April 14, 2009

City Clerk
Economic Development and Planning Committee
City of Hamilton
77 James Street North, Suite 220
Hamilton, On
L8R 2K3

Re: 24 Brock Street North, Dundas, Ontario
File Nos. OPA-09-003 and ZAC-09-010

We the undersigned, oppose the application to amend the Dundas Official Plan and Zoning By-law for 24 Brock Street North, Dundas.

We wish a separate notice be mailed to each of us confirming the date of the Public Meeting and where and when the proposed Official Plan Amendment and information and material related to the proposed By-laws to amend the Zoning By-law will be available for public inspection.

We wish to be notified of the adoption of the proposed Official Amendment or Zoning By-law, or the refusal of a request to amend the Official Plan or Zoning By-law.

Please consider our signatures as comments that oppose this proposal as per the attached petition. We request to be provided with a copy of the staff report prior to the public meeting to be held by the Economic Development and Planning Committee of City Council.

Respectively
Concerned Citizens of Dundas
**PETITION**

We the undersigned Property Owners and/or Residents of Dundas do hereby strongly oppose the change in Zoning and Amendments to the "Dundas Plan" to permit the construction of a 7 storey 56 Unit Apartment building at 24 Brock Street North, Dundas.

The Town of Dundas Official Plan was developed to safeguard the neighbourhood from the type of development that would detract from the Heritage and Natural Beauty of the Niagara Escarpment. – To quote the Dundas Official plan clause 3.4.4.1(g)

"New residential and mixed use buildings shall generally be in scale and compatible with the low profile character of buildings in the Town in order to maintain view of the escarpment and new buildings shall be carefully integrated with the character of established residential areas. In order to minimize conflicts, the location, form, scale, bulk and design of new buildings shall be sensitive to and compatible with the density and form of existing residential development."

The proposed development is in violation of the Dundas official plan for the following reasons:

- The surrounding area consists of 1 to 2 storey single family homes. The proposed development is contradictory to the character and environment of the neighbourhood.

- The size of the building covers a large portion of the useable property, making the proximity to adjacent dwellings unacceptably close (a 3 storey wall with windows and balconies less than 1.5m from the lot line running 120 metres in length).
  
  Section 3.4.4.1(h) provides "The development of the subject lands shall be appropriately designed to buffer and/or separate adjacent land uses and shall respect the sensitive nature of the existing urban fabric".

- The bulk and 7 storey height of the proposed building would block residents from seeing the most valued historical landmark known as "The Peak"

- The construction of the proposed building would interfere with the escarpment slope and possibly weaken and destabilize an already unstable area. Residents have already suffered mudslides, drainage and flooding issues.

- The access to the proposed building from Brock Street N is impractical as Brock and Melville Streets meet at a blind corner. Neighbours could completely lose their front yards if road improvements were made.

- Traffic and Parking is already difficult in the subject area, 70-100 more vehicles to contend with would compound the existing problems. Section 3.4.3.5 (d) of the official plan provides "ingress and egress to the property will not create congestion on surrounding local streets". The location of the proposed driveway to the development would also impede access to and from existing resident's driveways.

- Other issues include: Safety for children at Witherspoon Park, environmental concerns, emergency access to the proposed building, sewers, storm sewers, and water supply, the downloading of infrastructure upgrades to existing residents, and vibration and noise amplification from the railway due to the construction of the building.

To allow developers to obtain Zoning changes and plan revisions to the Dundas official plan to suit their business needs and profit would set a dangerous precedent.

THE PETITION CONTAINS 708 SIGNATURES AND IS AVAILABLE IN THE CLERKS OFFICE FOR VIEWING