SUBJECT: Applications for Approval of a Draft Plan of Subdivision "Timothy's Walk" and Change in Zoning for Lands Located at 205 Queensdale Avenue East (Hamilton) (PED06347) (Ward 7)

RECOMMENDATION:

(a) That approval be given to Subdivision Application 25T-200528, Frisina Developments Inc., owner, to establish a draft plan of subdivision comprising of seven lots for single detached dwellings and one block for twenty semi-detached dwellings on a private condominium road, as shown on Appendix “B” to Report PED06347, on lands located at 205 Queensdale Avenue East (Hamilton), subject to the execution of a City standard form Subdivision Agreement, including the conditions contained in Appendix "D" to Report PED06347 and the following:

(i) Acknowledgement by the City of Hamilton of its responsibility for cost-sharing with respect to replacement of curb and sidewalk on the west side of East 8th Street; and,

(ii) That payment of Cash-in-Lieu of Parkland will be required for the development prior to the issuance of each building permit for Lots 1 to 7. For Block 8, the calculation of Cash-in-Lieu payment shall be based on the density proposed within that block with the value calculated as of the day before the issuance of the first building permit within that block.

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

(b) That approval be given to Zoning Application ZAC-05-109, Frisina Developments Inc., owner, for a change in zoning from the “C” (Urban Protected Residential, etc.) District to the “D/S-1561” (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified, to permit
SUBJECT: Applications for Approval of a Draft Plan of Subdivision "Timothy’s Walk" and Change in Zoning for Lands Located at 205 Queensdale Avenue East Drive (Hamilton) (PED06347) (Ward 7) - Page 2 of 10

twenty semi-detached dwellings on a private condominium road, for lands located at 205 Queensdale Avenue East, as shown on Appendix "A" to Report PED06347, on the following basis:

(i) That the lands be rezoned from the “C” (Urban Protected Residential, etc.) District to the “D/S-1561” (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified;

(ii) That the Draft By-law, attached as Appendix “C” to Report PED06347, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,

(iii) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan and the City of Hamilton Official Plan.

Lee Ann Coveyduck
General Manager
Planning and Economic Development Department

EXECUTIVE SUMMARY:

The applicant has submitted applications for a draft plan of subdivision and change in zoning to permit seven lots for single detached dwellings on East 8th Street, and one block for the development of twenty semi-detached dwellings on a private condominium road (see Appendix “B”). Appendix “F” is a preliminary plan showing the proposed future lot pattern for the semi-detached dwellings on a condominium road.

This proposal has merit and can be supported since the changes in zoning and draft plan of subdivision are consistent with the Provincial Policy Statement and comply with the Hamilton-Wentworth Official Plan and the City of Hamilton Official Plan. The proposal is compatible with existing and planned development in the immediate area, and is an appropriate and innovative infill development that will make use of existing services.

BACKGROUND:

Proposal

The proposal is for a change in zoning and approval of a draft plan of subdivision for lands located at 205 Queensdale Avenue East, as shown on Appendix “A”, to permit seven lots for single detached dwellings on East 8th Street and one block for the development of twenty semi-detached dwellings on a private condominium road (see Appendix “B”). The block for semi-detached dwellings has frontage on Queensdale Avenue East. Appendix “F” is a preliminary plan showing a potential lot pattern for the semi-detached dwellings with a condominium road.
The proposed change in zoning, applicable to Block 8, would rezone the lands to the “D” (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified. Zoning modifications are required in order to accommodate the development, and include modifications to permit frontage on a private road; reduced lot frontage and lot area; and, reduced front yard and rear yard setbacks.

Details of Submitted Application

Owner/Applicant: Frisina Developments Inc.
Location: 205 Queensdale Avenue East
Description: Frontage on Queensdale Avenue East: 89.35 metres
Frontage on East 8th Street: 85.70 metres
Area: 0.78 ha

EXISTING LAND USE AND ZONING:

<table>
<thead>
<tr>
<th>Subject Lands</th>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
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<tr>
<td>Surrounded Land Uses</td>
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<td>North</td>
<td>Single Detached Residential &amp; Vacant</td>
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<tr>
<td>West</td>
<td>Single Detached Residential</td>
<td>“C” (Urban Protected Residential, etc.) District</td>
</tr>
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ANALYSIS/RATIONALE:

1. The proposal has merit and can be supported for the following reasons:
   (i) It is consistent with the principles and policies of the Provincial Policy Statement, in that the proposal implements Policies 1.1.3 and 1.4 pertaining to providing a mix of densities and land uses which efficiently use land and resources, and provides for intensification that takes into account existing building stock.
(ii) It conforms to the Hamilton-Wentworth Official Plan and the City of Hamilton Official Plan.

(iii) The proposed semi-detached dwellings on a private condominium road are an example of an infill residential development that makes efficient use of an already serviced site; supports the principles of intensification; and, provides for a use compatible with the character of surrounding land uses.

2. The proposed subdivision comprises seven lots for single detached dwellings and one block for semi-detached dwellings (see Appendix “B”). Lots 1 to 7 conform with the minimum 12m lot width and 360 square metres lot area requirements of the “C” (Urban Protected Residential, etc.) District. However, modifications to the “D” (Urban Protected Residential – One and Two Family Dwellings, etc.) District are required in order to permit Block 8 to be developed for twenty lots for semi-detached dwellings on a private condominium road. These modifications include:

- To permit frontage on a private condominium road rather than a public highway.

- To permit a minimum lot frontage of 15.25 metres and lot area of 380.0 square metres.

- To permit a minimum front yard setback of 5.5 metres to an attached garage and 3.0 metres to the front face of the dwelling.

- To permit a minimum rear yard setback of 7.0 metres.

The proposed modification to allow lot frontage on a private road rather than a public highway is required as the proposed lots for semi-detached dwellings will have frontage on a common element condominium road. This modification will facilitate lot ownership, with all units having vehicular access through the common element condominium road.

The “D” (Urban Protected Residential - One and Two Family Dwellings, etc.) District requires a minimum lot width of 18.0 metres and lot area of 540.0 square metres for a two family dwelling. The applicant is proposing to create lots having a lot width of 15.25 metres, and a lot area of 380.0 square metres. The requested modification can be supported as each of the proposed lots provides private amenity area and none of the lots front onto a public road. In addition, the increased density provides a gradation between the commercial lands to the east, and lower density residential development to the west.

Modifications pertaining to front and rear yard setbacks can be supported as the width of Block 8 is limited as a result of the required 30m depth for Lots 1 to 7. Therefore, to accommodate a usable building envelope for the lots within Block...
8, a 3.0m setback to the front face of the dwelling and 5.5m setback to the attached garage is proposed. No impact to the existing neighbourhood streetscape would result, as all of the lots would front on a new condominium road. The 5.5 metre setback to the garage is sufficient to provide one parking space in the front yard, and is consistent with the parking space dimension of the City’s new Comprehensive Zoning By-law 05-200, which is in effect for the Downtown and intended to apply to the rest of the City of Hamilton. The proposed rear yard setback of 7.0 metres can be supported as the reduction is considered minor and sufficient amenity area will be provided.

3. As a result of the preliminary circulation of the applications, ten letters, one petition opposing the development and one petition in support of the development were received (see Appendix “E”). Issues raised included traffic, parking, density and neighbourhood character, property values, site servicing and the removal of trees. The issues are discussed below:

**Traffic Increase and Parking Impacts**

Several residents raised concerns about an increase in traffic and an overburden on the existing traffic signal at Queensdale Avenue and Upper Wellington Street. The Traffic Engineering and Operations Section has advised that they have no concerns with respect to an increase in traffic and that traffic associated with the development would be reduced or comparable to traffic associated with the former use of the site as a school. Therefore, the development would not prejudice the safety of vehicle occupants or pedestrians. Using data from the Institute of Traffic Engineers Trip Generations, the average volume of traffic from the twenty-seven residential units is 20 trips in the morning peak hour (15 outbound and 5 inbound) and 28 trips in the afternoon peak hour (10 outbound and 18 inbound). Therefore, traffic volume from the development would not impact the capacity of Queensdale Avenue or East 8th Street. In addition, Traffic Engineering and Operations staff will monitor the area for traffic volumes and delay to motorists to determine if new traffic signals are warranted in the future.

Concern was also raised over the impact of the development on the availability of on-street parking. This proposal provides all parking required by the Zoning By-law as each dwelling unit would provide a minimum of 2 parking spaces. In addition, Block 8 would provide additional visitor parking. Therefore, staff is satisfied that sufficient on-site parking is being provided for the proposed development.

**Density and Neighbourhood Character**

Several residents raised a concern over the compatibility of the proposed seven lots on East 8th Street with existing lots in the neighbourhood. The proposed lots on East 8th Street meet all zoning requirements of the existing “C” (Urban Protected Residential, etc.) District and have similar frontages as adjacent lots to the north. With respect to the semi-detached dwellings proposed for Block 8,
these lots will have frontage onto a private road creating an internal development and the impact to the existing streetscape character will be minimal. Design elements can be incorporated at the Site Plan stage to create street presence with the end units of the development in order that an attractive streetscape be achieved. In addition, the block for semi-detached dwellings abuts commercial properties to the east and would provide an appropriate transition of land uses between the commercial properties and lower density residential development to the west. As such, staff is satisfied that the proposed development is appropriate and in keeping with the character of surrounding land uses.

**Property Values**

Some neighbouring property owners expressed concerns that the development would have negative impacts on their property values. In determining whether a particular development should be approved or not, land use compatibility must be reviewed. In this case, an infill development consisting of single and semi-detached dwellings abutting commercial development to the east and single detached dwellings to the north is considered an appropriate and compatible land use. A detailed review of landscaping, fencing and grading will be undertaken at the site plan review stage to further ensure that the development is compatible with existing and future development in the area, and that any potential impacts are suitably mitigated. In addition, staff is not aware of any information, studies or empirical data that would support the concern about property devaluation. Finally, the applicant will be required to submit a tree management plan to determine which trees on the property could be retained (Development Planning Standard Condition No. 12). Street tree plantings are also required (Development Planning Standard Condition No. 13).

**Servicing Concerns**

Concern was raised over how the development would be serviced and the impact on sewer capacity in the area. A preliminary servicing report has been submitted to the City for review. As a condition of approval for this subdivision, the applicant will be required to submit to the City a detailed engineering design submission including servicing drawings (Development Engineering Standard Condition No. 14). In addition, the applicant is required to submit a stormwater management report to demonstrate that resulting runoff from the proposed development will not negatively impact downstream properties (Development Engineering Condition No. 5). The applicant is responsible for providing services to each of the proposed lots and to upgrade all City services and infrastructure surrounding the subject lands which would be impacted as a result of their development (Development Engineering Condition No. 7). The engineering drawings and stormwater management report will be reviewed to ensure that existing property owners will not be negatively impacted by the proposed development.
4. In accordance with the City of Hamilton’s Parkland Dedication By-law, the proposal will be subject to a Cash-in-Lieu of Parkland dedication payment. The subject lands are not designated for a future park, therefore, the City does not require the inclusion of parkland dedication into the draft plan of subdivision. Therefore, in accordance with City By-laws, a cash payment to the City of Hamilton in-lieu of the dedication of land will be required prior to the issuance of building permits. However, the City’s Transition Policies allow for the phase-in for Cash-in-Lieu of Parkland at 4% of land value on the day before building permit issuance between January 1, 2006 and December 31, 2006. This transition policy would not apply to the block for semi-detached dwellings in which the density formula applies to the parkland calculation.

5. The proposed block for semi-detached dwellings is subject to site plan control. In this regard, matters such as landscaping, fencing, grading and drainage, servicing, parking and access configuration will be addressed through an application for Site Plan Control.

6. Approval of this Draft Plan of Subdivision will be subject to the conditions included in Appendix “C”, including the applicable standard conditions of approval. Several special conditions will also apply, many of which have already been referenced in this report. In addition, conditions relating to payment for survey monumentation (Development Engineering Condition No. 4) and the requirement for a geotechnical report (Development Engineering Condition No. 6) are required.

**ALTERNATIVES FOR CONSIDERATION:**

Should the proposed applications be denied, the uses permitted on the subject lands shall be in accordance with the existing “C” (Urban Protected Residential, etc.) District, which would include one single detached dwelling.

**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 applications for approval of a draft plan of subdivision and change in zoning.

**POLICIES AFFECTING PROPOSAL:**

**Provincial Policy Statement**

The Provincial Policy Statement (PPS) provides policy direction of provincial interest related to land use planning and development. Policy 1.1.3.2 provides that land use
patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources. Policy 1.1.3.3 provides that planning authorities shall identify and promote opportunities for intensification and redevelopment. In addition, the housing policies of Section 1.4 also promote the provision of a range of housing types and densities through residential intensification and redevelopment. In this regard, the proposal is consistent with the principles and policies of the Provincial Policy Statement.

Policy 1.1.1(c) and 3.2.2 outline that communities are sustained by avoiding development that may cause public health and safety concerns and that contaminated sites shall be remediated, as necessary. Therefore, due to the former use of the site for a major institutional use, the applicant must submit a signed Record of Site Condition (RSC) to the City of Hamilton and the Ministry of the Environment (MOE). The RSC must be to the satisfaction of the City of Hamilton, including an acknowledgement of receipt of the RSC by the MOE (Development Planning Standard Condition No.’s 6 and 7).

**Hamilton-Wentworth Official Plan**


**City Of Hamilton Official Plan**

The subject property is designated “Major Institutional” on Schedule “A” – Land Use Concept to the City of Hamilton Official Plan. The following policies of the City of Hamilton Official Plan, among others, are applicable to the subject lands:

“A.2.1.13 Plans for redevelopment will, to the satisfaction of Council, ensure that the RESIDENTIAL character of the area will be maintained or enhanced and that the redevelopment will not burden existing facilities and services.

A.2.6.5 Notwithstanding the policies set out above, in areas designated MAJOR INSTITUTIONAL, Residential uses may be permitted provided they are compatible with the surrounding area and are in keeping with the Residential policies set out in Subsections A.2.1 and C.7 of this Plan.

C.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
Based on the foregoing, the proposal conforms with and implements the “Major Institutional” designation of the City of Hamilton Official Plan in that residential uses are permitted within this designation and that the proposed development is compatible with the surrounding area. The proposal represents an appropriate infill development making efficient use of existing services.

Neighbourhood Plan

There is no approved Neighbourhood Plan for the Centremount Neighbourhood.

RELEVANT CONSULTATION:

Agencies/Departments Having No Comment or Objections

- Public Works Department (Strategic and Environmental Planning Section).
- Corporate Services Department (Budget & Fiscal Policy Services).
- Corporate Services Department (Revenues Division).
- Hamilton Wentworth District School Board.
- Hamilton Conservation Authority.

Traffic Engineering and Operations Section (Public Works Department) has advised that there are no concerns with the proposal but that access to Block 8 must align centreline to centreline with East 9th Street.

Open Space Development and Park Planning Section (Public Works Department) has no comments with respect to the Zoning Application but have advised that Cash-in-Lieu of Parkland is required.

Forestry Section (Public Works Department) has advised that there are Municipal Forestry concerns as there are trees located on the road allowance of Queensdale Avenue and East 8th Street and a Tree Management Plan is required as a condition of approval (Development Planning Standard Condition No. 12).

Bell Canada has determined that there are adequate telecommunication facilities existing within the area and that standard conditions of approval pertaining to granting any applicable easements and entering into an agreement complying with underground servicing conditions would apply (Bell Canada Standard Conditions No’s 1 and 3).

Public Consultation

In accordance with the Public Participation Policy that was approved by Council on May 29, 2003, the applications were circulated to 146 property owners within 120 metres of the subject lands. In addition, the agent for the application held an Information Meeting in the neighbourhood which was attended by the Ward Councillor, staff, and several
residents in April 2006. Comments and petitions received in response to the preliminary circulation are attached as Appendix “E”. Concerns pertaining to traffic, parking, density and neighbourhood character; property values, servicing and the removal of trees have been addressed in the Analysis/Rationale Section of this report. In addition, a Public Notice sign has been posted on the property and Notice of the Public Meeting will be given in accordance with the requirements of the Planning Act.

**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
Shelter, care and satisfying employment are accessible to all Hamiltonians.

**Environmental Well-Being is enhanced.** ☑ Yes  ☐ No
Ecological function and the natural heritage system are protected.

**Economic Well-Being is enhanced.** ☑ Yes  ☐ No
Infrastructure and compact, mixed use development minimize land consumption and servicing costs.

**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

:SM
Attachs. (6)
Location Map

File Name/Number: ZAC-05-109/25T200558
Date: January 30, 2006

Appendix "A"

Subject Property
205 Queensdale Avenue East

Area Subject to Application

Change in Zoning from "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential, One & Two Family Dwellings, etc.) District, Modified
CITY OF HAMILTON

BY-LAW NO. __________

To Amend Zoning By-law No. 6593 (Hamilton),
Respecting a Portion of the Lands Located at 205 Queensdale
Avenue East

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

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as “The Corporation of the City of Hamilton” and is the successor of the former Regional Municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the 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 Section of Report of the Planning and Economic Development Committee at its meeting held on the day of , 2006, 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 Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

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

1. That Sheet No. E-7 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended by changing the zoning from the “C” (Urban Protected Residential, etc.) District to the “D/S-1561” (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.

2. Bill No.
2. That the “D” (Urban Protected Residential – One and Two Family Dwellings, etc.) District regulations as contained in Section 10 of Zoning By-law No. 6593, be modified to include the following special provisions:

   a) That notwithstanding Section 4(3)(b) and Section 10(4)(ii) of Zoning By-law 6593, for the purposes of frontage, a private road within a Registered Plan of Condominium shall be considered a public highway;

   b) That notwithstanding Section 10(3)(i) of Zoning By-law No. 6593, a minimum front yard of a depth of at least 3.0 metres to the front face of the dwelling and 5.5 metres to an attached garage must be provided and maintained;

   c) That notwithstanding Section 10(3)(iii) of Zoning By-law No. 6593, a rear yard of a depth of at least 7.0 metres must be provided and maintained;

   d) That notwithstanding Section 10(4)(ii), for a two family dwelling a minimum width of at least 15.2 metres and an area of at least 380.0 square metres shall be provided and maintained;

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

3. 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 “D” (Urban Protected Residential – One and Two Family Dwellings, etc.) District provisions, subject to the special requirements referred to in Section 2 of this by-law.

4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1561.

5. Sheet Nos. E-7 of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1561.

6. 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 , 2006.

MAYOR

CLERK

ZAC-05-109/25T-200528
Appendix “C” to Report PED06347

This is Schedule “A” to By-Law No. 06—
Passed the __________ day of ________________ , 2006

Schedule “A”

Map Forming Part of By-law No. 06-______
to Amend By-law No. 6593

Subject Property
205 Queensdale Avenue East

Area Subject to Application

- Change in Zoning from “C” (Urban Protected Residential, etc.) District to “D” (Urban Protected Residential, One & Two Family Dwellings, etc.) District, Modified
“Timothy’s Walk” - Conditions of Draft Approval

1. That this approval apply to “Timothy’s Walk”, dated November 3, 2005, prepared by Ashenhurst Nouwens Limited, as shown in Appendix “B” to Report PED06347, showing a maximum of 7 lots (Lots 1 to 7) for single detached dwellings and 1 block for the development of semi-detached dwellings (Block 8).

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

   (1) Development Engineering Conditions Nos. 2, 7, 14, 15, 21, 24, 26, and 29;

   (2) Development Planning Conditions Nos. 1, 3, 4, 5, 6, 7, 12, 13, 17, 20, and 21;

   (3) Bell Canada Condition Nos.1 and 3;

Development Engineering

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

4. That the Owner agree in writing to make a cash payment to the City in-lieu of providing Horizontal and Vertical Control Survey Monumentation.

5. That the Owner submits a detailed Storm Water Management Report, to current MOE and City of Hamilton guidelines, prepared by a qualified professional engineer. The owner must demonstrate that resulting runoff from the proposed development for the the two to one hundred year storm will not negatively impact downstream properties. If any works are required to be implemented as a result of the recommendations of the Storm Water Management Report, the Owner agrees to have a qualified engineer design, construct and certify the storm water management works in accordance with the above referenced approved Storm Water Management Report.

6. That the Owner provides a geotechnical report prepared by a qualified professional engineer prior to final engineering design.

7. That East 8th Street adjacent to the proposed development is reconstructed to current municipal standards.
YOUR SIGNATURE WOULD BE HELPFUL

Are you in favour of the housing development plan for the vacant lot on the corner of Queensdale and East 8th Street? (where Timothy Christian School was located)

This will add additional enrolment numbers to the Queensdale School population which will be helpful to increase our total enrolment.

<table>
<thead>
<tr>
<th>NAME</th>
<th>TELEPHONE #</th>
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<tbody>
<tr>
<td>Jim Woodhams</td>
<td>(905) 388-7142</td>
</tr>
<tr>
<td>Jan. Anderson</td>
<td>369-1068</td>
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<tr>
<td>Nick McQuinn</td>
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<tr>
<td>Rachel Kostruk</td>
<td>905-534-9452</td>
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</table>
March 2, 2006

Shanna Murray
Planning & Development
City Hall, Hamilton


Please find attached petition signed by many residents nearest the Proposed Bloc 8 Development at 205 Queensdale Avenue in Hamilton.

It is felt that many more signatures could have been obtained but for the facts that many were not at home when called upon and very little time was available from the time the letter from the city was received and the time by which an answer is expected.

The negative response to this project was overwhelming and many were upset that this type of housing would be built near their home. In particular was an owner who stated that he had moved away from his previous address expressly because such housing had been built where he was and much disturbance had been the result, and he had chosen this area were he now is because he thought this could not and would not happen here. Also most were grateful that an initiative had been taken and that they were given an opportunity to sign.
To Mayor Di Ianni, all City Councilors and Shanna Murray, City Planner:


We, the undersigned, are in agreement with the attached letter regarding the proposed development at 205 Queensdale Avenue East, Hamilton.

<table>
<thead>
<tr>
<th>NAME</th>
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<tbody>
<tr>
<td>Sandy Berger</td>
<td>32 Southill Dr.</td>
<td>905 - 383 - 9604</td>
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<td>Maria Bergey</td>
<td>32 Southill Dr.</td>
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<tr>
<td>Margaret Jannacci</td>
<td>20 Southill Dr.</td>
<td>905 389 7038</td>
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<tr>
<td>Tim Mccabe</td>
<td>15 2 East 8th St.</td>
<td>905 - 383 1019</td>
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<tr>
<td>Robert P.Thorn</td>
<td>216 Queensdale Ave 15</td>
<td>905 - 387 3110</td>
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<tr>
<td>Pat MacNeil</td>
<td>216 Queensdale Ave 15</td>
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<td>Peter Farber</td>
<td>35 Southill Drive</td>
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<td>Francine ARnold</td>
<td>24 Southill Drive</td>
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<td>R. C. Wilesley</td>
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<td>Luigi Belloni</td>
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<td>Renata Fabbrooni</td>
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<td>Darlene Pasko</td>
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<td>Marguerite Vaccarro</td>
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<td>Lisa Pasko</td>
<td>40 Southill Dr.</td>
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<td>Les Bridgmane</td>
<td>116 6 East 8th</td>
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<td>Shirley Bridgmane</td>
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<td>B. Schuller</td>
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<td>905 - 337 - 3459</td>
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<td>Fernando Perriati</td>
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<td>905 387 - 1987</td>
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<td>I. H. Mancini</td>
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<td>Frederick Ross</td>
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<td>Charles Edwards</td>
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<td>Gayle Edwards</td>
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<td>Beth De Stephenson</td>
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<td>Peter De Stephenson</td>
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<td>Margo Berger</td>
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<td>Yul Scandinavian</td>
<td>145 East 8th St, Hamilton</td>
<td>905 389 6904</td>
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<td>Joe Mcintosh</td>
<td>174 East 8th St, Aragon</td>
<td>905 353 1679</td>
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<td>Tim Cinti</td>
<td>23 South Hill Dr</td>
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<td>Rita Capati</td>
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<td>Glenn Wood</td>
<td>4 South Hill Drive</td>
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<td>Brian Miller</td>
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<td>Kelly Ward</td>
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<td>Michael Varasso</td>
<td>19 South Hill Drive</td>
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<td>Doni Varasso</td>
<td>19 South Hill Drive</td>
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<tr>
<td>Reflection Hair &amp; Beauty</td>
<td>221 Queensdale Ave</td>
<td>905 383 6018</td>
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<td>30 East 9th St</td>
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<td>Kay</td>
<td>28 East 9th St</td>
<td>387-6481</td>
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<td>Anne</td>
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<td>Ryan</td>
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<td>Darryl</td>
<td>26 East 9th St</td>
<td>905-383-5800</td>
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<td>Scott</td>
<td>McGlyde</td>
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<td>Karen</td>
<td>Duke</td>
<td>905-575-3755</td>
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<td>Brenda</td>
<td>Queensdale</td>
<td>905-575-3755</td>
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<td>Michael</td>
<td>26 Queensdale</td>
<td>383-7648</td>
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<tr>
<td>Sandy</td>
<td>176 Queensdale Ave</td>
<td>385-6269</td>
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<td>Trish</td>
<td>Latham Larry</td>
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<tr>
<td>Nancy Nielsen</td>
<td>Latham Lois</td>
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<td>Chris Foley</td>
<td>NIck</td>
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</table>
March 3, 2006


We have just returned from Florida & wish to see the above proposals. Also, the
any written comments should be com-

by March 8. I pleased Anahat Murray
to take a look at the above - only to find that
she is away until March 11... interesting!

I have submitted my comments
as follows: 1. There are too many
homes designated for E 8th St. itself.

The average home today has at
least 2 vehicles... the extra
vehicles will wind up in front
of our homes. They will devalue
them as well as take away the
beauty of our street.

2. Parking in the proposal
indicates whether trees will be
removed or not for construction.

If trees are removed - an even one

This could cause another
problem. We have requested that
the trees be replaced with other
trees as they are a duty and
a nuisance tree.

3. On Timothy Way, again,
there are too many homes proposed.

Supposedly, parking for one
vehicle per household plus 5
extra spaces. There should be an
allowance for at least 2 parking
spaces per household and at least
1 for every 2 households for
visitor parking.

4. There is no indication
where any garbage/patio/bike
will be. As this is a proposed
private street.

Yours truly

Mike Ford
(905-389-9430) 141 E. 8th St.

Hamilton Oct. 29th 2006
MARCH 14, 2006.

SHANNAH MURRAY, PLANNER
CITY OF HAMILTON
PLANNING & DEVELOPMENT DEPT.
CITY HALL, 71 MAIN STREET WEST.
HAMILTON, ONTARIO L8P 4Y3

DEAR MS. MURRAY:

RE: CIRCULATION FOR ZONING BY-LAW AND
SUBDIVISION APPLICATIONS ZAC-05-109/257-2005-58
305 QUEEN'SDALE AVENUE EAST, HAMILTON (WARD-7)
FRISINA DEVELOPMENTS INC.

THANK YOU FOR YOUR LETTER DATED FEB. 8, 2006
REQUESTING COMMENTS ON THE ABOVE ZONING
BY-LAWS AND APPLICATIONS.

MY WIFE AND I ARE THE PROPERTY OWNERS
OF 121 EAST 8TH ST. HAMILTON, AND HAVE THE
FOLLOWING CONCERNS WITH THE NOTED APPLICATIONS.

1) THE NUMBER OF UNITS PROPOSED FOR BLOCK 8
2) PURCHASER/TENANT TARGETED FOR SUCH DEVELOPMENT
3) WIDTH OF PRIVATE ROAD AND MAINTENANCE
RESPONSIBILITY
4) PARKING
5) WILL THE SEVEN SINGLE DWELLINGS BE
   CONSISTENT WITH THE EXISTING LANDSCAPE
   OF EAST 8TH STREET.

YOURS TRULY,

LOU & BETH DE STEPHANIS
121 EAST 8TH ST.
HAMILTON ONTARIO L9A 4Y7
PHONE: 905-385-1288
MARCH 2, 2006
SHANNAH MURRAY
PLANNING + DEVELOPMENT
CITY HALL, HAMILTON

R.C. WALMESLEY
24 Southill Dr.
Hamilton, ONT.
L9A 3K5

DEAR SHANNAH,

I WELCOME THE DEVELOPMENT ON THE 7 SINGLE DETACHED LOTS OF SINGLE HOMES BUT I AM AGAINST THE CONSTRUCTION OF 20 SEMI-DETACHED DWELLINGS ON (BLOCK 8) 205 QUEENSOA.
AVE. E. I AM AGAINST THE ZONE CHANGE FROM "C" TO "D".

BUILDING THIS MANY HOMES ON A LOT THIS SIZE REMINDS ME OF SARDINES IN A CAN. PARKING WILL BE A PROBLEM AS MRS. HOMES HAVE AT LEAST 2 VEHICLES AND THERE IS NOT ENOUGH PARKING SPACES FOR THE HOMES OR VISITORS. OUR STREETS WILL BECOME THEIR PARK LOTS. QUEENSDALE ST. AT THAT LOCATION CANNOT HANDLE THE EXTRA TRAFFIC GOING IN AND OUT OF THAT PROPOSED LANE WAY SO CLOSE TO THE TRAFFIC LIGHTS. THERE IS NO GREEN SPACE OR PLAY AREA OR LANDSCAPING. WHERE WOULD THEY PLOW THEIR SNOW IN THIS LANE WAY? FRISINA DEVELOPMENTS INC. MUST BUILD SINGLE DETACHED HOUSES LIKE THE REST OF BRUCE PARK OR NONE AT ALL.

[Signature]

03/02/2006 21:54 985393693 D.WALMESLEY PAGE 01
February 20, 2006

Shannah Murray
Planning & Development
City Hall, Hamilton

Dear Shannah Murray,

Please be advised that we have concerns regarding this project for the following reasons:

a) The rezoning will change the concept of upscale, spacious one family homes in this area that it was originally built and intended for by then city planners.

b) It will undesirably increase the population density in what is essentially a small area.

c) It will probably create parking problems for families owning more than one car which could necessitate people having to park on adjacent streets that are already crowded by these streets home owners' cars.

d) The proximity to the traffic light at Upper Wellington is undesirable for so many cars exiting the property and having to turn left to go north due to the nature of this intersection. This intersection is already tricky as things stand now owing to Queensdale Street misalignment. It also could create traffic backups for the reasons stated above. Such backups already happen when cars try to enter or exit the gas station on the south/west corner and via Queensdale street.

e) It may adversely affect the market value of our properties and make it more difficult for re-sale.

NOTE: residents are not opposed to the construction of new houses on the school property, but only to the change in zoning and Proposed Block 8 Development.
March 10, 2006

Shannah Murray, Planner
City of Hamilton
Planning & Economic Development Department
City Hall, 71 Main Street West
7th Floor
Hamilton, Ontario L8P 4Y5

Dear Ms. Murray:

Re: Preliminary Circulation for Zoning By-law and Subdivision Applications
205 Queensdale Avenue East, Hamilton (Ward 7)
Frisina Developments Inc.

Thank you for your letter dated February 8, 2006 requesting public comment on the above noted zoning by-law and subdivision applications. I understand that you are still accepting public comments with respect to those applications.

My wife and I are the property owners of 125 East 8th Street, Hamilton. We understand that City staff have not yet conducted a detailed review of the above proposed applications by Frisina Developments Inc. but will be doing so in conjunction with its review of public comments received and comments from various public agencies.

We also understand that the proposed development will consist of seven single family homes facing onto East 8th Street as well as a block containing twenty semi-detached dwellings and one single detached dwelling on a private road, all abutting onto Queensdale Avenue.

Based on the above understandings, our comments and/or questions with respect to the above noted applications at this time are as follows:

1. the proposed development appears to be an over-intensification of the existing lands, which were most recently used as a private elementary school.

2. we are not clear as to whether or not the additional seven lots for single-detached dwellings on East 8th will have approximately the same frontage, width and house size and as the existing properties and homes on the east side of East 8th Street so as to create a more integrated and consistent look for the street.

3. the number of proposed semi-detached units for the block development appear to be excessive and not allow for an orderly development which has sufficient space for users of the private road and parking.

4. what is the proposed width of the private road? Who will be responsible for maintaining the private road?
5. Will additional water and/or sewer services be required to accommodate this proposed development? How will waste collection services be provided?

6. If there isn't sufficient room for parking within the proposed development, it will have a serious impact on the neighbouring streets. There is currently much on-street parking in the area and the addition of that many units without the corresponding parking facilities has the potential to overburden the roads adjacent to existing properties.

7. Will the units within the proposed block development be freehold, rental or condominium units? Is there a particular type of purchaser/tenant that is being targeted with this proposed block development?

8. Has the developer constructed a similar development elsewhere in the City of Hamilton so that neighbours could have a better understanding of what the proposed overall development would look like?

9. While we realize that the demolition of the existing school is not covered by the existing process, we hope that the City will use whatever authority that it has to encourage the developer to salvage re-usable components of the school grounds (i.e. basketball nets) and school building for the benefit of other existing schools in Hamilton. The demolition of the school building appears to be imminent.

I would appreciate hearing from you in response to the above questions/comments and look forward to receiving a copy of the proposed staff report prior to the public meeting of the Planning and Economic Development Committee of City Council.

Yours truly,

Dr. Rick Csiernik
125 East 8th Street
Hamilton, Ontario
L9A 4Y7
Tel: 905-383-7890
Fax: 905-383-7890
From: Bob Poyner
Sent: Friday, February 24, 2006 1:42 PM
To: Murray, Shannah
Cc: Kelly, Bill

February 24, 2006

Shannah Murray
Planning & Development
City Hall Hamilton

Robert Poyner
216 Queensdale Ave E.
Hamilton, Ont.
L9A 1L2

Dear Shannah Murray,

Please accept this letter as my official opposition to the zoning by-law change and the construction of Semi-detached dwellings as described in your letter 02/08/06.

I am not totally against building homes on the site, my concern is the quantity. My family has resided in the neighborhood for 18 years and only purchased the home because of the single detached homes surrounding this area.

Another very important issue is the increased traffic on the street and the intersection of Queensdale and Upper Wellington which we all know is like taking a life’s chance when crossing it.

Also, the parking of cars on the north side of Queensdale causes a almost impossible mission to back your vehicle out onto the street. My wife had a accident not so long ago when someone parked this car just when were backing out.

My proposals would to be the building of one half the 20 semi-detached and the rest to be single detached. Plus, band all parking on the north side of Queensdale Ave. In speaking with several residents in the area they would approve my proposals.

Thank you for your time.

__________________________________________ IMPORTANT NOTICE - AVIS IMPORTANT ____________________________

Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for any damage caused by any virus transmitted by this email.

7/6/2006
Murray, Shannah

From: Lfsabroni
Sent: Wednesday, February 22, 2006 11:07 AM
To: Murray, Shannah

Dear Ms. Murray,

Please be advised that we are strongly opposed to the above named application for the following reasons:

1) We have been resident of 16 Southhill Drive for 26 years and have been paying taxes for single family as per area's original plan. This project will reduce the value of our homes at a time when we are close to moving out of this area; as a Real Estate Salesperson (Luigi) I know very well the depreciation caused by this type of project for this area.

2) This area's original plan was never intended to be anything other than single, large family lots.

3) This project will undesirably increase the population density in what is essentially a very small area and never intended to be high density.

4) This project will create parking problems for all the surrounding area as the new families with two cars will have nowhere to park their second car and therefore flood into the surrounding streets, not something we look forward to.

5) This project will also create traffic problems at the already dangerous intersection of Upper Wellington and Queensdale due to its misalignment.

Thank You for your attention to this matter,

Respectfully submitted

Luigi & Rena Fabbroni
16 Southill Drive
Hamilton, On
L9A 3K 5
905 388-9777

7/6/2006
From: Les Bridgehouse
Sent: Wednesday, March 01, 2006 11:56 AM
To: Murray, Shannah
Subject: Proposed zoning change 205 Queensdale Ave East Frisina developments

Our house is at 168 East 8th, Hamilton, directly facing the school. All houses on our street and Queensdale are single family dwellings and we feel that any houses in our neighbourhood to be built should also be single family dwellings to maintain our property values and retain the relative quietness of our environment. We understand that the property back from the streets is to be used for 20 semi-detached homes. This is the part we object to. It would create a major traffic load on Queensdale that would create a long line-up for cars waiting to go through the intersection which we all know is an awkward, dangerous intersection already because of its misalignment. Because of this bad intersection the increased load of cars exiting from the proposed semi-detached homes might turn west and then turn down one of the streets leading off Queensdale. Queensdale and Wellington is already an intersection that drivers try to avoid by using the side streets. Any increase in traffic there will encourage drivers to use the side streets. Also, many families have two cars these days if there is only one garage the second car would probably be parked on a neighbouring street, once again detracting from our neighbourhood. If the whole development continues to be restricted to single family dwellings the density of the traffic and the resulting problems I have mentioned would be reduced. In conclusion my wife and I are opposed to a change in the zoning from C–urban protected residential to D urban protected residential one and two family dwellings. Our phone number if needed is 905-575-5518. Our address is 168 East 8th Hamilton L9A 3L6 The file number I should have referred to at the top of this letter is Nos. ZAC-05-109/25T-2005-58 Les Bridgehouse

7/6/2006
Murray, Shannah

From: harringtond
Sent: Tuesday, March 14, 2006 7:01 PM
To: Murray, Shannah
Subject: zac-05-109/25t-2005-58

To: smurray@hamilton.ca
re: zac-05-109/25t-2005-58

As long time a homeowners in this neighbourhood we wish to share some of our concerns with you about the proposed housing development.

In such a small area with such a large number of proposed units and hence, a large increase in number of families to the area, increases in noise, pollution, litter and waste, car emissions, traffic, will surely follow. Effects of over crowding that are not desirable anywhere.

As most families now have two or more vehicles the proposed multi-dwelling plan fails to adequately meet the needs of homeowners friends and families parking requirements. This lack of adequate parking would lead to over use of street parking as a long term solution in and around the streets of the area.

Such a large number of new families in such a small area-over crowding- often leads to increased vandalism of the area. Again, not desirable anywhere.

The increased flow of traffic from the proposed dive into the large number of semi-s, so close to the intersection at Queensdale and Upper Wellington is also of some concern. That intersection, being off set crossing Upper Wellington, is now often snarled with east bound cars trying to turn left or west bound cars trying to turn right. The dramatic increase in population would only serve to congest the area more so.

The above mentioned are some of the reasons are why we find this proposal is an over-development of this otherwise quiet, single-family home neighbourhood, thus, we are not in support of this development. Just because it can be done, does not mean it should be done. This development, as it is, will not serve Hamilton well.

Thank you.

Daniel and Angeline Harrington
32 Skyland Drive,
Hamilton, ON
L9A 3C1

7/6/2006
Timothy's Walk

NOTE:
SETBACKS SHOWN ARE MINIMUM REQUIREMENTS FOR PROPOSED DEVELOPMENT.

PROPOSED SETBACKS
REAR YARD 7m
FRONT YARD 3m
SIDE YARDS 1.2m
GARAGE SETBACK 5.5m