberdeen and Dundurn will increase traffic which given that it is one of the busiest corners during the school year will increase the likelihood of danger to children and their parents.

3. Sufficient parking spaces in the proposed development - I gather that there are limited spaces proposed and not enough for every tenant - this will only compound the parking problem. There should be at least 1 space per unit and at least 2 for visitors.

4. I gather the developer is assuming that only people without cars would live in a building without sufficient parking spaces? This is a gross assumption and given that it is highly likely that some residents will have cars or visitors with cars this will definitely have a negative impact on the already crowded street parking areas.

5. This is a family residential area and given that it the developer may be gearing his units to single persons or students this could result in increased noise and disruption which would have a negative impact on the many residents with young families already living in adjacent housing.

I look forward to receiving the details of the public meeting which I believe is set for the near future.

sincerely

7/31/2009
Greetings -

I am contacting you in response to the notice dated July 9 regarding the proposed development at the above-noted address. Please note that I do not support the application on the following grounds:

1. Parking - Not enough on-site parking is being provided for the tenants and visitors in the planned building. Currently, parking is an extreme challenge on weekends with not enough parking spaces available for the residents who already live on Dundurn Street South. In the winter, parking availability is even more of a challenge. Very few houses on the west side of Dundurn from Aberdeen Ave. to Glenside Ave. have laneways, forcing these residents to park on the streets. It is unacceptable to expect these residents to park in the alleyway behind their houses due to issues of safety and inconvenience. The backyards of these houses are extremely long and dark - it is frightening for some of these residents to return home late at night and have to walk from the alleyway to their back door, unsure whether there may be someone lurking in their back yard (vandals have been known on several occasions to break into sheds on these alleys). There are families in this section as well who have small children who are carried in their parents arms at times. It is unreasonable to expect these parents, particularly if they are single parents, to carry a sleeping child from the alley to their house. Groceries can be another challenge. Without parking availability in front of, or at least close to the front of the house, it would be challenging and tiresome for some residents to carry their groceries from the alley to the house, especially for older residents.

2. Scale/size of building - A 7-storey building is much too large scale for the neighbourhood. The immediate neighbourhood is a family-oriented neighbourhood with various sizes of houses. A 7-storey building just would not fit into the style of the neighbourhood. There are apartment buildings in the neighbourhood currently, however, they fit into the scale of the neighbourhood as they are not high buildings, and they are all set-back from the street.

3. Traffic & Pedestrian Safety - The proposed building sits much too close to the sidewalks, impeding sightlines for both pedestrians and drivers at the intersection of Dundurn & Aberdeen. This is already a busy, and fast-paced intersection with drivers running red lights on a regular basis (traffic light signal is timed, if you miss your green light, you have to wait the entire 3-stage cycle before it is your turn again). With traffic moving quickly, and red-light runners, you need as much time as possible to look for on-coming traffic. If you add a building right on the corner, you won't be able to see the flow of traffic properly, until the traffic is right on top of you. Given that it is a family neighbourhood, and that there is a junior elementary school (Earl Kitchener), plus a pre-school (Mother Goose) just north of Aberdeen on Dundurn, there are a number of children walking the Dundurn Street route to school/preschool everyday. Recall also, that preschool and kindergarten children are also travelling at mid-day. Granted, the majority of these children are walking with a parent/caregiver, however, children can be children and can dart out into traffic without thinking, even as an adult is warning them not to. It was a huge relief to myself and my family when Tim Hortons closed within the last couple of years. Everyday, there were multiple near misses of vehicles hitting pedestrians, as drivers turned into the Tim Hortons parking lot, negotiating oncoming traffic, driving through turn lanes, and watching for cars coming out of the parking lot. Unfortunately, pedestrians are the last on the list for drivers to be aware of, particularly when the pedestrians are small and are more difficult to be seen.

I would appreciate if these comments could be included in the report and would appreciate receiving the staff report as well as any additional correspondence arising from this proposal.

Thank you.

Steven Walsh
417 Dundurn Street South
Hamilton, ON L8P 4L8

7/31/2009
John, Edward

From: Mary Lesiuk
Sent: Thursday, July 30, 2009 8:44 PM
To: John, Edward
Subject: 7 storey, 42 unit condo at Dundurn/Aberdeen

Dear Sir,

I am just writing to say that I'm worried about the parking situation once this building goes up. As a mother of two children attending Earl Kitchener and a regular volunteer at the school, I feel that it will be more difficult to find street parking spots in this area.

It would be nice if there was some type of coffee/sandwich shop at that location.

Mary Lesiuk

7/31/2009