



## City of Hamilton PLANNING COMMITTEE ADDENDUM

**Meeting #:** 21-003  
**Date:** February 16, 2021  
**Time:** 9:30 a.m.  
**Location:** Due to the COVID-19 and the Closure of City Hall

All electronic meetings can be viewed at:

City's Website:

<https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas>

City's YouTube Channel:

<https://www.youtube.com/user/InsideCityofHamilton> or Cable 14

Lisa Kelsey, Legislative Coordinator (905) 546-2424 ext. 4605

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<b>6. DELEGATION REQUESTS</b>	
6.1. Delegations respecting 130 Wellington Street Zoning By-law Amendment Application (Item 10.1) (For today's meeting)	
*6.1.a. Written Submission from Mike MacMillan and Gillian Ferrier	4
*6.2. Barry Coombs respecting Bird Friendly City - Hamilton/Burlington Bird Team 2021 (For today's meeting)	5
<b>8. PUBLIC HEARINGS / DELEGATIONS</b>	
8.1. Application for Zoning By-law Amendment for lands located at 95 - 97 Fairholt Road South, Hamilton (PED21029) (Ward 3)	
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8.2. Non-Statutory Public Meeting for an Urban Hamilton Official Plan Amendment Application UHOPA-19-008 and Zoning By-law Amendment Application ZAC-19-029 for Lands Located at 73, 77, 83, and 89 Stone Church Road West and

8.2.a. Written Submissions:

\*8.2.a.a. Added Written Submissions:  
(iii) Marissa Tankoy-Lim  
(iv) Conrad Walczak

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8.2.b. Registered Delegations:

\*8.2.b.a. Added Registered Delegations:  
(ii) Robert De Haan

8.4. Application for Zoning By-law Amendment for Lands Located at 9 Westbourne Road, Hamilton (PED21039) (Ward 1)

8.4.a. Written Submissions:

\*8.4.a.a. Added Written Submissions:  
(iv) Marlene Castura

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8.5. Applications for Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for lands located at 211 and 225 John Street South and 78 Young Street, Hamilton (PED21032) (Ward 2)

8.5.a. Written Submissions:

\*8.5.a.a. Added Written Submissions:  
(iii) Terry Brown  
(iv) Cameron Kroetsch  
(v) Jamie Philp  
(vi) Mary Porter  
(vii) James MacNevin  
(viii) Jessica Hymers

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\*8.5.c. Revised Zoning Amendment By-law - Appendix C

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## 10. DISCUSSION ITEMS

10.1. Application for a Zoning By-law Amendment for lands located at 130 Wellington Street South, Hamilton (PED21024) (Ward 2)

10.1.a. Written Submissions:

\*10.1.a.a. Added Written Submissions:  
(ii) Michael Barton, MB1 Consulting (Agent)

15 February 2021-02-16

Hello to everyone at the City of Hamilton,

I am writing this letter on behalf of myself and wife Gillian Ferrier, who co-own the property at [REDACTED] Stinson St. I am writing in regards to the current zoning issue that is before you at 130 Wellington Street South (by 130 Wellington Investments Inc.).

I would like to express our objection to updating the zoning as currently planned by the new owner. While the current 6-person boarding house is not ideal for the neighbourhood, neither is the idea of turning this once single family home in 6 units.

The reasons are many, but simply put we do not believe it is in the long-term interest of the neighbourhood to cram this much density into a single building. The move is aggressive.

I assume that as a boarding house it was able to house 6 *individuals* in separate rooms; this becomes something else entirely when we are talking about 6 *families* in those spaces. We would far prefer to see it as something more friendly to the neighbourhood, where tenants are more likely to take pride in the ownership or tenancy of the property.

The house itself has been an issue to date in regards to the people living there. Drinking on the porch, odd people coming and going at all hours of the night. In short – an eyesore. It is one of the problem houses in the neighbourhood.

And while I understand from speaking directly with Andrew that he has good intentions, there is nothing that assures us that a future owner would operate as scrupulously as he has expressed to me is his intention. And I believe him. ***But zonings are permanent.*** We're already now having to address a 6-person boarding house in the neighbourhood.

Please consider the future of this community and do not allow this property to be turned into a 6-unit dwelling. We have PLENTY of small, affordable units in the immediate neighbourhood already.

Thank you for your consideration,

[REDACTED]

On behalf of Mike MacMillan and Gillian Ferrier  
Owners: [REDACTED] Stinson St. Hamilton, Ontario



**BIRD FRIENDLY CITY**

Hamilton/Burlington Bird Team 2021

Page 1 of 2

**Delegation to City of Hamilton Planning Committee - February 16 meeting**

Bird Friendly City is Nature Canada's national certification program and the Hamilton/Burlington bird team has prepared this statement. Nature Canada hopes to certify at least 30 cities across Canada as Bird Friendly by May 14, 2022, which is World Migratory Bird Day.

Healthy bird populations are of critical importance to biodiversity and ecosystem health. In fact, birds act as *indicator species* - healthy bird populations signify a healthy environment. **Three billion birds or 25% of all birds in North America have been lost in the last 50 years alone.** This dramatic decline in bird populations is a warning that we must protect and preserve our environment and take meaningful action on climate change and conservation.

One way we can support healthy bird populations is to design our cities with sustainability and biodiversity in mind. **Up to 1.5 billion birds are killed every year in North America** as a result of collisions with windows and vehicles. Urban planning therefore plays an extremely important role due to the number of birds killed by colliding with buildings, particularly during spring and fall migration.

In order to receive certification as a Bird Friendly City, the City of Hamilton will need to address several issues, which include:

- **habitat loss**
- **pesticide use**
- **the threat to birds from roaming cats**

Today, we ask you to consider the critical role of responsible and green urban planning in order to reduce bird deaths from collisions with buildings.

To mitigate bird-building collisions, the City of Hamilton needs to address the two main causes, glass and lighting. Birds don't see glass and indoor lighting at night attracts birds to buildings. Both of these issues are the responsibility of our Planning department. There are many simple solutions available such as the use of blinds, effective glass types and window treatments. Turning lights off at night during migration greatly reduces bird deaths. These measures can be very positive economically. For example, a midtown Toronto high-rise commercial building saved over \$100,000 in one year on electricity when they minimized night lighting.

Page 2 of 2

In 2007, fourteen years ago, at the urging of FLAP (Fatal Light Awareness Program), Toronto formed a volunteer committee comprised of public servants, environmentalists and developers to create bird friendly guidelines. Since then, Toronto, and also Markham, have taken the lead in this area and have added **mandatory** requirements to their plans. These standards are based on CSA (Canadian Standards Association) A460, a document that has been published as a National Standard of Canada. CSA A460 was created through the efforts of Toronto and Markham and supported and funded by the Government of Ontario. In Canada, Vancouver, Calgary, Ottawa and Burlington all have bird friendly guidelines in place as do many municipalities and states in the USA.

In a recent email to me, Hamilton's Chief Planner stated that our city has **NO** bird friendly guidelines at this time. Currently, a new round of general building guidelines is being developed by City of Hamilton Planning staff. This is a great opportunity to not only catch up to other major Canadian municipalities but for the City of Hamilton to take it's place as a leader in this key aspect of the global climate and biodiversity crisis. CSA A460 and the Toronto and Markham documents are readily available to Hamilton Planning staff.

**We anticipate that the Planning department will mandate bird friendly standards through *site development agreements* so that building permits will only be issued when compliant with these standards.**

**We also ask for a resolution from the Planning committee to support our initiative.**

Hamilton is currently developing an overall biodiversity plan. This must include strong bird friendly planning requirements. Our city will not be green until it is bird friendly.

<https://naturecanada.ca/bfc/>

<https://naturecanada.ca/animals/partners/>



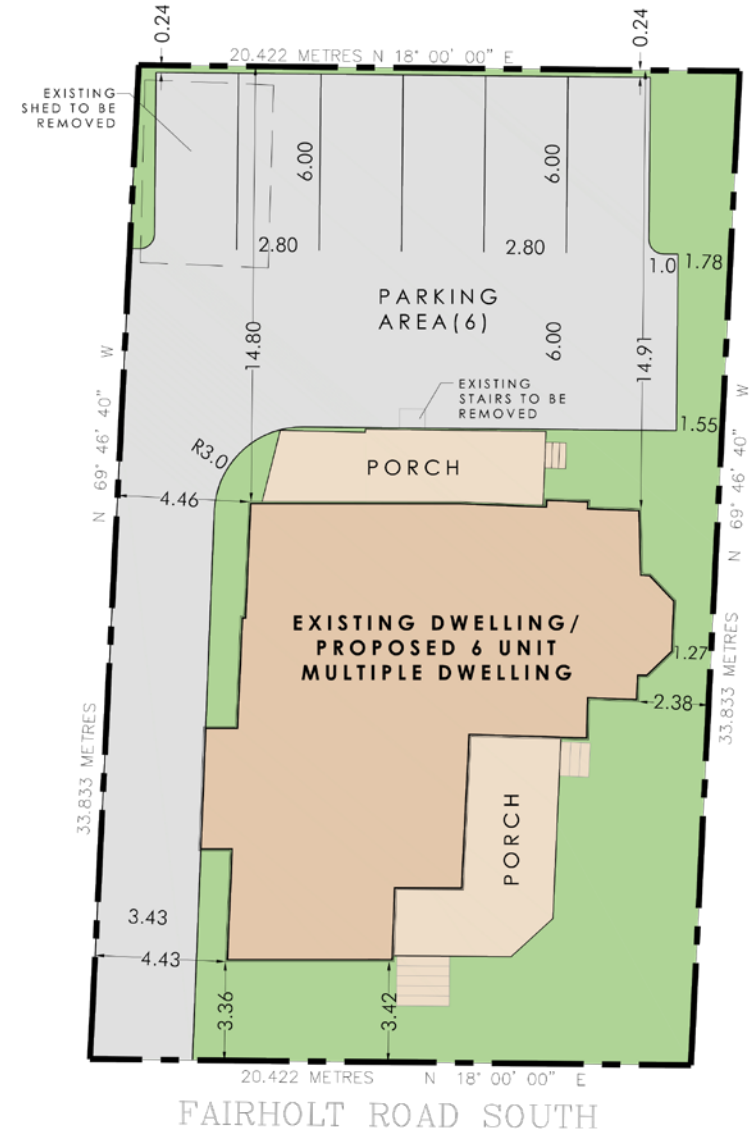
**MHBC**  
PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE

95-97 Fairholt Road South  
Zoning By-law Amendment  
City of Hamilton Planning Committee

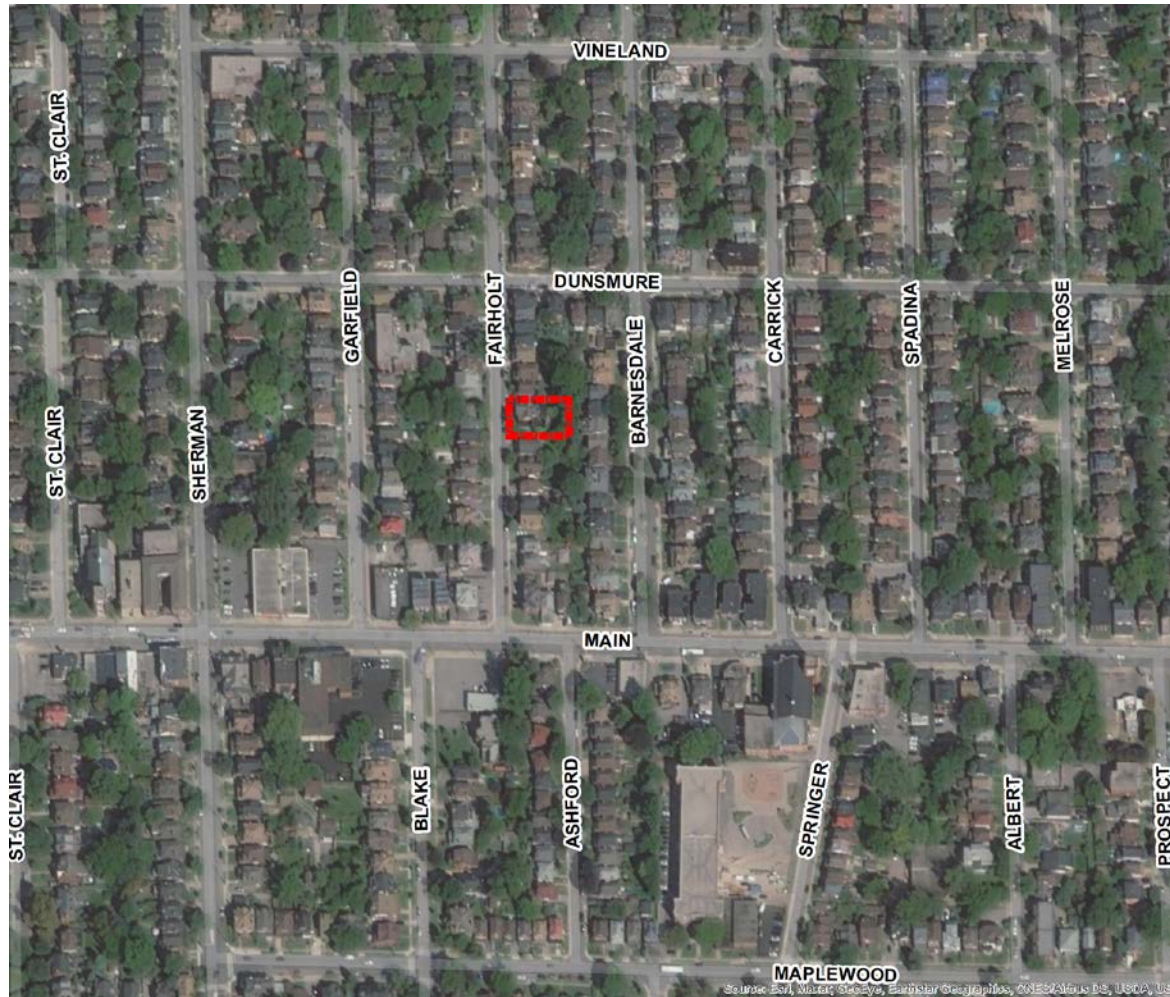
Feb. 16, 2021

# Proposal Overview

- 0.7 hectare property, 20.4 m of frontage (double lot)
- Existing large two and a half storey building (4,300 sq. ft. excluding basement)
- A mix of one and two bedroom units proposed
  - Four 1-bedroom
  - Two 2-bedroom units
- Maintain existing shared vehicle access with 93 Fairholt Rd S from Fairholt Rd S
- 6 parking spaces proposed at the rear of the building at a rate of 1 space per unit
- Maintain exterior of the building



# Site Location





# Site Context



**Legend**

- Subject Lands
- 400m Buffer (5 min. Walk)
- 800m Buffer (10 min. Walk)
- Educational Institution
- Potential Rapid Transit Line (B.L.A.S.T)
- Parkland

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the G

# Policy Framework

## City of Hamilton Urban Official Plan (UHOP)

- ‘Neighbourhoods’ - designation encourages compatible residential intensification within built-up area

## City of Hamilton Zoning By-law 6593

- “C” District (Urban Protected Residential) permit a range of low density residential uses



# Zoning By-law Amendment Summary

- Rezone the lands from “C” Districts (Urban Protected Residential) to “C” Districts (Urban Protected Residential) with the following site specific provisions:
  - Permit a multiple dwelling with a maximum of 6 units
  - Recognize existing conditions:
    - building height of 11.5 m (2.5 storeys)
    - existing front yard setback (3.36 m)
    - existing access width (3.43 m)
  - Reduce required parking from 1.25 to 1 space per unit and no visitor parking spaces
  - Remove requirement for planting strip between the parking area and property to the east
  - Remove loading space requirement



# What We Heard and Revised Proposal

- Concerns with number of parking spaces and on street parking
  - Original proposal: 4 spaces
  - Revised proposal: 6 spaces
- Questions about number of units and bedrooms
  - Four 1-bedroom units
  - Two 2-bedroom units
- Property maintenance concerns
  - Property management company will be contracted
  - Future plan of condominium intended
- Updated site plan and information circulated to area residents within 120 metres on July 15, 2020

# Conclusions

- The proposal is consistent with the Provincial Policy Statement and conforms to the Growth Plan
- The proposal implements the policy direction in the Official Plan for the 'Neighbourhoods' and 'Communities' designation, and provides an opportunity for appropriate intensification in proximity to higher order transit
- The existing built form will be maintained, and proposal is compatible with the surrounding neighbourhood
- Details on site design will be addressed through a future site plan application



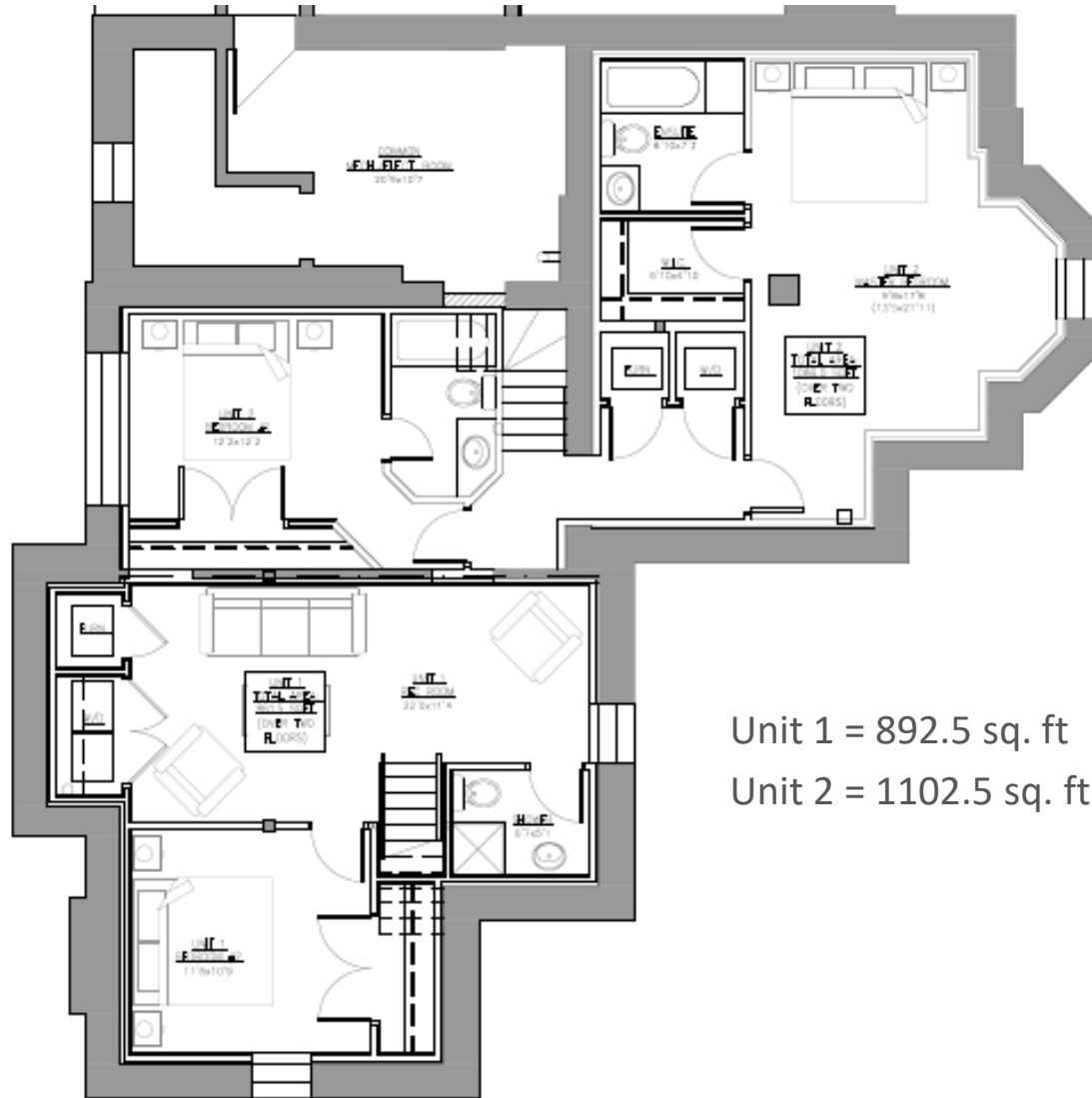
Thank You



# Proposed Floor Plans



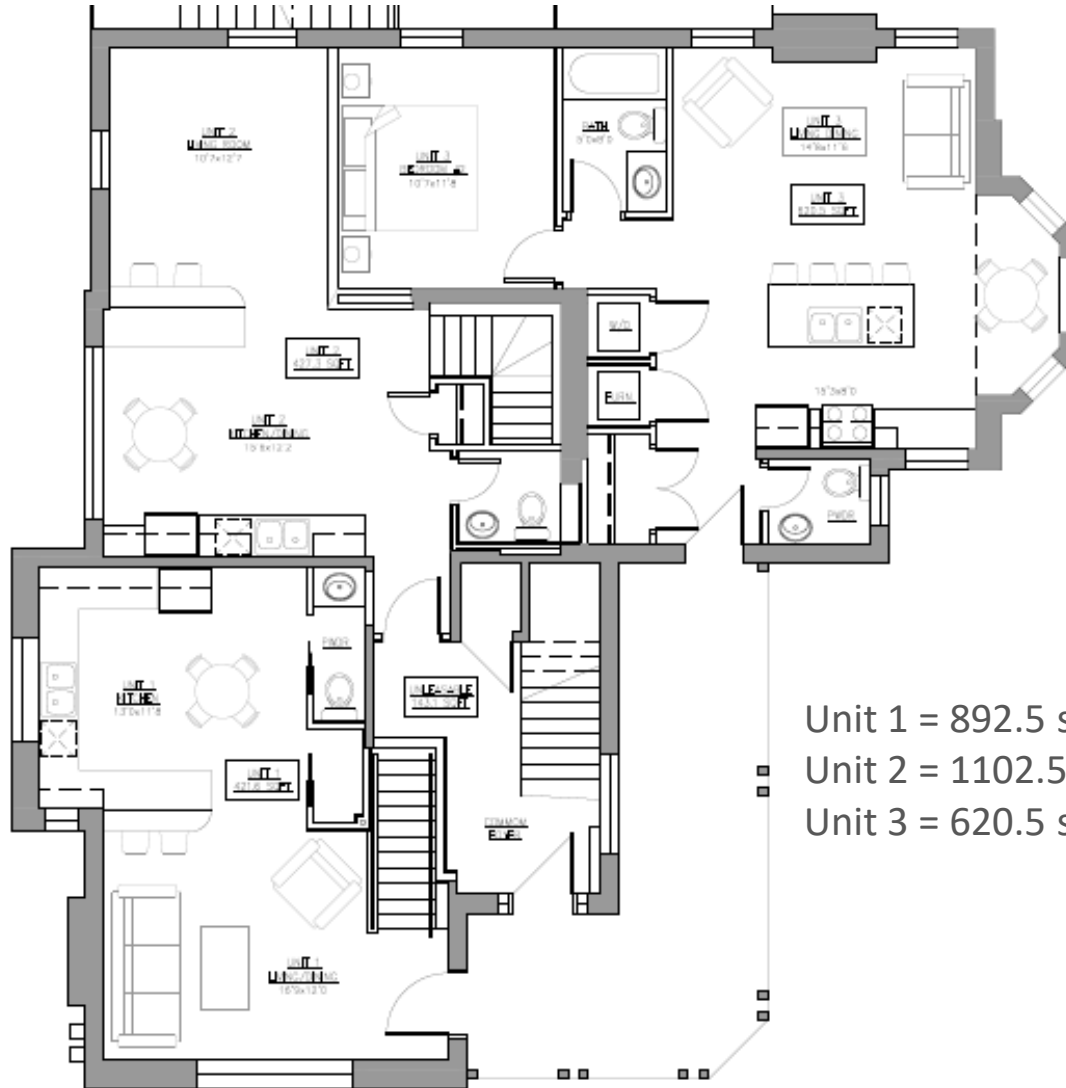
# Basement



Unit 1 = 892.5 sq. ft

Unit 2 = 1102.5 sq. ft (2 bedroom)

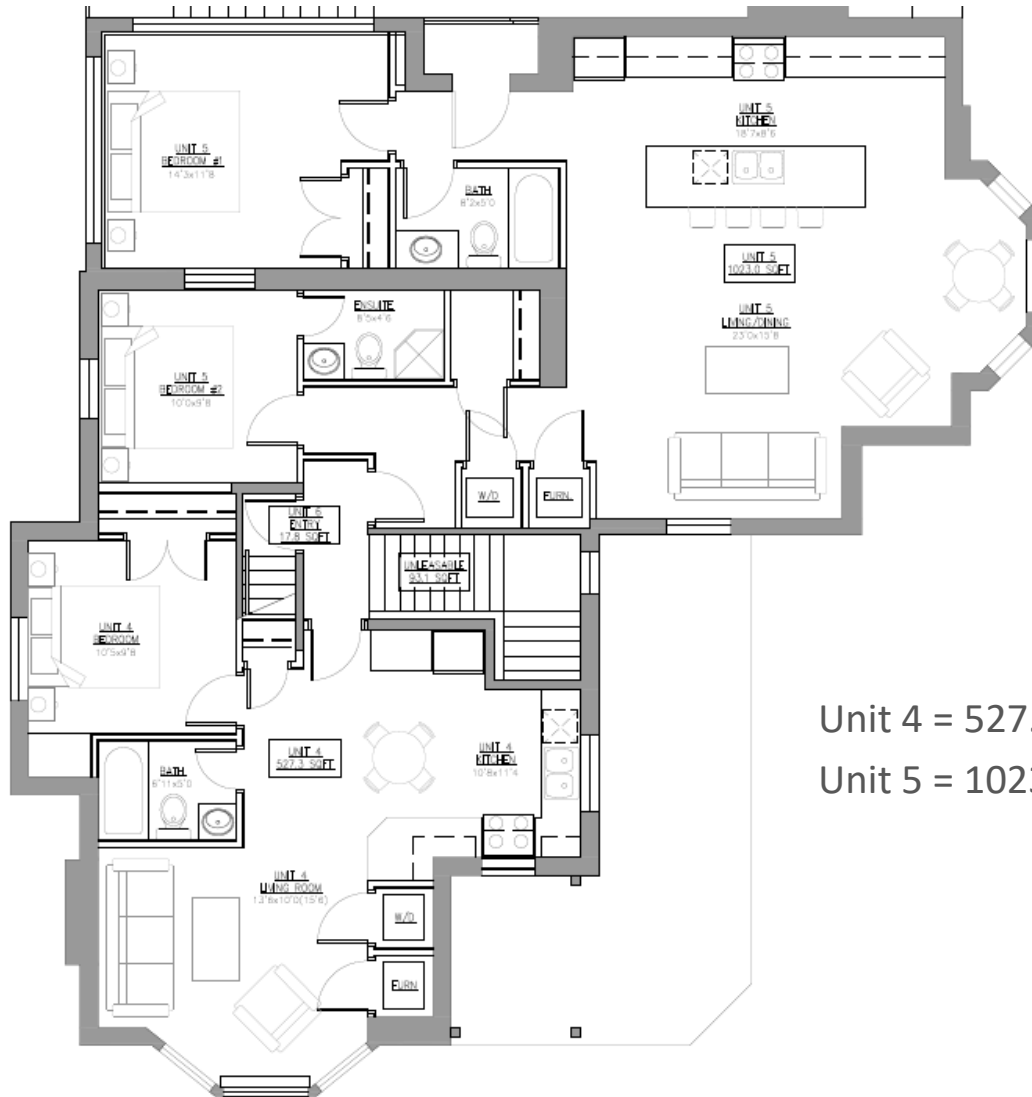
# Ground Floor



- Unit 1 = 892.5 sq. ft
- Unit 2 = 1102.5 sq. ft (2 bedroom)
- Unit 3 = 620.5 sq. ft



# Second Floor

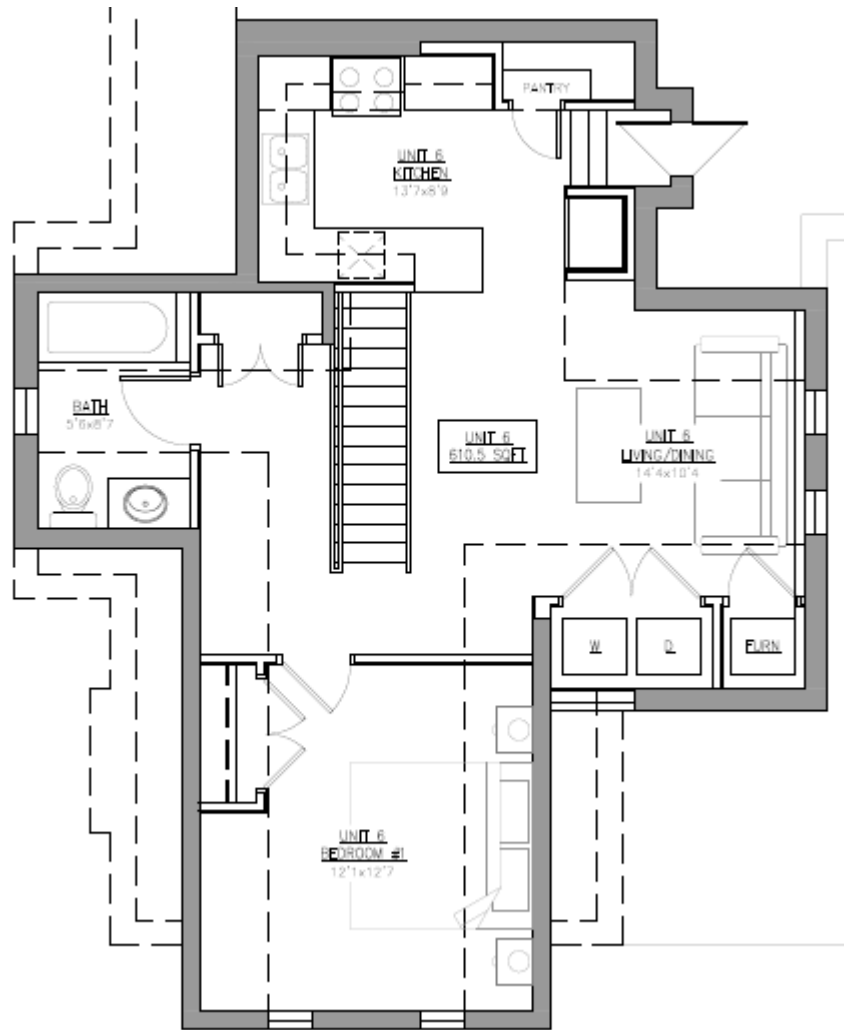


Unit 4 = 527.3 sq. ft

Unit 5 = 1023 sq. ft (2 bedroom)



# Third Floor



Unit 6 = 610.5 sq. ft



**Stewart, Sean**

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**From:**  
**Sent:** December 14, 2019 6:20 PM  
**To:** Stewart, Sean; Nann, Nrinder  
**Cc:** ; @yahoo.com; @yahoo.com; ;  
5@hotmail.com; i m, i@hotmail.ca;  
v@me.com; @hotmail.com; t@live.com;  
i@notmail.com  
**Subject:** 6-plex proposal 95-97 Fairholt Road South

Sean Stewart,  
City Planner  
905.546.2424  
Ext. 7163

As a representative of the *Unified home owners association of Fairholt Road South*, we will require at least *2 weeks notice* for the meeting set by your department for the aforementioned proposal 95-97 Fairholt Road South by owner Semion Merzon.

I would also advise that as per your billboard seated on this property which clearly states "*all residents within 120 meters of this proposal*" that each property was to receive "*A Notice of Applications*". To that end, I can tell you, factually, that *not one* single resident has received this package within the stated 120 meters. I know, because I canvassed every single resident within the 120 meters myself.

We have a voice and our voice, collectively, is saying absolutley not. No more rental units on our street. A six-unit apartment is absolutely *unsustainable*. We are already bursting at the seems with rentals and parking. Out of 29 homes on our block/street, 14 are rentals which includes just one city block of Fairholt Road South 77- 117 - not the entire street/just our block. There are many more rentals further north, same street, that have not yet been canvassed. To put it bluntly, we are tired of being a forgotten community of Hamilton. We say *no* to becoming another Hamilton Ghetto.

Historically, this street has been a family oriented street where residents knew their neighbour and, for the most part, looked after their homes with a few exceptions ( Fairholt Road South) which have all been left to go into a deep-seated state of disrepair (year over year) with no repercussions from the city of Hamilton to protect the law abiding, tax paying, home owners of their most important investment - their homes. All have had no exterior maintenance done for at least a decade - minimum. The state of these homes is *appalling* - pictures available upon request. Not only that, of the houses sold on this street over the past five years, many have also become rental units changing our street dynamics considerably. To say the least, we've been absolutely inundated by rentals and thus, are collectively frustrated by the lack of protection by the city of Hamilton. But I regress, lets' get back to 95-97 Fairholt Road South, shall we:

- This new "owner" at 95-97 has foreshadowed himself in terms of what type of landlord he will be and, he is 'of the kind' that we dont' want.
- Failure to cut the grass in a timely manner and, failure to take down the curtains surrounding the front porch (left in place by the previous owner) that are *obviously* meant to be taken down every



year, washed, and remounted in the summer but he has done nothing - they've been left to dis-colour and blow around in the wind all seasons. And they're many of them. Soon, they will be ripped and threaded but this owner has only one thing in mind and that is, to capitalize this street with no regard for the home owners. So, it stands to reason that the push-back by the home owners has been brewing for some time. The reader can consider this email as the 'straw that broke the camels back'.

- on several occasions the grass was so long that one of the home owners on the street took it upon himself to lug his lawn mower over to the residence and cut the grass himself. The writer of this document also pulled many 5 foot weeds, an inch in diameter each, from the front yard. To that end, is it incumbent upon the home owners of this street to maintain these residents for these "business men" (from other cities I might add) who care nothing for the residents or the people who have to live here, in the homes surrounding their 'cash-cow' but too cheap to hire a maintenance company which in the end, supports the city by providing jobs aside from doing his responsibility to not create an 'eyesore'.
- when speaking of the parking issue with a resident of the street the owner was said to answer the question.. (*in a dismissive manner*).. where are the tenants supposed to park..?", his answer.. cavalierly, "on the street, free parking" with a shrug of his shoulders.

Meanwhile, there is all kinds of parking in the back of the residence where if the pool were to be filled in, the shed and fence knocked down ,PAVED and, the house be taken back to a triplex from a six-unit there may be light at the end of the tunnel so-to-speak. Providing that is- that the street be converted to "permit parking only" with each home owner granted a single street parking spot where, no rentals will be afforded street parking and, in-turn, parking to be provided by the landlords on premises or, the number of units/dwelling per address be scaled-back so that on site parking can be accommodated comfortably, without causing a parking- detriment to home owners of the area.

These demands come with a stipulation that no tenants 95-97 be allotted residence until *all the work* on the parking behind 95-97 be paved and organized and not a moment before. As an interesting note I had the opportunity to note that on December 12, three young males were casing the property with addresses' of various rental units in hand of perspective apartments. 3, in the course of approx. 30 minutes. To that end it is clear that your organization has already given the green light to Mr. Merzon. And clearly, the address is being advertised now, and thus a foregone conclusion by City planners and ward 3 councillor Nrinder Nann - Both being paid by the city of Hamilton to act on the behalf of Ward 3. Again, the forgotten home owners of Stipley, Ward 3.

There is also another deep-seated concern by all about the total lack of resolution in regard to the empty property located at Fairholt Road South. Its' been six-years (6 YEARS) that this house has laid dormant with absolutely no accountability by the current owners to keep the property in good standing order. Countless times we have had to phone bylaw, pull weeds ourselves and the latest, vagrants gaining access to the property, living there and, using this property as a drug-house as evidenced by the syringes and other garbage strewn about after gaining access to the property by breaking into the residence through a basement window. Police response " we cant do anything about it". That's not good enough and Im' sure the reader can understand our concern(s). Certainly this house can be sold to a respectable family. The current owners have stated "we dont' care about the house, or what happens to it", according to one house owner still occasionally in contact with them.

The homeowners of Fairholt road South will not allow the welfare of our street to be hastily turned into another Hamilton Ghetto. At this point, we need to see consideration of rights of us collectively, as law-abiding tax-paying citizens of the city of Hamilton, Stipley, Ward 3, Fairholt Road South.

I reiterate, we will require 2 weeks (*minimum*) notice of the meeting which is to occur downtown Hamilton City hall 2nd floor council chambers, 71 main street W and, respectfully, we impress upon your organization to halt any further actions with Mr. Merzon until these issues can be addressed for all concerned and in full.

- On behalf of the *Unified Home owners association of Fairholt Road South* -

*Disclaimer: the attached list of email address's are not all encompassing of all interested parties in this case. These other parties have also expressed grave concern and will be added to the list as they become available.*

Regards,

*representative*



**Stewart, Sean**

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**Subject:** FW: 6-plex proposal 95-97 Fairholt Road South

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**From:**

**Sent:** December 20, 2019 12:03 PM

**To:** Stewart, Sean <Sean.Stewart@hamilton.ca>; Nann, Nrinder <Nrinder.Nann@hamilton.ca>

**Cc:**

**Subject:** Re: 6-plex proposal 95-97 Fairholt Road South

Currently there are a number of illegal apartments on Fairholt South. A current example is 97 Fairholt South putting in a 3rd apartment in a single family home.

95-97 Fairholt South at best should be a duplex or at the most a triplex. Residents are having to park 2 - 3 blocks away from their residence due to NO PARKING available on the street. Your applicant has state to one resident his new tenants can part on the street too "as it is free."

are all multiple dwellings that according to the city are suppose to be single family homes. Are they up to code - are they fire safe and are the legal? You have a number of residences that have closed their lanes behind their homes. Have they bought these from the city or just taken them over. Look at Fairholt for example. What about 95-97 laneway?

A number of single family residence have spend individually \$10K and more fixing up our property A 6-plex is going to change the dynamics of the area to the benefit of a single NEW owner with no benefit to the long term residence.

Are the building department - urban planners - fire department parking enforcement and bi-law department all actively involved in the consideration of this application?

A 27 year resident.

**Stewart, Sean**

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**From:** 1>  
**Sent:** January 5, 2020 1:16 PM  
**To:** Stewart, Sean  
**Subject:** Zoning By-law Amendment Application (ZAR-19-054)

As for the request to modify the "C" (Urban Protected Residential) zoning to a six unit multiple dwelling at 95-97 Fairholt Road South we are strongly opposed.

The main reason for opposing this application is that there will not be enough parking to accommodate 6 units. Parking in the area is terrible as it is. Adding more units will only make parking more difficult to find.

We commend the applicants for following the proper channels to try and modify the Zoning bylaw. There are too many illegal triplexes and four plexes

In the area as it is along with absentee landlords.

Thank You for registering our opposition

Please remove our personal information.

**Stewart, Sean**

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**From:** [redacted]@gmail.com>  
**Sent:** January 5, 2020 3:45 PM  
**To:** Stewart, Sean  
**Subject:** ZAR-19-054 - Community Concern

Hey there Sean,

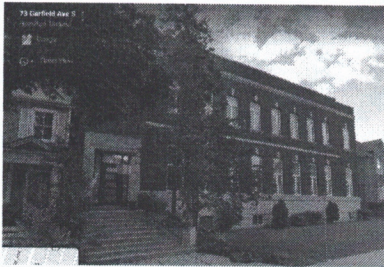
I am writing to address Zoning By-Law Amendment Application ZAR-19-054 (95-97 Fairholt Rd S).

I live at Fairholt Rd S, [redacted] project and have some major concerns with this application.

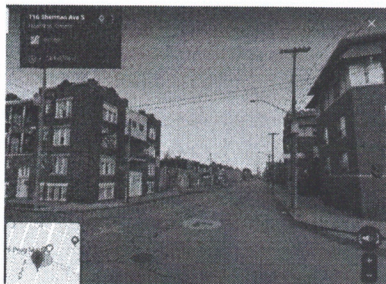
The current home is already mixed tenant and Airbnb usage. Increasing the units from 3 (I believe is the current number of suites) to 6 smaller sized potentially temporary Airbnb rental suites will increase the number of strangers passing through the neighbourhood. I am also concerned with the care that the current landlords have of the property. For nearly all of the snowfalls so far this year they haven't shovelled or salted their driveway. The shed on the driveway is also dilapidated and the fence along it is falling down.

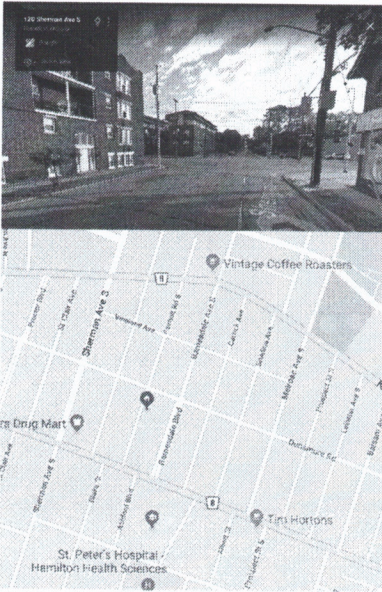
The locations sited as comparisons to 'ZONE C' are not at all comparable to the proposed development in either building type, size/scale or location on a major street.

(1) factory building repurposed into residential (73 Garfield)



or (2) On a major thoroughway or highway with traffic lights and 4 lanes of traffic (Main St E and Sherman Ave S)





I appreciate the need for residential housing in Hamilton, but I don't think making this heritage home into a 6 unit apartment on a quiet residential street is the right way to encourage positive development in the east end of Hamilton.

Happy to discuss these concerns further.

Thanks you kindly,

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## Stewart, Sean

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**From:** :a>  
**Sent:** January 14, 2020 6:43 PM  
**To:** Stewart, Sean; Nann, Nrinder  
**Subject:** ZAR-19-054

Dear planning and economic development department,

> This message is in regards to ZAR-19-054.

>

> As home a owner in the Stipley neighbourhood for more than 10 years I

> am objecting to the request for so many multiple units at 95-97

> Fairholt rd south.

>

>

> How will this effect the value of my property?

> What laws will be put in place about parking?

> Who monitors how many dwellings they actually build? And when?

>

> 95-97 Fairholt rd south has been largely neglected for at least the

> last 12 months. We have seen some people in the house only

> occasionally, but the yard and garage are in great neglect and

> disrepair. The garage may have squirrels, skunks and rats living in it

> as it appears to be untouched for over 12 months and in deplorable shape prior to that.

> Although the size of the residence is essentially two houses we are

> extremely concerned about each of those turning into 3 tenant

> residences due to parking issues in the neighbourhood, current neglect

> of the building, and the value of the neighbourhood. These are century

> homes in Ward 3. These homes are being chopped up too frequently

> without any concern to garbage, parking, property value, or legal

> apartments. Our greatest concern is that the yard will turn into a

> parking lot to manage the parking issues. The yard currently has a

> pool that is in terrible shape and not drained - There is a bylaw for

> this, but only october-april. The pool has not been cleaned in over

> 12months (probably 2

> years) and is about 4 feet full of rotting leaves and water. There is

> complete lack of maintenance and containment of the yard and it's debris.

>

> Indeed the property needs some fixing, but our concern about the lack

> of oversight of the property thus far is paramount and has been

> outlined by many neighbours. Parking is a huge issue in this neighbourhood.

>

> To accommodate the influx of multiple units what laws are there about parking?

> I am requesting permit parking on Fairholt Road south and Barnesdale

> Boulevard. I am also requesting that the city follow up on the illegal

> basement apartments if the concern for making living residences

> available is the reason why so many units would be allowed for a single dwelling.

>

> I would like to be informed of any updates and timelines as per the 20

> days notice outlined in bylaw zoning information. The property should



- > be managed in all legal and current environmental manors.
- >
- > The current owner has failed to meet basic property bylaws in all of
- > the time of their ownership, thus indicating a potential lack of
- > ability to effectively manage a six dwelling property.

>

> Sincerely

>

> I do not want my name address or information shared.

>

>

**Stewart, Sean**

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**From:**  
**Sent:** July 22, 2020 7:32 PM  
**To:** Stephanie Mirtitsch  
**Subject:** 95-97 Fairholt Rd. S - zar-19-054

As much as I appreciate the response to address parking concerns surrounding the proposal for 95-97 Fairholt Rd.S, I seek to understand how the city of Hamilton would consider a parking ratio under 1.0 as acceptable for this area.

Thanks,

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**Stewart, Sean**

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**Subject:** FW: 95-97 Fairholt Road South

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**From:**

**Sent:** July 28, 2020 11:00 AM

**To:** Stephanie Mirtitsch <smirtitsch@mhbcplan.com>

**Subject:** 95-97 Fairholt Road South

Received your letter re development of this property.  
What are you rezoning to? your letter said, rezoning from C to C?

I totally support redevelopment of this property, and the amendment to allow for less parking spaces.  
The by law is archaic.

People are moving away from cars, and often don't even own a car.

Regards,

**From:** Marissa L

**Sent:** February 11, 2021 10:48 AM

**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)

**Subject:** 73-89 Stone Church rd W and 1029 West 5th Street - notice of non statutory public meeting of the planning comittee

Hello,

I live on Stone Church Road West, and will be directly impacted by the change in zoning, and this new development that is being proposed. I am adamantly against the construction of this building.

1. It will change the entire function, feel, look, and vibe of this neighborhood. We don't have anything like this rental apartment building here. it will stand out like a sore thumb.
2. The current infrastructure (roads, utilities, etc) do not support building a development of this size. The traffic is currently horrendous during peak hours, and will only get worse with an additional 300+ units. Both Stone church and West 5th are currently 2 lane roads, 1 for each opposite direction. Adding this level of traffic is untenable.
3. These are rental units - students will be using them since they will be close enough to Mohawk- meaning there won't be an investment in the neighborhood, keeping it safe, clean, green.
4. The construction process requires the use of dynamite and extensive excavations to build the underground parking lot. I do not want explosives and vibrations happening again this year like it did last year. There was wear and tear on my house.

I am against this development, and the change in zoning.

Marissa Tankoy-Lim

Friday, February 12, 2021

UHOPA-19-08 and ZAC-19-02  
UH-5 on Map H-7 and current zoning DE-2S-1700, OPA 28  
LPAT Case Number PL200302

I have sent my prior written objections to the City Planner, each Planning Committee Member and also, before logging into the LPAT computer meeting of November 4th, 2020. This written questionnaire is for the LPAT meeting on March 2<sup>nd</sup>, 2021.

A public meeting revealing original Valery proposal for Residents, held Sept. 19, 2019, found that the large number of Residents were unanimously opposed to the plan. City staff has received 47 written submissions against the project and a petition signed by 76 people objecting to the development.

*Please submit in digital form so internet links can be accessed if interested in more detailed background.*

Questions for the LPAT Tribunal:

1. Since the LPAT system discourages Resident input, do the political appointees of the Tribunal actually read written submissions or just toss them?
2. Does Hamilton follow its own planning needs or will a “less local” Toronto-based-model be imposed on it by LPAT?
3. “Open for Business” and “less Red Tape” are constant mantras of stifling entrepreneurs: Is zoning for 3 storey townhouses which can be sold from between \$500,000 and \$600,000 ASAP, “open for business enough” or “too much Red Tape”?
  - a. Don’t think so! Single family houses and property in question were purchased “pre-T.O.-exodus” before price explosion in Hamilton, how much profit is enough?
4. Why is it necessary to place a PYRAMID into a quiet, mature area zoned for single family and townhouses? Is it only for “maximum profit maximization”?
5. Do Hamilton and its Residents have the right to ask Developers to adhere to its zoning laws when Residents “must comply” and in return, expect to be “protected” by these legal restrictions?
6. Are these types of PYRAMIDS not better utilized for the MetroLinx or City “boarded areas” that line the Downtown and are zoned hi-density on the Official Plan? They’re ready to go since LRT was approved then suddenly cancelled by the current Provincial government?

[Metrolinx plans to demolish 21 vacant buildings along proposed LRT route | CBC News](#)

[Hamilton's LRT roller-coaster crashes \(hamiltonnews.com\)](#)

7. Does it matter where “jobs are created” if one area offers/receives more benefit vs. anger and resentment in a quiet, family-friendly neighbourhood area, opposing it?
8. Since Developers normally donate land for parks, this Developer, not just an opportunist, taking advantage of a beautifully completed park across the road without contributing a dime, a very marketable feature subsidized by taxpayers?

[Hamilton Coun. Terry Whitehead pledges to spend \\$1 million of area-rating money to expand William Connell Park on Mountain \(hamiltonnews.com\)](#)

The \$2.5-million William Connell Park, located on 20 hectares of land, features a football field, splash pad and tennis courts. In addition, there are state-of-the-art play structures, soccer field, field house with washrooms, change rooms and concession facility, multi-use trails, an asphalt walkway, a parking lot that can accommodate up to 130 spots and an internal road.

9. Is the City water and sewer infrastructure able to accommodate the monstrosity of 216 apartments?
10. Do existing homeowners need to worry about sewer backups and flooding during storms?
11. Who pays for any city infrastructure upgrades? What about the roads being ripped up and redone, the City Taxpayers?

[Hamilton’s sewers: Old system, new problems \(hamiltonnews.com\)](#)

As the population increased, and flush toilets became more prevalent, the city set out to build underground sewer infrastructure that would be better for public health.

"Cities have infrastructure that was largely built back in the 1960s, '70s and '80s when the climate was quite different ... now the weather is warmer and wetter and we are seeing more of these significant wet days than we did in the past and we are only going to get more of that in the future," Phillips said.

12. All the Developer is contributing is permit fees and expense to widen road on-ramp to W5th road, is the Developer not getting a free ride or taxpayer bailout?
13. Is the traffic study conducted pre-Pandemic currently relevant? Does it reflect the approved recently approved developments, one block east and another one block west of the proposed project? Is it traffic study data now totally useless?

[Hamilton councilor applauds mixed-use development on Upper James \(hamiltonnews.com\)](#)

Hamilton’s planning committee Sept. 17 approved in a 9-0 vote a zoning change permitting the construction of an eight-storey building, with ground floor commercial space and two four-storey buildings, totalling 373 residential units on the 1.79-hectare, irregular-size property.

[Hamilton councillors approve 330-townhouse development for west Mountain \(hamiltonnews.com\)](#)

Hamilton councillors approved a 330-townhouse development on the west Mountain, even though it will have a “significant” impact on the traffic on Garth Street and Stone Church Road.

4.2 hectares of land is Phase 3 of the Eden Park — Parkview Estates subdivision development. It will include 71 street townhouse units that will be up to 11 metres in height, and 260 stacked townhouses with a height of up to 13 metres.

14. Should the traffic gridlock, noise, car pollution that exists in Toronto be tolerated by the citizens of Hamilton? Might be one of the reasons Torontonians are abandoning the City for greener areas?
15. How is Valery increasing its parking to comply with the proposed building size?
  - a. The 10 storey, 231 unit proposal had 241 parking spaces, 171 of which will be underground.
  - b. 3<sup>rd</sup> Modified proposal: 9 storey, 216 units will have 243 underground spots.

[Hamilton developer appeals 9-storey plan for Stone Church Road on Mountain \(hamiltonnews.com\)](#)

Danko said city staff had been actively engaged with the owner to shape the application to properly fit the unusual, 0.8-hectare property.

“We were working with that applicant to try to (make it) more sympathetic to the surrounding area,” said city planner James Van Rooi. “However, as those discussions transpired it was clear we were just on different sides of the fence.”

16. Is more DYNAMITE required for the increased 72 additional parking spaces with reduced building units? Are they putting 2 floors underground?
17. Should a mature quiet neighbourhood tolerate EXPLOSIVES in a built-up area?
18. What about any damage to existing neighbourhood foundations? Will the Tribunal guarantee repairs or will the Residents need to hire Engineers to prove damage caused by explosives and sue Developer who will claim “settling” problems or other excuses?
19. Does the Developer play by the rules?

[Scenic Drive residents ‘irate’ over felled trees \(hamiltonnews.com\)](#)

[Scenic Drive outcry - CHCH](#)

Residents on Scenic Drive on the Hamilton Mountain were up-in-arms today about dozens of trees coming down in their backyard.

Steve Fawcett called CHCH News furious about the trees coming down behind his home.

“We’ve been looking at this for 40 years. This beautiful forest and now look. They’re going to leave it like this? Why did they do this? They just raped and pillaged it.

Ward 8 Coun. Terry Whitehead said a bylaw officer was on scene within an hour of work getting underway and discovered a tree-cutting permit had not been issued.

A stop-work order has since been issued, he added.

20. Can Residents “trust” this Developer to keep his promises?

[Hamilton council denies Valery Homes development charge credit extension for Chedoke brow lands project \(hamiltonnews.com\)](http://hamiltonnews.com)

[Hamilton's heritage committee tries to save last remaining Mountain Sanatorium building \(hamiltonnews.com\)](http://hamiltonnews.com)

[Valery Homes agrees not to demolish former Mountain Sanatorium building \(hamiltonnews.com\)](http://hamiltonnews.com)

Jeremy Parsons, heritage planner, said the owner, Valery Homes, has not included the Long and Bisby building, located at 828 Sanatorium, and the last structure of what had been the Mountain Sanatorium complex, in any of its proposed development plans.

Partridge said there is the possibility Valery Homes could re-apply for a demolition permit. But Whitehead said he was confident the company wouldn't make such a move.

“Nothing will be torn down,” said Whitehead. “He wants an opportunity to not only do a current heritage assessment but to determine whether the assessment “could lead to an adaptive reuse of the building.

“He would be a fool to break that commitment,” said Whitehead.

[Valery Homes agree to Long and Bisby building heritage designation \(hamiltonnews.com\)](http://hamiltonnews.com)

While the Valery Group agreed to the Long and Bisby designation, they requested that the city delay designating the other cultural features on the property until after further review by staff and consultation during the planning process.

From 2014 to 2015 Valery Homes has demolished: The Brow Building, constructed in 1916; the Brow Annex, built in 1917; the Hose and Reel House, built in 1917; and the Moreland Residence, which was constructed in 1936.

My message to City Planning Committee and Councillors:

Hamilton, the “Ambitious City” which is certainly “Open for Business” does not need to compete with New York or London like Toronto does, it needs to **stay firm** in its commitment to Residents for environmental and sustainable growth.

Hamilton welcomes Developers “who treat Residents with respect, play by the rules and keep their promises”. An Official Plan accommodates Hi-density projects in designated areas and the City surely assists anyone revitalizing its Downtown.



## Investment in Affordable Housing

Investment in Affordable Housing encourages the creation of new affordable housing in the City of Hamilton. This portfolio includes the [Rent Supplement Program](#), the [Home Ownership Down Payment Assistance Program](#) for low to moderate-income residents who rent in Hamilton, and want to buy a home and the [Ontario Renovates Program](#).

Valery's proposal is not affordable housing, its Luxury Units located in the suburbs where cars are mandatory to get around, lived here for 30 years. Design is similar to their project on Rymal and Garth?

[The Pinnacle by Valery Properties | Luxury Leasing Residence](#)

### **HAMILTON'S NEWEST LUXURY LEASING RESIDENCE**

#### **2 BEDROOM SUITES AVAILABLE!**

Located on Hamilton's highly sought-after West Mountain and enhanced with all the conveniences of modern living, The Pinnacle is an ideal place to call home.

In closing, my advice to the City Solicitor:

Make it clear that the City of Hamilton and its Residents don't intend to be pushed around or bullied by Developers or Political Appointees who view the PYRAMID PARADISE of Toronto as the model for anyone except those who will watch

their occupants flee in droves to a healthier, happier and greener environment. There are many Toronto Refugees now moving to raise their families in our Neighbourhoods and the Niagara Peninsula.

It's abundantly clear this Pandemic exposed the flaws of living in a claustrophobic City of Hi-Rise-wind-tunnelled-streets, avoiding subways and elevators for your own safety.

That's what happens to a City that abandons Urban Planning and allows Developers unrestricted free rein!

If the Tribunal judgement might be unfavourable, I expect the City of Hamilton to appeal the decision!

Remind the folks from "Taranaa" that Hamilton is called "the Hammer" for a reason, not for nothing!

Best regards,

Conrad Walczak

Hamilton, ON

**From:** Marlene Castura <  
**Sent:** February 11, 2021 7:25 PM  
**To:** Ward 1 Office <[ward1@hamilton.ca](mailto:ward1@hamilton.ca)>;  
**Subject:** Zoning By-law Amendment, File No. ZAS-20-003

Re: 9 Westbourne Road, Hamilton, ON.

Dear Sir,

I wish to voice my opposition to the zoning by-law amendment, File ZAS-20-003, for an additional living unit to be added on the existing property at 9 Westbourne Road.

Although the city is intensifying its urban space with the building of multiple storey towers along arterial routes, it is considering further intensification into its neighbourhoods off the main roads. This is the affect this application for amendment is seeking. I ask you: when does intensification become overintensification?

At this time our Ainslie Wood area is being earmarked for major proposed buildings of towers. ( acceptable as part of the secondary plan ). In my West Park/Westbourne area of the city, developers are pushing for the maximum heights for their projects. Presently, we have a 3 storey height restriction. This height restriction is being challenged by applications for zoning by-law changes to build a 24 storey massive building on Main Street, along with a 9 storey condo along with 2 three storey townhouses in the property between West Park and Westbourne, an area which at present is mostly green space. Our neighbourhood in a two block area will change dramatically in densification and population in the near future.

I mention this as the owners of 9 Westbourne Road ask for a zoning by-law amendment to intensify their property. This proposal is one that will back onto the two proposed 3 storey townhouses. Can you imagine what this by-law change will do to our neighbourhood? It will give precedence for other neighbours to follow suit.

So, I ask you, as a longtime resident in this neighbourhood, when does intensification in a two block area become overintensification?

There has to be consideration to an unexpected consequence of overintensification before granting a zoning by-law. We have to live a certain quality of life and project what type of changes will be downloaded on a neighbourhood we call home.

Please consider our neighbourhood as if it were yours.

Sincerely,  
Marlene Castura  
Hamilton

On Feb 11, 2021, at 11:55 AM,

Terry Brown wrote:

Dear Friends,

I am writing with input on the Corktown Plaza development (211 and 225 John Street South and 78 Young Street).

I live at ## Charlton Avenue East. I frequently use the stores at the current Corktown Plaza, especially the medium-sized grocery store. I do not have a car, so I must transport what I buy, usually just carrying the groceries. I am very dependent on the grocery store in Corktown Plaza. Corktown is rather a food desert, with few grocery stores and not many affordable restaurants.

My main concern is that the redeveloped property still have a grocery store. I understand this was in the original plan but is possibly being replaced by smaller specialty stores. I would urge that there be a mandatory requirement in the development plan that there be a good grocery store in the new complex.

We want fewer cars in Hamilton and more reliance on walking and public transport. As there is more and more high rise residential development in Corktown, it is important that provision be made for grocery stores in the neighbourhood.

Thank you for your consideration.

(The Rt. Rev.) Terry Brown  
Hamilton, Ont.

**To** Planning Committee, City of Hamilton  
**Re** Development of Corktown Plaza in Corktown in Ward 2

February 16, 2021

This short letter is being submitted in consideration of the matter before the Planning Committee today, item 8.5 (PED21032), with respect to the development of the Corktown Plaza in the Corktown neighbourhood in Ward 2.

For the record, I am supportive of this site being redeveloped and think it's important to consider how it could increase liveability, accessibility, and vibrancy in the neighbourhood.

The sole purpose of providing this feedback is to ask the Committee not to go ahead with any approvals until the City of Hamilton more adequately engages with the community about this development.

The designs and plans have changed dramatically since this development was originally considered by the community. In short, it is no longer the same project.

At a preliminary engagement session with the developer, access to food was cited as a serious priority by residents. I attended these meetings and heard from residents directly about this. The original designs contemplated this possibility and there were some promising early discussions about the potential for a grocery store on the site.

Since then the footprint of the site was made smaller in total and reduced the total amount of available retail space. I'm not sure how this decision was reached. From what I understand, having spoken to the developer's agent briefly, there is no longer space available for a grocery store.

The Corktown neighbourhood is underserved in this way and has been for a very long time. This site is of an adequate size to accommodate this type of amenity and is located somewhat centrally so as to be of benefit to most Corktowners. Other sites in the area with similar footprints are less accessible and more accessible sites have much smaller footprints.

My point is that there are few opportunities to provide this kind of amenity to Corktowners and that the redevelopment of the Corktown Plaza could play a significant role in improving access to food for residents.

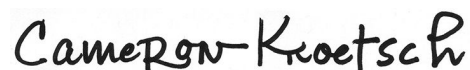
Before this is approved as presented, I think it's important for the community to be consulted about the new plans, in a manner similar to how they were consulted about the original plans.

When drastic changes like this take place, it's important to circle back and continue the engagement process. That process means coming back to residents when things change considerably and giving them an opportunity to provide additional feedback.

While I have no doubt that the City fulfilled its legal obligations in providing adequate official notice to nearby residents, it's not enough. I have made this point to your Committee before, but I think it's especially important considering that the impacts of COVID-19 have limited the public's ability to participate in this process in person. It is the City's responsibility, in my opinion, to meet residents where they're at. During COVID, that means going the extra mile to ensure that they have been adequately consulted.

Please take the time necessary to get this right and to engage with Corktowners before moving ahead.

Respectfully,

A handwritten signature in black ink that reads "Cameron Kroetsch". The signature is written in a cursive, slightly slanted style.

Cameron Kroetsch  
Ward 2 resident

**From:** Jamie Philp  
**Sent:** February 11, 2021 8:31 PM  
**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**Cc:** Farr, Jason <[Jason.Farr@hamilton.ca](mailto:Jason.Farr@hamilton.ca)>  
**Subject:** Corktown Plaza Development

Hello,

I'm writing to express my concern regarding the Corktown Plaza development. I attended the meeting with the Developers & fellow Corktown community members at the Church of Ascension several years ago. There were a lot of questions from the Developers asking what the community wanted to see in the lower levels of the units planned for that location. Almost unanimous response back from the neighbourhood was a Grocery Store. There were also suggestions of a Laundry facility and/or Community Space.

From what I've read, it sounds like the developers filed all that feedback in the circular bin, and are planning to move ahead with smaller retail spaces. What happened? Why ask for feedback from the community if they're just moving ahead with what they want. It seems pretty clear that the developers treated that community consultation as a box to tick on their development plans - zero intention of follow through.

Can you shed some light on what happened between the consultation and where we are now? I understand that there were changes made to the plans based on feedback from the City. Can you share that feedback?

Thank you,  
-Jamie Philp

**From:** Mary Porter  
**Sent:** February 11, 2021 11:17 PM  
**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**Cc:** Farr, Jason <[Jason.Farr@hamilton.ca](mailto:Jason.Farr@hamilton.ca)>  
**Subject:**

Dear Councillors:

I'm writing to express my concerns about the Corktown Plaza redevelopment (Planning Committee file # PED 21032). I live nearby and attended both community meetings that Slate Asset Management hosted. At the time, I appreciated the efforts made to consult with the community. Every single person who attended those meetings stressed the need for a grocery store in Corktown and expressed concerns that we would lose amenities. Councillor Farr, who was present at at least one of these meetings, might remember how insistent everyone was on these points. When the plan was presented in 2018, I was pleased to see a retail space large enough for a substantial grocery store.

Corktown is a neighbourhood that will be experiencing substantial change in the years to come with multiple large-scale developments that will significantly increase density and traffic. I welcome my future neighbours and well considered community-consulted developments that meet our housing and amenity needs, particularly if they include affordable housing. I welcome the city's plan to encourage forms of transportation other than cars. If we are to make this a successful densely-populated and walkable neighbourhood, we need a real grocery store. I can't imagine there is not a successful business case for one in this location.

The new scaled back plans have much smaller retail space which does not appear to be suitable for a large grocery store. I'm disappointed that my neighbours and I freely gave our time to a community consultation process that was ultimately ignored by both the developer and city planners. I will approach future efforts with more scepticism. I was disappointed when my email requesting more information about this was ignored by Brandon Donnelly at Slate Asset Management. I'm disappointed by the city process that doesn't give residents enough time for further consultation when a substantial change like this is made. It feels like a bait and switch.

Perhaps there are perfectly reasonable answers. Perhaps a grocery store is still in the cards. I think many of us in the neighbourhood would like some answers and some transparency about why this happened. I would hope that Councillor Farr will see it as a part of his job as our representative to advocate for these concerns and facilitate meaningful community consultation that isn't just for show.

Sincerely,

Mary Porter

**From:** James MacNevin  
**Sent:** February 12, 2021 10:28 AM  
**To:** Kehler, Mark <[Mark.Kehler@hamilton.ca](mailto:Mark.Kehler@hamilton.ca)>  
**Cc:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca); Farr, Jason <[Jason.Farr@hamilton.ca](mailto:Jason.Farr@hamilton.ca)>;  
**Subject:** Re: Corktown Plaza redevelopment

Hi Mark,

Thank you for sending me the revised application materials for the Corktown Plaza redevelopment. I would like to submit a couple of comments for the consideration of the Planning Committee (item no. PED21032). I've copied the City Clerk on this email.

First, a quick comment about **carshare parking**, which I had written to you about in October 2018. I'm really pleased to see that the developer is now planning to include this and that the report mentions the possibility of using Site Plan Control to ensure that it happens. The two carshare parking spaces that currently exist at the plaza are an essential community amenity and they absolutely must be retained—and hopefully augmented—if hundreds more car-free residents are going to be added to the neighbourhood. (As I mentioned in my previous email, I live two blocks away from the Corktown Plaza and use those carshare cars every week.)

Second, I want to voice my concerns about the **huge reduction in the amount of retail space** between the first and second iterations of this proposal. I attended the two community meetings that the developer hosted in 2017 and 2018, and at those meetings numerous attendees spoke about the need for a full-service grocery store in Corktown. The lack of grocery options other than the Hasty Market and corner stores is already a serious problem for Corktown given the neighbourhood's high population density and relatively high proportion of car-free households, and this will only be exacerbated by all the forthcoming development. Between this project, the Forest/Catharine project that was approved in October 2020, and the Metro Condominiums project that will soon be coming forward for approval, we will be gaining more than 1,600 new households within a two-block radius. In light of this, I know that many Corktown residents were happy to see that the plans for the Corktown Plaza involved more than 2,000 square metres of retail space, including a large space of almost 1,500 square metres that was designed with a grocery store in mind. Now, however, that large space has been dropped from the plans and replaced with two retail spaces of only 510 square metres and 418 square metres, neither of which appears to be well suited for hosting a grocery store. Not only is this much less commercial space than was originally proposed for the development, it's also much less than what *currently exists* on the site. I find it puzzling that the neighbourhood will lose retail amenities at the same time as it gains many new residents. This does not seem compatible with the City's ostensible goals of creating dense, walkable, mixed-use neighbourhoods in the core.

I would be interested to hear from the developer, councillors, and planning staff about how and why these fundamental changes to the plans came about. It would have been very helpful if there had been an opportunity to raise these questions in a third community meeting, but no such meeting took place—which is ultimately what I find most troubling. Why did the community not find out about the changes to the plans that were presented to us at the 2018 meeting? What was the point of that meeting if the plans presented then were completely different than the plans that



are now being recommended for approval? This seems to undermine the legitimacy of the whole consultation process.

In closing, I want to reiterate what I wrote back in 2018: I am generally supportive of this development and I think it has the potential to be a positive addition to the neighbourhood and the city. But given the size of the development and the way it will shape the surrounding area for decades to come, I hope all interested parties can work together to ensure it reaches its full potential. I look forward to hearing the discussion in next week's committee meeting.

Best,

James

Dear;  
Office of the City Clerk of Hamilton,  
Mark Kehler,  
Kimberley Harrison-McMillan,  
Jason Farr,  
City of Hamilton Planning Committee,

I am writing to express my concerns about the proposed Corktown Plaza redevelopment (Planning Committee file # PED 21032). I live and work in Ward 2 and received the Notice of this Public Meeting of the Planning Committee in the mail. Prior to this I had not been aware of these proposals and so getting up to speed on these plans required a lot of reading. Through this research, I quickly became concerned about excessive density and heights of the development, the lack of space for grocery in the new plans, and the displacement without promise of return of the current commercial residents which provide services that are essential to the Corktown community.

From the Applications for Amendment that were made public on February 10, 2021, it is clear that all of the modifications proposed are in effort to excessively increase the density of the building. If accepted, these amendments would

- increase the height of the development
- reduce the parking
- reduce the minimum setback from the street
- double the rooftop amenity area size, and
- decrease setback requirements for the upper storeys

This density is exactly what the Design Review Panel was concerned about when presented with the original plans in 2018. "In general, the current proposal represents an overdevelopment of the site. Although the overall site plan concept has successful elements... the density and building heights are excessive".

These excessive heights will cast shadows on nearby buildings and green space. In particular, I am concerned about the shadow effect on Shamrock Park and the buildings along and north of Young Street. The design review panel raised the same concerns with one panel member stating that "there should be no new net shadow impacts on any park space". In the rapidly growing downtown area, park space should be preserved and protected as a priority.

According to the shadow study completed along with the original building plan in 2018, Shamrock park will be cast in full shadow from 5 pm until sunset. Additionally, throughout the day shadows will reach past MacNab, past Augusta, and all the way to the Claremont Access. The buildings across Young street will also now be in shadow most of the day during the summer when the community is the most active. This significant shadow effect will increase the energy consumption of heating the nearby buildings during the winter months, and will greatly lessen the perception of safety that the neighbour currently provides.

This loss of safety will be compounded by the height of the building areas next to the street and the reduction in the set-back of the large towers. The proposed building plan has areas directly next to the street that are 6 to 10 storeys tall, which is not consistent with the existing neighbourhood. The nearby buildings are only 3 storeys on average. The addition of such a tall building in this neighbourhood will cause the streets to lose their sense of place which will compound the perception of feeling unsafe that is created by the increased shadows. With the amendment to decrease the required set-backs of the towers this will only be multiplied. The lower storeys are too tall to begin with and the towers will be brought closer to the street, effectively removing the separation between these lower storeys and the towers above. With a building of this height and design I would urge the increase of the required set back rather than the proposed decrease.

I find it greatly concerning that many of these issues have already been brought forth, both by members of the community, and by the Design Review Panel. The revised building plan has not addressed any of these concerns. The heights of the buildings have not been decreased and no new shadow study has been completed.

Corktown is outside of the Downtown Hamilton Secondary Plan boundaries and as such I do not believe that these amendments are suitable for development in this area. The City of Hamilton's Tall Building Guidelines urge the prioritization of neighbourhood aesthetics and community safety. If these amendments are approved it would be in direct contradiction to these guidelines. This proposal for amendment and the resulting development will set a precedent for the future development in the Corktown neighbourhood. It is of great importance that these amendments be considered carefully, and all of the impacts of the development be addressed.

Overall, this building proposal has many positive elements. Density and growth potential are key to the city's strategic priorities but density on this level will be more damaging than transformational. The negative impacts that the proposed design will have on the current positive aspects of the neighbourhood outweigh the benefits it suggests to add. In such an evolving area of Hamilton a new development has a unique opportunity to alter and potentially improve the fabric of this Hamilton neighbourhood. This transformation should not be approached lightly. With this amendment, the city has the chance to set standards for the safety of our streets, and the integrity of our parks and green space. We need to hold this, and all future development plans to this standard, a standard to which the current site proposal falls drastically short.

Finally, I would like to echo the concerns that have been brought up repeatedly by my fellow community members James MacNevin, Rick Hemingway, Jilda Perez, Donna Portree, Andrew Selbo, Ania, Mark, and others. The proposed development will remove access to laundry, groceries, medical care, and carshare transportation for the community with no plan for how these services will be integrated into the new design plan. The growth and efficient use of land is not the only priority the city has for their 2018-2022 plan. In an effort to both protect and build a healthy, safe and prosperous community, the city must not forget about these additional priorities:

- Protection and improvement of the city's green spaces
- Ensuring safe neighborhoods and friendly communities
- Sustainable, efficient, and renewable energy
- Increasing affordable housing to help the cities ever growing homeless population
- Health equity

All of these are either not addressed by or are directly threatened by the current development proposal. The loss of these incredibly positive aspects of the Corktown community are not an acceptable price to pay for growth and development, especially development that is as ill suited to the current neighbourhood as this redevelopment plan for Corktown Plaza.

Thank You,

Jessica Hymers

**Authority:** Item ,  
Report (PED21032)  
CM:  
Ward: 2

**Bill No.**

## CITY OF HAMILTON

### BY-LAW NO.

**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 211 and 225 John Street South and 78 Young Street,  
Hamilton**

**WHEREAS** Council approved Item \_\_\_\_\_ of Report PED21 \_\_\_\_\_ of the Planning Committee at its meeting held on the \_\_\_\_\_<sup>th</sup> day of \_\_\_\_\_, 2021;

**AND WHEREAS** this By-law conforms with the Urban Hamilton Official Plan upon adoption of Official Plan Amendment No. \_\_\_\_\_.

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

1. That Map No. 994 of Schedule "A" – Zoning Maps of Zoning By-law No. 05-200, is amended by changing the zoning from the Mixed Use Medium Density (C5) Zone to the Mixed Use Medium Density (C5, 739, H118) Zone for the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" to the By-law.
2. That Schedule "C" – Special Exceptions of Zoning By-law No. 05-200, is hereby amended by adding an additional special exception as follows:

"739. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map No. 994 of Schedule "A" – Zoning Maps and described as 211 and 225 John Street South and 78 Young Street, Hamilton, the following special provisions shall apply:

- a) Notwithstanding the definition of "Grade" in Section 3, the following shall apply:

Grade	Shall be 102.97 metres above mean sea level as defined by the Geodetic Survey Datum.
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- b) Notwithstanding Sections 5.6 c) and 5.7 g) as it relates to a multiple dwelling and permitted commercial uses, the following shall apply:

- i) Parking
  - 1) A minimum 0.6 parking spaces per unit shall be



**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 211 and 225 John Street South and 78 Young Street,  
Hamilton**

- required for a multiple dwelling; and,
- 2) The Commercial parking requirements of Section 5.6 c) shall not apply except to a Commercial School, Financial Establishment, Hotel, Conference or Convention Centre, Medical Clinic, Office or Veterinary Service.
- ii) **Bicycle Parking** A minimum 0.5 long term bicycle parking spaces per dwelling unit shall be required.
- c) Notwithstanding Sections 10.5.1.1 i) 1., and 10.5.3 a) i) and d) the following shall apply:
- i) **Restriction of Uses Within a Building** The finished floor elevation of any dwelling unit shall be a minimum 0.6 metres below grade.
- ii) **Building Setback from a Street Line**
- 1) For buildings with residential units on the ground floor facing a street:
- A. A minimum 1.5 metres from Young Street;
- B. A minimum 0.5 metres from Catharine Street South; and,
- C. A minimum 3.0 metres from John Street South and Forest Avenue.
- 2) Notwithstanding b) ii) 1) B. above, a minimum 2.2 metres from the Catharine Street South street line shall be required for a building exceeding 29.0 metres in

**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 211 and 225 John Street South and 78 Young Street,  
Hamilton**

- height.
- iii) Building Height
- 1) Minimum 5.5 metres;
  - 2) Maximum building height shall be in accordance with Figure 23 of Schedule F – Special Figures of Zoning By-law No. 05-200.
  - 3) In addition to the definition of Building Height in Section 3: Definitions, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations:
    - A. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area does not exceed 20% of the floor area of the storey directly beneath;
    - B. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of

**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 211 and 225 John Street South and 78 Young Street,  
Hamilton**

2.0 metres from the exterior walls of the storey directly beneath; and,

- C. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 3.0 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.

3. That Schedule "D" – Holding Provisions, of By-law No. 05-200, be amended by adding the additional Holding Provision as follows:

"118. Notwithstanding Section 10.5 of this By-law, within lands zoned Mixed Use Medium Density (C5, 739) Zone on Map No. 993 on Schedule "A" – Zoning Maps, and described as 211 and 225 John Street South and 78 Young Street, no development shall be permitted until such time as:

- 1) The Owner enters into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MOECP). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MOECP, and submission of the City of Hamilton's current RSC administration fee.
- 2) That the Owner submits and receives approval of a Documentation and Salvage Report for the existing buildings at 211 John Street South and 78 Young Street and implements the strategy of the Documentation and Salvage Report in accordance with the City of Hamilton Documentation and Salvage Report guidelines to the satisfaction of the Director of Planning and Chief Planner."

**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 211 and 225 John Street South and 78 Young Street,  
Hamilton**

4. That Schedule F: Special Figures of By-law No. 05-200 is hereby amended by adding Figure 23: Maximum Building Heights for 211 and 225 John Street South and 78 Young Street.
5. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.
6. That notwithstanding Section 34(21) of the Planning Act, this By-law shall come into force upon the coming into force of By-law No. 17-240 for the subject lands through the resolution of its appeal in LPAT File No. PL171450.

**PASSED** this \_\_\_\_\_ , 2021

\_\_\_\_\_  
F. Eisenberger  
Mayor

\_\_\_\_\_  
A. Holland  
City Clerk

ZAC-18-041

*For Office Use Only, this doesn't appear in the by-law - Clerk's will use this information in the Authority Section of the by-law*

Is this by-law derived from the approval of a Committee Report? Yes

Committee: Planning Committee      Report No.: PED21032      Date:  
Ward(s) or City Wide: Ward 2      (16/02/2021)

Prepared by: Mark Kehler, Planner I      Phone No: 905-546-2424 ext. 4148

*For Office Use Only, this doesn't appear in the by-law*

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Hamilton**



This is Schedule "A" to By-law No. 21-  Passed the ..... day of ....., 2021	----- Mayor  ----- Clerk
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<p><b>Schedule "A"</b></p> <p>Map forming Part of By-law No. 21-_____</p> <p>to Amend By-law No. 05-200 Map 994</p>	<p><b>Subject Property</b></p> <p>211, 225 John Street South &amp; 78 Young Street</p> <p> Mixed Use Medium Density (C5) Zone to the Mixed Use Medium Density (C5, 739, H118) Zone</p>
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Scale: N.T.S	File Name/Number: ZAC-18-041	Hamilton PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Date: January 29, 2021	Planner/Technician: MK/AL	








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Hamilton**



**Special Figure 23: Maximum Building Heights for 211 and 225 John Street and 78 Young Street**

Date:  
January 29, 2021

**Legend**

-  Maximum Building Height 92m, inclusive of mechanical penthouse and amenity area
-  Maximum Building Height 36.5m
-  Maximum Building Height 23m
-  Maximum Building Height 48.5m
-  Maximum Building Height 29m





February 12, 2021

City of Hamilton  
Planning Committee  
Hamilton, ON

**Re: Application for Zoning By-Law Amendment  
130 Wellington Street South (ZAR-18-057)**

I have prepared this letter for consideration by Planning Committee in follow-up to the deferral of the application at the February 2, 2021 Committee meeting. The application was deferred to allow the opportunity for a meeting with the Ward Councillor and the residents that delegated at Committee. A neighbourhood meeting was subsequently held via WebEx that included Councillor Farr, four neighbourhood residents, the owner of the subject property and members of City staff. Following this productive meeting, the owner of the property canvassed the neighbourhood (door-to-door) to receive feedback from community members that did not attend the meeting or submit any written comments to the City. The responses received from the residents that the owners were able to get in touch with was generally positive, expressing either no concerns or interest in commenting on the proposal, or willingness to provide their signature indicating they have no objections. These signatures have been submitted to Planning Committee in conjunction with this correspondence.

In addition to this community engagement and response, I would like to provide the following items of clarification with respect to this application:

- The existing building on the subject property is a legally recognized *Lodging House* and the prevailing zoning designation permits the *Lodging House* use with up to 6 lodgers;
- There will be no increase in the number of units on the subject property as the building currently has 6 independent apartment units with separate kitchen facilities - one unit in the basement; two units on the first and second floors; and one unit on the third floor;
- Until late 2020, all 6 of the units were occupied by renters; 2 of the rental tenants vacated these units on their own accord and the units have remained vacant as the owners have been reviewing maintenance work required to address existing damage to these units;
- The existing units range in size from 550 ft<sup>2</sup> to over 1,100 ft<sup>2</sup>;
- The intent of this application is to maintain these important existing rental units in the community while ensuring the units comply with the Ontario Building Code and other applicable law, and also maintain the existing built form character on this property;

# MB1 | Urban Planning

- The owner has ensured that the existing access to the parking area at the rear of the building is unobstructed and available for use by tenants, even though the parking area has been used only minimally in the past by tenants;
- The existing parking area has been maintained to minimize disruption to the subject property and adjacent community, as well as to support the City's objectives to support transit, cycling and other modes of transportation, but additional parking could be accommodated by removing the existing garage in the rear yard; and
- Each of these units will be required to obtain Building Permits from the City of Hamilton to ensure proper access, fire protection, and other important matters are properly addressed, including for the basement unit.

I am in agreement with City of Hamilton Planning staff that the proposed Zoning By-Law Amendment is consistent with the Provincial Policy Statement (2020), conforms to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and complies with the policies and intent of the Urban Hamilton Official Plan. In particular, the following key policy objectives will be achieved through this Amendment:

- Ensuring compatibility with the character of the community, including the built form and heritage characteristics of the building;
- Increasing the range of house types and tenure in the community; and
- Attracting residents that rely on transit, cycling and walking as primary modes of transportation, which will support the City's transportation objectives.

Regards,



Michael Barton, MCIP, RPP  
President

Michael Barton, MBI Consulting (Agent) submitted signed documents of support for the proposed development at 130 Wellington Street South, Hamilton, ON L8N 2R4

I am aware of the proposed rezoning of the property located at 130 Wellington St S in Hamilton On. We understand that the involvement of us signing this support letter will show our support for the rezoning of the above property. I have read this support letter and fully understand that by signing this support letter we support the owners to make 130 Wellington St S a legal six plex.

Signed by:

Christine Nelson  
Saroj Adhikar  
Lindsay Miller  
Clarissa Dernedenlanden  
Anthony Conlin  
Sean P. Baloc  
Aaron Jervis  
Jennifer Whitecross  
Ayodeji Ige  
Stanley Hopkins  
Enyioma Kanir  
Wesley Gauthier  
Shawn McK-nz  
Shadan Simmons  
Alan Spring  
Jodi Voutour  
Alan Bahley  
A. Perry  
Eleanor Small