



**City of Hamilton  
PLANNING COMMITTEE  
AGENDA**

**Meeting #:** 24-002  
**Date:** February 6, 2024  
**Time:** 9:30 a.m.  
**Location:** Council Chambers (Planning)  
Hamilton City Hall  
71 Main Street West

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

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	<b>Pages</b>
<b>1. CEREMONIAL ACTIVITIES</b>	
<b>2. APPROVAL OF AGENDA</b> (Added Items, if applicable, will be noted with *)	
<b>3. DECLARATIONS OF INTEREST</b>	
<b>4. APPROVAL OF MINUTES OF PREVIOUS MEETING</b>	
4.1 January 16, 2024	4
<b>5. COMMUNICATIONS</b>	
<b>6. DELEGATION REQUESTS</b>	
6.1 Aamir Shahzad respecting the creation of a new Taxi Advisory Committee (Item 11.1) (For today's meeting) (virtual)	
<b>7. DELEGATIONS</b>	
<b>8. STAFF PRESENTATIONS</b>	
<b>9. CONSENT ITEMS</b>	

## 10. PUBLIC HEARINGS

10.1	Non-Statutory Public Meeting for Urban Hamilton Official Plan Amendment Application UHOPA-23-005 and Zoning By-law Amendment Application ZAC-23-006 Appealed to the Ontario Land Tribunal for Lack of Decision for Lands Located at 1065 Paramount Drive, Stoney Creek (PED24028) (Ward 9)  (**REVISED - main Report)	26
	a. Registered Delegations (i) Laurie Whitely (in-person) (ii) Sonia D'Aurelio (in-person) (iii) Bruce Ross (in-person) (iv) Joanne Ross (in-person) (v) Gord Teslic (in-person) (vi) Paul McDowell (pre-recorded) (vii) Brad Stapleton (in-person)	
	b. Written Submissions: (i) Candace and Mike Piva (ii) Wendy and Nino Statti (iii) Richard and Fay Henry (iv) Chris Gervan (v) Cathy Biggs	568
10.2	Application for Zoning By-law Amendment ZAC-23-048 for Lands Located at 459 and 465 Rymal Road West, Hamilton (PED24020) (Ward 14)	574
10.3	Application for Zoning By-law Amendment for Lands Located at 164, 168 and 176 Rymal Road East, Hamilton (PED24021) (Ward 8) (**REVISED Appendix "B")	601
10.4	Implementation of Canada Mortgage and Housing Corporation Housing Accelerator Fund Incentive Programs and Associated Updates to the Housing for Hamilton Community Improvement Plan (PED23143(c)) (City Wide)	650
10.5	Farm Labour Residences Discussion Paper (PED22022(a)) (Wards 9, 10, 11 12, 13 and 15) (**REVISED Appendix "B")	758
	a. Written Submissions: (i) Alan Ernest	792

**11. DISCUSSION ITEMS**

- 11.1 Inactive Taxi Plate Fee (PED24019) (City Wide) 793
- 11.2 Hamilton Municipal Heritage Committee Report 23-012 798
- 11.3 Contracted Parking Enforcement Services (PED24031) (City Wide) 835

**12. MOTIONS**

- 12.1 Request and Issuance of a Demolition Permit for the property municipally known as 294 Tenth Road East, Stoney Creek 839
- 12.2 Demolition Permit of 23 – 25 King Street East, Stoney Creek 840

**13. NOTICES OF MOTION**

**14. GENERAL INFORMATION / OTHER BUSINESS**

**15. PRIVATE AND CONFIDENTIAL**

- 15.1 Closed Session Minutes - January 16, 2024

Pursuant to Section 9.3, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021, as amended; and, Section 239(2), Subsections (e), (f) and (k) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

**16. ADJOURNMENT**



## **PLANNING COMMITTEE MINUTES**

### **24-001**

**January 16, 2024**

**9:30 a.m.**

**Council Chambers, Hamilton City Hall  
71 Main Street West**

**Present:** Councillor C. Cassar (Chair)  
Councillor M. Wilson (1st Vice Chair)  
Councillor T. Hwang (2nd Vice Chair)  
Councillors J. Beattie, J.P. Danko, M. Francis, C. Kroetsch,  
T. McMeekin, N. Nann, E. Pauls, M. Tadeson, A. Wilson

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#### **THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:**

- 1. Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications (PED24008) (City Wide) (Item 9.1)**

**(Pauls/A. Wilson)**

That Report PED24008 respecting Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications, be received.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
YES – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 15 Councillor T. McMeekin

**2. Application for a Zoning By-law Amendment for Lands Located at 83-85 Emerald Street South, Hamilton (PED24001) (Ward 3) (Item 10.3)****(Nann/Pauls)**

(a) That Amended Zoning By-law Amendment Application ZAC-22-053, by Gladki Planning Associates Inc. c/o John Gladki on behalf of Realty Holdings Group Ltd. c/o David Joy, owner, for a change in zoning from the Community Institutional (I2) Zone to the "E/S-1834-H" (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified, Holding, to permit the conversion of an existing three storey building, including a 555.59 square metre addition at the rear of the building, into a multiple dwelling with a maximum of 60 units and eight surface parking spaces, on lands located at 83 and 85 Emerald Street South, Hamilton, as shown on Appendix "A" attached to Report PED24001, be APPROVED, on the following basis:

- (i) That the draft By-laws, attached as Appendix "B" and Appendix "C" to Report PED24001, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the amending By-law apply the Holding Provisions of Section 36(1) of the Planning Act, R.S.O. 1990 to the subject property by introducing the Holding symbol 'H' to the proposed "E-3/S-1834-H" (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified;

The Holding Provision 'H' is to be removed, conditional upon:

- (1) The Owner submitting and receiving approval of a watermain hydraulic analysis, identifying the modelled system pressures at pressure district level under various boundary conditions and demand scenarios, to demonstrate that the municipal system can support the proposed intensification, to the satisfaction of the Director of Development Engineering and the Director of Hamilton Water;
- (2) That the Owner enters into an External Works Agreement with the City to complete upgrades on the municipal infrastructure that has been identified through the Functional Servicing Report, submitted in support of the proposed intensification of the subject site, at 100% their costs, to the satisfaction of the Director of Development Engineering and the Director of Hamilton Water;

- (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and complies with the Urban Hamilton Official Plan.

**Result: Motion CARRIED by a vote of 11 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 NOT PRESENT – Ward 15 Councillor T. McMeekin

**3. Housekeeping Amendments to the Urban Hamilton Official Plan Regarding 3011 Homestead Drive, Glanbrook (PED24003) (Ward 11) (Item 10.4)**

**(Tadeson/Pauls)**

- (a) That City Initiative CI-23-M – Housekeeping Amendments to the Urban Hamilton Official Plan, to create a Site Specific Policy Area for the District Commercial designation in the Mount Hope Secondary Plan for lands located at 3011 Homestead Drive, Glanbrook (see Appendix “A” attached to Report PED24003), be approved on the following basis:
  - (i) That the draft Urban Hamilton Official Plan Amendment, attached as Appendix “B” to Report PED24003, be adopted by Council;
  - (ii) That the draft Urban Hamilton Official Plan Amendment is consistent with the Provincial Policy Statement (PPS), 2020 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended.

**Result: Motion CARRIED by a vote of 10 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann

YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 NOT PRESENT – Ward 15 Councillor T. McMeekin

**4. Hamilton Municipal Heritage Committee Report 23-011 (Item 11.1)**

**(A. Wilson/Beattie)**

**(a) Appointment of Chair and Vice-Chair (Item 1)**

That A. Denham-Robinson be appointed as Chair of the Hamilton Municipal Heritage Committee for the remainder of the term.

That G. Carroll be appointed as Vice-Chair of the Hamilton Municipal Heritage Committee for the remainder of the term.

**(b) Recommendation to Designate 176 Wilson Street East, Ancaster, known as Birch Lawn, under Part IV of the *Ontario Heritage Act* (PED23241) (Ward 12) (Item 8.2)**

That the City Clerk be directed to give notice of Council's intention to designate 176 Wilson Street East, Ancaster, shown in Appendix "A" attached to Report PED23241, as a property of cultural heritage value pursuant to the provisions of Part IV, Section 29 of the *Ontario Heritage Act*, in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "A" to Hamilton Municipal Heritage Committee Report 23-011, subject to the following:

- (i) If no objections are received to the notice of intention to designate in accordance with the *Ontario Heritage Act*, City Council directs staff to introduce the necessary by-law to designate the property to be of cultural heritage value or interest to City Council;
- (ii) If an objection to the notice of intention to designate is received in accordance with the *Ontario Heritage Act*, City Council directs staff to report back to Council to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

**(c) Recommendation to Designate 241 Wilson Street East, Ancaster, former Ancaster Carriage Company Factory, under Part IV of the Ontario Heritage Act (PED23192) (Ward 12) (Item 8.3)**

That the City Clerk be directed to give notice of Council's intention to designate 241 Wilson Street East, Ancaster, shown in Appendix "A" attached to Report PED23192, as a property of cultural heritage value pursuant to the provisions of Part IV, Section 29 of the *Ontario Heritage Act*, in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "B" to Hamilton Municipal Heritage Committee Report 23-011, subject to the following:

- (i) If no objections are received to the notice of intention to designate in accordance with the *Ontario Heritage Act*, City Council directs staff to introduce the necessary by-law to designate the property to be of cultural heritage value or interest to City Council;
- (ii) If an objection to the notice of intention to designate is received in accordance with the *Ontario Heritage Act*, City Council directs staff to report back to Council to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

**(d) Establishment of Working Group Memberships (Item 10.1)**

That the working group membership be established as follows:

- (i) Education and Communications Working Group
  - (a) Alissa Denham-Robinson
  - (b) Karen Burke
  - (c) Stefan Spolnik
  - (d) Councillor Cameron Kroestch
- (ii) Inventory and Research Working Group
  - (a) Alissa Denham-Robinson
  - (b) Lyn Lusted
  - (c) Andy MacLaren



(iii) Policy and Design Working Group

- (a) Alissa Denham-Robinson
- (b) Andrew Douglas
- (c) Lyn Lunsted

**(e) Monthly Report on Recommended Proactive Listings for the Municipal Heritage Register, November 2023 (PED23235) (Ward 3) (Item 10.2)**

That staff be directed to list the property located at 78 Stirton Street, Hamilton (Ward 3) on the Municipal Heritage Register as a non-designated property that Council believes to be of cultural heritage value or interest, as outlined in Report PED23235, in accordance with Section 27 of the *Ontario Heritage Act*.

**Result: Motion CARRIED by a vote of 10 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 NOT PRESENT – Ward 15 Councillor T. McMeekin

**5. Agriculture and Rural Affairs Sub-Committee Report 23-003 (Item 11.2)**

**(Beattie/McMeekin)**

**(a) Stormwater Fee Information & Incentive Program Consultation (Item 8.1)**

That staff be directed to look at alternative options to the proposed stormwater fee for agricultural properties and report back to the Agriculture and Rural Affairs Sub-Committee with alternatives that are fair, affordable, justifiable, reasonable, and simple.

**(b) Rural Zones (Farm Labour Residences and Additional Dwelling Units – Detached) (Item 8.3)**

That staff be directed to include additional flexibility for Farm Labour Residences on size and permanence on justified farm situations.

**Result: Motion CARRIED by a vote of 11 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

**6. Notice of Objection to the Notice of Intention to Designate 54 Hess Street South, Hamilton, under Part IV of the Ontario Heritage Act (PED24002) (Ward 2) (Item 11.3)**

**(Kroetsch/Nann)**

- (a) That the Notice of Objection to the Notice of Intention to Designate 54 Hess Street South, Hamilton, under Part IV of the Ontario Heritage Act, attached as Appendix “A” to Report PED24002, be received;
- (b) That Council does not withdraw the Notice of Intention to Designate 54 Hess Street South, Hamilton, under Part IV of the Ontario Heritage Act;
- (c) That the draft By-law to designate 54 and 56 Hess Street South, Hamilton under Part IV of the Ontario Heritage Act, attached as Appendix “B” to Report PED24002, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

**Result: Motion CARRIED by a vote of 11 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann

YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

**7. Request for Direction to Proceed with Appeal of Committee of Adjustment Decision to Approve Consent Application FL/B-23:61 for lands located at 169 and 193 Weirs Lane, Flamborough (PED24029) (Ward 13) (Item 11.4)**

**(A. Wilson/Beattie)**

- (a) That Council gives approval to the following actions, as detailed in Report PED24029, respecting Committee of Adjustment Consent application FL/B-23:61 by Franco Romano, on behalf of Robert Eric Bernstein (owner), for the lands located at 169 and 193 Weirs Lane, Flamborough, as shown on Appendix “A” attached to Report PED24029, granted by the Committee of Adjustment but recommended for denial by the Planning and Economic Development Department:
- (i) That Council of the City of Hamilton proceed with the appeal to the Ontario Land Tribunal against the decision of the Committee of Adjustment to approve Consent application FL/B-23:61.
  - (ii) That Council directs appropriate Legal Services and Planning staff to attend the future Ontario Land Tribunal hearing in opposition to the decision of the Committee of Adjustment to approve Consent application FL/B-23:61.

**Result: Motion CARRIED by a vote of 11 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson

YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 15 Councillor T. McMeekin

**8. 1065 Paramount Drive Non-Statutory Public Meeting (Added Item 12.1)**

**(Danko/Beattie)**

WHEREAS, Urban Hamilton Official Plan Amendment Application UHOPA-23-005 and Zoning By-law Amendment Application ZAC-23-006 for Lands Located at 1065 Paramount Drive, Stoney Creek were received on November 18, 2022 and were deemed to be complete on December 13, 2022;

WHEREAS, an appeal of these applications by the proponent for non-decision was received by the City Clerk's Office on January 3, 2024, 411 days after the receipt of the applications;

WHEREAS, the City of Hamilton adopted Council's Procedures for Appeals on February 28, 2018;

- (i) Where an appellant has agreed to postpone the scheduling of any hearing event until such time as Planning Committee has had an opportunity to consider the matter and that agreement has been communicated to the Ontario Municipal Board or its successor, that Planning staff be directed to process those matters accordingly and bring those matters to Planning Committee at a non-statutory public meeting for consideration and for direction to be given to the City Solicitor;
- (ii) Where an appellant does not agree as described in (i), that Planning and Legal Services be directed to report back on the specific matter for further instructions or direction;
- (iii) That the City Solicitor be instructed to oppose these appeals until such time as further instruction is given on any specific appeal.

**THEREFORE BE IT RESOLVED:**

That staff be directed to schedule a non-statutory public meeting and give notice in accordance with the notice requirements of the Planning Act for Urban Hamilton Official Plan Amendment Application UHOPA-23-005 and Zoning By-law Amendment Application ZAC-23-006 for Lands Located at 1065 Paramount Drive, Stoney Creek.

**Result: Motion CARRIED by a vote of 11 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
NOT PRESENT – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
YES – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 15 Councillor T. McMeekin

- 9. Appeal to the Ontario Land Tribunal for lands located at 392, 398 400, 402, 406 and 412 Wilson Street East & 15 Lorne Avenue for Lack of Decision on Site Plan Control Application (DA-23-011) (LS24002) (Ward 12) (Added Item 15.2)**

**(A. Wilson/Tadeson)**

That Report LS24002 respecting Appeal to the Ontario Land Tribunal for lands located at 392, 398 400, 402, 406 and 412 Wilson Street East & 15 Lorne Avenue for Lack of Decision on Site Plan Control Application (DA-23-011), be received and remain confidential.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
YES – Ward 2 Councillor C. Kroetsch  
YES – Ward 3 Councillor N. Nann  
YES – Ward 4 Councillor T. Hwang  
YES – Ward 5 Councillor M. Francis  
YES – Ward 7 Councillor E. Pauls  
YES – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 15 Councillor T. McMeekin

**FOR INFORMATION:****(a) APPROVAL OF AGENDA (Item 2)**

The Committee Clerk advised of the following changes to the agenda:

**5. COMMUNICATIONS**

- 5.1 Correspondence from Ancaster Heritage Village respecting OLT Appeal for lands located at 392, 398, 400, 402, 406 and 412 Wilson Street East & 15 Lorne Avenue for Lack of Decision on Site Plan Control Application (DA-23-011) (LS24002) (Ward 12)

Recommendation: Be received and referred to the consideration of Item 15.2.

**6. DELEGATION REQUESTS**

- 6.1 Janice Brown respecting 54 Hess Street (Item 11.3) (For today's meeting)

**10. PUBLIC HEARINGS**

- 10.1 Application for a Zoning By-law Amendment for Lands Located at 64 Hatt Street, Dundas (PED23164) (Ward 13) – Deferred to a future meeting.

10.2 Application for a Zoning By-law Amendment for Lands Located at 81 and 87 Rymal Road East, Hamilton (PED23216) (Ward 8) – Deferred to a future meeting.

- 10.3 Application for a Zoning By-law Amendment for Lands Located at 83-85 Emerald Street South, Hamilton (PED24001) (Ward 3)

(a) Added Written Submission:

(i) Laura Harrison

(b) Staff Presentation

10.4 Housekeeping Amendments to the Urban Hamilton Official Plan Regarding 3011 Homestead Drive, Glanbrook (PED24003) (Ward 11)

(a) Staff Presentation

## **11. DISCUSSION ITEMS**

11.4 Request for Direction to Proceed with Appeal of Committee of Adjustment Decision to Approve Consent Application FL/B-23:61 for lands located at 169 and 193 Weirs Lane, Flamborough (PED24029) (Ward 13)

(a) Staff Presentation

## **13. NOTICES OF MOTION**

13.1 1065 Paramount Drive Non-Statutory Public Meeting

## **15. PRIVATE & CONFIDENTIAL**

15.2 Appeal to the Ontario Land Tribunal Appeal to the Ontario Land Tribunal for lands located at 392, 398, 400, 402, 406 and 412 Wilson Street East & 15 Lorne Avenue for Lack of Decision on Site Plan Control Application (DA-23-011) (LS24002) (Ward 12)

### **(Tadeson/Beattie)**

That the agenda for the January 16, 2024 Planning Committee meeting be approved, as amended.

### **Result: Motion CARRIED by a vote of 9 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 NOT PRESENT – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 NOT PRESENT – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 NOT PRESENT – Ward 13 Councillor A. Wilson

YES – Ward 15 Councillor T. McMeekin

**(b) DECLARATIONS OF INTEREST (Item 3)**

There were no declarations of interest.

**(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)**

**(i) December 5, 2023 (Item 4.1)**

**(Beattie/Tadeson)**

That the Minutes of the December 5, 2023 meeting be approved, as presented.

**Result: Motion CARRIED by a vote of 10 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 NOT PRESENT – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 NOT PRESENT – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

**(d) COMMUNICATIONS (Item 5)**

**(i) Correspondence from Ancaster Heritage Village respecting OLT Appeal for lands located at 392, 398, 400, 402, 406 and 412 Wilson Street East & 15 Lorne Avenue for Lack of Decision on Site Plan Control Application (Item 11.3) (Added Item 5.1)**

**(A. Wilson/Tadeson)**

That the correspondence from Ancaster Heritage Village respecting OLT Appeal for lands located at 392, 398, 400, 402, 406 and 412 Wilson Street East & 15 Lorne Avenue for Lack of Decision on Site Plan Control Application (Item 11.3), be received and referred to the consideration of Item 11.3.



**Result: Motion CARRIED by a vote of 10 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 NOT PRESENT – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 NOT PRESENT – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

**(e) DELEGATION REQUESTS (Item 6)**

**(i) Janice Brown respecting 54 Hess Street (Item 11.3) (For today's meeting) (Added Item 6.1)**

**(Kroetsch/Tadeson)**

That the Delegation Request from Janice Brown respecting 54 Hess Street (Item 11.3), be approved for today's meeting.

**Result: Motion CARRIED by a vote of 10 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 NOT PRESENT – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 NOT PRESENT – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

(f) **DELEGATIONS (Item 7)**

(i) **Delegation requests respecting 54 Hess Street (Item 11.3) (Item 7.1 and Added Item 7.2)**

The Following delegations addressed the Committee respecting 54 Hess Street (Item 11.3):

1. Shannon Kyles (Item 7.1)
2. Janice Brown (Added Item 7.2)

**(Kroetsch/A. Wilson)**

That the following Delegations respecting 54 Hess Street (Item 11.3), be received.

1. Shannon Kyles (Item 7.1)
2. Janice Brown (Added Item 7.2)

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

(g) **PUBLIC HEARINGS (Item 10)**

In accordance with the *Planning Act*, Chair C. Cassar advised those viewing the meeting that the public had been advised of how to pre-register to be a delegate at the Public Meetings on today's agenda.

In accordance with the provisions of the *Planning Act*, Chair C. Cassar advised that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Development applications before

the Committee today, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Land Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

**(i) Application for a Zoning By-law Amendment for Lands Located at 83-85 Emerald Street South, Hamilton (PED24001) (Ward 3) (Item 10.3)**

Alaina Baldassarra, Planner I, addressed the Committee with the aid of a PowerPoint presentation.

**(Nann/Tadeson)**

That the presentation from Alaina Baldassarra, Planner I, respecting Application for a Zoning By-law Amendment for Lands Located at 83-85 Emerald Street South, Hamilton, be received.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

John Gladki with Gladki Planning Associates, was in attendance and indicated support for the staff report.

**(Nann/Pauls)**

That the presentation from John Gladki with Gladki Planning Associates, be received.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch

YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

Chair Cassar called three times for public delegations and no one came forward.

**(Nann/A. Wilson)**

(a) That the following public submission was received and considered by the Committee:

(i) Laura Harrison (Added Item 10.3 (a))

(b) That the public meeting be closed.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 2.

(ii) **Housekeeping Amendments to the Urban Hamilton Official Plan Regarding 3011 Homestead Drive, Glanbrook (PED24003) (Ward 11) (Item 10.4)**

**(Tadeson/Pauls)**

That the staff presentation be waived.

**Result: Motion CARRIED by a vote of 10 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 NOT PRESENT – Ward 15 Councillor T. McMeekin

Chair Cassar called three times for public delegations and no one came forward.

**(Tadeson/Pauls)**

- (a) That there were no public submissions received regarding this matter; and
- (b) That the public meeting be closed.

**Result: Motion CARRIED by a vote of 10 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 NOT PRESENT – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 3.

**(h) NOTICES OF MOTION (Item 13)**

**(i) 1065 Paramount Drive Non-Statutory Public Meeting (Added Item 13.1)**

**(Danko/Beattie)**

That the rules of order be waived to allow for the introduction of a Motion respecting 1065 Paramount Drive Non-Statutory Public Meeting.

**Result: Motion CARRIED by a 2/3rds majority vote of 11 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

For disposition of this matter, refer to Item 8.

**(i) GENERAL INFORMATION / OTHER BUSINESS (Item 14)**

**(i) General Manager's Update (Added Item 14.1)**

Steve Robichaud, Acting General Manager of Planning and Economic Development, advised the Committee that Jason Thorne would be returning as General Manager next week; and, the Rezoning Report addressing farm residences and secondary dwellings is scheduled for the February 6, 2024 Planning Committee meeting.

**(Beattie/Tadeson)**

That the General Manager's Update be received.

**Result: Motion CARRIED by a vote of 11 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

**(j) PRIVATE & CONFIDENTIAL (Item 15)**

**(i) Closed Session Minutes – December 5, 2023 (Item 15.1)**

**(M. Wilson/Pauls)**

- (a) That the Closed Session Minutes dated December 5, 2023 be approved as presented; and,
- (b) That the Closed Session Minutes dated December 5, 2023, remain confidential.

**Result: Motion CARRIED by a vote of 11 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

**(McMeekin/Pauls)**

That Committee move into Closed Session for Item 15.2 pursuant to Section 9.3, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021, as amended; and, Section 239(2), Sub-sections (e), (f) and (k) of the Ontario Municipal Act,

2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

**Result: Motion CARRIED by a vote of 11 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 NOT PRESENT – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls  
 YES – Ward 8 Councillor J.P. Danko  
 YES – Ward 10 Councillor J. Beattie  
 YES – Ward 11 Councillor M. Tadeson  
 YES – Ward 12 Councillor C. Cassar  
 YES – Ward 13 Councillor A. Wilson  
 YES – Ward 15 Councillor T. McMeekin

- (i) **Appeal to the Ontario Land Tribunal for lands located at 392, 398 400, 402, 406 and 412 Wilson Street East & 15 Lorne Avenue for Lack of Decision on Site Plan Control Application (DA-23-011) (LS24002) (Ward 12) (Added Item 15.2)**

For disposition of this matter, refer to Item 9.

**(k) ADJOURNMENT (Item 16)**

**(Tadeson/Pauls)**

That there being no further business, the Planning Committee be adjourned at 11:20 a.m.

**Result: Motion CARRIED by a vote of 12 to 0, as follows:**

YES – Ward 1 Councillor M. Wilson  
 YES – Ward 2 Councillor C. Kroetsch  
 YES – Ward 3 Councillor N. Nann  
 YES – Ward 4 Councillor T. Hwang  
 YES – Ward 5 Councillor M. Francis  
 YES – Ward 7 Councillor E. Pauls



**Planning Committee  
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**January 16, 2024  
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YES – Ward 8 Councillor J.P. Danko  
YES – Ward 10 Councillor J. Beattie  
YES – Ward 11 Councillor M. Tadeson  
YES – Ward 12 Councillor C. Cassar  
YES – Ward 13 Councillor A. Wilson  
YES – Ward 15 Councillor T. McMeekin

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Councillor C. Cassar, Chair  
Planning Committee

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Lisa Kelsey  
Legislative Coordinator



**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Planning Division**

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	February 6, 2024
<b>SUBJECT/REPORT NO:</b>	Non-Statutory Public Meeting for Urban Hamilton Official Plan Amendment Application UHOPA-23-005 and Zoning By-law Amendment Application ZAC-23-006 Appealed to the Ontario Land Tribunal for Lack of Decision for Lands Located at 1065 Paramount Drive, Stoney Creek (PED24028) (Ward 9)
<b>WARD(S) AFFECTED:</b>	Ward 9
<b>PREPARED BY:</b>	Anita Fabac (905) 546-2424 Ext. 1258 James Van Rooi (905) 546-2424 Ext. 4283
<b>SUBMITTED BY:</b>	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

### RECOMMENDATION

That Report PED24028, together with any written submissions and input from delegations received at Planning Committee, be referred to the Chief Planner and the City Solicitor to inform the City's position on the appeals to the Ontario Land Tribunal for Lack of Decision of Urban Hamilton Official Plan Amendment Application UHOPA-23-005 and Zoning By-law Amendment Application ZAC-23-006, for lands located at 1065 Paramount Drive, Stoney Creek, as shown in Appendix "A" attached to Report PED24028.

### EXECUTIVE SUMMARY

The subject property is municipally known as 1065 Paramount Drive (refer to Appendix "A" attached to Report PED24028), and is located north of the intersection of Paramount Drive and Mud Street on the west side of Paramount Drive

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**SUBJECT: Non-Statutory Public Meeting for Urban Hamilton Official Plan Amendment Application UHOPA-23-005 and Zoning By-law Amendment Application ZAC-23-006 Appealed to the Ontario Land Tribunal for Lack of Decision for Lands Located at 1065 Paramount Drive, Stoney Creek (PED24028) (Ward 9) - Page 2 of 12**

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Urban Hamilton Official Plan Amendment (UHOPA-23-005) and Zoning By-law Amendment (ZAC-23-006) applications were submitted by Arcadis on behalf of Mikmada (Paramount) Inc. on November 18, 2022, and were deemed complete on December 13, 2022. The proposal is to redesignate the subject lands from “Institutional” to “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations of the Urban Hamilton Official Plan and from “Institutional” to “High Density Residential 1” on Map No. B.7.6-1 of the West Mountain Area (Heritage Green) Secondary Plan. A change in zoning from the Small Scale Institutional “IS” Zone to a site specific Multiple Residential “RM3” Zone is also proposed.

The applicant proposes the development of an eight storey, 181 unit multiple dwelling, 79, three and three and a half storey stacked townhouse dwellings, and 44, four storey stacked maisonette townhouse dwellings, for a total of 304 dwelling units, with 415 parking spaces with 225 of those being in one level of underground parking, 38 short term bicycle parking and 208 long term bicycle parking spaces along with two driveway accesses proposed off of Paramount Drive (refer to Appendix “B” attached to Report PED24028).

The subject property is an irregular shaped lot with a lot area of 1.61 hectares. The subject lands are currently used for agricultural purpose (soybean field).

The appeal of the Urban Hamilton Official Plan Amendment and Zoning By-law Amendment, filed by Municipal Law Chambers c/o Russell Cheeseman counsel for Mikmada (Paramount) Inc., was received by the City Clerk’s Office on January 3, 2024, 411 days after the receipt of the initial applications (refer to Appendix “C” attached to Report PED24028).

Planning staff were in the process of preparing a report for consideration at a statutory public meeting at the January 16, 2024, Planning Committee meeting. However, because the appeal was filed on January 3, 2024, this did not occur as the applications were appealed by the applicant to the Ontario Land Tribunal prior to this date.

Notice of the February 6, 2024, Non-Statutory Public Meeting was sent on January 24, 2024, to 152 property owners within 120 m of the subject property, as well as the people who provided written comments on this proposal. This report, together with any written submissions and input from delegations received at the Planning Committee, will be referred to the Chief Planner and the City Solicitor to inform the City’s position on the appeals to the Ontario Land Tribunal.

**SUBJECT: Non-Statutory Public Meeting for Urban Hamilton Official Plan Amendment Application UHOPA-23-005 and Zoning By-law Amendment Application ZAC-23-006 Appealed to the Ontario Land Tribunal for Lack of Decision for Lands Located at 1065 Paramount Drive, Stoney Creek (PED24028) (Ward 9) - Page 3 of 12**

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This report has also been prepared in accordance with Council's policy for staff to advise Planning Committee and Council by way of an Information Report where an appeal for non-decision has been made to the Ontario Land Tribunal.

**Alternatives for Consideration – N/A**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

Legal Implications: N/A

**HISTORICAL BACKGROUND**

<b>Application Details</b>	
Owner:	Mikmada Homes Inc. (c/o Adam Nesbitt)
Applicant/Agent:	Arcadis (c/o Carmen Jandu)
File Number:	UHOPA-23-005 ZAC-23-006
Type of Applications:	Urban Hamilton Official Plan Amendment Zoning By-law Amendment
Proposal:	<p>The purpose of the Official Plan Amendment is to redesignate the subject lands from "Institutional" to "Neighbourhoods" in the Urban Hamilton Official Plan and to redesignate from "Institutional" to "High Density Residential 1" in the West Mountain Area (Heritage Green) Secondary Plan.</p> <p>The purpose of the Zoning By-law Amendment is to change the zoning from the Small Scale Institutional "IS" Zone to a site specific Multiple Residential "RM3" Zone.</p> <p>The effect of these applications is to facilitate a development consisting of an eight storey, 181 unit multiple dwelling, 79, three and three and a half storey stacked townhouse dwellings and 44, four storey stacked maisonette townhouse dwellings, for a total of 304 dwelling units.</p>

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**SUBJECT: Non-Statutory Public Meeting for Urban Hamilton Official Plan Amendment Application UHOPA-23-005 and Zoning By-law Amendment Application ZAC-23-006 Appealed to the Ontario Land Tribunal for Lack of Decision for Lands Located at 1065 Paramount Drive, Stoney Creek (PED24028) (Ward 9) - Page 4 of 12**

<b>Application Details</b>	
Proposal: <b>(Continued)</b>	<p>The applicant is proposing to provide 415 parking spaces with 225 of those being in one level of underground parking, 38 short term bicycle parking and 208 long term bicycle parking spaces along with two driveway accesses proposed off of Paramount Drive.</p> <p>The conceptual plans attached as Appendix “B” to Report PED24028.</p> <p>As per the second submission, the unit sizes in the multiple dwelling range from 47.1 square metres to 87.7 square metres. The floor plans indicate a breakdown of eight percent one bedroom units, 65 percent one bedroom plus den units, 13 percent two bedroom units and 13 percent two bedroom plus den units.</p>
<b>Property Details</b>	
Municipal Address:	1065 Paramount Drive, Stoney Creek
Lot Area:	±1.61 ha (Irregular).
Servicing:	Full municipal services.
Existing Use:	Vacant lands.
<b>Documents</b>	
Official Plan Existing:	“Neighbourhoods” on Schedule E – Urban Structure and “Institutional” on Schedule E-1 – Urban Land Use Designations.
Official Plan Proposed:	<p>“Neighbourhoods” on Schedule E-1 – Urban Land Use Designations.</p> <p>The applicant originally proposed to redesignate the subject lands to the “High Density Residential 1” designation in the Secondary Plan, and the proposal was prepared based on the “High Density Residential” policies of Volume 1 in the Urban Hamilton Official Plan that were in effect prior to Official Plan Amendment No. 167 coming into force and effect; however, the applications were submitted after Official Plan Amendment No. 167 came into force and effect.</p>

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**SUBJECT: Non-Statutory Public Meeting for Urban Hamilton Official Plan Amendment Application UHOPA-23-005 and Zoning By-law Amendment Application ZAC-23-006 Appealed to the Ontario Land Tribunal for Lack of Decision for Lands Located at 1065 Paramount Drive, Stoney Creek (PED24028) (Ward 9) - Page 5 of 12**

<b>Documents</b>	
Official Plan Proposed <b>(Continued):</b>	As a result of Bill 150, which requires that all decisions conform to the Official Plan in effect as of November 4, 2022, staff have determined that the application should be assessed against the “Medium Density Residential” policies of Volume 1 of the Urban Hamilton Official Plan because the proposed uses and height of the multiple dwelling (i.e. 8 storeys) are consistent with the “Medium Density Residential” policies as amended by OPA No. 167.
Secondary Plan Existing:	“Institutional” on Map B.7.6-1 West Mountain Area (Heritage Green) Secondary Plan Land Use Plan.
Secondary Plan Proposed:	“High Density Residential 1” on Map B.7.6-1 West Mountain Area (Heritage Green) Secondary Plan Land Use Plan.
Zoning Existing:	Small Scale Institutional “IS” Zone.
Zoning Proposed:	Site specific Multiple Residential “RM3” Zone.
Modifications Proposed:	<p>As of the latest (second) submission, the following modifications are being requested to the Multiple Residential “RM3” Zone:</p> <ul style="list-style-type: none"> <li>• To deem the zoning boundaries as the lot lines;</li> <li>• To provide an alternate definition for stacked townhouses;</li> <li>• To provide an alternate definition for a dwelling group;</li> <li>• To reduce the minimum front yard setback for stacked townhouses to 2.5 metres (to building) and 4.5 metres (to dwelling) whereas 7.5 metres is required; and,</li> <li>• To reduce the minimum side yard setback to 3 metres for stacked townhouses, whereas 6 metres, except 7.5 metres for a flankage yard or yard abutting singles, semis, or duplexes, and 3 metres abutting a street townhouse zone, is required for townhouses; To reduce the minimum side yard setback to 6 metres for apartment buildings, whereas half the height of the building but in no case less than 6 metres, except 7.5 metres for a flankage yard, and 9 metres abutting a zone for single detached or semi-detached dwellings, is required (staff identified).</li> </ul>

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**SUBJECT: Non-Statutory Public Meeting for Urban Hamilton Official Plan  
Amendment Application UHOPA-23-005 and Zoning By-law  
Amendment Application ZAC-23-006 Appealed to the Ontario Land  
Tribunal for Lack of Decision for Lands Located at 1065 Paramount  
Drive, Stoney Creek (PED24028) (Ward 9) - Page 6 of 12**

<b>Documents</b>	
<p>Modifications Proposed <b>(Continued):</b></p>	<ul style="list-style-type: none"> <li>• To reduce the minimum rear yard setback to 3 metres, whereas 6 metres, except 7.5 metres for a rear yard abutting a single, semi, duplex or street townhouse zone, is required for townhouses;</li> <li>• To reduce the minimum distance between buildings on the same lot to 8 metres between stacked townhouses and 14 metres between a stacked townhouse and an apartment building, whereas 15 metres, except 3 metres between end walls and 9 metres between end walls and rear walls, is required;</li> <li>• To increase the maximum density to 190 units per hectare, whereas 40 units, or 49 units if 100 percent of tenant parking is underground or enclosed, is permitted (staff identified);</li> <li>• To increase the maximum height to 13 metres for townhouses and 26 metres for multiple dwellings whereas 11 metres is permitted;</li> <li>• To permit the privacy area for stacked townhouses on a balcony or patio, whereas privacy area shall be adjacent to a dwelling. To reduce the minimum landscaped open space to 33 percent whereas 50 percent for townhouses and back-to-backs and 25 percent for apartments is required;</li> <li>• To remove a landscape strip requirement abutting a street whereas a 4.5 metre landscape strip is required;</li> <li>• To reduce the minimum number of parking spaces to 1.05 spaces per unit for a multiple dwelling whereas 1.6 (1.25 tenant and 0.35 visitor) spaces are required for each one bedroom unit and 1.85 (1.5 tenant and 0.35 visitor) are required for each two bedroom unit;</li> <li>• To reduce the minimum number of parking spaces to two spaces for three and a half storey stacked townhouses and 1.25 spaces for four storey stacked back-to-back townhouses whereas 2.5 spaces (two tenant and 0.5 visitor) are required for townhouse dwellings; and,</li> <li>• To reduce the parking setback to 2.0 metres for a stacked townhouse building and 1.7 metres for a multiple dwelling building, whereas 3 metres to a building is required.</li> </ul>

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**SUBJECT: Non-Statutory Public Meeting for Urban Hamilton Official Plan Amendment Application UHOPA-23-005 and Zoning By-law Amendment Application ZAC-23-006 Appealed to the Ontario Land Tribunal for Lack of Decision for Lands Located at 1065 Paramount Drive, Stoney Creek (PED24028) (Ward 9) - Page 7 of 12**

<b>Documents</b>	
Modifications Proposed <b>(Continued):</b>	<ul style="list-style-type: none"> <li>To modify the size of a loading space to 3.5 metres wide and 10 metres long whereas 3.6 metres wide and 10 metres long is required; and,</li> <li>To decrease the width of a parking space to 2.6 metres, or 2.7 metres within a private residential garage, whereas 2.75 metres is required.</li> </ul>
<b>File Chronology</b>	
Received:	November 18, 2022
Deemed Complete:	December 13, 2022
Notice of Complete Application:	Sent to 152 property owners within 120 m of the subject lands on December 23, 2022.
Public Notice Sign:	Posted December 28, 2022.
First Submission Circulated:	January 11, 2023, to internal staff and external agencies.
Comments on First Submission:	Received between February 7, 2023, to February 15, 2023.
First Open House:	February 16, 2023.
Comment Consolidation:	Complete comment consolidation sent to the applicant on March 13, 2023.
Second Open House:	June 27, 2023.
Second Submission Received:	September 13, 2023.
Second Submission Circulated:	September 19, 2023.
Comments on Second Submission:	Received between October 10, 2023, to October 13, 2023.
Comment Consolidation:	Complete comment consolidation sent to the applicant on November 11, 2023.
Meeting with Applicant to Discuss Comments:	December 6, 2023.
Appeal Filed:	January 3, 2024, 411 days after receipt of the initial application and 113 days from the second submission.

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**SUBJECT: Non-Statutory Public Meeting for Urban Hamilton Official Plan Amendment Application UHOPA-23-005 and Zoning By-law Amendment Application ZAC-23-006 Appealed to the Ontario Land Tribunal for Lack of Decision for Lands Located at 1065 Paramount Drive, Stoney Creek (PED24028) (Ward 9) - Page 8 of 12**

<b>Summary Documents:</b>	
Staff and Agency Comments:	Staff and agency comments have been summarized in Appendix "E" attached to Report PED24006.
Public Consultation:	The applicant provided a comment and response summary for both open houses (attached as Appendix "G" to Report PED24028).
Public Comments:	<p>112 letters / emails expressing concern and a petition expressing concern were received (see Appendix "F" attached to Report PED24028).</p> <p>One comment in support was received.</p> <p>An online link to a petition has also been provided, at the time of preparing this report a total of 1,852 signatures have been received.</p> <p>Paper petitions were also received and contained 2,806 signatures.</p> <p>Comments received have been summarized in Appendix "F" attached to Report PED24028.</p> <p>These comments include correspondence received by the City prior to the appeal being filed to the Ontario Land Tribunal.</p>

### Existing Land Use and Zoning

	<b>Existing Land Use</b>	<b>Existing Zoning</b>
<b>Subject Lands:</b>	Agricultural	Small Scale Institutional "IS" Zone
<b>Surrounding Land Uses:</b>		
North	Public Elementary School	Neighbourhood Institutional (I1) Zone
South	Single detached dwellings	Single Residential "R3" Zone

**SUBJECT: Non-Statutory Public Meeting for Urban Hamilton Official Plan Amendment Application UHOPA-23-005 and Zoning By-law Amendment Application ZAC-23-006 Appealed to the Ontario Land Tribunal for Lack of Decision for Lands Located at 1065 Paramount Drive, Stoney Creek (PED24028) (Ward 9) - Page 9 of 12**

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**Surrounding Land Uses:**

East	Single detached dwellings and commercial plaza	Single Residential "R2" Zone and Community Commercial (C3, 579) Zone
West	Park and Catholic Elementary School	Neighbourhood Park (P1) Zone and Neighbourhood Institutional (I1) Zone

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

**Provincial Policy Statement (2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended)**

At the time the appeal to the Ontario Land Tribunal had been filed the applicant had not yet demonstrated to the City's satisfaction that there was adequate infrastructure capacity to service the proposed development.

The applicant had also not yet demonstrated to the City's satisfaction the green infrastructure and sustainable design elements to be implemented to mitigate and adapt to the impacts of a changing climate, improve resilience, reduce greenhouse gas emissions, contribute to environmental sustainability as well as integrating green infrastructure and appropriate low impact development.

The applicable policies are included in Appendix "D" attached to Report PED24028.

**Urban Hamilton Official Plan and West Mountain Area (Heritage Green) Secondary Plan**

The subject lands are identified as "Neighbourhoods" on Schedule E – Urban Structure and designated "Institutional" on Schedule E-1 – Urban Land Use Designations. The subject lands are further found within the West Mountain Area (Heritage Green) Secondary Plan and designated "Institutional".

The applicant is proposing to redesignate the lands to "Neighbourhoods" on Schedule E-1 and to "High Density Residential 1" within the West Mountain Area (Heritage Green) Secondary Plan.

The development of the subject lands for residential purposes is consistent with the firm urban boundary growth management strategy adopted by Council and implemented

**SUBJECT: Non-Statutory Public Meeting for Urban Hamilton Official Plan Amendment Application UHOPA-23-005 and Zoning By-law Amendment Application ZAC-23-006 Appealed to the Ontario Land Tribunal for Lack of Decision for Lands Located at 1065 Paramount Drive, Stoney Creek (PED24028) (Ward 9) - Page 10 of 12**

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through Official Plan Amendment No. 167. This strategy was adopted by Council after extensive public consultation supporting intensification and redevelopment as the preferred means for accommodating projected residential growth. However, the Urban Hamilton Official Plan policies on neighbourhood character, urban design and residential intensification provide a framework for a balanced evaluation of development proposals.

At the time the appeal to the Ontario Land Tribunal had been filed the applicant had not yet demonstrated to the City's satisfaction that there was adequate infrastructure capacity to service the proposed development.

The applicant had also not yet demonstrated to the City's satisfaction that shadow impacts had been mitigated, that there was an appropriate transition in height to the adjacent school site, and that the proposed development was compatible with existing, and future uses in the surrounding area and enhanced the character of the existing neighbourhood.

Based on the Traffic Impact Study submitted by the applicant, staff were satisfied that the proposal would not result in any adverse traffic impacts subject to the installation of a centre median island to allow left turns and for a physically separated bike lane being provided. The applicant would be responsible for the costs associated with these works.

The applicable policies are included in Appendix "D" attached to Report PED24028.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

The following is a summary of Staff's outstanding concerns at the time of the appeal to the Ontario Land Tribunal:

- The multiple dwelling did not provide a mix of unit sizes to accommodate a range of household and income levels to be implemented through the Zoning By-law as there were no three bedroom units proposed within the multiple dwelling, nor was a provision included in the draft amending Zoning By-law for a mix of unit sizes.
- The development did not include sustainable building and design principles and the proposed landscaped areas, which in some cases are smaller residual areas across the site, may not be of sufficient size to allow for tree planting, pervious areas, and low impact development.

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OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Non-Statutory Public Meeting for Urban Hamilton Official Plan Amendment Application UHOPA-23-005 and Zoning By-law Amendment Application ZAC-23-006 Appealed to the Ontario Land Tribunal for Lack of Decision for Lands Located at 1065 Paramount Drive, Stoney Creek (PED24028) (Ward 9) - Page 11 of 12**

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- The shadow impacts on the adjacent sensitive land use (elementary school) had not been mitigated.

The Shadow Impact Study dated August 23, 2023, prepared by KNYMH Inc., identified shadow impacts on a play area throughout the school year, from fall to spring during the majority of the school day. The City's Sun-Shadow Study guidelines categorizes school yards as common amenity area and indicates that a minimum of 50 percent sun coverage at all times of the day measured on March 21 is required. The Shadow Impact Study demonstrates that between the hours of 9:00 a.m. to 11:26 a.m. on March 21 and September 21, one of the play areas is more than 50 percent shadowed.

Therefore, the height, orientation, design, and massing of the multiple dwelling resulted in shadow impacts on adjacent sensitive lands uses (elementary school).

- The relationship of the proposed buildings with the height, massing, and scale of nearby residential buildings had not been adequately addressed.
- The proposed development had not demonstrated compatibility with existing and future uses in the surrounding area or demonstrated how the proposal enhanced the character of the existing neighbourhood. The Albion neighbourhood has historically developed with a more suburban built form with greater building setbacks for the multiple dwellings that exist, for example at the corner of Mistywood Drive and Paramount Drive. The proposal is instead for a built form that is oriented closer to the street and the edges of the property with reduced building setbacks, as outlined on page 6 of this report.
- The Functional Servicing Report, prepared by Arcadis Professional Services (Canada) Inc. and updated September 1, 2023, had not addressed if there is sufficient available capacity within the existing municipal system to accept the increased flows from the subject lands. As such, the proponent has not demonstrated that there is adequate servicing capacity to service the proposed development or if there is a servicing capacity constraint.
- That the proposed building height for the multiple dwelling coupled with the decreases in the side yard, front yard and rear yard setbacks, and decreased landscaped area, among other requested modifications for the entire proposal, could result in an overdevelopment of the site. In addition, the proposed concept plan, proposed built form of the stacked townhouse and stacked maisonette

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**SUBJECT: Non-Statutory Public Meeting for Urban Hamilton Official Plan  
Amendment Application UHOPA-23-005 and Zoning By-law  
Amendment Application ZAC-23-006 Appealed to the Ontario Land  
Tribunal for Lack of Decision for Lands Located at 1065 Paramount  
Drive, Stoney Creek (PED24028) (Ward 9) - Page 12 of 12**

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dwelling units, and surface parking areas results in an internal pedestrian realm that is dominated by garages and individual driveways with limited pedestrian pathways and a high proportion of impervious areas across the site.

For members of the public who are interested in information (including how to participate in any future Ontario Land Tribunal hearings) on upcoming hearing events, as the applications have been appealed to the Ontario Land Tribunal, can stay informed by contacting the Ontario Land Tribunal website: [www.olt.gov.on.ca/case-status/](http://www.olt.gov.on.ca/case-status/).

### **ALTERNATIVES FOR CONSIDERATION**

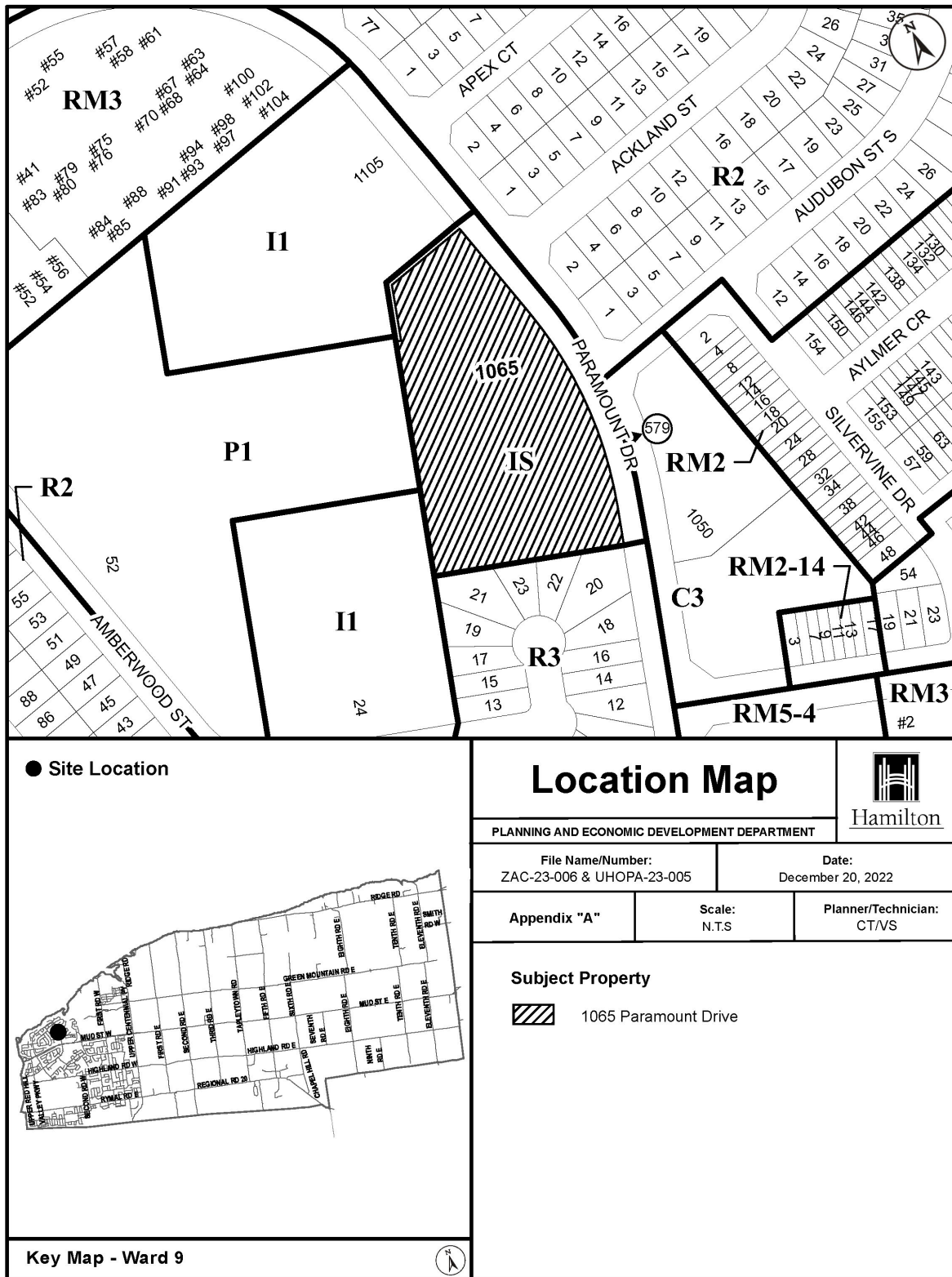
Not Applicable.

### **APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report PED24028 - Location Map  
Appendix "B" to Report PED24028 - Concept Plans  
Appendix "C" to Report PED24028 - Letter of Appeal  
Appendix "D" to Report PED24028 - Summary of Applicable Policies  
Appendix "E" to Report PED24028 – Department and Agency Comments  
Appendix "F" to Report PED24028 – Summary of Public Comments  
Appendix "G" to Report PED24028 – Applicant Response Matrix

TV/JVR:sd

Appendix "A" to Report PED24028  
Page 1 of 1



● Site Location

### Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
ZAC-23-006 & UHOPA-23-005

Date:  
December 20, 2022

Appendix "A"

Scale:  
N.T.S

Planner/Technician:  
CT/VS

#### Subject Property

 1065 Paramount Drive



Key Map - Ward 9





Appendix "B" to Report PED24028  
Page 2 of 5





Appendix "B" to Report PED24028  
Page 3 of 5



FRONT ELEVATION

**Appendix “B” to Report PED24028**  
**Page 4 of 5**



**Appendix “B” to Report PED24028**  
**Page 5 of 5**



January 2, 2024

**DELIVERED BY COURIER and E-MAIL**

Ms. Andrea Holland  
City Clerk  
Corporation of the City of Hamilton  
71 Main Street West, 1<sup>st</sup> Floor  
Hamilton, Ontario  
L8P 4Y5

Dear Ms. Holland:

**Re: Notice of Appeals Pursuant to Section 22(7) and 34(11) of the  
*Planning Act*, R.S.O. 1990, c. P. 13, as amended – Mikmada  
(Paramount) Inc. – 1065 Paramount Drive, City of Hamilton  
City of Hamilton File Nos. UHOPA-23-005 & ZAC-23-006**

We are counsel for Mikmada (Paramount) Inc., the owner of the above referenced lands in the City of Hamilton.

Mikmada (Paramount) Inc., through its land use planning consultants, Arcadis IBI Group, filed applications to amend both the Official Plan and the Comprehensive Zoning By-law of the City of Hamilton in respect of the above referenced property on November 18, 2022. The applications were deemed complete by the City of Hamilton on December 13, 2022.

To date the City of Hamilton has failed to adopt the Official Plan Amendment and neglected to make a decision on the Zoning By-law Amendment.

This letter will serve as our client's Notice of Appeal of Hamilton Council's failure to adopt the requested Official Plan Amendment Application pursuant to Section 22(7) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended. This letter will also serve as our client's Notice of Appeal of Hamilton Council's neglect to make a decision on the Zoning By-law pursuant to Section 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Please find enclosed our firm's cheque in the amount of \$2200.00, payable to the "Minister of Finance – Ontario", which we understand to be the required combined

Royal Building  
277 Lakeshore Road East, Suite 211  
Oakville ON L6J 1H9



Toronto Meeting Rooms  
Brookfield Place, 161 Bay Street, Suite 2700  
Toronto ON M5J 2S1

fee for these types of appeals. Please also find enclosed one set of completed Form "A1" of the Ontario Land Tribunal, for inclusion with the documentation you will forward to the Ontario Land Tribunal.

Our client is of the opinion that the applications as submitted are consistent with the Provincial Policy Statement 2020, issued under Section 3 of the *Planning Act*. We also are of the opinion that the applications are in conformity with the Growth Plan for the Greater Golden Horseshoe, which is the Provincial Plan in effect and applicable to these lands. We believe the applications that were submitted constitute good land use planning.

We trust that you will now prepare a record and forward the prescribed material to the Ontario Municipal Board within fifteen days of the receipt of this notice, in compliance with Sections 22(9) and 34(23) of the *Planning Act*.

Thank you for your cooperation in respect of this matter.

Yours very truly,

A handwritten signature in black ink that reads "R.D. Cheeseman". The signature is written in a cursive style with a long, sweeping tail on the final letter.

Russell D. Cheeseman

cc. Mr. A. Nesbitt (via e-mail)  
Mr. J. Ariens (via e-mail)



**Ontario Land Tribunal**

655 Bay Street, Suite 1500, Toronto, ON M5G 1E5  
 Tel: 416-212-6349 | 1-866-448-2248  
 Web Site: olt.gov.on.ca

**Appeal Form (A1)**

<b>Municipal/Approval Authority Date Stamp</b>	<b>Receipt Number (OLT Office Use Only)</b>	<b>Date Stamp – Appeal Received by OLT</b>
	<b>OLT Case Number (OLT Office Use Only)</b>	

Please complete this Appeal Form by following the instructions in the companion document titled “Appeal Form Instructions”. Please read **both** documents carefully to ensure you submit the correct information and complete this form correctly.

There are guides available for review on the Tribunal’s [website](#) for different appeal types to assist you in filing an appeal.

**Please review the notice of the decision you are appealing to determine the appeal deadline and the specific official with whom the appeal should be filed (e.g. Secretary-Treasurer, Clerk, Minister, Ontario Land Tribunal) prior to completing this Appeal Form. Relevant portions of the applicable legislation should also be reviewed before submitting this form. Your appeal must be filed with the appropriate authority within the appeal period as set out in the notice of the decision and applicable legislation.**

**Section 1 – Contact Information (Mandatory)**

Applicant/Appellant/Objector/Claimant Information			
Last Name:		First Name:	
Nesbitt		Adam	
Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation):			
Mikmada (Paramount) Inc.			
Email Address:			
Daytime Telephone Number:		Alternative Telephone Number:	
905-336-7335	ext.		
Mailing Address			
Unit Number:	Street Number:	Street Name:	P.O. Box:
			220
City/Town:	Province:	Country:	Postal Code:
Burlington	Ontario	Canada	L7P 0N4

**Representative Information**

I hereby authorize the named company and/or individual(s) to represent me

Last Name:		First Name:	
Cheeseman		Russell	

Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation):  
Barrister and Solicitor

Email Address:  
rdcheese@aol.com

Daytime Telephone Number:		Alternative Telephone Number:	
416-955-9529	ext.	416-520-9854	

Mailing Address

Unit Number:	Street Number:	Street Name:	P.O. Box:
Ste 211	277	Lakeshore Road East	

City/Town:	Province:	Country:	Postal Code:
Oakville	Ontario	Canada	L6J 1H9

**Note:** If your representative is not licensed under the *Law Society Act*, please confirm that they have your written authorization, as required by the *OLT Rules of Practice and Procedure*, to act on your behalf and that they are also exempt under the Law Society's by-laws to provide legal services. Please confirm this by checking the box below.

I certify that I understand that my representative is not licensed under the *Law Society Act* and I have provided my written authorization to my representative to act on my behalf with respect to this matter. I understand that my representative may be asked to produce this authorization at any time along with confirmation of their exemption under the Law Society's by-laws to provide legal services.

**Location Information**

Are you the current owner of the subject property?     Yes     No

Address and/or Legal Description of property subject to the appeal:  
1065 Paramount Drive

Municipality:  
City of Hamilton

Upper Tier (Example: county, district, region):  
N/A

**Language Requirements**

Do you require services in French?     Yes     No

**To file an appeal, please complete the section below. Complete one line for each appeal type**

Subject of Appeal		Type of Appeal (Act/Legislation Name)	Reference (Section Number)
Example	Minor Variance	<i>Planning Act</i>	45(12)
1	Official Plan Amendment	Planning Act	22(7)
2	Zoning By-law Amendment	Planning Act	34(11)
3			
4			
5			

**Section 2 – Appeal Type (Mandatory)**

Please select the applicable type of matter

Select	Legislation associated with your matter	Complete Only the Section(s) Below
x	Appeal of <i>Planning Act</i> matters for Official Plans and amendments, Zoning By-Laws and amendments and Plans of Subdivision, Interim Control By-laws, Site Plans, Minor Variances, Consents and Severances	3A

<input type="checkbox"/>	Appeal of <i>Development Charges, Education Act, Aggregate Resources Act, Municipal Act</i> matters	3A
<input type="checkbox"/>	Appeal of or objection to <i>Ontario Heritage Act</i> matters under subsections 29, 30.1, 31, 32, 33, 40.1 and 41	3A
<input type="checkbox"/>	Appeal of <i>Planning Act</i> (subsections 33(4), 33(10), 33(15), 36(3)), <i>Municipal Act</i> (subsection 223(4)), <i>City of Toronto Act</i> (subsection 129(4)) and <i>Ontario Heritage Act</i> (subsections 34.1(1), 42(6)) matters	3A & 3B
<input type="checkbox"/>	Appeal of <i>Clean Water Act, Environmental Protection Act, Nutrient Management Act, Ontario Water Resources Act, Pesticides Act, Resource Recovery and Circular Economy Act, Safe Drinking Water Act, Toxics Reduction Act, and Waste Diversion Transition Act</i> matters	4A
<input type="checkbox"/>	Application for Leave to Appeal under the <i>Environmental Bill of Rights, 1993</i>	4B
<input type="checkbox"/>	Appeal under the <i>Niagara Escarpment Planning and Development Act (NEPDA)</i>	5
<input type="checkbox"/>	Appeal of <i>Conservation Authorities Act, Mining Act, Lakes and Rivers Improvement Act, Assessment Act, and Oil, Gas and Salt Resources Act</i> matters	6
<input type="checkbox"/>	Legislation not listed above	Contact OLT before filing your appeal

**Section 3A – Planning Matters**

<b>Appeal Reasons and Specific Information</b>	
Number of new residential units proposed:	
304	
Municipal Reference Number(s):	
UHOPA-23-005 and ZAC-23-006	
List the reasons for your appeal:	
<p>Please see attached Letter dated January 2, 2024.</p>	
Has a public meeting been held by the municipality? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
For appeals of Official Plans, Official Plan Amendments, Zoning By-laws and Zoning By-law Amendments, please indicate if you will rely on one or more of the following grounds:	
A: A decision of a Council or Approval Authority is:	
<input type="checkbox"/> Inconsistent with the Provincial Policy Statement issued under subsection 3(1) of the <i>Planning Act</i> <input type="checkbox"/> Fails to conform with or conflicts with a provincial plan <input type="checkbox"/> Fails to conform with an applicable Official Plan	
<b>And</b>	
B: For a non-decision or decision to refuse by council:	
<input checked="" type="checkbox"/> Consistency with the provincial policy statement, issued under subsection 3(1) of the <i>Planning Act</i> <input checked="" type="checkbox"/> Conformity with a provincial plan <input type="checkbox"/> Conformity with the upper-tier municipality's Official Plan or an applicable Official Plan	



If it is your intention to argue one or more of the above grounds, please explain your reasons:

Please see attached Letter dated January 2, 2024.

<b>Oral/Written submissions to council</b>
Did you make your opinions regarding this matter known to council?
<input type="checkbox"/> Oral submissions at a public meeting of council
<input type="checkbox"/> Written submissions to council
<input checked="" type="checkbox"/> Not applicable

<b>Related Matters</b>
Are there other appeals not yet filed with the Municipality?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there other matters related to this appeal? (For example: A consent application connected to a variance application).
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, please provide the Ontario Land Tribunal Case Number(s) and/or Municipal File Number(s) for the related matters:

**Section 3B – Other Planning Matters**

<b>Appeal Specific Information (Continued)</b>
Date application submitted to municipality if known (yyyy/mm/dd):
Date municipality deemed the application complete if known (yyyy/mm/dd):
Please briefly explain the proposal and describe the lands under appeal:
There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the type of legislation and section you are filing under. Please see the <a href="#">Section 3B Checklist(s)</a> located <a href="#">here</a> and submit all documents listed.

**Section 4A – Appeals under Environmental Legislation**

<b>Appeal Specific Information</b>
Outline the grounds for the appeal and the relief requested:
Reference Number of the decision under appeal:

Portions of the decision in dispute:
Date of receipt of Decision or Director's Order (yyyy/mm/dd):
Applying for Stay? <input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, outline the reasons for requesting a stay: (Tribunal's Guide to Stays can be viewed <a href="#">here</a> )
There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the type of legislation and section you are filing under. Please see the <a href="#">Section 4A Checklist(s)</a> located <a href="#">here</a> and submit all documents listed on the checklist.

**Section 4B – Environmental Application for Leave to Appeal**

Are you filing an Application for Leave to Appeal under the <i>Environmental Bill of Rights, 1993</i> ? <input type="checkbox"/> Yes <input type="checkbox"/> No
Identify the portions of the instrument you are seeking to appeal:
Identify the grounds you are relying on for leave to appeal. Your grounds should include reasons why there is good reason to believe that no reasonable person, having regard to the relevant law and to any government policies developed to guide decisions of that kind could have made the decision; and why the decision could result in significant harm to the environment:
Outline the relief requested:
There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the type of legislation and section you are filing under. Please see the <a href="#">Section 4B Checklist(s)</a> located <a href="#">here</a> and submit all documents listed on the checklist.

**Section 5 – Appeal regarding Development Permit Application under the *Niagara Escarpment Planning and Development Act***

**Appeal Specific Information**

Development Permit Application File No:

Address or legal description of the subject property:

Reasons for Appeal: Outline the nature and reasons for your appeal. Specific planning, environmental and/or other reasons are required. (The Niagara Escarpment Plan is available on the Niagara Escarpment Commission's website ([www.escarpment.org](http://www.escarpment.org)))

**Section 6 – Mining Claim and Conservation Matters**

**Appeal Specific Information**

List the subject Mining Claim Number(s) (for unpatented mining claims) and accompanying Townships, Areas and Mining Division(s) where mining claims are situated. List all "Filed Only" Mining Claims, if appropriate: (This is to be completed for *Mining Act* appeals only.)

List the Parcel and the Property Identifier Numbers (PIN), if rents or taxes apply to mining lands, if appropriate (mining claims only):

Provide the date of the Decision of the Conservation Authority or the Provincial Mining Recorder, as appropriate:

Provide a brief outline of the reasons for your application/appeal/review. If other lands/owners are affected, please include that information in the outline being provided below:

**Respondent Information**

Conservation Authority:

Contact Person:

Email Address:

Daytime Telephone Number:			Alternative Telephone Number:
---------------------------	--	--	-------------------------------


	ext.		
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Mailing Address or statement of last known address/general area they were living and name of local newspaper if address is not available			
Unit Number:	Street Number:	Street Name:	P.O. Box:
City/Town:	Province:	Country:	Postal Code:
There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the type of legislation and section you are filing under. Please see the <a href="#">Section 6 Checklist(s)</a> located <a href="#">here</a> and submit all documents listed on the checklist.			

**Section 7 – Filing Fee**

<b>Required Fee</b>			
Please see the attached link to view the <a href="#">OLT Fee Chart</a> .			
Total Fee Submitted: \$ 2200.00			
Payment Method	<input type="checkbox"/>	Certified Cheque	<input type="checkbox"/>
	<input type="checkbox"/>	Credit Card	
		Money Order	x
		Lawyer's general or trust account cheque	
If you wish to pay the appeal fee(s) by credit card, please check the box above and OLT staff will contact you by telephone to complete the payment process upon receipt of the appeal form. <b>DO NOT INCLUDE YOUR CREDIT CARD INFORMATION ON THIS FORM. YOU WILL BE CONTACTED TO COMPLETE YOUR PAYMENT OVER THE PHONE.</b>			
If a request for a fee reduction is being requested, please pay the minimum filing fee for each appeal and complete/submit the <a href="#">Fee Reduction request form</a> .			
<input type="checkbox"/> Request for Fee Reduction form is attached (if applicable – see Appeal Form Guide for more information)			

**Section 8 – Declaration (Mandatory)**

<b>Declaration</b>		
I solemnly declare that all the statements and the information provided, as well as any supporting documents, are true, correct and complete. By signing this appeal form below, I consent to the collection of my personal information.		
<b>Name of Appellant/Representative</b>	<b>Signature of Appellant/Representative</b>	<b>Date (yyyy/mm/dd)</b>
Russell D.. Cheeseman		2024/01/02
Personal information or documentation requested on this form is collected under the authority of the <i>Ontario Land Tribunal Act</i> and the legislation under which the proceeding is commenced. All information collected is included in the Ontario Land Tribunal (OLT) case file and the public record in this proceeding. In accordance with the <i>Freedom of Information and Protection of Privacy Act</i> and section 9 of the <i>Statutory Powers Procedure Act</i> , all information collected is available to the public subject to limited exceptions.		

We are committed to providing services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator at [OLT.Coordinator@ontario.ca](mailto:OLT.Coordinator@ontario.ca) or toll free at 1-866-448-2248 as soon as possible.

**Section 9 – Filing Checklists (Mandatory)**

<b>Filing/Submitting your form and documentation</b>	
You must file your Appeal Form with the appropriate authority(s) by the filing deadline.	
<b>If the completed Section is:</b>	<b>Refer to the relevant checklist and submit all documents listed on the checklist when filing your Appeal Form.</b>
Section 3B	Review the Section 3B Checklist(s) and attach all listed documents.
Section 4A	Review the Section 4A Checklist(s) and attach all listed documents.
Section 4B	Review the Section 4B Checklist(s) and attach all listed documents.

If the completed Section is:	You must file with the following:	
Section 3A	Municipality or the Approval Authority/School Board  *If you are filing under the <i>Ontario Heritage Act</i> , including under <b>s. 34.1(1)</b> , please carefully review the specific section of that legislation to determine if your appeal needs to be filed with the Tribunal <b>in addition</b> to the Municipality or Approval Authority.	
Section 3A & 3B or Section 4A or Section 4B or Section 6	Ontario Land Tribunal 655 Bay Street, Suite 1500 Toronto, ON M5G 1E5  Phone: 416-212-6349   1-866-448-2248 Website: <a href="http://www.olt.gov.on.ca">www.olt.gov.on.ca</a>	
Section 5	<b>For the Areas of:</b> Dufferin County (Mono) Region of Halton Region of Peel Region of Niagara City of Hamilton  <b>File with:</b> NIAGARA ESCARPMENT COMMISSION 232 Guelph Street, 3 <sup>rd</sup> Floor Georgetown, ON L7G 4B1  Phone: 905-877-5191 Fax: 905-873-7452 Website: <a href="http://www.escarpment.org">www.escarpment.org</a> Email: <a href="mailto:necgeorgetown@ontario.ca">necgeorgetown@ontario.ca</a>	<b>For the Areas of:</b> Bruce County Grey County Simcoe County Dufferin County (Mulmur, Melancthon)  <b>File with:</b> NIAGARA ESCARPMENT COMMISSION 1450 7 <sup>th</sup> Avenue Owen Sound, ON N4K 2Z1  Phone: 519-371-1001 Fax: 519-371-1009 Website: <a href="http://www.escarpment.org">www.escarpment.org</a> Email: <a href="mailto:necowensound@ontario.ca">necowensound@ontario.ca</a>

**NOTE:** Please review the notice of the decision you are appealing to determine the appeal deadline and the specific official with whom the appeal should be filed (e.g. Secretary-Treasurer, Clerk, Minister, Ontario Land Tribunal).

**NOTE:** Relevant portions of the applicable legislation should be reviewed before submitting this form. Please ensure that a copy of this Appeal Form is served in accordance with the requirements of the applicable legislation.

**Appendix “D” to Report PED24028**  
**Page 1 of 11**

## SUMMARY OF APPLICABLE POLICIES

The following policies, amongst others, apply to the proposal.

<b>Provincial Policy Statement (2020)</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<b>Management of Land Use</b>  Policy: 1.1.1 g)	Ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.	At the time the appeal to the Ontario Land Tribunal had been filed the applicant had not yet demonstrated to the City’s satisfaction that sufficient available capacity existed within the existing municipal system to accept the increased wastewater and stormwater flows from the subject lands.
<b>Management of Land Use</b>  Policy: 1.1.1 i)	Preparing for the regional and local impacts of a changing climate.	At the time the appeal to the Ontario Land Tribunal had been filed the applicant had not yet demonstrated to the City’s satisfaction how the proposal addressed a changing climate using building design, materials and green technology/infrastructure etc.
<b>Settlement Area</b>  Policy: 1.1.3.1	Settlement areas shall be the focus of growth and development.	The proposal provides growth and development within a settlement area.
Policy: 1.1.3.2	Land use patterns within settlement areas shall be based on densities and a mix of land uses which: <ul style="list-style-type: none"> <li>• Efficiently use land and resources;</li> <li>• Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;</li> <li>• Minimize negative impacts to air quality and climate change, and promote energy efficiency;</li> <li>• Prepare for the impacts of a changing climate; and,</li> <li>• Support active transportation.</li> </ul>	At the time the appeal to the Ontario Land Tribunal had been filed the applicant had not yet demonstrated to the City’s satisfaction: <ul style="list-style-type: none"> <li>• that sufficient available capacity existed within the existing municipal system to accept the increased flows from the subject lands; and,</li> <li>• how the proposal would mitigate climate change impacts.</li> </ul> Staff find that the proposal is transit supportive by providing intensification on a collector road.

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<b>Provincial Policy Statement (2020)</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
Policy: 1.1.3.2 <b>(Continued)</b>	<ul style="list-style-type: none"> <li>Are transit-supportive, where transit is planned, exists or may be developed and freight-supportive.</li> </ul>	
Policy 1.1.3.3	Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.	Staff find that the proposal is transit supportive by providing intensification on a collector road.
Policy 1.1.3.4	Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.	At the time the appeal to the Ontario Land Tribunal had been filed the applicant had not yet demonstrated to the City’s satisfaction how the loss of sunlight on the neighbouring school’s playground area would be mitigated.
<b>Noise</b>  Policy: 1.2.6.1	Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.	A detailed Noise Study was submitted by dBA Acoustical Consulting Inc. dated August 30, 2022 and indicates that the recommended noise control measures satisfy the Ministry of the Environment, Conservation and Parks requirements.

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<b>Provincial Policy Statement (2020)</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<b>Housing</b>  Policy 1.4.3	Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by: <ul style="list-style-type: none"> <li>• Permitting and facilitating all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities.</li> <li>• All types of residential intensification, including additional residential units, and redevelopment.</li> </ul>	At the time the appeal to the Ontario Land Tribunal had been filed the applicant had not yet demonstrated to the City’s satisfaction that the multiple dwelling contained a mix of units in that based on the second submission: <ol style="list-style-type: none"> <li>1) The unit sizes in the multiple dwelling range from 47.1 square metres to 87.7 square metres;</li> <li>2) The floor plans indicate a breakdown of eight percent one bedroom units, 65 percent one bedroom plus den units, 13 percent two bedroom units and 13 percent two bedroom plus den units.</li> </ol>
<b>Climate Change</b>  Policy: 1.8.1	Improvements can be made to air quality and reducing greenhouse gas emissions (positively impacting a changing climate) through appropriate land use assignment and development patterns such as promoting compact form and structure of nodes and corridors, promoting active transportation and transit, promoting design that maximizes energy efficiency, and maximizing vegetation.	At the time the appeal to the Ontario Land Tribunal had been filed the applicant had not yet demonstrated to the City’s satisfaction how the proposal addressed a changing climate using building design, materials and green technology/infrastructure etc.
<b>A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended)</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<b>Forecasted Growth</b>  Policy 2.2.1.2	Forecasted growth to the horizon of this Plan will be allocated based on having existing and planned municipal water and wastewater systems.	At the time the appeal to the Ontario Land Tribunal had been filed the applicant had not yet demonstrated to the City’s satisfaction that sufficient available capacity existed within the existing municipal system to accept the increased flows from the subject lands.



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<b>A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended)</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<b>Complete Communities</b>  Policy 2.2.1.4	Applying the policies of this Plan will support the achievement of complete communities that: <ul style="list-style-type: none"> <li>• Mitigate and adapt to the impacts of a changing climate, improving resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability; and,</li> <li>• Integrate green infrastructure and appropriate low impact development.</li> </ul>	At the time the appeal to the Ontario Land Tribunal had been filed the applicant had not yet demonstrated to the City’s satisfaction how the proposal addressed a changing climate using building design, materials and green technology/infrastructure etc.
<b>Housing/ Complete Communities</b>  Policy 2.2.6	A mix of housing options and densities is an important aspect of achieving complete communities. This is generally to be realised, in part, through multi-unit residential development that incorporates a mix of unit sizes to accommodate a diverse range of household sizes and incomes.	While the proposal contributes to achieving a complete community, at the time the appeal to the Ontario Land Tribunal had been filed the applicant had not yet demonstrated to the City’s satisfaction that the multiple dwelling contained a mix of units (see Policy 1.4.3 above for further commentary).
<b>Urban Hamilton Official Plan</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<b>Neighbourhoods Scale and Design</b>  Policies E.3.2.4, E.3.2.7 e), and 3.2.13	The existing character of established Neighbourhoods designated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood in accordance with other applicable policies of this Plan.	At the time the appeal to the Ontario Land Tribunal had been filed the applicant had not yet demonstrated to the City’s satisfaction how the shadow impacts complied with the City’s Sun Shadow Study guidelines.

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<b>Urban Hamilton Official Plan</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<p><b>Medium Density Residential</b></p> <p>Policies E.3.5.1, E.3.5.2, E.3.5.5, E.3.5.6, E.3.5.8, and E.3.5.9 a) to f),</p>	<p>Medium density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods in proximity to major or minor arterial roads, or within the interior of neighbourhoods fronting on collector roads. Uses permitted in medium density residential areas shall include all forms of multiple dwellings.</p> <p>Medium density residential uses shall be located within safe and convenient walking distance of existing or planned community facilities, public transit, schools, active or passive recreational facilities, and local or District Commercial uses.</p> <p>Medium density residential built forms may function as transitions between high and low profile residential uses.</p>	<p>Staff consider the built form and function of the proposal to be “Medium Density Residential” in Volume 1 of the Urban Hamilton Official Plan.</p> <p>The proposal consists of multiple dwelling forms and is in proximity to a major arterial road and fronts a collector road.</p> <p>Staff note that the proposal is within the interior of the Albion Neighbourhood within the West Mountain Area (Heritage Green) Secondary Plan.</p> <p>Paramount Road is a collector road.</p> <p>Official Plan policies require buildings to be stepped back from the street. The applicant’s second submission provided step backs for the multiple dwelling at the third, fifth, sixth and seventh floors from Paramount Drive designed to be a transition between the low profile residential uses to the east.</p> <p>At the time the appeal to the Ontario Land Tribunal had been filed the applicant there were outstanding concerns with the shadow impacts on the sensitive land use to the north (Billy Green Elementary School).</p> <p>The Shadow Impact Study dated August 23, 2023, prepared by KNYMH Inc., identifies shadow impacts on a play area throughout the school year, from fall to spring during the majority of the school day.</p>

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<b>Urban Hamilton Official Plan</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<p><b>Medium Density Residential (Continued)</b></p> <p>Policies E.3.5.1, E.3.5.2, E.3.5.5, E.3.5.6, E.3.5.8, and E.3.5.9 a) to f),</p>	<p>For medium density residential uses, the maximum height shall be six storeys, but the height may be increased to 12 storeys without an amendment to this Plan, provided the applicant demonstrates:</p> <ul style="list-style-type: none"> <li>• The development shall provide for a mix of unit sizes;</li> <li>• The development shall incorporate sustainable building and design principles;</li> <li>• The development shall not unduly overshadow or block light on adjacent sensitive land uses; and,</li> <li>• Buildings are progressively stepped back from adjacent areas designated Neighbourhoods and the street.</li> </ul> <p>Development within the medium density residential category shall be evaluated on the basis of the following criteria:</p> <ul style="list-style-type: none"> <li>• Developments should have direct access to a collector, major or minor arterial road, and if not possible the development may gain access from a local road only if a small number of low density residential dwellings are located on that portion of the local road.</li> <li>• Development shall be integrated with other lands in the Neighbourhoods designation with respect to density, design, and physical and functional considerations.</li> </ul>	<p>The City’s Sun Shadow Study guidelines for common amenity areas indicates that a minimum of 50% sun coverage at all times of the day measured on March 21st is required. The Shadow Impact Study demonstrates that between the hours of 9 a.m. to 11:26 a.m. on March 21st and September 21st one of the play areas is more than 50% shadowed. Most school activities occur in the morning when shade is prevalent on the existing play areas to the north. There is also an existing pathway between the proposed multiple dwelling and the elementary school that would be covered in shadow.</p> <p>The multiple dwelling is stepped back from the adjacent elementary school property above the fifth floor. The adjacent lands to the north are designated “Institutional” and not “Neighbourhoods”.</p> <p>At the time the appeal to the Ontario Land Tribunal had been filed there were outstanding concerns that the proposed height, massing and density and compatibility with the existing and future uses in the surrounding area.</p> <p>The surrounding area is characterized as being a low rise built form of one to three storey dwellings. There are no other buildings higher than three storeys in the surrounding area.</p> <p>The densities prescribed by the West Mountain (Heritage Green) Secondary Plan for the surrounding nearby single detached dwelling properties permit a maximum of 29 units per hectare and 30 to 49 units per hectare (Low Density Residential 2b designation and Low Density Residential 2c designation), in comparison, the proposal is 190 units per hectare</p>

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<b>Urban Hamilton Official Plan</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<p><b>Medium Density Residential (Continued)</b></p> <p>Policies E.3.5.1, E.3.5.2, E.3.5.5, E.3.5.6, E.3.5.8, and E.3.5.9 a) to f),</p>	<ul style="list-style-type: none"> <li>• Development shall be comprised of sites of suitable size and provide adequate landscaping, amenity, parking, and buffering. The height, massing, and arrangement of buildings and structures shall be compatible with existing and future uses in the surrounding area.</li> <li>• Access to the property shall be designed to minimize conflicts between traffic and pedestrians.</li> <li>• The City may require studies to demonstrate that the height, orientation, design, and massing of a building or structure shall not unduly overshadow, block light, or result in the loss of privacy of adjacent residential uses.</li> </ul>	
<p><b>Residential Intensification</b></p> <p>Policies B.2.4.1.4 and B.2.4.2.2</p>	<p>Residential intensification developments within the built-up area shall be evaluated based on a balanced evaluation of the following criteria:</p> <ul style="list-style-type: none"> <li>• Relationship of the proposed development to existing neighbourhood character so that it builds upon desirable established patterns and built form;</li> <li>• Contribution of the proposed development to maintaining and achieving a range of dwelling types and tenures;</li> <li>• Compatible integration with the surrounding area in terms of use, scale, form and character.</li> </ul>	<p>The proposal is in an area that consists of low rise built forms between one and three storeys, mainly made up of single detached dwellings.</p> <p>At the time the appeal to the Ontario Land Tribunal had been filed the applicant had not yet demonstrated to the City’s satisfaction:</p> <ul style="list-style-type: none"> <li>• That the proposal is integrated with the neighbouring lands to the north in terms of scale and form as there is shadowing cast over the sensitive land use to the north (Billy Green Elementary School).</li> <li>• That there is sufficient available capacity within the existing municipal sanitary sewer system to accept the increased flows from the subject lands; and,</li> <li>• The green infrastructure and sustainable design elements of the proposed development.</li> </ul>

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<b>Urban Hamilton Official Plan</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<p><b>Residential Intensification</b></p> <p>Policies B.2.4.1.4 and B.2.4.2.2. <b>(Continued)</b></p>	<ul style="list-style-type: none"> <li>• Contribution of the proposed development to achieving the planned urban structure;</li> <li>• Existing and planned water, wastewater and stormwater capacity;</li> <li>• Incorporation and utilization of green infrastructure and sustainable design elements;</li> <li>• Supporting and facilitating active transportation modes and being transit-supportive;</li> <li>• Location of existing and proposed public community facilities; and,</li> <li>• Retain and / or enhance the natural attributes of the site.</li> </ul> <p>When considering an application for a residential intensification development within the Neighbourhoods designation, the following matters shall be evaluated:</p> <ul style="list-style-type: none"> <li>• Compatibility with adjacent land uses including matters such as shadowing, overlook, noise, lighting, traffic, and other nuisance effects;</li> <li>• Relationship of the proposed building(s) with the height, massing, and scale of nearby residential buildings;</li> <li>• Consideration of transitions in height and density to adjacent residential buildings;</li> <li>• Ability to complement the existing functions of the neighbourhood;</li> <li>• Infrastructure and transportation capacity and impacts.</li> </ul>	<ul style="list-style-type: none"> <li>• The mix of units in the multiple dwelling;</li> <li>• Compatible integration with the surrounding area; and,</li> <li>• How a medium density use is appropriate as the proposal is not found on the periphery of a neighbourhood.</li> </ul> <p>At the time the appeal to the Ontario Land Tribunal had been filed the applicant had not yet demonstrated to the City’s satisfaction:</p> <ul style="list-style-type: none"> <li>• That the proposal is compatible with the neighbouring lands to the north in terms of scale and form as there is shadowing cast over the sensitive land use to the north (Billy Green Elementary School).</li> <li>• That there is sufficient available capacity within the existing municipal sanitary sewer system to accept the increased flows from the subject lands;</li> <li>• The green infrastructure and sustainable design elements of the proposed development;</li> <li>• Compatible integration with the surrounding area through application of transitions in height and density; and,</li> <li>• How a medium density use is appropriate as the proposal is not found on the periphery of a neighbourhood.</li> </ul>

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<b>Urban Hamilton Official Plan</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<p><b>Urban Design – Built Form</b></p> <p>Policies B.3.3.3.1, B.3.3.3.2, B.3.3.3.3 and B.3.3.3.5</p>	<p>New development shall be designed to minimize impact on neighbouring buildings and public spaces by:</p> <ul style="list-style-type: none"> <li>• Creating transitions in scale to neighbouring buildings;</li> <li>• Ensuring adequate privacy and sunlight to neighbouring properties;</li> <li>• Minimizing the impacts of shadows and wind conditions;</li> <li>• Being massed to respect existing and planned street proportions; and,</li> <li>• Using design techniques, such as building step-backs, to maximize sunlight to pedestrian areas.</li> </ul>	<p>At the time the appeal to the Ontario Land Tribunal had been filed the applicant had not yet demonstrated to the City’s satisfaction:</p> <ul style="list-style-type: none"> <li>• That the proposal is compatible with the neighbouring lands to the north in terms of scale and form as there is shadowing cast over the sensitive land use to the north (Billy Green Elementary School); and,</li> <li>• Compatible integration with the surrounding area through application of transitions in height and density.</li> </ul>
<p><b>Trees</b></p> <p>Policy C.2.11.1</p>	<p>The City recognizes the importance of trees and woodlands to the health and quality of life in our community. The City shall encourage sustainable forestry practices and the protection and restoration of trees and forests.</p>	<p>A Tree Preservation Plan, prepared by Adesso Design and dated November 18, 2022, was submitted in support of this application.</p> <p>The Tree Preservation Plan inventoried 63 trees on the subject lands and within the vicinity of the subject lands, of which six trees are on the property and are proposed to be removed due to conflicts with the interior road, sidewalk, or curb cuts, building envelopes. One tree was noted as being dead.</p> <p>At the time the appeal to the Ontario Land Tribunal had been file, the plan had not been approved.</p>

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<b>Urban Hamilton Official Plan</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<b>Archaeology</b>  Policy B.3.4.4.3	In areas of archaeological potential identified on Appendix F-4 – Archaeological Potential, an archaeological assessment shall be required and submitted prior to or at the time of application submission for planning matters under the <i>Planning Act</i> .	<p>The applicant prepared an archaeological assessment which examined the archaeological potential of the site.</p> <p>Staff received a copy of the clearance letter from the Ministry dated March 30, 2023, confirming that archaeological matters have been addressed.</p> <p>Staff are of the opinion that the municipal interest in the archaeology of this site has been satisfied.</p>
<b>Infrastructure</b>  Policy C.5.3.6	All redevelopment within the urban area shall be connected to the City’s water and wastewater system.	At the time the appeal to the Ontario Land Tribunal had been filed the applicant had not yet demonstrated to the City’s satisfaction that sufficient available capacity existed within the existing municipal system to accept the increased flows from the subject lands.
<b>Transportation</b>  Policy C.4.5.12	A Transportation Impact Study shall be required for an Official Plan Amendment and/or a major Zoning By-law Amendment.	<p>A Transportation Impact Study (with Transportation Demand Management) was prepared by Paradigm Transportation Solutions Limited, dated September 2023 and a response letter was provided by Arcadis Professional Services (Canada) Inc., dated September 12, 2023. The findings were accepted by Transportation Planning staff. The future road network can accommodate the site-generated traffic. The Transportation Impact Study recommends that the City of Hamilton monitor and adjust the signal timings at the intersection of Paramount Drive and Mud Street to reflect real world changes.</p> <p>The transportation consultant has recommended that the existing bike lane be upgraded to buffered cycling lanes with physical separation to improve safety for cyclists.</p> <p>The parking study sufficiently addresses the reduction of required parking spaces under the City of Stoney Creek Zoning By-Law No. 3692-92.</p>

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<b>Urban Hamilton Official Plan</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<b>Transportation (Continued)</b>  Policy C.4.5.12		The applicant/owner at their expense is required to move the centre median island to allow northbound left-turns into the site. The design for the northbound left turn lane and the relocation of the centre median will need to consider the turning movements into the plaza driveway approximately 120 m to the south on the east side of road. The median may need to be removed entirely as opposed to relocated pending available area along the centre of Paramount Drive.
<b>West Mountain Area (Heritage Green) Secondary Plan</b>		
<b>General Policies</b>  Policy B.7.6.1.1	Residential development shall be permitted only when full urban services are available.	At the time the appeal to the Ontario Land Tribunal had been filed the applicant had not yet demonstrated to the City’s satisfaction that sufficient available capacity existed within the existing municipal system to accept the increased flows from the subject lands.
<b>Medium Density Residential 3</b>  Policy B.7.6.2.3	Permitted uses shall include apartments not exceeding nine storeys in height and the density shall be approximately 50 to 99 units per net hectare.	At the time the appeal to the Ontario Land Tribunal had been filed the applicant had not yet demonstrated to the City’s satisfaction that the proposal does not represent an overdevelopment of the site.



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**CONSULTATION – DEPARTMENTS AND AGENCIES**

<b>Department or Agency</b>	<b>Comment</b>	<b>Staff Response</b>
<p>Development Engineering Approvals Section, Growth Management Division, Planning and Economic Development Department.</p>	<p>The proposed development will increase the density of the subject lands substantially beyond the allocated capacity for the municipal sanitary sewers. The proposed development is anticipated to lead to the downstream municipal sewers surpassing their designated capacity, with certain segments reaching as high as 92% full. Consequently, future development within this drainage catchment area will be constrained. The provided sanitary capacity analysis within the Functional Servicing Report, prepared by Arcadis Professional Services (Canada) Inc. and dated September 1, 2023, fails to address if there is sufficient available capacity within the existing municipal system to accept the increased flows from the subject lands. Therefore, Development Engineering will require a revised Functional Servicing Report to demonstrate that the entire municipal sanitary sewer along Paramount Drive from Mud Street West to the south (EXMH#SB15A061) downstream to Amberwood Street to the northwest (EXMH#SB13A005) has sufficient available capacity to accommodate this development.</p> <p>The maximum day domestic water usage for the development, based on the population-based approach, has been calculated as 4.6 L/s. These calculations are acceptable. The results identify that sufficient flow and pressure is available to meet the demands of the development and that the development will not adversely impact the flows and pressures available within the pressure district. Hamilton Water has no concerns from a water servicing perspective. Updated water usage and Required Fire Flow (RFF) calculations based on the final design of the building will be required at site plan approval.</p>	<p>At the time the appeal to the Ontario Land Tribunal had been filed the applicant had not yet demonstrated to the City’s satisfaction that there was adequate infrastructure capacity to service the proposed development.</p>

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<b>Department or Agency</b>	<b>Comment</b>	<b>Staff Response</b>
<p>Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department</p>	<p>Approved the Transportation Impact Study and Parking Study, prepared by Paradigm Transportation Solutions Limited, dated September 2023.</p> <p>Transportation Demand Management and Transit Oriented Design measures are required to promote alternative transportation options such as long term bicycle parking (197 spaces), short term bicycle parking (38 spaces), and parking should be unbundled for the multiple dwelling units.</p> <p>The owner is required to move the centre median island to allow northbound left-turns into the site. The design for the northbound left turn lane and the relocation of the centre median will need to consider the turning movements into the plaza driveway approximately 120 m to the south on the east side of road. The median may need to be removed entirely as opposed to relocated pending available area along the centre of Paramount Drive.</p> <p>The transportation consultant has recommended that the existing bike lane be upgraded to buffered cycling lanes with physical separation (for example, bollards, planters, or concrete separators) to improve safety for cyclists. The owner is required to provide funds for protected bike lanes. Bicycle lane infrastructure would result in approximately \$30,000 worth of bollards, concrete pavers, etc. that is necessary in order to adequately protect bicycle lanes adjacent to the subject lands.</p> <p>The parking study sufficiently addresses the reduction of required parking spaces under the City of Stoney Creek Zoning By-Law No. 3692-92.</p>	<p>Should the applications be approved, Transportation Demand Management and Transit Oriented Design measures, the works for a centre medium island to allow left turns and for a physically separated bike lane, and the costs for implementing protected cycling lanes will be addressed through the future Site Plan Control application.</p> <p>Should the applications be approved, through the Site Plan Control application, the Hamilton-Wentworth Catholic District School Board would have to coordinate an easement with the Owner for the continuation of the 1.5 metre pedestrian pathway to be used by students and residents.</p>

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<b>Department or Agency</b>	<b>Comment</b>	<b>Staff Response</b>
Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department <b>(Continued)</b>	The Transportation Impact Study recommends that the City of Hamilton take over ownership of the 1.5 metre pedestrian pathway located at the southern limits of the property to St. Paul Elementary School. Transportation Planning notes that the pathway is needed in order to provide a pedestrian path to the two, four storey stacked back to back townhouse units at the western limits of the site. The City of Hamilton will not assume ownership over the pathway and the Owner is required to coordinate the use of the pathway with the adjacent Elementary school.	
Waste Policy and Planning Section, Waste Management Division, Public Works Department	<p>The development is not serviceable as currently designed. Additional information is required to determine the proposed waste collection method for the development.</p> <p>If the development is not designed in accordance with City requirements for municipal waste collection, the applicant will need to arrange a private waste hauler for the removal of all waste materials and a warning clause will need to be included as part of the purchase and sale agreement disclosing to prospective buyers that the property is not serviceable for municipal waste collection.</p>	<p>Should the applications be approved, the applicant will be required to demonstrate compliance with municipal waste collection requirements or note that waste collection will be by way of a private waste hauler through a future Site Plan Control application.</p> <p>The recommended warning clause will be addressed through a future draft plan of condominium application and Site Plan Control application.</p>
Forestry and Horticulture Section, Environmental Services Division, Public Works Department	Approved the tree protection plans, prepared by Adesso Design and dated November 18, 2022, and the landscape concept plans dated September 5, 2023.	Should the applications be approved, a detailed Landscape Plan will be required through the future Site Plan Control application.

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<b>Department or Agency</b>	<b>Comment</b>	<b>Staff Response</b>
Legislative Approvals, Growth Management Plan, Planning and Economic Development Department	<p>According to information provided with the application, the intent for tenure is a Condominium. It should be confirmed if there will be one corporation or multiple corporations.</p> <p>The municipal addresses for the proposed development will be determined after conditional Site Plan Control approval is granted.</p>	<p>Through a future Draft Plan of Condominium application, the applicant will be required to confirm if there will be multiple condominium corporations.</p> <p>Should the applications be approved, municipal addressing would be requested through the future Site Plan Control application.</p>
Hamilton-Wentworth Catholic District School Board	<p>Understands that a 1.5m concrete sidewalk has been incorporated into the design to maintain continued access. Also understands that a fence will be installed to separate the subject property and the school property, except for an opening at the sidewalk location. The Board requested that the walkway be implemented and preserved in perpetuity by way of either a fee simple conveyance or by the transfer of an easement to the City of Hamilton.</p>	<p>Should the applications be approved, an easement in perpetuity may be negotiated as part of a future Site Plan Control application.</p>
Enbridge Gas Inc.	<p>Enbridge has a gas main on the east side of Paramount Drive however it is likely that a gas main extension for this development will be required. For a site this detailed Enbridge recommends the developer submit their application for gas a minimum of one year in advance in order to properly determine a gas main running line with developer approvals, meter and station locations.</p>	<p>Should the applications be approved, the matters pertaining to Enbridge Gas Inc. will be addressed as part of any Site Plan Control application.</p>

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<b>Department or Agency</b>	<b>Comment</b>	<b>Staff Response</b>
Agencies that had no comments or concerns:	<ul style="list-style-type: none"><li>• Alectra Utilities;</li><li>• Hamilton Conservation Authority</li><li>• Canada Post;</li><li>• Niagara Escarpment Commission;</li><li>• Trans-Northern Pipelines Inc;</li><li>• Bell Canada; and,</li><li>• Planning and Economic Development Department, Economic Development Division, Urban Renewal, Commercial District and Small Business Section.</li></ul>	Noted.

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**Summary of Public Comments Received**

<b>Comment Received</b>	<b>Staff Response</b>
<p>Concerns that the proposal is not in keeping with the existing neighbourhood and is not consistent with the surrounding environment.</p>	<p>Staff reviewed the proposal for compatibility, which is defined in the Urban Hamilton Official Plan as land uses and building forms that are mutually tolerant and capable of existing together in harmony within an area. ‘Compatibility’ or ‘compatible’ should not be narrowly interpreted to mean “the same as” or even as “being similar to”.</p> <p>At the time the appeal to the Ontario Land Tribunal had been filed, staff were not satisfied that the proposal is compatible with the surrounding neighbourhood in terms of transition, shadow impact, massing and scale.</p>
<p>Concerns with the eight storey building adjacent to the elementary school (specifically safety, overlook, shadowing, traffic conflict with school drop off).</p>	<p>At the time the appeal to the Ontario Land Tribunal had been filed, staff were not satisfied that the shadow impact and transition from the elementary school to the north had been addressed. Should the applications be approved a construction management plan will be required as a part of the Site Plan Control process to address appropriate traffic and construction safety measures that will mitigate construction conflicts with the existing neighbourhood and vehicle and pedestrian traffic.</p>
<p>Concerns that the eight storey building is in the middle of the neighbourhood and not on the periphery.</p>	<p>The lands are located centrally within the Albion neighbourhood. Medium Density Residential Policy E.3.5.1 permits multiple dwelling forms within the interior of neighbourhoods fronting on collector roads. Paramount Drive is a collector road.</p>
<p>Concerns that there was not enough parking for the number of units being provided.</p>	<p>The Traffic Impact Study, prepared by Paradigm Transportation Solutions Limited and dated September 2023, included a parking analysis. Staff are satisfied that this has addressed the reduction of required parking spaces under the City of Stoney Creek Zoning By-Law No. 3692-92. At the time of preparing this report the proposed rate is 1.37 spaces per unit (415 spaces total). The first submission proposed 1.23 spaces per unit (369 parking spaces for 299 residential units).</p>

**Appendix “F” to Report PED24028  
Page 2 of 449**

<b>Comment Received</b>	<b>Staff Response</b>
<p>Concerns that the development would negatively impact traffic flow in the surrounding area.</p>	<p>Traffic is expected to increase by approximately 129 new AM peak hour and 144 new PM peak hour trips.</p> <p>The Traffic Impact Study, prepared by Paradigm Transportation Solutions Limited and dated September 2023, indicates movements within the area are forecast to operate with acceptable levels of service within capacity, with the exception of the intersection of Mud Street and Paramount Drive. Staff note that the operational deficiency here will be primarily due to future background traffic and not from anticipated traffic from this development.</p>
<p>Concerns with the notification procedures and distances.</p>	<p>In accordance with the <i>Planning Act</i> and the Council Approved Public Participation Policy, notice is sent within a 120 m radius of the site and a Public Notice Sign is posted on the property notifying that a complete application has been received. In addition, the applicants hosted an open house meeting in February 2023 with a notice distance of 120 metres from the subject lands. A second open house in June 2023 was also hosted with a notification to residents within 200 metres of the subject lands.</p>
<p>Concerns with the water and sewer systems being able to handle the additional units and that the neighbourhood was not designed for such density.</p>	<p>The maximum day domestic water usage for the development, based on the population-based approach, has been calculated as 4.6 L/s. These calculations are acceptable. However, the proposed development is anticipated to lead to the downstream municipal sanitary sewers surpassing their designated capacity, with certain segments reaching as high as 92% full. Consequently, future intensification within this drainage area will be constrained. The applicant has not demonstrated that adequate infrastructure is available to service the subject lands.</p>
<p>Concerns that there will be blasting which could cause damage to nearby homes.</p>	<p>A geotechnical study in support of the applications submitted indicates that the site can handle excavation and provided recommendations for foundation considerations.</p>

**Appendix “F” to Report PED24028  
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<b>Comment Received</b>	<b>Staff Response</b>
Concerns with noise, dust, dirt and other pollution created during extensive construction of the project.	A construction management plan will ensure that the proponents have coordinated regular cleaning of debris and mitigation measures for dust/dirt or noise nuisance.
Concerns with safety for pedestrians and cyclists due to increased vehicular traffic.	Transportation Planning staff have noted that through the Site Plan Control process the relocation of the centre median island, introduction of left turn lanes, and installation of protected bike lanes would be required should the applications be approved.
Concerns with the student capacities at both Billy Green Public Elementary School and St. Paul Catholic Elementary School and that the development would place strain on school resources.	Staff have not received concerns from either the Hamilton Wentworth District School Board or the Hamilton-Wentworth Catholic District School Board regarding student capacity.
Questioning the need for the density given the 2,200 hectare expansion to the urban boundary.	Council’s preferred vision is a No Urban Boundary Expansion Growth scenario. Bill 150, the <i>Planning Statute Law Amendment Act, 2023</i> , received royal assent on December 6 <sup>th</sup> , 2023, which reverses the urban boundary expansion previously approved by the Province. The intensification target within the urban built boundary under a No Urban Boundary Expansion Scenario is 80%.
Many commenters requested copies of all submitted studies and reports.	To date, both submission materials have been provided online for members of the public to access.
Concerns regarding the building setting precedent in the area for further mid to high rise buildings.	Staff note that each application is based on its own merits and future applications in the area would be evaluated on their own merit.
Concern regarding power distribution and power disruption.	The applications were circulated to Alectra for review. No comments or objections were received from the utility provider.
Concerns that the development will not be visually appealing.	Through the Site Plan Control process there will be opportunity for Urban Design staff to recommend measures for visual cohesiveness.



**Appendix “F” to Report PED24028  
Page 4 of 449**

<b>Comment Received</b>	<b>Staff Response</b>
Concerns that development will increase air pollution.	The Urban Hamilton Official Plan requires development to incorporate sustainable building and design principles including but not limited to the use of locally sourced and/or recycled materials, water conservation, energy efficiency techniques, and low impact development approaches. Staff are not yet satisfied that this has been addressed.
Concern regarding snow removal.	Through the Site Plan Control process areas for snow removal will be required to be identified and private snow removal will be the responsibility of the landowner.
Concerns directed towards the owner regarding greed and profit.	Noted.
A comment received supporting the development.	Noted.
A comment was received indicating no major concerns.	Noted.
A concern regarding sign pollution and that there is already too much signage.	Any regulatory traffic signage along Paramount Drive for pedestrian, vehicular and cycling safety would be subject to traffic sign standards of the Province and the City, and business and other identification signage is regulated by the City’s Sign By-law.
Concerns regarding the proposal’s impact that it may have on the nearby sensitive natural areas such as Felkers Falls and the Niagara Escarpment.	As part of the circulation process the application was circulated to both the Niagara Escarpment Commission and Hamilton Conservation Authority. Both agencies advised that the subjects lands are located outside of their respective jurisdictions.
Concern regarding debris falling into school yard.	A construction management plan will be required as a part of the Site Plan Control process to address appropriate construction safety measures and mitigate construction conflicts with the existing neighbourhood.
Concerns that the revised plan did not address comments from the first open house meeting.	Noted.

**Appendix “F” to Report PED24028  
Page 5 of 449**

<b>Comment Received</b>	<b>Staff Response</b>
Concerns regarding expectation of the area, there were a few comments indicating that the expectation was that the site would be developed for townhouses.	Staff note that the Official Plans and Secondary Plans provide the long term vision to members of the public. However, there is nothing to prevent individuals from applying to change these documents.
Concerns regarding a decrease in property value.	Staff are not aware of any empirical evidence to suggest property values will decrease.
Concerns regarding an increase in crime rates where apartments are located (i.e., home invasions, vehicle break-ins, and store robberies).	Staff are not aware of any empirical to support this. Through the Site Plan Control process, the use of Crime Prevention through Environmental Design (CPTED) would be encouraged.
Comments received to reduce the height of the apartment building.	Staff are not yet satisfied that the proposed building height for the multiple dwelling coupled with the decreases in the side yard, front yard and rear yard setbacks, and decreased landscaped area, among other requested modifications for the entire proposal, will not result in an overdevelopment of the site.

**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Monday, January 2, 2023 4:40 PM  
**To:** Morton, Devon  
**Cc:** Clark, Brad  
**Subject:** 1065 Paramount Drive

Mr. Morton,

Today, January 2, 2023, I received notice from the city for the proposed by-law amendment to allow for an 8 story apartment building in my residential neighbourhood. The proposed building would be at 1065 Paramount Drive in Ward 9. To say I oppose this amendment and apartment building would be an understatement.

A towering 8 story building would dominate the skyline of our small community. It is not in the character of the neighbourhood and its position between two elementary schools and green space is unacceptable. This neighbourhood has been here since the 1980's and we do not need that much more traffic and housing in the area. This neighbourhood enjoys the peace and quiet and an 8 storey building will take away from that.

There is a reason people choose to buy homes in this area. One big reason is to not be near apartment buildings and the nonsense that comes with them.

I can assure you I have spoken to many of the tax-paying homeowners in the neighbourhood and no one is pleased. We get the short end of the stick a lot in Stoney Creek, and this is just ridiculous. If apartments need to be built, that's what downtown is for.

Brad, I have CC'd on this email. You can obviously tell I'm upset. You know the area. This is not okay. I expect you to put up one hell of a fight for our community as you have in the past. I know I will be doing everything I can to stop this.

If I could please be provided with a copy of the staff report prior to the public meeting that is to be held. And I would hope I receive notice of when Council will vote on this as I wish to be there and see where the votes land and why.

[REDACTED]

**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Tuesday, January 3, 2023 12:01 PM  
**To:** Morton, Devon  
**Subject:** rezoning of 1065 Paramount Dr.

It goes without saying that the long time residents of the area being affected by the possibility of this rezoning are a little concerned.

Please answer a few questions so that we can be dealing with facts of the proposed rezoning.

- >Are the town houses freehold or condos?
- >Is the eight storey building rental or condo? How many units will it contain?
- >how many actual stacked townhouses are there?
- >how many multiple residence are there in each stacked house ?
- >will each residence have their own parking space?
- >what is the estimated population of this development?
- >what is the total square footage of said property
- >is the infrastructure in place for this development or will construction need to take place to accommodate this "high density Residential" development.

I know a meeting is to be announced but I have found being armed with facts allows the meeting to be productive.

I would appreciate a reply

[REDACTED]

Sent from [Mail](#) for Windows

**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Monday, January 9, 2023 4:12 PM  
**To:** Morton, Devon  
**Subject:** RE: rezoning of 1065 Paramount Dr.  
**Attachments:** image001.png

Thank you for your reply. My questions were understood and answered as best you could with the information at hand. We as a community are very concerned with the possibility that this high density concept plan is accepted by the city of Hamilton.

The major points of concern are as follows:

- An 8 story building adjacent to a elementary school.
- Parking – while the Canadian average is 1.5 cars per family , it is 1.7 for a family of 3. Based on these averages the total parking is roughly 200 spaces short using 1.7 and and 157 spaces short using 1.5 and this is not taking into consideration for visitor parking.

Where are the 200 plus cars going to park with congestion already being a problem.

- With the only entrance and exit being on Paramount drive the flow of traffic will be horrendous.
  - Underground parking also comes with its own safety issues.
  - This rezoning effects the entire community adjacent to this proposed development and yet not all were notified.
- A group of concerned residents are taking it upon themselves to notify as many as we can.  
Hoping that our voices are heard

[REDACTED]

Sent from [Mail](#) for Windows

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**From:** [Morton, Devon](#)  
**Sent:** January 9, 2023 2:35 PM  
[REDACTED]  
**Subject:** RE: rezoning of 1065 Paramount Dr.

Hi [REDACTED]

Please see below for my **bolded** responses (I hope I've understood your questions).

I note the numbers quoted below may be refined as we proceed through the development process.

I have also included a .pdf of the concept plan for your convenience.

If you need anything further, please let me know.

Thank you,

**Devon M. Morton, MCIP, RPP** (he/him/his)  
Planner II (Rural Team)  
Development Planning

Planning & Economic Development Department  
City of Hamilton, 71 Main St. W, 5<sup>th</sup> floor, L8P 4Y5  
Ph: (905) 546-2424 ext. 1384  
Email: [Devon.Morton@hamilton.ca](mailto:Devon.Morton@hamilton.ca)



[Redacted]

**Sent:** Tuesday, January 3, 2023 12:01 PM  
**To:** Morton, Devon <Devon.Morton@hamilton.ca>  
**Subject:** rezoning of 1065 Paramount Dr.

It goes without saying that the long time residents of the area being affected by the possibility of this rezoning are a little concerned.

Please answer a few questions so that we can be dealing with facts of the proposed rezoning.

>Are the town houses freehold or condos? **Standard condominium tenure is proposed (should be confirmed with applicant later in the process).**

>Is the eight storey building rental or condo? **Standard condominium tenure is proposed (should be confirmed with applicant later in the process).**

How many units will it contain? **197 units are proposed within the apartment building.**

>how many actual stacked townhouses are there? **11 blocks of stacked townhouses (please let me know if I've misunderstood your question).**

>how many multiple residence are there in each stacked house ? **102 units total (please let me know if I've misunderstood your question).**

>will each residence have their own parking space? **Each stacked townhouse proposes 1 space per unit, the parking ratio proposed for the apartment is 0.9 spaces per unit and 20 visitor parking spaces are proposed. In total, there are 309 parking spaces proposed (299 units).**

>what is the estimated population of this development? **To be confirmed with applicant (if possible).**

>what is the total square footage of said property **Approx. 3.99 acres.**

>is the infrastructure in place for this development or will construction need to take place to accommodate this "high density Residential" development. **To be confirmed through the circulation/commenting process (on-going) however the applicant's Planning Justification Report does not note any required upgrades to the municipal sewer system or water system.**

I know a meeting is to be announced but I have found being armed with facts allows the meeting to be productive.

I would appreciate a reply

[Redacted]

Sent from [Mail](#) for Windows

persons. This communication may contain confidential or personal information that may be subject to the provisions of the **Freedom of Information and Protection of Privacy Act** or the **Personal Health Information Protection Act**. If you have received this communication in error, please return this communication to the sender and permanently delete the original and any copy of it from your computer system. Thank you for your co-operation and assistance.

Sent from my iPhone

On Jan 6, 2023, at 4:42 PM, [REDACTED] wrote:

Councillor Clark

We were shocked to see a Public Notice on the above-noted land at the end of our street indicating an application has been made to rezone this property to High Density Residential. As a longtime resident of this area (35 years) we do not agree with rezoning this land. And in speaking with our neighbours, they are of the same mind!

This is the most absurd proposal for the use of this land, it was not zoned high density residential for a reason. The community cannot withstand the traffic of a high density residential building. Not to mention the safety issue of building an eight story building right in the middle of a residential area and within such close proximity to two Elementary schools. Literally right between them! Has anyone thought of the congestion that a high density building would bring to the area and the safety issues for the children of the aforementioned schools?

During your last campaign you supported protecting green space and conservation areas, and I hope you have the same commitment to protection of our the community. And given that you live in this community also, I would think that you would be just as upset as we are with this potential high-rise going up in the middle of our neighbourhood.

I can't imagine that a developer would make this investment without knowing beforehand that they will be awarded this rezoning request. I sure hope that this is not the case, but given the past actions of the city it's kind of hard to trust anyone anymore!

I look forward to the public meeting as I am sure there will be many questions to be answered by you and the By-Law Zoning Committee.

Sincerely,

[REDACTED]

Sent from my iPad

**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Wednesday, January 11, 2023 1:14 PM  
**To:** Morton, Devon  
**Cc:** Clark, Brad; KAArcher@hwdsb.on.ca; AgroL@hwdsb.ca; Office of the Mayor  
**Subject:** UHOPA-23-005 & ZAC-23-006 1065 Paramount Drive Stoney Creek (Ward 9)

Dear Mr. Morton

I am writing to you regarding the Notice Of Applications by Mikmada (Paramount) Inc. for an Urban Hamilton Official Plan and Zoning By-Law Amendment Application for Lands Located at 1065 Paramount Drive, Stoney Creek (Ward 9) with the following file numbers:

UHOPA-23-005  
ZAC-23-006

I **STRONGLY OBJECT** to the area being developed as an apartment building and townhouses and would like to be notified of any and all decisions the City of Hamilton makes regarding both the Office Plan Amendment Application (UHOPA-23-005) and Zoning By-Law Amendment Application (ZAC-23-006).

I don't believe our community is designed to handle the addition of the high density proposed residences in such a small area. Is the water and sewer systems in the area able to handle the addition of this high density plan as the community was created over forty years ago based on single family homes. I don't believe the roads in the area would be able to handle the additional traffic these structures would bring to the area. The high density plan as it stands now does not accommodate enough parking spaces for all the additional homes that are currently proposed. I believe it will become a parking nightmare for our area. The area will become unsafe with the addition of this many dwellings. Please forward me a copy of the all the Due Diligence studies that the developer has submitted regarding waste water, sewage, air pollution, road safety etc. etc.


Will my current home be damaged during construction of these high density structures as I see there is proposed underground parking which I am sure will require blasting as the area is rock based. Who will be responsible for the damage caused to my home from this construction. This type of high density construction will take several years to complete and create noise and air pollution for some time as well as traffic issues in the area.

We have two schools that will back onto these new structures which I believe will create safety and security issues for the two school boards (catholic and public). This will be a great cause for concern for the parents, teachers and staff at the schools to maintain a safe environment for the children with the addition of so many high density structures. These two schools are already overflowing with portable structures to accommodate the current population of our community. There is also a park as well which will need additional security and patrols by our police for the added population in the area. The current quiet community will become densely populated and will no longer be a nice quiet community to raise a family. The area is already overloaded with traffic concerns at the schools during drop off and pick up times at the schools and I fear for the safety of the students, teachers and residents of the current community if a high density construction population is allowed. I believe my home value will decrease with the proposed apartment structure and townhomes.

Please send my any and all information available as this process moves forward as I **STRONGLY OBJECT** to this change in zoning proposal and would like to see the land developed as single family homes or institutional as currently zoned.

[REDACTED]



  
Stoney Creek Ontario

**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Thursday, January 12, 2023 11:15 AM  
**To:** Morton, Devon  
**Subject:** Written Comments - RE: 1065 Paramount Drive, Stoney Creek (Ward 9)

January 12, 2023

RE: Notice of Complete Applications by Mikmada (Paramount) Inc. for an Urban Hamilton Official Plan and Zoning By-Law Amendment Application for Lands Located at 1065 Paramount Drive, Stoney Creek, (Ward 9)

Files: UHOPA-23-005 & ZAC-23-006

I hereby request that the City remove my personal information from the public record.

Please notify me of the decisions of the City of Hamilton regarding both the Official Plan Amendment Application (UHOPA-23-005) and Zoning By-Law Amendment Application (ZAC-3-006)

**WRITTEN COMMENTS:**

[REDACTED]

I strongly object to this application for the following reasons:

**1. Child Safety & Pollution**

The proposal conservatively estimates that an additional 282+ vehicles will be added directly adjacent to Billy Green School, many of which will undoubtedly be attempting to leave each morning through a school zone during child drop-off. These vehicles will be exiting directly through the walking and driving path of students and parents attempting to enter the school zone. This creates an unreasonable safety hazard – particularly as this school is K-8, many of the children require a greater abundance of caution to keep them safe. Furthermore, as the infrastructure is not designed to handle such an influx of vehicles attempting to exit the community, this will undoubtedly lead to gridlock at most of the intersections on Paramount Drive, with many idling cars creating an increase of air pollution in general. Most especially though, this air pollution will follow the prevailing winds that blow directly toward the school, leading to further health concerns. Lastly, there will be excessive noise, dust, dirt, and other pollution created during the extensive construction of this project that will also blow directly at the school, most significantly at the outdoor Kindergarten areas. This, coupled with the building of an 8-storey building directly beside the school (and again, the Kindergarteners in particular) also poses excessive safety hazards for the health and well-being of the children.

**2. Infrastructure**

This community was never designed to accommodate such an aggressively dense residential project. As stated previously, this will likely create gridlock and air pollution each day during rush hour, as well as increased safety hazards for pedestrians and cyclists. Should the proposal's estimate for necessary parking spaces be inadequate (as seems probable given the current plan only accommodates less than 1 vehicle per dwelling), this may lead to excessive use of nearby street parking. On my street alone, Canfield Court, the By-Law has just been changed to disallow daytime street parking due to safety concerns of nearby St. Paul school. If we are already concerned about safety due to excessive street parking, what will this proposal create? This will also put extensive wear and tear on Paramount Drive itself and tax the water and utility systems in place, possibly leading to water and

sewer problems for the community as a whole. Lastly, neither Billy Green Public or St. Paul Catholic schools are designed to handle a massive influx of new students. This will put excessive strain on the school's infrastructure, teaching staff, and community, which in general would lead to poorer quality of life and education for students. Should it be decided that the school cannot in any reasonable way be updated to handle hundreds of new students (as is likely the case) this will lead to further student disruption as the schools will need a simultaneous overhaul of existing structures. Considering this comes on the heels of the single most difficult and disruptive period of these children's lives, there is a solid case to be made that the mental health and wellbeing of students will be greatly impacted by this proposal.

**3. Existing Community**

There is very legitimate concern that such an unprecedented high-density development (particularly the 8-storey apartment complex) will devalue the homes in the area. As many of the homeowners in the area are seniors or approaching retirement age, this would impact the significant investment and nest egg these citizens made and threaten the potential loss of hundreds of thousands of dollars from the market worth of these homes. This could be further impacted by potential structural damage should the developer have to blast in order to put in the proposed underground parking lot, or the danger this poses to disrupting the water and sewer systems as mentioned previously. Again, it must be stressed that such a development is unprecedented and out-of-line with the surrounding community – the highest nearby building being only 3 stories. More than double that height will create an unavoidable eyesore for homeowners (again, impacting the value of their properties), and potentially further impacting quality of life at Billy Green School by casting a very large shadow over the grounds for much of the year.

This is to say nothing of the fact that approximately 80,000 new homes are already slated for development (and currently underway) in Elfrida, which is in addition to the very large new developments adjacent the Eramosa Karst and along Rymal Road. This area is already seeing incredible increases in population and density, traffic, infrastructure burden, education institution requirements, pollution, noise, etc. How much more do you honestly believe this area can handle?

**4. Due Diligence**

To that end, please forward all of the Due Diligence studies that the developer has submitted, including but not limited to Environmental Studies (Waste Water, Sewage, Air pollution, etc), Urban planning studies and all other studies submitted for this high-density residential 1 proposal.

Thank you,



January 11, 2023

Re: Notice of Complete Applications by Mikmada (Paramount) Inc. for an Urban Hamilton Official Plan and Zoning By-Law Amendment Application for Lands Located at 1065 Paramount Drive, Stoney Creek, (Ward 9)

Files: UHOPA-23-005 & ZAC-23-006

I hereby request that the City remove my personal information from the public record.

Please notify me of the decisions of the City of Hamilton regarding both the Official Plan Amendment Application (UHOPA-23-005) and Zoning By-Law Amendment Application (ZAC-23-006)

I strongly object to this application for the following reasons:

• **Child Safety & Crime**

An 8 Storey apartment building along with high-density townhomes adjacent to two elementary school playgrounds is unacceptable. Having 299 strangers watching their children every day is cause for concern for parents, teachers & staff. The increased amount of traffic also poses safety risks for the elementary school children, as the traffic in front of both Billy Green and St. Paul school is already more than the streets can handle. Putting so many people in such a small area right next to elementary schools will more than likely attract more criminal activity than a less populated area would.

• **Infrastructure**

- This community is not designed or set up to handle another 299 residences in such a small area. Where will all these children go to school? Both schools already have portables.
- Can our water and sewer system handle 299 new residences in this area? Highly unlikely as this community was not built for so many more houses 40+ years ago when it was laid out.
- The massive increase in traffic will create unsafe road conditions and increase the air pollution
- The plan allows for 309 parking spaces for 299 residences which seems grossly under what is needed. If any of the residences have more than one car per household where will the extra vehicles park? Where will visitors park?

• **Existing Community**

Will such a high-density development devalue all of the homes in the area?  
What about structural damage done to surrounding homes should the developer have to blast in order for it to put in their proposed underground parking lot beneath the 8 Storey apartment?  
What about the years of constant daily construction, noise and other pollution forced upon an existing community when there is no need for such a high-density development.

The urban boundary has already been expanded by 2200 hectares, therefore there is absolutely no need or reason for such a high rise in a very established neighbourhood. The highest building in the area is a 3 Storey building on Paramount. Building an 8 Storey apartment building is completely out of line with the entire community.

• **Due Diligence**

Please forward all of the Due Diligence studies that the developer has submitted, including but not limited to Environmental studies (Waste Water, Sewage, Air pollution, etc), Urban planning studies and all other studies submitted for this high-density residential 1 proposal.

Name:

Address:



**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Friday, January 13, 2023 11:34 AM  
**To:** Morton, Devon  
**Cc:** Clark, Brad; KAArcher@hwdsb.ca; ArgoL@hwcdsb.ca; Office of the Mayor  
**Subject:** Opposition to building proposal on Paramount Drive in Stoney Creek  
**Attachments:** doc04146520230113112735.pdf

Good morning Mr. Morton,

As a resident of the neighborhood, I am very concerned about the building proposal for the parcel of land on Paramount Drive in Stoney Creek, adjacent to Billy Green Public School and bordering on St. Paul's catholic school.

The proposal to build a 197 unit apartment building is ludicrous. I am attaching a formal letter outlining the concerns I/we have as a community.

I would appreciate a reply outlining what action will be taken to reject this proposal based on its infeasibility.

Kind regards,

[REDACTED]

January 12, 2023

Devon Morton, City of Hamilton  
Planning and Economic Development Department  
Development Planning – Rural Team  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, ON, L8P 4Y5

Re: Notice of Complete Applications by Mikmada (Paramount) Inc. for an Urban Hamilton Official Plan and Zoning By-Law Amendment Application for Lands Located at 1065 Paramount Drive, Stoney Creek, (Ward 9)

**Files: UHOPA-23-005 & ZAC-23-006**

Please notify us of the decisions of the City of Hamilton regarding both the Official Plan Amendment Application (UHOPA-23-005) and Zoning By-Law Amendment Application (ZAC-23-006)

We have lived in the Stoney Creek mountain area 38 years in a moderately quiet and family friendly area but we must **strongly object** to this application due to the following reasons:

- **Child Safety**  
An 8 Storey apartment building along with high-density townhomes adjacent to two elementary schools is unacceptable. The high density living quarters along with increased heavy traffic every day is a cause for concern for parents, teachers & staff. The increased amount of traffic poses safety risks for the elementary school children as the traffic in front of both Billy Green and St. Paul school is already more than the streets can handle. There is also a plaza across the street with a day care. Again high volume traffic. Building high density developments in such a small tight area, next to elementary schools and a day care adds to the dangerous traffic concerns.
- **Infrastructure**
  - This community is not designed or set up to handle another 299 residences in such a small area. Where will all these children go to school? Both schools already have portables.
  - Can our water and sewer system handle 299 new residences in this area? Highly unlikely as this community was not built to sustain this amount of congested sewage 40+ years ago when it was laid out.
  - The massive increase in traffic will create unsafe, congested road conditions and increase the air pollution
  - The plan allows for 309 parking spaces for 299 residences which seems grossly under what is needed. Most households have more than one car, where will these extra vehicles park? Where will visitors park? Our side streets are already congested with parked cars. Where do these cars park when there are heavy snow falls. We already have problems with parked cars not being removed from streets when the plows come.
- **Existing Community**  
High-density development tends to devalue surrounding single family homes.  
What about structural damage done to surrounding homes should the developer have to blast in order for it to put in their proposed underground parking lot beneath the 8 Storey apartment?  
What about the years of constant daily construction, noise and other pollution forced upon an existing community when there is no need for such a high-density development.

The urban boundary has already been expanded by 2200 hectares, therefore there is absolutely no need or reason for such a high rise in a very established neighbourhood. The highest building in this

community is a 3 Storey building on Paramount Drive. Building an 8 Storey apartment building is completely **out of character** with the entire community.

- **Due Diligence**

Please forward all of the Due Diligence studies that the developer has submitted, including but not limited to Environmental studies (Waste Water, Sewage, Air pollution, etc), Urban planning studies and all other studies submitted for this high-density residential 1 proposal.

In conclusion, we would just like to say how sad it is for us in our retirement years to see our quiet community being devastated by this ill thought out development. Has anyone who oversees these decisions ever hear of the saying, "everything in moderation". We hope you will reconsider and make the changes that are needed to this development.

[REDACTED]

[REDACTED]

Cc: Brad Clark, Ward 9 Councillor  
Kathy Archer, Ward 9 School Trustee, HWDSB  
Louis Agro, Ward 9 School Trustee, HWCDSD  
Andrea Horvath, Mayor, Hamilton, Ontario

**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Friday, January 13, 2023 12:01 PM  
**To:** Morton, Devon  
**Subject:** Re: UHOPA-23-005 & ZAC-23-006

We are not within 120 metres but have serious concerns about an 8 story apartment so close to two schools and a daycare. The underground parking is a disaster waiting to happen. We've lived here for 40 years and assumed the land would be used for townhouses but never thought an 8 story building with so many additional units would be squeezed onto that land.

Please add us to the mailing list.

[REDACTED]

Thank you!

On Jan 13, 2023, at 11:15 AM, Morton, Devon <Devon.Morton@hamilton.ca> wrote:

Hi [REDACTED]

Thank you for your email.

I am the planner assigned to the above noted file.

The date for the statutory Public Meeting has not yet been confirmed.

That said, once the date for the statutory Public Meeting is confirmed, notices will be sent via regular mail to all registered owners within 120 metres of the subject lands.

Additionally, Councilor Clark has requested the developer hold a Neighbourhood Meeting in the coming weeks to allow members of the public to voice their concerns. I have been advised the developer will also be sending notices out via regular mail to all properties that fall within 120 metres of the subject lands advising of the Neighbourhood Meeting.

If you do not live within 120 metres of the subject lands, please respond with your mailing address and I will add you to our circulation list and advise the developer to include you in their mail out.

Please let me know if you need anything further.



Thank you,

**Devon M. Morton, MCIP, RPP** (he/him/his)  
Planner II (Rural Team)  
Development Planning  
Planning & Economic Development Department  
City of Hamilton, 71 Main St. W, 5<sup>th</sup> floor, L8P 4Y5  
Ph: (905) 546-2424 ext. 1384  
Email: [Devon.Morton@hamilton.ca](mailto:Devon.Morton@hamilton.ca)



January 13, 2023

To: Devon.Morton@hamilton.ca

Cc: Brad.Clark@hamilton.ca  
KAArcher@hwdsb.on.ca  
AgroL@hwcdsb.ca  
Mayor@hamilton.ca

**Re:** Notice of Complete Applications by Mikmada (Paramount) Inc. for an Urban Hamilton Official Plan and Zoning By-Law Amendment Application for Lands Located at 1065 Paramount Drive, Stoney Creek, (Ward 9)

**Files:** UHOPA-23-005 & ZAC-23-006

I hereby request that the City remove my personal information from the public record.

Please notify me of the decisions of the City of Hamilton regarding both the Official Plan Amendment Application (UHOPA-23-005) and Zoning By-Law Amendment Application (ZAC-23-006)

I strongly object to this application for the following reasons:

- **Child Safety & Crime**

An 8 Storey apartment building along with high-density townhomes adjacent to two elementary school playgrounds is unacceptable. Having 299 strangers watching their children every day is cause for concern for parents, teachers & staff. The increased amount of traffic also poses safety risks for the elementary school children, as the traffic in front of both Billy Green and St. Paul school is already more than the streets can handle. Putting so many people in such a small area right next to elementary schools will more than likely attract more criminal activity than a less populated area would.

- **Infrastructure**

This community is not designed or set up to handle another 299 residences in such a small area. There is no room for this many more children to attend either St. Paul or Billy Green as both of these schools already have portables.

I doubt that our water and sewer systems can handle 299 new residences in this area as this community was not built for so many more houses 40+ years ago when laid out.

The massive increase in traffic will create unsafe road conditions for both drivers and pedestrians, not to mention the increase in air pollution that this community will experience.



The plan allows for 309 parking spaces for 299 residences which will not accommodate what is needed. If any of the residences have more than one car per household there will be nowhere to park. There will be no place for visitors to park. There is no parking on Paramount and no room to institute parking on that street. All of the side streets are already lined with parked cars. Undoubtedly the overflow will use Billy Green's parking lot on a daily basis which is already over-flowing. Is there a guideline of 1.5 parking spots per residence?

- **Existing Community**

Will such a high-density development devalue all of the homes in the area?

What about structural damage done to surrounding homes should the developer have to blast in order for it to put in their proposed underground parking lot beneath the 8 Storey apartment?

What about the years of constant daily construction, noise and other pollution forced upon an existing community when there is no need for such a high-density development.

The urban boundary has already been expanded by 2200 hectares, therefore there is absolutely no need or reason for such a high rise in a very established neighbourhood.

The highest building in the area is a 3 Storey building on Paramount. Building an 8 Storey apartment building is completely out of line with the entire community.

- **Due Diligence**

Please forward all of the Due Diligence studies that the developer has submitted, including but not limited to Environmental studies (Waste Water, Sewage, Air pollution, etc), Urban planning studies and all other studies submitted for this high-density residential 1 proposal.

The notice posted in the field shows a Public Meeting to be held TBA at City Hall. I propose changing this to Valley Park so as not to inconvenience 100's if not 1000's of residents having to get to City Hall and pay for parking. It is much more considerate and practical to ask 3-4 City workers to drive to Valley Park

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

January 16, 2023

To: Devon.Morton@hamilton.ca

Cc: Charlie.Toman@hamilton.ca  
Stephen.Robichaud@hamilton.ca  
Anita.Fabac@hamilton.ca  
Brad.Clark@hamilton.ca  
KAArcher@hwdsb.on.ca  
AgroL@hwcdsb.ca  
Mayor@hamilton.ca

**Re:** Notice of Complete Applications by Mikmada (Paramount) Inc. for an Urban Hamilton Official Plan and Zoning By-Law Amendment Application for Lands Located at 1065 Paramount Drive, Stoney Creek, (Ward 9)

**Files:** UHOPA-23-005 & ZAC-23-006

Please accept this letter as my objection to this proposed zoning application and development at 1065 Paramount Drive

I strongly object to the High Density Residential 1 proposal in addition to the height of the buildings proposed.

This development only serves to benefit the developer who has no vested interest in the community at this time. It is a terrible disservice to all existing residents.

### **Child Safety & Crime**

An 8 Storey apartment building along with high-density townhomes adjacent to two elementary school playgrounds is unacceptable. Having 299 strangers watching their children every day is cause for concern for parents, teachers & staff. The increased amount of traffic also poses safety risks for the elementary school children, as the traffic in front of both Billy Green and St. Paul school is already more than the streets can handle. Putting so many people in such a small area right next to elementary schools will more than likely attract more criminal activity than a less populated area would.

### **Infrastructure**

This community is not designed or set up to handle another 299 residences in such a small area. There is no room for this many more children to attend either St. Paul or Billy Green as both of these schools already have portables.

I doubt that our water and sewer systems can handle 299 new residences in this area as this community was not built for so many more houses 40+ years ago when laid out.



The massive increase in traffic will create unsafe road conditions for both drivers and pedestrians, not to mention the increase in air pollution that this community will experience.

The plan does not allow for an adequate number of parking spaces per household. If any of the residences have more than one car per household there will be nowhere to park. There will be no place for visitors to park. There is no parking on Paramount and no room to institute parking on that street. All of the side streets are already lined with parked cars. Undoubtedly the overflow will use Billy Green's parking lot on a daily basis which is already over-flowing. What is the required number of parking spots per residence?

**Existing Community**

Will such a high-density development devalue all of the homes in the area?  
What about structural damage done to surrounding homes should the developer have to blast in order for it to put in their proposed underground parking lot beneath the 8 Storey apartment?  
What about the years of constant daily construction, noise and other pollution forced upon an existing community when there is no need for such a high-density development. The urban boundary has already been expanded by 2200 hectares, therefore there is absolutely no need or reason for such a high rise in a very established neighbourhood. The highest building in the area is a 3 Storey building on Paramount. Building an 8 Storey apartment building is completely out of line with the entire community.

**Due Diligence**

Please forward all of the Due Diligence studies that the developer has submitted, including but not limited to Environmental studies (Waste Water, Sewage, Air pollution, etc), Urban planning studies and all other studies submitted for this high-density residential 1 proposal.

The notice posted in the field shows a Public Meeting to be held TBA at City Hall. I respectfully request changing this venue to Valley Park so as not to inconvenience all of the residents having to get to City Hall and pay for parking. It is much more considerate to ask a handful of City workers to drive to Valley Park.

Please notify me of the decisions of the City of Hamilton regarding both the Official Plan Amendment Application (UHOPA-23-005) and Zoning By-Law Amendment Application (ZAC-23-006)

I hereby request that the City remove my personal information from the public record

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

January 16, 2023

City of Hamilton  
Planning and Economic Development Department  
Development Planning – Rural Team  
71 Main St. West, 5<sup>th</sup> Floor  
Hamilton, ON L8P 4Y5

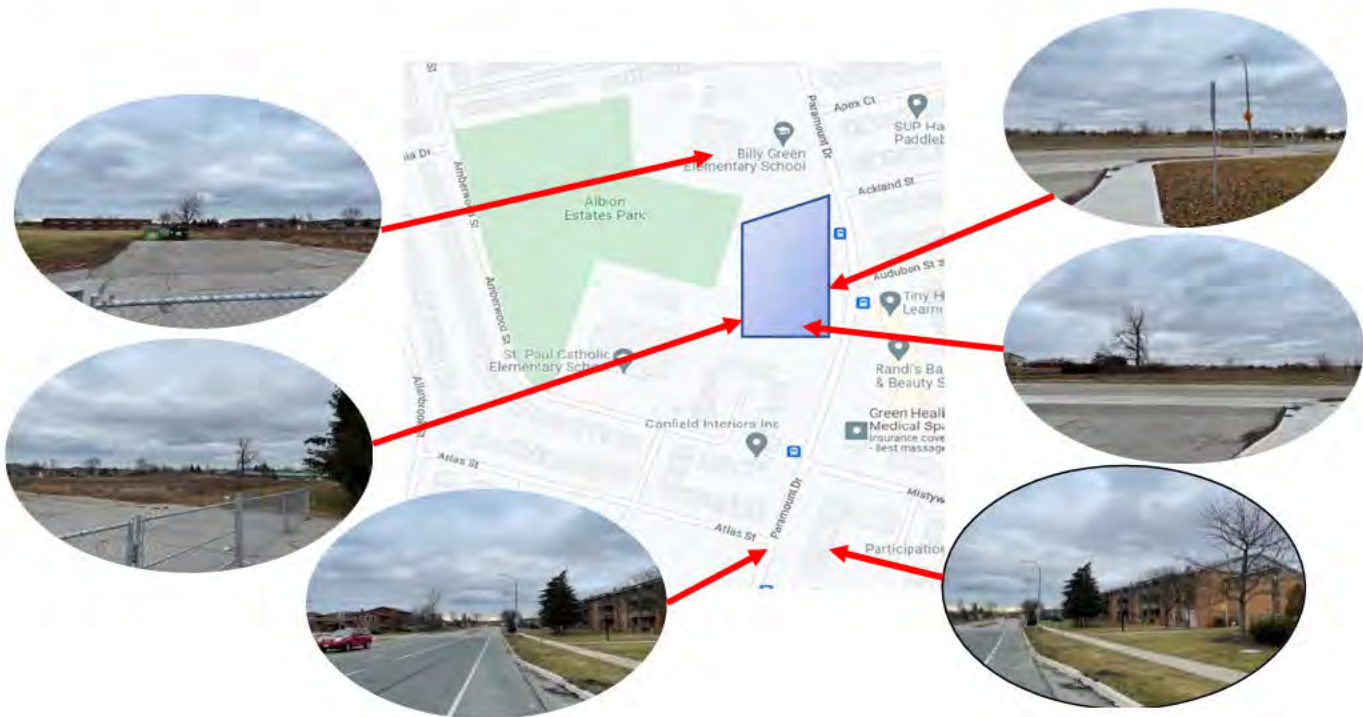
Attn: Charlie Toman – [charlie.toman@hamilton.ca](mailto:charlie.toman@hamilton.ca)

Files: UHOPA-23-005 & ZAC-23-006 - Notice of Complete Applications by Mikmada (Paramount) Inc. for an Urban Hamilton Official Plan and Zoning By-law Amendment Application for Lands located at 1065 Paramount Drive, Stoney Creek (Ward 9).

I am writing to express my opposition to the proposed land development at 1065 Paramount Drive in the neighborhood in which I reside.

While I understand the need for more housing and agree that the parcel of land in question could be developed for residential use, I must object to the High-Density Residential approach in addition to the height of the buildings proposed.

If you visit this address and the surrounding area, you would see that an 8-story apartment building will not suit the neighbourhood. There is no precedent for a building of that height in this area as the tallest structure at present is the 3-story apartment complex located at Paramount and Mistywood.



Tallest structure in the surrounding area

Adding 300 units, including 300 kitchens and 300+ bathrooms, will strain the existing services. We already experience power interruptions. What will be the impact on the electrical distribution? The added water requirement and sewer load?

In addition, the proposal references 300 parking spots. Putting that many cars on the road in an already busy area, in between two elementary schools is irresponsible. If there are more cars than spots available, residents will be forced to park on nearby streets. This will create congestion in the neighbourhood as well as present problems for City vehicles such as garbage trucks and snowplows.

The question of schooling must also be addressed. Both institutions that border this property already utilize portables. I cannot imagine they have the capacity to accept additional students from the proposed 300-unit development. As a result, students might need to be bussed out of the neighbourhood, again increasing traffic, and creating yet another safety issue.

Anyone living in the neighborhood who has put up a fence will tell you that digging a hole is a challenging task. About 1 metre down, you hit solid rock, which leads to questions about the feasibility of an underground parking structure for the proposed apartment building. Obviously, this would require drilling and possibly blasting. Who is going to pay for the potential damage to surrounding structures and foundations should this happen?

Shoehorning this development into space where it does not suit the neighbourhood is a disservice to the current residents. The towering buildings will be an eyesore and potentially decrease the value of adjacent properties, to the detriment of the local homeowners.

In light of these factors, it seems that the proposal put forth is an attempt by the developer in question to maximize profits without any consideration for the character of the neighborhood or its current residents.

I would request that the following be made publicly available:

- geological study pertaining to construction on the site.
- environmental study
- area traffic pattern study
- infrastructure studies, including but not limited to, electrical distribution, water supply and sewer capacity
- schooling requirements

Traveling around this upper Stoney Creek area, it seems there are more suitable locations should a High-Density Residential area need to be developed, such as the area around the intersection of Upper Centennial Parkway and Mud Street.

Ultimately, I respectfully request that you reject this proposal for the High-Density project at the 1065 Paramount location.

[REDACTED]

NOTE:

You may contact me via the email address from which this letter was sent.

Please do not publish my personal information on the City's website.

cc: Devon Morton – [devon.morton@hamilton.ca](mailto:devon.morton@hamilton.ca)  
Councillor Brad Clark, Ward 9 - [brad.clark@hamilton.ca](mailto:brad.clark@hamilton.ca)  
S. Robichaud, Director of Planning and Chief Planner, Planning Division – [Stephen.Robichaud@hamilton.ca](mailto:Stephen.Robichaud@hamilton.ca)  
A. Fabac, Director, Development Planning – [Anita.Fabac@hamilton.ca](mailto:Anita.Fabac@hamilton.ca)

**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Monday, January 16, 2023 8:15 PM  
**Cc:** Morton, Devon; Clark, Brad; kaarcher@hwdsb.on.ca; AgroL@hwcdsb.ca; Office of the Mayor  
**Subject:** Re: 1065 Paramount Drive, Stoney Creek (Ward 9) UHOPA23-005 & ZAC-23-006

Concerning Notice to Complete Applications by Mikmada (Paramound) Inc. for an Urban Hamilton Official Plan and Zoning By-Law Amedment Application for Lands Located at 1065 Paramount Drive, Stoney Creek, (Ward 9). I hereby request that the City remove my personal information from the public record. Please notify me of the decisions of the City of Hamilton regarding both the Official Plan Amendment Application (UHOPA-23-005) and Zoning By-Law Amendment Application (ZAC-23-006). **I strongly object to this application for the following reasons:**

Child Safety. An 8 storey apartment building along with high-density townhomes adjacent to two elementary schools, playgrounds and daycare will increase the risk to the children in the neighborhood, and two elementary schools.

Paramount Drive is already extremely congested during school drop-off and pick-up to the degree that we need two crossing guards 150m away from each other as well as 4 cross walks on a 500m stretch of road. On the weekends we have traffic to Felker's Falls and nearby trails.

There is insufficient parking in the area to accommodate all the units that lack a parking and visitor space. The two elementary schools lack sufficient space to accommodate the new families as both are already relying on portable classrooms.

The existing community is full of mid-cost single family homes. To place such a high density residence in the middle of this neighborhood will affect the aesthetic of the entire area. To say that this would be an unprecedented change to the personality of the area is an understatement.

It is unacceptable that a project which affects the entire neighborhood is being pushed through without sufficient time and consultation with people in the area. It should not be the case that we find out about this from a neighbor.

Please forward all of the Due Diligence studies that the developer has submitted, including but not limited to Environmental studies (Waste Water, Sewage, Air pollution, etc), Urban planning studies and 1111 other studies submitted for this high-density residential 1 proposal. - [REDACTED]



January 17, 2023

Re: Notice of Complete Applications by Mikmada (Paramount) Inc. for an Urban Hamilton Official Plan and Zoning By-Law Amendment Application for Lands Located at 1065 Paramount Drive, Stoney Creek, (Ward 9)

Files: UHOPA-23-005 & ZAC-23-006

I hereby request that the City remove our personal information from the public record.

Please notify me of the decisions of the City of Hamilton regarding both the Official Plan Amendment Application (UHOPA-23-005) and Zoning By-Law Amendment Application (ZAC-23-006)

I strongly object to this application for the following reasons:

- **Child Safety & Crime**

An 8 Storey apartment building along with high-density townhomes adjacent to two elementary school playgrounds is unacceptable. Having 299 strangers watching their children every day is every parent's worst nightmare. The increased amount of traffic also poses safety risks for the elementary school children, as the traffic in front of both Billy Green and St. Paul school is already more than the streets can handle. Putting so many people in such a small area right next to elementary schools will more than likely attract more criminal activity than a less populated area would.

- **Infrastructure**

- This community is not designed or set up to handle another 299 residences in such a small area. Where will all these children go to school? Both schools already have portables.
- Can our water and sewer system handle 299 new residences in this area? Highly unlikely as this community was not built for so many more houses 40+ years ago when it was laid out.
- The massive increase in traffic will create unsafe road conditions and increase the air pollution
- The plan allows for 309 parking spaces for 299 residences which seems grossly under what is needed. If any of the residences have more than one car per household where will the extra vehicles park? Where will visitors park?

- **Existing Community**

Will such a high-density development devalue all of the homes in the area?  
What about structural damage done to surrounding homes should the developer have to blast in order for it to put in their proposed underground parking lot beneath the 8 Storey apartment?  
What about the years of constant daily construction, noise and other pollution forced upon an existing community when there is no need for such a high-density development.

The urban boundary has already been expanded by 2200 hectares, therefore there is absolutely no need or reason for such a high rise in a very established neighbourhood. The highest building in the area is a 3 Storey building on Paramount. Building an 8 Storey apartment building is completely out of line with the entire community.

- **Due Diligence**

Please forward all of the Due Diligence studies that the developer has submitted, including but not limited to Environmental studies (Waste Water, Sewage, Air pollution, etc), Urban planning studies and all other studies submitted for this high-density residential 1 proposal.

Name: [REDACTED]

Address: [REDACTED]

Sent: Tuesday, January 17, 2023 9:49 AM  
To: Clark, Brad <Brad.Clark@hamilton.ca>  
Subject: New Building

Good Morning ,

I am sending this email with great concern and disappointment regarding the proposal to change the building of homes to apartments and townhouses on Paramount by St. Paul school and Billy Green. As a community we are not happy and will be doing everything in our prevent this from happening.

Who could ever think that this is a good idea?

We are hoping that you are going to stand by your constituents, [REDACTED] and many many others

**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Tuesday, January 17, 2023 10:52 AM  
**To:** Morton, Devon  
**Cc:** Clark, Brad; kaarcher@hwdsb.on.ca; agrol@hwcdsb.ca; Office of the Mayor  
**Subject:** Re: Notice of Complete Applications by Mikmada (Paramount) Inc, for an Urban Hamilton Official Plan and Zoning By-Law Amendment Application for Lands Located at 1065 Paramount Drive, Stoney Creek, (Ward 9)

January 17, 2023

Re: Notice of Complete Applications by Mikmada (Paramount) Inc, for an Urban Hamilton Official Plan and Zoning By-Law Amendment Application for Lands Located at 1065 Paramount Drive, Stoney Creek, (Ward 9)

**Files: UHOPA-23-005 & ZAC-23-006**

I hereby request that the City remove my personal information from the public record.

Please notify me of the decisions of the City of Hamilton regarding both the Official Plan Amendment Application (UHOPA-23-005) and Zoning By-Law Amendment Application (ZAC-23-006)

I strongly object to this application for the following reasons:

- **Child Safety & Crime**

An 8 Storey apartment building along with high-density townhomes adjacent to two elementary school playgrounds is unacceptable. Having 299 strangers watching their children every day is cause for concern for parents, teachers & staff. The increased amount of traffic also poses safety risks for the elementary school children, as the traffic in front of both Billy Green and St. Paul schools are already more than the streets can handle. Putting so many people in such a small area right next to elementary schools will more than likely attract more criminal activity than a less populated area would.

- **Infrastructure**

-This community is not designed or set up to handle another 299 residences in such a small area. Where will all these children go to school? Both schools already have portables.

-Can our water and sewer system handle 299 new residences in this area? Highly unlikely as this community was not built for so many more houses 40+ years ago when it was laid out.

-The massive increase in traffic will create unsafe road conditions and increase air pollution.

-The plan allows for 309 parking spaces for 299 residences which seems grossly under what is needed. If any of the residences have more than one car per household where will the extra vehicles park? Where will visitors park?

- **Existing Community**

Will such a high-density development devalue all of the homes in the area?

What about the structural damage done to surrounding homes should the developer have to blast in order for it to put in their proposed underground parking lot beneath the 8 Storey apartment?

What about the years of constant daily construction, noise and other pollution forced upon an existing community when there is no need for such a high-density development?

The urban boundary has already been expanded by 2200 hectares, therefore there is absolutely no need or reason for such a high rise in a very established neighbourhood. The highest building in the area is a 3 Storey building on Paramount. Building an 8 Storey apartment building is completely out of line with the entire community.

#### Due Diligence

Please forward all of the Due Diligence studies that the developer has submitted, including but not limited to Environmental Studies (Waste Water, Sewage, Air pollution, etc), Urban planning studies and all other studies submitted for this high-density residential proposal.

Kind regards,

A large black rectangular redaction box covering the signature and name of the sender.

## Morton, Devon

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**From:** [REDACTED]  
**Sent:** Wednesday, January 18, 2023 8:53 AM  
**To:** Clark, Brad; Morton, Devon  
**Cc:** agrol@hwcdsb.ca; kaarcher@hwdsb.on.ca  
**Subject:** Against Proposed Rezoning for Development on Paramount Drive

Good Morning Devon and Brad,

Through my neighbours and friends of Ward 9, I became aware of Mikmada (Paramount) Inc. developers' application to rezone the empty lot adjacent to Billy Green School. This is the Notice of Complete Applications by Mikmada (Paramount) Inc for an Urban Hamilton Official Plan and Zoning By-Law Amendment Application for Lands Located at 1065 Paramount Drive, Stoney Creek (Ward 9) - Files UHOPA-23-005 & ZAC-23-006.

I am not against development but strongly object to this degree of high-density residential for an 8 storey apartment building with 197 units adjacent to Billy Green school and another 102 three storey stacked townhouses on such a small lot. My concerns are as follows:

- the significant increase in traffic and the associated disregard for traffic calming measures, speed and safety for residences, seniors and children. This continues to occur to this day and has consistently been my top concern for this area.
- the very high potential for nefarious activity and congregation of violent people / groups in the public areas, trails and nearby commercial plazas putting the safety and comfort of our residents, seniors and children at risk.
- the degradation of cleanliness, lack of maintaining properties and reduction in overall appeal for the Albion Estates area.

We have an awesome, diverse neighbourhood with excellent amenities and services that residences take pride in. I would like to ensure any development maintains and supports this. I am asking you to strongly consider and deny this specific Amendment Application.

Respectfully,

[REDACTED]

January 18, 2023

Re: Notice of Complete Applications by Mikmada (Paramount) Inc. for an Urban Hamilton Official Plan and Zoning By-Law Amendment Application for Lands Located at 1065 Paramount Drive, Stoney Creek, (Ward 9)

Files: UHOPA-23-005 & ZAC-23-006

I hereby request that the City remove our personal information from the public record.

Please notify me of the decisions of the City of Hamilton regarding both the Official Plan Amendment Application (UHOPA-23-005) and Zoning By-Law Amendment Application (ZAC-23-006)

I strongly object to this application for the following reasons:

- **Child Safety & Crime**

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- **Infrastructure**

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- **Existing Community**

Will such a high-density development devalue all of the homes in the area?  
What about structural damage done to surrounding homes should the developer have to blast in order for it to put in their proposed underground parking lot beneath the 8 Storey apartment?  
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The urban boundary has already been expanded by 2200 hectares, therefore there is absolutely no need or reason for such a high rise in a very established neighbourhood. The highest building in the area is a 3 Storey building on Paramount. Building an 8 Storey apartment building is completely out of line with the entire community.

- **Due Diligence**

Please forward all of the Due Diligence studies that the developer has submitted, including but not limited to Environmental studies (Waste Water, Sewage, Air pollution, etc), Urban planning studies and all other studies submitted for this high-density residential 1 proposal.

Name: [REDACTED]

Address: [REDACTED]

## Morton, Devon

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**From:** [REDACTED]  
**Sent:** Wednesday, January 18, 2023 7:52 PM  
**To:** Morton, Devon  
**Cc:** Clark, Brad  
**Subject:** Rezoning

Sent from my iPad January 11, 2023

Re: Notice of Complete Applications by Mikmada (Paramount) Inc. for an Urban Hamilton Official Plan and Zoning By-Law Amendment Application for Lands Located at 1065 Paramount Drive, Stoney Creek, (Ward 9)

Files: UHOPA-23-005 & ZAC-23-006

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I strongly object to this application for the following reasons:

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- **Due Diligence**

Please forward all of the Due Diligence studies that the developer has submitted, including but not limited to Environmental studies (Waste Water, Sewage, Air pollution, etc), Urban planning studies and all other studies submitted for this high-density residential 1 proposal.

- . Conservation area

There is already an influx of mountain bikes racing through sensitive nature areas and there will be even more destruction of bird and insect habitats with the amount of units being suggested.





## Morton, Devon

---

**From:** [REDACTED]  
**Sent:** Friday, January 20, 2023 8:45 AM  
**To:** Morton, Devon  
**Cc:** kaarcher@hwdsb.on.ca; Clark, Brad  
**Subject:** Request for information files: UHOPA-23-005 & SAC-23-006

Re: Notice of Complete Applications by Mikmada (Paramount) Inc. for an Urban Hamilton Official Plan and Zoning By-Law amendment Application for Lands Located at 1065 Paramount Drive, Stoney Creek (Ward 9)

Files: UHOPA-23-005 & SAC-23-006

Dear Devon Morton,

I hereby request that the City remove my personal information from the public record.

Please notify me of the decisions of the City of Hamilton regarding both the Official Plan Amendment Application (UHOPA-23-005) and Zoning By-Law Amendment Application (ZAC-23-006).

I strongly object to this application for the following reasons:

### **Child Safety & Crime**

- An 8-storey apartment building along with high-density townhomes adjacent to two elementary school playgrounds is unacceptable. Having 299 strangers able to be in proximity to watch children is a cause for concern for parents, teachers, administrators and community members.
- The increased amount of traffic also poses safety risks for elementary school children, as the traffic in front of both Billy Green and St. Paul schools is already more than the streets can handle.
- Putting so many people in an extremely small area right next to elementary schools will more likely attract more criminal activity than a less populated area would.

### **Infrastructure**

- This community was not designed or set up to handle an additional 299 residences in a small area. Both elementary schools already have portables, and where will children attend school and will there be more resources to expand schools?
- Can our water and sewer systems handle 299 new residences in this area? This community was not built 40+ years ago to handle this proposed, and extreme number of residences. Where will stormwater run-off go? Can the sewers handle sewage/wastewater increases of this magnitude?
- There will be a massive increase in traffic within the neighbourhood, and recent traffic calming measures added to the neighbourhood will certainly cause traffic and unsafe road conditions for other drivers, pedestrians, and cyclists.
- The plan for 309 parking spaces for 299 residences seems grossly under what would be needed. What happens if residents have more than 1 vehicle per unit? Where will visitors park?

### **Existing Community**

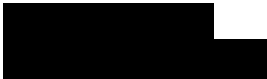
- Construction, traffic delays, noise and pollution will be forced upon an existing community when there is no need for such a high-density development.
- The urban boundary has already been expanded by 2200 hectares, therefore there is no reason for a high-rise building to be built in an established neighbourhood.

- The proposed 8-storey building is completely out of line with the rest of the community. The highest building that exists is a 3-storey building on Paramount Drive.
- What will happen if there is structural damage to the surrounding homes or businesses should the developer have to blast to put in the proposed underground parking lot?
- What are the negative consequences of the development on Felker's Falls, and the existing natural and park spaces?

**Due Diligence**

- Please forward all of the Due Diligence studies that the developer has submitted, including but not limited to Environmental studies (Waste Water, Sewage, Air pollution, ec.), Urban planning studies, and all other studies submitted for this high-density residential proposal.

Thank you for your consideration.



January 20,2023

City Of Hamilton  
Development Planning  
Planning & Economic Development Department  
City of Hamilton, 71 Main St. W, 5<sup>th</sup> floor, L8P 4Y5  
Attention: Devon M. Morton Planner II (Rural Team)

Reference:

Plan Amendment/Zoning Bylaw Amendment 1065 Paramount Drive, Stoney Creek &  
Rezoning Application UHOPA-23-005 & ZAC-23-006

Dear Mr. Morton,

Please find my concerns and comments below regarding the Approval of Planned Amendment/Zoning Bylaw Amendment referenced above.

1. Presently traffic flows along a single lane in both directions along Paramount Drive. I have a concern with the increased traffic flow in the neighborhood.
  - The amount of additional car traffic due to a planned high-rise building is not conducive to the neighborhood. Considering there are two existing schools in the immediate vicinity, then the proposed zoning should be limited to low rise residential housing only. This would ensure less car traffic and provide added safety for active school children in the area. What additional safety precautions will be in place for school children?
  - How will truck traffic move along a single lane during construction without restricting or endangering normal car traffic?
  - What additional precautions will be in place to protect school children from truck traffic during construction?
  - Undoubtedly the increase in residents in the area will cause a greater number of cars turning at the intersection with Mud Street. Cars heading South along Paramount and wishing to turn right (West) will need a right turning lane only to reduce a backlog of cars in the existing single lanes. Has the City allowed for this in the rezoning application?
  - In addition, cars and turning left in or out of the survey will require special timing of existing stoplights (longer advance green) to reduce backed up traffic in the turning lanes. Has the City allowed for this requirement?
2. What bylaw changes will be made to allow for additional cars parking on nearby city streets? For example, will street parking be limited to parking on one side only?
3. Is there a possibility of overcrowding the existing elementary schools (Billy Green & St. Paul's) in the immediate vicinity?
4. Regarding the footprint of the proposed site, is a planned layout now available? For example:
  - Will additional parkland be provided?
  - Will there be any new streets in this survey?
  - Where will the main entrance to the proposed area be located?
5. What allowances/changes are to be made for the existing sewer and water services?
6. Is there any potential for damage to nearby dwelling foundations due to blasting and/or hammering of the stone base for the construction of the proposed 181 Underground parking garages?

Regards,

[Redacted signature block]

January 20, 2023

To: Devon Morton, Hamilton ON  
Devon.Morton@hamilton.ca

**Re: Notice of Complete Applications by Mikmada (Paramount) Inc. for an Urban Hamilton Official Plan and Zoning By-Law Amendment Application for Lands at 1065 Paramount Drive, Stoney Creek, ON (Ward 9)**

**Files UHOPA-23-005 & ZAC-23-0006**

Please note that I am requesting that the City remove my personal information from the public record.

Please notify me of any decisions of the City of Hamilton regarding both the Official Plan Amendment Application (UHOPA-23-005) and Zoning By-Law Amendment Application (ZAC-23-006).

**I strongly object** to this application for the following reasons:

**1. Child Safety & Crime**

An 8 storey apartment building along with numerous townhouses between two elementary schools and playgrounds is unacceptable and a major concern for parents, teachers and the community. The increase in traffic also poses many safety concerns for the children as the traffic in front of Billy Green and St. Paul school is already a problem and **especially since Paramount Dr. was recently made into a one lane road each way.**

**2. Infrastructure**

This community is not designed or set up to handle another 299 residences in such a small area. Where will the children go to schools? Both schools are using portables already. The roads will be greatly unsafe and the volume will add pollution. The plan allows for 309 parking spaces which is grossly under what is needed. More than one car per household won't be available nor any visitors parking. The community was built 40 years ago and not made for this volume of housing.

**3. Existing Community**

Will surrounding homes have structural damage done because of the blasting to make the underground parking garage below the apartment building? **Will it even work as this is on the edge of an escarpment which is made of lime stone. Please check what this is if not already done and researched!** The years it will take to finish this project will cause noise and pollution on an already 40 year old area.

Building an 8 storey apartment building is completely out of line and ridiculous for this area of so many houses.

**4. Due Diligence**

I would like a copy or to see all the Due Diligence studies including but not limited to Environmental studies (Waste Water, Sewage, Air Pollution, etc.), Urban Planning studies and all other studies submitted for this high-density residential proposal.

Yours truly,

[Redacted Signature]

c. [Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)  
[KAArcher@hwdsb.on.ca](mailto:KAArcher@hwdsb.on.ca)  
[AgroL@hwcdsb.ca](mailto:AgroL@hwcdsb.ca)  
[Mayor@hamilton.ca](mailto:Mayor@hamilton.ca)

Ward 9 Councillor  
Ward 9 School Trustee  
Ward 9 School Trustee  
Mayor Andrea Horwath

**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Saturday, January 21, 2023 11:38 AM  
**To:** Morton, Devon  
**Cc:** Clark, Brad; KAArcher@hwdsb.on.ca; AgroL@hwcdsb.ca; Office of the Mayor  
**Subject:** Zoning proposal

January 21, 2023

Re: Notice of Complete Applications by Mikmada(Paramount) Inc. for an Urban Hamilton Official Plan and Zoning By-Law Amendment Application for Lands Located at 1065 Paramount Drive, Stoney Creek, (Ward 9)

Files: UHOPA-23-005 & ZAC-23-006

I hereby request that the City remove our personal information from the public record.

Please notify me of the decisions of the City of Hamilton regarding both the Official Plan Amendment Application (UHOPA-23-005) and Zoning By-Law Amendment Application (ZAC-23-006)

I strongly object to this application for the following reasons:

**Child Safety & Crime**

An 8 Storey apartment building along with high-density townhomes adjacent to two elementary school playgrounds is unacceptable. Having 299 strangers watching their children every day is every parent's worst nightmare. The increased amount of traffic also poses safety risks for the elementary school children, as the traffic in front of both Billy Green and St. Paul school is already more than the streets can handle. Putting so many people in such a small area right next to elementary schools will more than likely attract more criminal activity than a less populated area would.

**Infrastructure**

- This community is not designed or set up to handle another 299 residences in such a small area. Where will all these children go to school? Both schools already have portables.

- Can our water and sewer system handle 299 new residences in this area? Highly unlikely as this community was not built for so many more houses 40+ years ago when it was laid out.
- The massive increase in traffic will create unsafe road conditions and increase the air pollution
- The plan allows for 309 parking spaces for 299 residences which seems grossly under what is needed. If any of the residences have more than one car per household where will the extra vehicles park? Where will visitors park?

**Existing Community**

Will such a high-density development devalue all of the homes in the area? What about structural damage done to surrounding homes should the developer have to blast in order for it to put in their proposed underground parking lot beneath the 8 Storey apartment? What about the years of constant daily construction, noise and other pollution forced upon an existing community when there is no need for such a high-density development.

The urban boundary has already been expanded by 2200 hectares, therefore there is absolutely no need or reason for such a high rise in a very established neighbourhood. The highest building in the area is a 3 Storey building on Paramount. Building an 8 Storey apartment building is completely out of line with the entire community.

**Due Diligence**

Please forward all of the Due Diligence studies that the developer has submitted, including but not limited to Environmental studies (Waste Water, Sewage, Air pollution, etc), Urban planning studies and all other studies submitted for this high-density residential 1 proposal.

Name: [REDACTED]  
Address: [REDACTED]

Sent from my iPhone

Sent from my iPhone

**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Sunday, January 22, 2023 3:27 PM  
**To:** Morton, Devon  
**Cc:** Clark, Brad; Office of the Mayor; kaarcher@hwdsb.on.ca; agrol@hwdsb.on.ca  
**Subject:** Re: Notice of Complete Applications by Mikmada (Paramount) Inc. for an Urban Hamilton Official Plan and Zoning By-Law Amendment Application for Lands Located at 1065 Paramount Drive, Stoney Creek, (Ward 9) Files: UHOPA-23-005 & ZAC-23-006

Date: January 21, 2023

Re: Notice of Complete Applications by Mikmada (Paramount) Inc. for an Urban Hamilton Official Plan and Zoning By-Law Amendment Application for Lands Located at 1065 Paramount Drive, Stoney Creek, (Ward 9)

Files: UHOPA-23-005 & ZAC-23-006

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I hereby request that the City remove our personal information from the public record.

Please notify me of the decisions of the City of Hamilton regarding both the Official Plan Amendment Application (UHOPA-23-005) and Zoning By-Law Amendment Application (ZAC-23-006)

We strongly object to this application for the following reasons:

- Safety  
An 8 Storey apartment building along with high-density townhomes adjacent to two elementary school playgrounds is unacceptable. The increased amount of traffic poses safety risks for the elementary school children, both during and upon completion of the buildings. The traffic in front of both Billy Green and St. Paul school s is already more than the streets can handle.

- Infrastructure  
This community is not designed or set up to handle another 299 residences in such a small area. Where will all the additional children go to school? Both schools already have portables.

Can our water and sewer system handle 299 new residences in this area? Highly unlikely, as the planning for this community was not intended for so many more houses 40+ years ago.

The massive increase in traffic will create unsafe road conditions and increase the air pollution

The plan allows for 309 parking spaces for 299 residences which seems grossly under what is needed. If any of the residences have more than one car per household where will the extra vehicles park? Where will visitors park?

Also, has effect on surrounding roads and sidewalks been considered? Paramount Drive recently underwent reconstruction!

- Existing Community  
Will such a high-density development devalue all of the homes in the area?

What about structural damage to surrounding homes should the developer have to blast in order to put in the proposed underground parking lot beneath the 8 Storey apartment building?

What about the noise and other pollution that this community will experience during construction. No doubt this project will take an extended length of time to complete, perhaps a year or more.

The urban boundary has already been expanded by 2200 hectares, therefore, there is absolutely no need or reason for such a high rise in a very established neighbourhood when there are so many more suitable locations. The highest building in this area is a 3 Storey building on Paramount Drive. Building an 8 Storey apartment building is completely unsuitable considering this is purely a residential community.

- Due Diligence

Please forward all of the Due Diligence studies that the developer has submitted, including, but not limited to, Environmental studies (Waste Water, Sewage, Air pollution, etc), Urban planning studies and all other studies submitted for this high-density residential 1 proposal.

CC:

Councillor Brad Clark ([Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca))

Mayor Andrea Horwath ([mayor@hamilton.ca](mailto:mayor@hamilton.ca))

K.A. Archer, School Trustee, Ward 9 ([kaaarcher@hwdsb.on.ca](mailto:kaaarcher@hwdsb.on.ca))

L. Agro, Separate School Trustee, Ward 9 ([agrol@hwcdsb.on.ca](mailto:agrol@hwcdsb.on.ca))



## Morton, Devon

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**From:** [REDACTED]  
**Sent:** Sunday, January 22, 2023 9:25 PM  
**To:** AgroL@hwcdsb.ca; Morton, Devon  
**Subject:** Re:Notice of Complete Applications by Mikmada (Paramount) Inc.for an Urban Hamilton Official Plan and Zoning By\_Law Amendment Application for Lands Located at 1065 Paramount Drive,Stoney Creek,(Ward 9)

Files: UHOPA\_23\_005 &ZAC\_23\_006I

I strongly object to this application for the following reasons :

### Child Safety & Crime

An 8 Storey apartment building along with high density townhomes adjacent to two elementary school playgrounds is unacceptable. Having 299 strangers watching their children every day is cause for concern for parents, teachers and staff. The increased amount of traffic also poses safety risks for the elementary school children, as the traffic in front of both Billy Green and St. Paul school is already more than the streets can handle. Putting so many people in such a small area right next to elementary schools will more than likely attract more criminal activity than a less populated area would.

### Infrastructure

This community is not designed or set up to handle 299 residences in such a small area.

Where will all these children go to school? **Both schools already have portables.**

**Can our water and sewer system handle 299 new residences in this area? Highly unlikely as this community was not built for so many houses 40 plus years ago when it was laid out.**

**The massive increase in traffic will create unsafe road conditions and increase the air pollution .**

**The plan allows for 309 parking spaces for 299 residences which seems grossly under what is needed. If any of the residences have more than one car per household where will the extra vehicles park? Where will visitors park?**

### Existing Community

**Will such a high-density development devalue all of the homes in the area?**

- 1. What about structural damage done to surrounding homes should the developer have to blast in order for it to put in their proposed underground parking lot beneath the 8-storey**

**apartment ?**

**What about the years of constant daily construction, noise and other pollution forced upon an existing community when there is no need for such a high-density development.**

**The urban boundary has already been expanded by 2200 hectares, therefore there is absolutely no need or reason for such a high rise in a very established neighbourhood. The highest building in the area is a 3-storey building on Paramount. Building an 8-storey apartment building is completely out of line with the entire community.**



**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Monday, January 23, 2023 4:19 PM  
**To:** Morton, Devon  
**Cc:** Office of the Mayor; agrol@hwcdsb.ca; kaarcher@hwdsb.on.ca  
**Subject:** Notice of Complete Applications by Mikmada (Paramount) Inc. for an urban Hamilton Official Plan and Zoning By-Law Amendment Application for Lands Located at 1065 Paramount Drive, Stoney Creek (Ward 9)

Files: UHOPA-23-005 & ZAC-23-006

I hereby request that the City of Hamilton remove my personal information from the public record.

**There are so many problems with this high-density proposal. The serious safety hazards and the danger this brings to our community, especially the children, is clear and obvious. Directly affecting 2 elementary schools! Townhomes were expected and are acceptable. However, high density, consisting of any type of building over 3 stories would be devastating to this lovely neighbourhood. This specific location is simply not suitable for high density development for an array of valid reasons, which will be heard during the community meeting and any other opportunity to be heard.**

Thank you,

[REDACTED]

Sent from my iPhone

January 23, 2023

Re: Notice of Complete Application by Mikmada (Paramount) Inc. for an Urban Hamilton Official Plan and Zoning By-Law Amendment Application for lands located at 1065 Paramount Drive Stoney Creek (Ward 9)

Files: UHOPA-23-005 & ZAC-23-006

Dear Sir/Madam:

Kindly accept this letter as notice of **opposition** to the rezoning and construction of the above proposed project. I urge you to consider the following reasons outlining the detrimental effect this project poses to the surrounding neighbourhood:

- 1) Traffic congestion – the influx of traffic from 299 new residences is exorbitant (families could have more than 1 vehicle). The neighbourhood already suffers from ongoing traffic problems during school hours. Kindly note that council recently approved the installation of no parking signs on Amberwood and Canfield in attempts to control the traffic concerns on these streets. Please also note that the recently completed road construction on Paramount and Winterberry resulted in the installation of several “new” stop signs and traffic islands to slow traffic down. An influx of vehicles from 299+ persons will impact the traffic flow, the school buses, and the ability for children to cross safely to the schools.
- 2) The impact on neighbourhood infrastructure – the sewer system, water pipes, electrical grid are not designed to handle the pressure of 299 new residences in such a densely populated area. This community is approximately 40 years old and not designed to accommodate the strain of this project. Has Mikmada done its due diligence and submitted its evaluation and impact on the air quality, noise-levels, blasting (for underground parking), water, drainage, sewage, etc.?
- 3) Devaluing existing properties – This neighbourhood is a highly sought-after section of the Stoney Creek mountain. Homes in this neighbourhood sell for upwards of \$1 million. Adding a high-rise apartment building with 197 rental units will significantly devalue the area. People of this community work hard to sustain a life in this neighbourhood. We chose to live in this community because of its reputation as a safe neighbourhood filled with well-established, hard-working residents. I’d like to highlight that there are no high-rise buildings in this neighbourhood. The tallest residential building is a 3-storey townhome. This proposal is an eye sore. Let us keep this community beautiful by expanding it with similar types of buildings. Kindly noted the most recent community between West Bank Trail and Trafalgar as an example of a architecture that adhered to the existing design. Why not consider constructing a beautiful court with fully detached 2-storey homes?

4) Safety - I direct you to review the crime rates in areas where rental apartment buildings are located vs. areas where they are not. The proposed project is sure to increase home invasions, vehicle break-ins, and store robberies. Additionally, wedging a high-rise apartment building between St. Paul and Billy Green schools is a threat to our children. An apartment building of this height will allow persons the potential to privately observe our innocent children from afar, whether they are at school or at the park adjacent to the proposed building.

I ask that you include me on all future communications and decisions with respect to this project proposal.

Kindly removed my name from any documents made public record.

Lastly, I beg you to consider why I chose to raise my family in a neighbourhood of such high caliber. It's a neighborhood filled with hard-working, like-minded residents. Residents that have invested their hard-earned money which is easily reflected in the pride of property and house values. We are a safe, secure community; one with low crime rates. For the reasons stated above, the construction project proposed by Mikmada is a threat in many ways. It's evident that Mikmada doesn't care about this community; they don't know this community. They are simply trying to cram in as many residences as possible to turn the biggest profit. They have no concern of its impact to existing homeowners. I deeply urge the City of Hamilton and its councillors to reject this proposal.

Respectfully,

[Redacted signature block]

- cc. Brad Clark, Councillor Ward 9
- cc. Kathy Archer, HWDSB Trustee Ward 9
- cc. Louis Agro, HWCDSD Trustee Ward 9
- cc. Mayor Andrea Horwath

**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Monday, January 23, 2023 8:14 PM  
**To:** Morton, Devon  
**Cc:** Clark, Brad; agrol@hwcdsb.ca; kaarcher@hwdsb.on.ca; Office of the Mayor  
**Subject:** Mikmada (Paramount) Inc. UHOPA-23-005 & ZAC-23-006  
**Attachments:** Mikmada Paramount Inc. UHOPA-23-005 & ZAC-23-006.docx

Hi Devon,

Please find attached, our concerns and opposition to the above project - especially noting it's impact to St. Paul Catholic Elementary School and Billy Green and the surrounding neighbourhood.

Respectfully,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Re: Notice of Complete Applications by Mikmada (Paramount) Inc. for an Urban Hamilton Official Plan and Zoning By-Law Amendment Application for Lands Located at 1065 Paramount Drive, Stoney Creek, (Ward 9)

Files: UHOPA-23-005 & ZAC-23-006

I hereby request that the City remove my personal information from the public record.

Please notify me of the decisions of the City of Hamilton regarding both the Official Plan Amendment Application (UHOPA-23-005) and Zoning By-Law Amendment Application (ZAC-23-006)

I strongly object to this application for the following reasons:

• **Child Safety & Crime**

An 8 Storey apartment building along with high-density townhomes adjacent to two elementary school playgrounds is unacceptable. Having 299 strangers watching their children every day is cause for concern for parents, teachers & staff. The increased amount of traffic also poses safety risks for the elementary school children, as the traffic in front of both Billy Green and St. Paul school is already more than the streets can handle. Putting so many people in such a small area right next to elementary schools will more than likely attract more criminal activity than a less populated area would.

• **Infrastructure**

- This community is not designed or set up to handle another 299 residences in such a small area. Where will all these children go to school? Both schools already have portables.
- Can our water and sewer system handle 299 new residences in this area? Highly unlikely as this community was not built for so many more houses 40+ years ago when it was laid out.
- The massive increase in traffic will create unsafe road conditions and increase the air pollution
- The plan allows for 309 parking spaces for 299 residences which seems grossly under what is needed. If any of the residences have more than one car per household where will the extra vehicles park? Where will visitors park?

• **Existing Community**

Will such a high-density development devalue all of the homes in the area?  
What about structural damage done to surrounding homes should the developer have to blast in order for it to put in their proposed underground parking lot beneath the 8 Storey apartment?  
What about the years of constant daily construction, noise and other pollution forced upon an existing community when there is no need for such a high-density development.

The urban boundary has already been expanded by 2200 hectares, therefore there is absolutely no need or reason for such a high rise in a very established neighbourhood. The highest building in the area is a 3 Storey building on Paramount. Building an 8 Storey apartment building is completely out of line with the entire community.

• **Due Diligence**

Please forward all of the Due Diligence studies that the developer has submitted, including but not limited to Environmental studies (Waste Water, Sewage, Air pollution, etc), Urban planning studies and all other studies submitted for this high-density residential 1 proposal.

Name: [Redacted]  
Address: [Redacted]

**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Tuesday, January 24, 2023 5:53 PM  
**To:** Morton, Devon  
**Cc:** Clark, Brad; KAArcher@hwdsb.on.ca; AgroL@hwcdsb.ca; Office of the Mayor  
**Subject:** 1065 Paramount Drive Stoney Creek

January 24, 2023

Re: Notice of Complete Applications by Mikmada (Paramount) Inc. for an Urban Hamilton Official Plan and Zoning By-Law Amendment Application for Lands Located at 1065 Paramount Drive, Stoney Creek, (Ward 9)

Files: UHOPA-23-005 & ZAC-23-006

I hereby request that the City remove our personal information from the public record.

Please notify me of the decisions of the City of Hamilton regarding both the Official Plan Amendment Application (UHOPA-23-005) and Zoning By-Law Amendment Application (ZAC-23-006)

I strongly object to this application for the following reasons:

- **Child Safety & Crime**

An 8 Storey apartment building along with high-density townhomes adjacent to two elementary school playgrounds is unacceptable. Having 299 strangers watching their children every day is every parent's worst nightmare. The increased amount of traffic also poses safety risks for the elementary school children, as the traffic in front of both Billy Green and St. Paul school is already more than the streets can handle. Putting so many people in such a small area right next to elementary schools will more than likely attract more criminal activity than a less populated area would.

- **Infrastructure**

- This community is not designed or set up to handle another 299 residences in such a small area. Where will all these children go to school? Both schools already have portables.
- Can our water and sewer system handle 299 new residences in this area? Highly unlikely as this community was not built for so many more houses 40+ years ago when it was laid out.
- The massive increase in traffic will create unsafe road conditions and increase the air pollution
- The plan allows for 309 parking spaces for 299 residences which seems grossly under what is needed. If any of the residences have more than one car per household where will the extra vehicles park? Where will visitors park?

- **Existing Community**

Will such a high-density development devalue all of the homes in the area?  
What about structural damage done to surrounding homes should the developer have to blast in order for it to put in their proposed underground parking lot beneath the 8 Storey apartment?  
What about the years of constant daily construction, noise and other pollution forced upon an existing community when there is no need for such a high-density development.

The urban boundary has already been expanded by 2200 hectares, therefore there is absolutely no need or reason for such a high rise in a very established neighbourhood. The highest building in the area is a 3 Storey building on Paramount. Building an 8 Storey apartment building is completely out of line with the entire community.

- **Due Diligence**

Please forward all of the Due Diligence studies that the developer has submitted, including but not limited to Environmental studies (Waste Water, Sewage, Air pollution, etc), Urban planning studies and all other studies submitted for this high-density residential 1 proposal.



Please save our wonderful quiet community.



**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Tuesday, January 24, 2023 11:05 PM  
**To:** Morton, Devon; Clark, Brad; John Parente  
**Subject:** Re: 1065 Paramount Drive Neighbourhood Meeting

Good Evening Devon

Has the planning committee come to a decision regarding this development already and this meeting is just a courtesy?

I don't believe we fall under the Rural department as we are in Ward 9 of the City of Hamilton?

I have sent questions to Tracy regarding this project and the planned use.

Where are the children supposed to attend school? Both schools adjacent to the land are already full and both have portables.

Paramount Drive was just repaved and islands added as well for safety for children.

Who is paying the bill once the sewer lines, hydro lines and water lines are installed? Paramount will have to be redone again.

The traffic volume in the area will increase in a huge way. Not to mention the construction mess it will create to the area.

Looking forward to your response to these few questions.

Regards

[REDACTED]

On Tue, Jan 24, 2023 at 5:46 PM Morton, Devon <[Devon.Morton@hamilton.ca](mailto:Devon.Morton@hamilton.ca)> wrote:

Good evening,

At the request of Councilor Clark, a Neighbourhood Meeting has been scheduled regarding the proposed development at 1065 Paramount Drive, Stoney Creek.

**This is an opportunity for members of the public to voice their concerns and learn more about the proposal.**

Details of the Neighbourhood Meeting are attached and below:

January 11, 2023

Re: Notice of Complete Applications by Mikmada (Paramount) Inc. for an Urban Hamilton Official Plan and Zoning By-Law Amendment Application for Lands Located at 1065 Paramount Drive, Stoney Creek, (Ward 9)

Files: UHOPA-23-005 & ZAC-23-006

I hereby request that the City remove my personal information from the public record.

Please notify me of the decisions of the City of Hamilton regarding both the Official Plan Amendment Application (UHOPA-23-005) and Zoning By-Law Amendment Application (ZAC-23-006)

I strongly object to this application for the following reasons:

- **Child Safety & Crime**

An 8 Storey apartment building along with high-density townhomes adjacent to two elementary school playgrounds is unacceptable. Having 299 strangers watching their children every day is cause for concern for parents, teachers & staff. The increased amount of traffic also poses safety risks for the elementary school children, as the traffic in front of both Billy Green and St. Paul school is already more than the streets can handle. Putting so many people in such a small area right next to elementary schools will more than likely attract more criminal activity than a less populated area would.

- **Infrastructure**

- This community is not designed or set up to handle another 299 residences in such a small area. Where will all these children go to school? Both schools already have portables.
- Can our water and sewer system handle 299 new residences in this area? Highly unlikely as this community was not built for so many more houses 40+ years ago when it was laid out.
- The massive increase in traffic will create unsafe road conditions and increase the air pollution
- The plan allows for 309 parking spaces for 299 residences which seems grossly under what is needed. If any of the residences have more than one car per household where will the extra vehicles park? Where will visitors park?

- **Existing Community**

Will such a high-density development devalue all of the homes in the area?  
What about structural damage done to surrounding homes should the developer have to blast in order for it to put in their proposed underground parking lot beneath the 8 Storey apartment?  
What about the years of constant daily construction, noise and other pollution forced upon an existing community when there is no need for such a high-density development.

The urban boundary has already been expanded by 2200 hectares, therefore there is absolutely no need or reason for such a high rise in a very established neighbourhood. The highest building in the area is a 3 Storey building on Paramount. Building an 8 Storey apartment building is completely out of line with the entire community.

- **Due Diligence**

Please forward all of the Due Diligence studies that the developer has submitted, including but not limited to Environmental studies (Waste Water, Sewage, Air pollution, etc), Urban planning studies and all other studies submitted for this high-density residential 1 proposal.

Name:  
Address:



**Morton, Devon**

---

**From:** [REDACTED]  
**Sent:** Thursday, January 26, 2023 4:10 PM  
**To:** Morton, Devon  
**Cc:** Clark, Brad; KAArcher@hamilton.ca; Agrol@hamilton.ca; Office of the Mayor  
**Subject:** Re:Notice of Complete Applications by Mikmada(Paramount) inc. for an Urban Hamilton Official Plan and Zoning By-Law Amendment Application for Lands Located at 1065 Paramount Dr, Stoney creek, (Ward 9)

Re: Notice of Complete Applications by Mikmada (Paramount) Inc. for an Urban Hamilton Official Plan and Zoning By-Law Amendment Application for Lands Located at 1065 Paramount dr, Stoney creek, (Ward 9)

Files: UHOPA-23-005 and ZAC-23-006

I request that the city remove our personal information from the public record.

Please notify us of the decisions of the City of Hamilton regarding both the official plan amendment application (UHOPA-23-005) and the zoning by-law amendment application (ZAC-23-006)

We strongly oppose this application. We have lived in this area for the past 10 years and we love our neighbourhood. We moved here for the small community and quiet beautiful parks and trails.

Our kids go to school at Billy Green, which is right next door to this address. The traffic that exists is already too much and if an 8 story building along with townhomes goes in, this will increase the amount of cars significantly, making it unsafe for our children. The plan for 309 parking spots doesn't seem realistic for 299 residents. With many families having 2 cars our streets around the schools would be packed. What would this do to our environment and our sewer systems? Can they even handle this? Not to mention all the kids that would be moving into these residents, where would they go to school? Both Billy Green and St Pauls already have portables. Our area was not set up for this and as a community we don't want this happening to our well established neighbourhood.

Please forward all of the due diligence studies that the developer has submitted, including but not limited to Environmental studies (waste water, sewage, air pollution, etc.), Urban planning studies and all other studies submitted for this high density residential 1 proposal.

[REDACTED]

**Morton, Devon**

---

**From:** [REDACTED]  
**Sent:** Thursday, January 26, 2023 11:17 PM  
**To:** Morton, Devon  
**Subject:** Zoning changes between Billy green school and St. Pauls school.

My name is [REDACTED]

I would like information on future meetings.

I am writing to you as it was my idea to have this field become a bean field on June 17<sup>th</sup> 2012. I created a program and invented a few things, the company I worked with asked what I would like in return, I asked for part of Burlington street to be renamed Nikola Tesla Blvd. Created a mental health department for children, asked for yellow flowers, tiger lilies, and on the tenth year for black flowers to be planted on the Lincoln Alexander hwy. and for the field in between Billy Green school and St. Paul's catholic school to become a field of soy beans. After 9 years and 51 weeks since after my vision of it becoming a soy bean field, it was sold. I have been informed of the housing development that could be on said land.

I would like further information about the files. UHOPA-23-005 & ZAC-23-006  
For lands located at 1065 Paramount Drive, Stoney Creek. Located beside Billy green elementary public school and St. Paul's catholic school.

With both having kindergarten on the side of the current weed field, previously the beautiful soy bean field pictures provided,





my first of many concerns being of which what could and is a safety factor to the children if construction were to commence. Were and are there plans to blast? As underground parking is also being planned. My second concern, is it really the best idea to have this many housings built between two children's public schools? I wonder some days, who's idea it was to sell the land? and who profits from all of this? The children could watch how the field grew producing food for people to eat, how they will grow up with good memories and won't have to watch ugly weeds grow, such as how it used to be before the soy bean field, but now could face watching buildings and parking lots grow.

January 26, 2023

**RE: Notice of Complete Applications by Mikmada (Paramount) Inc. for an urban Hamilton official plan and zoning By-Law amendment application for lands located at 1065 Paramount Drive, Stoney Creek-Ward 9**

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- **Infrastructure**

- o This community is not designed to handle another 299 residences in such a small area. Where will all these children go to school? Both schools are already at a high capacity with numerous portables.
- o Can our water and sewer system handle 299 new residences in this area? This is unlikely as the community was not built for so many additional residents when it was constructed 40+ years ago.
- o There will be a massive increase to traffic in the area which will create unsafe road conditions and increased air pollution.
- o The plan allows for 309 parking spaces for 299 residences which seems deficient to what would be truly needed. What about additional cars per households? Where will the visitors park? The overflow of parking will end up on our side streets which already are full of street parking. This will impact snow removal in the winter as our city will be unable to complete a thorough job if we have additional street parking.

- **Existing Community**

What will be the impact to our property values if you are adding such a high-density development in our backyard? What about any possible structural damage caused to surrounding properties should the developer have to blast to put in the proposed underground parking lot? What about the years of constant daily construction, noise and pollution which will be forced upon an existing community?

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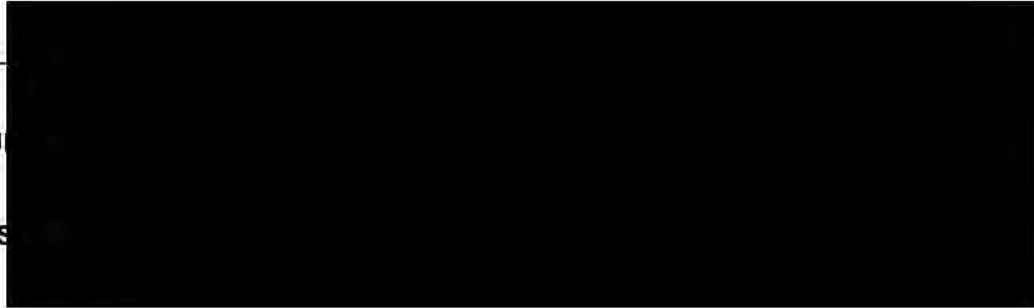
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NAME(S)

SIGNATURE

ADDRESS



January 26, 2023

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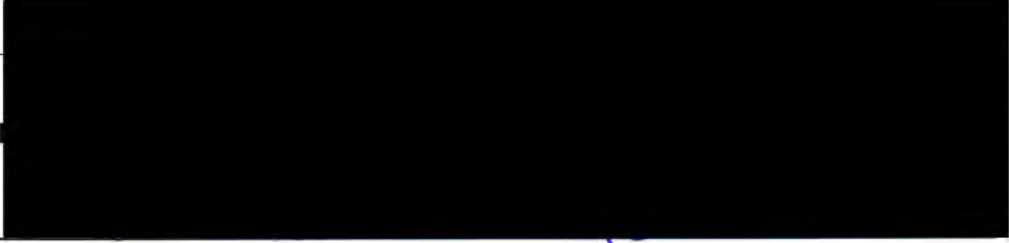
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Please forward all the Due Diligence studies that the developer has submitted, including but not limited to Environmental studies (wastewater, sewage, air pollution, etc.), urban planning studies and all other studies which have been submitted for this high-density residential 1 proposal.

NAME(S) [REDACTED] \_\_\_\_\_

SIGNATURE [REDACTED] \_\_\_\_\_

ADDRESS [REDACTED] \_\_\_\_\_

January 27, 2023

Re: notice of complete applications by Mikmada (Paramount) Inc. for an Urban Hamilton Official Plan and Zoning by law Amendment Application for lands located at 1065 paramount drive, Stoney Creek (Ward 9).

**Files UHOPA-23-005 & ZAC 23-006**

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I strongly object to this application for the following reasons

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An 8 Storey apartment building along with high density townhomes adjacent to two elementary school playgrounds is unacceptable. Having 299 strangers watching their children every day is cause for concern for parents, teachers and staff. The increased amount of traffic also poses safety risks for the elementary school children, as the traffic in front of both Billy green and Saint Paul school is already more than the streets can handle. Putting so many people in such a small area right next to elementary schools will more than likely attract more criminal activity than a less populated area would.

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- The massive increase in traffic will create unsafe road conditions an increase the air pollution.
- The plan allows for 309 parking spaces for 299 residences which seems grossly under what is needed. If any of these residences have more than one car per household where will the extra vehicles park? Where will visitors park?

**3) Existing Community**

Will such a high density development devalue all of the homes in this area? What about the structural damage done to surrounding homes should the developer have to blast in order for it to put in their proposed underground parking lot beneath the 8 Storey apartment building?

The urban boundary has already been expanded by 2200 hectares therefore there is absolutely no need or reason for such a high rise in a very established neighborhood. the highest building in the area is a three story building on paramount. Building an 8 story apartment building is completely out of line with the entire community.

**4) Due Diligence**

Please forward all of the due diligence studies with the developer has submitted, including but not limited to environmental studies (waste water sewage air pollution etc), urban planning studies and all other studies submitted for this high density residential one proposal.

Sincerely,

[REDACTED]

[REDACTED]

Stoney Creek, ON L8J 1P6







January 27, 2023

Re: Notice of Complete Applications by Mikmada (Paramount) Inc. for an Urban Hamilton Official Plan and Zoning By-Law Amendment Application for Lands Located at 1065 Paramount Drive, Stoney Creek, (Ward 9)  
Files: UHOPA-23-005 & ZAC-23-006

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**Due Diligence**

Please forward all of the Due Diligence studies that the developer has submitted, including but not limited to Environmental studies (Waste Water, Sewage, Air pollution, etc), Urban planning studies and all other studies submitted for this high-density residential 1 proposal.

Name: [REDACTED]  
Address: [REDACTED]  
Email: [REDACTED]

**Morton, Devon**

---

**From:** [REDACTED]  
**Sent:** Friday, January 27, 2023 12:41 PM  
**To:** Morton, Devon  
**Cc:** Clark, Brad; KAArcher@hwdsb.on.ca; AgroL@hwcdsb.ca; Office of the Mayor  
**Subject:** Proposed Development at 1065 Paramount Dr.  
**Attachments:** proposed development on paramount letter.docx

Good afternoon,  
Please see the attached letter regarding my concerns about the proposed development on Paramount Drive. This plan would have a significant negative impact on our community and our children.  
Thank you,  
[REDACTED]

Re: Notice of Complete Applications by Mikmada (Paramount) Inc. for an Urban Hamilton Official Plan and Zoning By-Law Amendment Application for Lands Located at 1065 Paramount Drive, Stoney Creek, (Ward 9)  
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Name: [REDACTED]

Address: [REDACTED]

January 27, 2023

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Name: [REDACTED]

Address: [REDACTED]

**Morton, Devon**

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**From:** Clark, Brad  
**Sent:** Friday, January 27, 2023 2:37 PM  
**To:** [REDACTED]  
**Cc:** Morton, Devon; Ribaric, Robert  
**Subject:** RE: City Project between St Paul Billy Green

Hi [REDACTED],

Thank you for your letter.

I am sharing your letter with Devon Morton, City Planner. We have created a database to capture everyone that has expressed an interest in this application. Please note that we do not share this data with the Developer.

Respectfully yours,

Brad

**Councillor Brad Clark**  
**Ward 9 - Upper Stoney Creek**  
**Room 262, 71 Main Street West**  
**Hamilton, ON L8P 4Y5**

Office: [905 546-2703](tel:9055462703)  
Cell: [905 977-0679](tel:9059770679)  
[brad.clark@hamilton.ca](mailto:brad.clark@hamilton.ca)  
[www.bradclarkreport.ca](http://www.bradclarkreport.ca)



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---

**From:** [REDACTED]  
**Sent:** Wednesday, January 18, 2023 10:06 AM  
**To:** Clark, Brad <Brad.Clark@hamilton.ca>  
**Subject:** City Project between St Paul Billy Green

Good Morning,

I am sure that you have received 100s of emails regarding the plan for an apartment building being built in between our schools.

We are in agreement with the current letter circulating that we DO NOT want this.

The area around the school is already problematic just getting the kids to school safely. I spend nearly an hour of my day just dropping off and collecting my children from the school due to small city streets and ZERO parking.

Please add our names to this list.



Get [Outlook for Android](#)

January 26, 2023

**RE: Notice of Complete Applications by Mikmada (Paramount) Inc. for an urban Hamilton official plan and zoning By-Law amendment application for lands located at 1065 Paramount Drive, Stoney Creek-Ward 9**

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SIGNATURE \_\_\_\_\_

ADDRESS \_\_\_\_\_



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What about structural damage done to surrounding homes should the developer have to blast in order for it to put in their proposed underground parking lot beneath the 8 Storey apartment?  
What about the years of constant daily construction, noise and other pollution forced upon an existing community when there is no need for such a high-density development.

The urban boundary has already been expanded by 2200 hectares, therefore there is absolutely no need or reason for such a high rise in a very established neighbourhood. The highest building in the area is a 3 Storey building on Paramount. Building an 8 Storey apartment building is completely out of line with the entire community.

#### **Due Diligence**

Please forward all of the Due Diligence studies that the developer has submitted, including but not limited to Environmental studies (Waste Water, Sewage, Air pollution, etc), Urban planning studies and all other studies submitted for this high-density residential 1 proposal.

Name: [REDACTED]

Address: [REDACTED]

**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Friday, January 27, 2023 4:42 PM  
**To:** Morton, Devon; Clark, Brad; KAAArcher@hwdsb.on.ca; AgroL@hwcdsb.ca; Office of the Mayor  
**Subject:** Objection

January 27, 2023

Re: Notice of Complete Applications by Mikmada (Paramount) Inc. for an Urban Hamilton (Zoning By-Law Amendment Application for Lands Located at 1065 Paramount Drive, Stone)  
Files: UHOPA-23-005 & ZAC-23-006

Thereby request that the City remove my personal information from the public record.

Please notify me of the decisions of the City of Hamilton regarding both the Official Plan Application (UHOPA-23-005) and Zoning By-Law Amendment Application (ZAC-23-006)

I strongly object to this application for the following reasons:

**Child Safety & Crime**

An 8 Store apartment building along with high-density townhomes adjacent to two elementary playgrounds is unacceptable. Having 299 strangers watching their children every day is causing parents, teachers & staff. The increased amount of traffic also poses safety risks for the elementary children, as the traffic in front of both Billy Green and St. Paul school is already more than they can handle. Putting so many people in such a small area right next to elementary schools will most likely attract more criminal activity than a less populated area would.

**Infrastructure**

This community is not designed or set up to handle another 299 residences in such a small area. Where will all these children go to school? Both schools already have portables.  
Can our water and sewer system handle 299 new residences in this area? Highly unlikely as the area was not built for so many more houses 40+ years ago when it was laid out.  
The massive increase in traffic will create unsafe road conditions and increase the air pollution.  
The plan allows for 309 parking spaces for 299 residences which seems grossly under what the residences have more than one car per household where will the extra vehicles park? Where will they park?

Sent from my iPhone

**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Friday, January 27, 2023 4:43 PM  
**To:** Morton, Devon; Clark, Brad; KAAArcher@hwdsb.on.ca; AgroL@hwcdsb.ca; Office of the Mayor  
**Subject:** Objection

January 27, 2023

Re: Notice of Complete Applications by Mikmaga (Paramount) Inc. for an Urban Hamilton Official Plan and Zoning By-Law Amendment Application for Lands Located at 1065 Paramount Drive, Stoney Creek, (Ward 9)  
Files: UHOPA-23-005 & ZAC-23-006

I hereby request that the City remove my personal information from the public record.

Please notify me of the decisions of the City of Hamilton regarding both the Official Plan Amendment Application (UHOPA-23-005) and Zoning By-Law Amendment Application (ZAC-23-006)

I strongly object to this application for the following reasons:

**Child Safety & Crime**

An 8 Store apartment building along with high-density townhomes adjacent to two elementary school playgrounds is unacceptable. Having 299 strangers watching their children every day is cause for concern for parents, teachers & staff. The increased amount of traffic also poses safety risks for the elementary school children, as the traffic in front of both Billy Green and St. Paul school is already more than the streets can handle. Putting so many people in such a small area right next to elementary schools will more than likely attract more criminal activity than a less populated area would.

**Infrastructure**

This community is not designed or set up to handle another 299 residences in such a small area. Where will all these children go to school? Both schools already have portables. Can our water and sewer system handle 299 new residences in this area? Highly unlikely as this community was not built for so many more houses 40+ years ago when it was laid out. The massive increase in traffic will create unsafe road conditions and increase the air pollutant. The plan allows for 309 parking spaces for 299 residences which seems grossly under what is needed. If any of the residences have more than one car per household where will the extra

Sent from my iPhone

**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Sunday, January 29, 2023 10:23 AM  
**To:** Morton, Devon  
**Cc:** Clark, Brad; Ribaric, Robert; agrol@hwcdsb.ca; kaarcher@hwdsb.on.ca  
**Subject:** FW: Mount Albion Estates - Paramount Drive - Against Proposed re-zoning of land between Billy Green Elementary Public School and St. Paul Elementary Catholic School - Email and information request

**Importance:** High

Dear Mr. Morton:

It is with great sadness that this month, while walking, we saw the proposed re-zoning of the land between Billy Green Elementary Public School and St. Paul Elementary Catholic School on Paramount Drive.

We have been residents of this Community for almost 40 years and are totally against this proposal!!!

- ***If the intention of the purchaser was to re-zone the area why did they purchase the land in the first place? The definition of re-zoning is as follows:***
- 
- ***“What does re-zone mean? Here are all the possible meanings and translations of the word re-zone. To change the zoning assigned to a piece of property by the Planning and Zoning Commission of a Government that determines proper and legal use for land.”***

***If the Government and the Planning and Zoning Commission has designated the land between Billy Green School and St. Paul School to be used for a certain reason and not one single thing has changed in the Community since that Community was built in that period of time why would we, as a Community, ever want to change or re-zone that area?***

As you see in the subject line above. This Community is **Mount Albion Estates**. It was originally a Cherry Tree Farm that cornered Mud Street and Mount Albion Drive. There was never an intention nor thought that this area would have an eight story apartment building or stacked townhouses. As far as the eye can see, there is no building in this Community that is over two stories high. Your proposed change would absolutely ruin the Community which we have loved and lived and worked for years.

We have been told that builders come in with these extravagant proposals so that there is a compromise or that the Community can settle so that the builder gets the deal they want but the Community loses. Let me say that there are no compromises of this Community. We live in Robinson built homes that have a 100% approval rating and we see that the builder that has bought this land has a 29% approval rating.

Negative Impacts:

- 1) Traffic Flow – there are only two entrances and exits in and out of the survey and we cannot accommodate anymore traffic to get in and out onto the main road. That one issue alone is a huge safety issue!!!!
- 2) Safety will be largely impacted not only from a traffic point of view but from a child point of view attending school.

- 3) Both schools are already at capacity with older families moving out and younger families moving in. Just in our area alone, three new families have moved in in the past two years with children attending St. Paul School. It is normal circle of life.
- 4) Sunlight into both schools will be jeopardized.
- 5) There is currently a walkway from Paramount Drive to St. Paul School to accommodate the children from all over and this would be impacted.
- 6) The Skyline will be ruined.
- 7) Crime will increase.
- 8) Noise will increase.
- 9) Traffic, noise and light pollution will increase.

May we suggest a few alternatives for the land: The land has been used to plant soybeans, we believe, for quite some time.

- a) Maybe the City or the Hamilton Wentworth District School Board or the Hamilton Wentworth Catholic School Board or maybe all three in coordination should buy back the land and consider working in conjunction to do the following:
  - 1) Create sustainable garden area for students to include in their curriculum (horticulture) and plant and grow food. In addition, along with people of the Community who already live in townhouses, the elderly from the Retirement Home, could rent space to grow food and those monies could go to the School Boards.
  - 2) Picnic tables so the children could eat their lunch or snacks outside again along with people of the Community who do not have access.
  - 3) An outdoor rink so the children could go skating outside in the winter again along with members of the Community who could also use this space.
  - 4) Create a type of bicycle camp where the children can learn to ride and other schools could come to the area as well to bike and hike. Maybe bicycles could be rented (for people who do not have any) to ride the trails behind Paramount Park.

These are just a few suggestions that would enhance our Community and would not destroy it. We will be attending the forthcoming meeting whenever this is planned.

**-Please will you forward:**

- a) **A copy of the proposed "Rezoning Application" or Official Plan Amendment and any other information pertaining to this proposal so that we can STOP the rezoning!!!**
- b) **A copy of the site plan.**
- c) **A copy of the zoning ordinance.**
- d) **Is the Neighbourhood Meeting, which is taking place on February 16<sup>th</sup>, before or after the rezoning meeting? The rezoning meeting should follow the Neighbourhood Meeting!!!**

Thank you.  
Kind regards,  
Sincerely,

[Redacted signature block]



## Morton, Devon

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**From:** [REDACTED]  
**Sent:** Thursday, February 2, 2023 11:20 PM  
**To:** Clark, Brad; Morton, Devon; Office of the Mayor  
**Subject:** Proposed Development on Paramount Drive

We just found out about this proposal yesterday and have passed on the information to neighbours on our street.

The response thus far everyone is extremely upset, or to put it bluntly pissed. We have been here since 1986 and are outraged over kneecapping this community with this proposal. The whole neighborhood is up in arms over this proposal.

The townhouses should be in line with the current townhouses in the neighborhood, with height and spacing.

There should not be any building above 3 stories in this area.

This will turn Paramount Drive into a highway with the number of cars and traffic that will be immensely backed up as there are only 2 ways to enter or exit the area. What will the air quality and noise pollution be, when you have cars backed up all over paramount? There are people going to work, schools, lunch time, end of school, people coming home from work every weekday from Sept to June. These roads will be busy and with 2 schools in the community will children be at risk? If any child gets hurt, those who approve this rezoning sleep well, as this is on you!

Parking, where in the world do these parking studies come from? A cracker jack box? If you have 299 new residences, does one really think 300 parking spaces is adequate? Most working people require 2 cars, and if you think 20 visitor parking spaces will be enough, think again. Those visitor parking spaces are taken up by people with 2 cars every day.

On top of that, the rest of the cars will be on all the side streets every day in front of your house. Reality check, they will need min. 600 spaces to not impact the surrounding side streets. Those residents in the side streets will not have parking for their visitors. This is utter BS. This will affect the quality of life for everyone in this community.

Snow Removal, hmm how efficient will that be, there will be cars on every side street. Let me see what will our planners do?

Hey, let's put up signage that you can only park on one side during the beginning and end of the month. So, the result is let's upset more residents on side streets that are further away, unless there are church goers and start parking at the church, God Bless them!

**Crime**, as an East Ender for 50 years, you tend to know problem areas, be it Tindale court, Parkdale Melvin area or Delawana Dr area, just to name a few. What is the common theme in those areas? Those involved in the approval process are prepared to approve this proposal and expose children in 2 schools right in the area and our community to this? For those that approve this zoning, this is on you.

Home Devaluation, it does not take a genius to figure out how this will turn out, every home owner just got shafted.

If there are any Sewer back up issues will the City be held to account? If a funnel overflows, it is because more is going in than going out. Seems every summer we are getting those 100-year storms. Infrastructure can only handle so much.

I only bring it up as we know the track record of dysfunctional leadership, only billions of litres of raw sewage over a

4-year period by Cootes paradise. This debacle will cost millions to Hamilton Taxpayers. There should have been charges, those in charge jailed and big fines to individuals for gross negligence. Those in charge should have been held to account. The same rules should apply to City Leadership just like private industry. I won't even bring up FLY By Night engineering for the Red Hill Parkway another beauty.

How about the Ancaster Solution, 36 unit Luxury Condos, 18 Luxury townhouses something more reasonable that would not ruin the current landscape in this community.

I would like to be informed of all decisions now that I am aware of this rezoning proposal.

Unfortunately, I do not have a lot of faith in those in office that will determine the outcome for what was a prominent community from becoming a sardine community. This is going to be a disaster for all of the current residents here.



**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Monday, February 6, 2023 1:28 PM  
**To:** Morton, Devon  
**Cc:** Clark, Brad  
**Subject:** Zoning at 1065 Paramount Dr. Stoney Creek

Hello Sir

We are appalled that the City is even considering this Zoning bylaw application!!!  
We moved to this area and paid good money to be in a quiet neighbourhood. This development would Put an additional 500 to 600 automobiles on the street within 200 feet of my Home this is not acceptable.

Picture that many cars at your place of residence.

When the church at Mud & Paramount was built they excavated about,10 feet so that it wasn't tall looking for the area . What happened since then?????

I will copy my Alderman who lives 6 houses from my Home, and bring it up with him as well.

All of the neighbours are just as peeved as us, this is a ridiculous idea!

[REDACTED]

**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Monday, February 13, 2023 12:16 PM  
**To:** Morton, Devon  
**Cc:** Clark, Brad; Office of the Mayor  
**Subject:** Re-zoning of 1065 Paramount Drive

Dear Mr. Devon Morton,

My family and I are vehemently opposed to the re-zoning of the above property to accommodate an albatross of an apartment building. It will destroy the essence of the entire neighbourhood.

An 8 story building with 197 apartments, along with 102 townhouses shoehorned into this small area is definitely ill-conceived. Some of the reasons are as follows:

- 1) The apartment building with 197 apartments will house at least 400 people, which will likely mean at least 300 automobiles. The 181 underground parking spaces are insufficient. Where will the overflow vehicles park, in the school yards?
- 2) The 102 townhouses means at least another 250 people and least 150 automobiles. The 102 parking spaces, and only 26 visitor parking spaces, is also insufficient.
- 3) The proposed location is between 2 elementary schools. The adjacent roads, particularly Paramount Drive, are congested already with cars and school buses at the beginning and end of the school days. The additional cars due to these new proposed residences will only increase the safety concerns at these times.
- 4) The local schools are already overloaded and not able to appropriately accommodate the anticipated increase in children from these proposed residences. It will mean bussing to other schools, increasing costs and additional bus traffic.
- 5) An 8 story apartment building will sacrifice the privacy of residents in houses bordering the building.
- 6) There aren't any other high rise apartment buildings in this area for miles around. It just doesn't fit in this area. There are many other areas in the city where such a building to be erected.

Any multi-story apartment building at this location should not be any higher than the present apartment building across from this site.

Again, this proposed re-zoning is a non-starter for me and my family, long-time residents of this area, and should not be permitted.

Sincerely,

[REDACTED]

**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Monday, February 13, 2023 11:31 AM  
**To:** Morton, Devon  
**Subject:** Ultra density development

Hello Devon. Regarding the purposed rezoning of 1065 Paramount Drive, as a neighborhood we are extremely against this project. The very idea that you want to cram 300 units into such a tiny piece of land is very shocking and disturbing. This insane development will serve nobody but the greedy developer and the city of Hamilton and it's never ending quest for more tax dollars. A conservative estimate of 1000 people living on only 4 acres of land is absolutely wrong. Government employees like yourself should be forced to live with the destruction and chaos you create. We are not against development in our neighborhood and if it was just the townhouses or apartments I wouldn't even be writing too you however your greed and marxist social engineering plans are disgusting. Human being are not blocks of wood that people like you feel they can stack and rearrange to your liking. I would truly feel sorry for anyone forced to live in this ant colony. Please revise your plans!

Thx

[REDACTED]

**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Wednesday, February 15, 2023 12:01 PM  
**To:** Tracy Tucker  
**Subject:** Paramount rezoning

\*\*\* Exercise caution. This is an EXTERNAL email. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*

Hello. The insane idea that you want to build 300 residential units in a tiny 4 acre field is shocking and disturbing. Your Marxist social engineering project is absolutely anti human. People like yourself should be forced to live in the chaos and destruction your create.

Have a great day!

**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Wednesday, February 15, 2023 11:39 AM  
**To:** Morton, Devon  
**Subject:** [\*\*\*\*POSSIBLE SPAM]Rezoning paramount dr

This project is absolutely not what this neighborhood needs and will only serve the developer and the City of Hamilton. The idea of housing that many people in such a cramped area is inhumane and its hilarious that you people call it "high density" as if you are saving the planet. It's all about money and nothing more. I hope your moving in to that development !

[REDACTED]

**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Wednesday, February 15, 2023 9:49 PM  
**To:** Morton, Devon  
**Cc:** Clark, Brad  
**Subject:** Against rezoning of 1065 Paramount Drive

Mr. Morton,

RE: Rezoning of 1065 Paramount Drive, Stoney Creek

***NOTE: We hereby request that the City remove our personal information from the public record.***

We are writing to let the City of Hamilton know that we are against the rezoning of 1065 Paramount Drive, Stoney Creek.

The proposed 299 units poses numerous concerns including traffic, parking and density concerns.

The proposed development, including an 8 storey apartment building does not fit with the current landscape of the area; this is too high for the neighbourhood and for the size of the area (4 acres).

This development would increase the amount of traffic which is concerning, especially with 2 schools nearby. Traffic is already an issue around the schools.

Also, with 299 units, parking will be an issue even with an underground parking garage for the 8 storey apartment building.

We sincerely hope that the City will take listen to our concerns and numerous others in the neighbourhood and stop this from happening.

Sincerely,

[REDACTED]



**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Thursday, February 16, 2023 8:55 PM  
**To:** Morton, Devon  
**Subject:** Paramount Dr. Development

I attended the meeting tonight re this development. I have no objections and hope it will proceed.

[REDACTED]

Sent from my iPad

## Morton, Devon

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**From:** [REDACTED]  
**Sent:** Sunday, February 19, 2023 10:54 PM  
**To:** Morton, Devon; Clark, Brad  
**Subject:** Re: Resident feedback re:Rezoning application - UHOPA-23-005 & ZAC-23-006

Councillor Clark and Mr. Devon Morton ,

Please read below my concerns regarding the above mentioned Paramount Drive property rezoning .

As a resident of this neighbourhood for the past 22 years and after reviewing the information sent by Devon... and attending the "open house" meeting. Our entire family is 100% opposed to this plan. We are open to a reasonable solution, however the 8 story building at this location is a total insult to the community.

The building should not exceed the height of the townhouses being proposed.

I would like to be included in all future communications regarding this matter. We as a community need to have full transparency and be treated as stake holders in this process.

Issue to date:

- 1) Lack of inclusiveness - why did the city do the bare minimum until the meeting was held to inform the community? As tax payers, when an oversized building is being proposed and the majority of the community is not informed the optics are very bad and it showed by the sentiment in the meeting.
- 2) Having the presenter talk down to the community audience with flippant comments like "if you like to stay here and downsize buy my condo" and "parking takes care of itself" and "shadows" and the odd tissue box analogy was insulting and unprofessional.
- 3) Presenter avoiding and unprepared to answer the real issues, such as parking, traffic, school zone overcrowding, school zone speed. Is John aware that since the boulevards have gone in there have been several car accidents right in front of the lot in the school zone.
- 4) Where is the timeline of events and milestones to the rezoning application and project plan? Did not see anything on that during the meeting just guesses.
- 5) Sign pollution - how many more traffic signs will be added? There is already too much signage.
- 6) Felkers Falls over populated already with cars parking all over the street every weekend, adding 1000 people and 400+ cars in the area won't help with this problem we are already experiencing.
- 7) Proximity of oversized building to the school and school yards. During the meeting there was no information on how the HWDSB feels about this as well as the attendees to those school. It was mentioned that the HWDSB has no issues, have they asked the families that will be attending this school?

8) Impact to the newly completed road redesign and replacement. Will the project cover all costs and the city assume no costs to any road rework? We just used tax money to fix this and although that experience was not good either it is completed.

9) What city commitments were provided to the project owners and consultants prior to spending capital on survey and geo studies etc? I ask this as there appears to be a lot that went on before the community new anything about this. This type of process is not inclusive and goes against the morals we expect as tax payers. We are tax payers and deserve respect from our local government. Secretly informing only the minimum amount of people is not what we expect at all. We expect better than the minimum.

10) Is this proposal going to be an anchor to rubber stamp future proposals in the areas. Feels like our community is about to be invaded with tower cranes. We don't want tall Buildings in this area that is why we choose to live hear.

11) The is no precedence for any tall building like this in this area or neighbouring areas. A three story building went in with no issues.

These are some but not all concerns as we work through catching up to the secrecy that has occurred.

We are opposed to this plan but realize some development has to happen and we as tax payers would like a solution fit for this community as that is what we expect from our planning department and councillors that we help fund.

Regards,



**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Saturday, February 18, 2023 11:31 AM  
**To:** Clark, Brad; Office of the Mayor; Morton, Devon; Ribaric, Robert; KAArcher@hwdsp.on.ca; AgroL@hwcdsb.ca  
**Subject:** Albion Estates-Paramount Project  
**Attachments:** Paramount Project.docx

Pardon the intrusion, we were at the Albion Estates Paramount Project meeting the other night, it was an emotional meeting with residents from the community. There are some issues that I hope are reviewed and find some middle ground without compromising safety in any way. What is very clear to me, this will be a very challenging process to mitigate through.

Regards,  
[REDACTED]

**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Wednesday, February 22, 2023 8:08 AM  
**To:** Clark, Brad; Morton, Devon  
**Subject:** Morning Brad and Devon,

[REDACTED] I attended the meeting at the Salvation Army re: the Rezoning at 1065 Paramount Drive. Guessing a small amount of guests were expected as only a few chairs were set up. Judging by how many residents attended, this development is unwanted. Adult Living complex similar to the one at Mistywood and Paramount with ample parking would be welcomed. Just look at the townhomes on Paramount across from Cineplex Theatre. The parking spills over to the theatre all along Paramount. I grew up on Beacon Avenue in the Huntington Park community area. The Blue Fountain apartments, 7 stories high, their parking always spilled over to our street. Cars were left for days on end. This community is begging for this not to happen in our area. We are grateful and very comfortable the way things are. Our property taxes afford for us to keep it this way.

[REDACTED]  
Sent from my iPad

**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Tuesday, February 21, 2023 6:45 PM  
**To:** Clark, Brad; Morton, Devon  
**Subject:** Rezoning on Paramount Drive

We are adding our voice to the rezoning of the parcel of land on Paramount Drive from Industrial to Residential. As home owners [REDACTED] our concerns are many. The congestion on Paramount during school hours with school buses, cars, foot traffic, city buses and residents leaving or returning from work is huge. Two elementary schools on either side of the property have many children crossing Paramount for lunch at Venice Beach Pizza when no crossing guard is available. Paramount Street has been narrowed to one lane with long medians planted with perennials that restrict the view and direction of traffic . Already many drivers pull U-turns when exiting existing plazas the wrong way. Adding 299 units with more than 2 or 3 people per unit plus more than one car for many units it's very likely it will add 700 plus people and conservatively 400 to 500 cars to the immediate area. Add to that extra school buses to handle children bused to other schools since St. Paul's and Billy Green are already adding portables for existing students and more city buses added to the route in the future we feel the situation is an accident waiting to happen. Since the plans are already 40 parking spots short ..cars will end up on side streets adding to blocking the sight lines of drivers using the street for access to Felkers Falls parking.

We also have a real concern for the conservation area at Felkers Falls that is overrun with off road bicycle riders racing through the trails putting sensitive natural resource areas at risk. Although everyone is welcome to visit the Falls an influx of hundreds of people will have a huge impact on sensitive areas.

Please consider our concerns before a child is hurt or worse.

[REDACTED]

Sent from my Bell Samsung device over Canada's largest network.

**February 21, 2023**

**Attention: Devon Morton, City of Hamilton, Planning and Economic Development Department  
Development Planning – Rural Team**

**Charlie Toman, Senior Project Manager , Development Planning – Rural Team**

**Councilor Brad Clark, Ward 9**

**S. Robichaud, Director of Planning and Chief Planner, Planning Division**

**A. Fabac, Director Development Planning**

**Mayor Andrea Horwath**

**Re: Complete applications by Mikmada(Paramount)Inc for an Urban Hamilton Official Plan and Zoning By-law amendment Application for lands located at 1065 Paramount Drive, Stoney Creek, (Ward 9) File No. ZAC-23-006**

After attending the community meeting on February 16<sup>th</sup> , nothing was shared that changed my mind on opposing the proposed rezoning of the above-mentioned land. There were a lot of emotional questions that could not be addressed by the presenter but there were also a lot of valid questions that the presenter by-passed with pat answers, which were not received well by the residents, such as “the parking will take care of itself” and “more eyes on the park”

The allotted Parking spot numbers did not add up using Canada's average of 1.5 cars per household and 1.7 cars for a family of 3 or more. Having said that do the houses with garage also have driveways? The apartment building definitely does not have enough parking based on average of the Canadian average of cars per household. Also the presenter(IBM) mentioned an increase in population of 500 people. Based on 2.56 persons per household you are looking at an increase close to 800 people . We should not be basing reports needed to justify the project on best case scenario but rather on worst case scenario so that the city isn't blind-sighted after the fact.

Traffic and safety of pedestrians were major areas of concern by those attending. The local neighborhood traffic will surge during morning and evening rush hours causing traffic issues during critical times for the existing neighborhood. The traffic surge during morning rush hours will also negatively impact safety for children. During school drop off at both Billy Green and St. Pauls the traffic is horrendous and already difficult getting out to Paramount for streets facing the proposed development. A quick visit during drop off and pickup by someone in the planning committee will confirm this statement

The idea that the area was chosen because it is a walk-able site due to parks, school, shopping and transportation did not address that many of the 500 residents will likely be working outside this walk-able site therefore traffic and parking issues will increase.

We have lived in this area for 43 years and throughout that time we have never worked within a bus route. Our children had to be driven to activities. A vehicle was needed to grocery shop and it is still

needed unless you want to restrict yourself to one grocery store. A vehicle was needed and still is to attend a church service unless you belong to the churches in the immediate community. Young families need to be open to daycare outside the neighborhood since reality is there are only so many spaces in each facility. We have never been able to exist with 1 vehicle and from what is apparent neither can the young families of today. This is reality. Fiction is .92 cars per household. So the community is walk-able for leisure not so much for necessities.

Schools in the area already appear to be overcapacity and portables have been erected, which as anyone can attest it is not the best environment for our children. For that reason alone the council should not approve high density residential area that creates or exacerbates a situation that will cause school concurrency to fail for this proposal and/or other approved plans.

The 8 story building is inconsistent with the area. The fact that a small amount of notices were sent and yet the turnout for the meeting was apparently a record high should be a good indication that the rezoning plan is not being received well by current residents. The underground parking was also a major concern for those attending. The construction of such a structure will cause major inconveniences for schools, transportation , and day to day living for the existing residents, not to mention disruption to new landscape of our road and islands.

The residents have begun a Facebook account "**Stoney Creek Residents against re-zoning of 1065 Paramount Drive**" and within 4 days it has grown to 212 members. This should give you the City of Hamilton a good indication of our stand on this project.

I urge you to give serious consideration to the legitimate concerns of the residents that have made this community their home. **I urge you to not approve the proposed rezoning.**

It was very evident by the attendance at the February 16<sup>th</sup> meeting , discussions with neighbors after the meeting and the effort being put into researching the development and the builder by residents that my opinions are shared by many.

Best Regards





**Morton, Devon**

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**From:** [REDACTED]  
**Sent:** Thursday, February 23, 2023 12:22 PM  
**To:** Clark, Brad; Morton, Devon; tracy.tucker@ibigroup.com  
**Subject:** 1065 Paramount Drive: files UHOPA-23-005 & ZAC-23-006

From:

[REDACTED]

Good day all,

I attended the February 16, 2023 Neighbourhood Meeting at which the residential development plan for 1065 Paramount Drive was presented. After thoughtful consideration and some local reconnoitering I offer the following comments:

John, who presented the plan at the meeting, made some arguments for the suitability of a High-Density Residential development of 299 units with only 306 parking spaces on this property. I challenge some of his assertions.

1: "This is a walkable community with local shopping availability." While there are two small shopping plazas very close by people would not be able to purchase, other than a few groceries, many things they need on a regular basis.

2: "Public transit is readily available." Public transit in Upper Stoney Creek is infrequent and very slow. What might be a ten minute or less drive can easily take 30 minutes or more on the bus. I walk my dog three times a day and sometimes see buses go by; at least half of which are completely empty. In today's high speed society very few people are willing to use public transit because it is too slow and too inconvenient.

3: "Parking will take care of itself." The proposed development is woefully lacking in parking spaces. With the usual standard of 1.5 spaces, 299 units require 450 parking spaces. If this development goes ahead as planned there will significant parking issues. The neighbouring streets cannot absorb an increase of 150 vehicles parked overnight, everynight. Some future residents at 1065 Paramount WILL park on local private properties, ie: school, church, business and even nearby townhouse condominium parking lots.

4: "The insufficient parking in the development might encourage some residents to not have a car, better for the planet." This is just plain fantasy!

5: "The eight storey apartment building will be in the least intrusive place on the property." Any eight storey building in this neighbourhood will be intrusive no matter where it is located.

6: "The increased traffic, especially mornings and afternoons, will have no impact on the safety of the children using the two school crossings." These crossings are less than 100 meters north or south of the entrances to the development. Adding 600 plus vehicle trips daily to this area of Paramount Drive will result in increased risk for everyone using it, pedestrians, cyclists, and drivers. The intersections at Paramount Drive and Mud St., both on the east and west sides, will also become much busier with

rush hour delays in making turns adding to the risk of accidents. Of note: The segment of Paramount Drive from Audubon St. N. to Mud St. is .7K long, with a total of eight intersections, three entrances to businesses, two entrances to Billy Green School, two school crossings, one church entrance, and three driveways. Putting a high-density development with two entrances in the middle of this short stretch of road seems like a bad idea.

And lastly, my fantasy: The apartment building will be reduced to four storeys. This will still be higher than any other building in the area but much more acceptable. More importantly, this would reduce the number of units to about 200, with about 300 parking spaces. It would also lessen the traffic impact. I know we need more housing and I like idea of this development being affordable for middle-income people. This is a fantastic neighbourhood to live in and I am happy to share its space with a more appropriate mid-density development.

Thank you for considering my comments. I would like to receive further information on the rezoning and planning as it happens.



## Morton, Devon

---

**From:** Van Rooi, James  
**Sent:** Wednesday, February 22, 2023 1:39 PM  
**To:** [REDACTED]  
**Cc:** Clark, Brad; Office of the Mayor; Deneault, Sara; Morton, Devon  
**Subject:** RE: Paramount Drive Rezoning, Mikmada (Paramount) Inc.

Good afternoon [REDACTED], thank you for your email.

This email is to confirm that your comments regarding planning applications UHOPA-23-005 & ZAC-23-006 have been received.

Your comments will be included and discussed in a staff report presented to the Planning Committee as part of the required public hearing. Please note, that at this time a public hearing has not been scheduled for Planning Committee. When we do have a Planning Committee date, you will be notified and will receive a copy of the staff report in advance.

Please note comments and concerns are forwarded to the applicant for their information with your personal information removed.

Thank you.

James Van Rooi, *MCIP, RPP*  
Senior Planner (Rural Team)

Development Planning,  
Planning & Economic Development Department  
City of Hamilton  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton ON L8P 4Y5  
p. 905.546.2424 ext. 4283  
f. 905.546.4202  
e. [James.VanRooi@hamilton.ca](mailto:James.VanRooi@hamilton.ca)

---

**From:** [REDACTED]  
**Sent:** Wednesday, February 22, 2023 10:48 AM  
**To:** Van Rooi, James <James.VanRooi@hamilton.ca>  
**Cc:** Clark, Brad <Brad.Clark@hamilton.ca>; Office of the Mayor <Officeofthe.Mayor@hamilton.ca>  
**Subject:** Paramount Drive Rezoning, Mikmada (Paramount) Inc.

To All Concerned,

I have significant opposition to the proposed development plans for the Mikmada (Paramount) building project. **An eight storey apartment building is too high** for the existing Albion Estates community, and in fact, too high for the entire Upper Stoney Creek community. Existing structures have been limited to **3 stories** (Plan M-181) and that restriction must be carried forward for any new developments. An eight story building will dominate over the entire

community to the north of Mud St. Low and high density development should be integrated and compatible in density, height, and building setbacks. **This project is NOT compatible with the existing community.** A townhouse community similar to the townhouses to the north of Billy Green School should be pursued.

**The proposed location of the apartment building is too close to the existing Billy Green Elementary School** and impacts on the safety, cleanliness and culture of the school. A setback of six meters from the property line of the school is not nearly adequate. The increase of vehicle traffic so close to both Billy Green Elementary School and St. Paul Catholic Elementary School will be an **extreme safety risk** to the children of these schools. Furthermore, both of these schools are at capacity and using portable classrooms. Additional children residing in this new proposed development will result in further overcapacity and lower quality of education to the existing students.

The **lack of adequate parking** proposed for this new building project (0.92 parking places per unit for apartment and one parking space per townhouse) will result in more cars being parked in on neighbourhood streets that are already overcrowded and causing safety concerns. The current standard of providing 1.5 parking spaces per unit must be enforced. Furthermore, Ackland St. is extremely busy with visitors to the **Felkers Falls Conservation Area**. **A traffic study should be required to determine the impact of this proposed development on this residential area** as well.

I thank you for your time in considering these objections.

If you are not the appropriate person to receive this communication, please advise me who is.

And please ensure that I am put on any lists for future communications regarding this project.

Yours sincerely,



L8J 1H5

**Morton, Devon**

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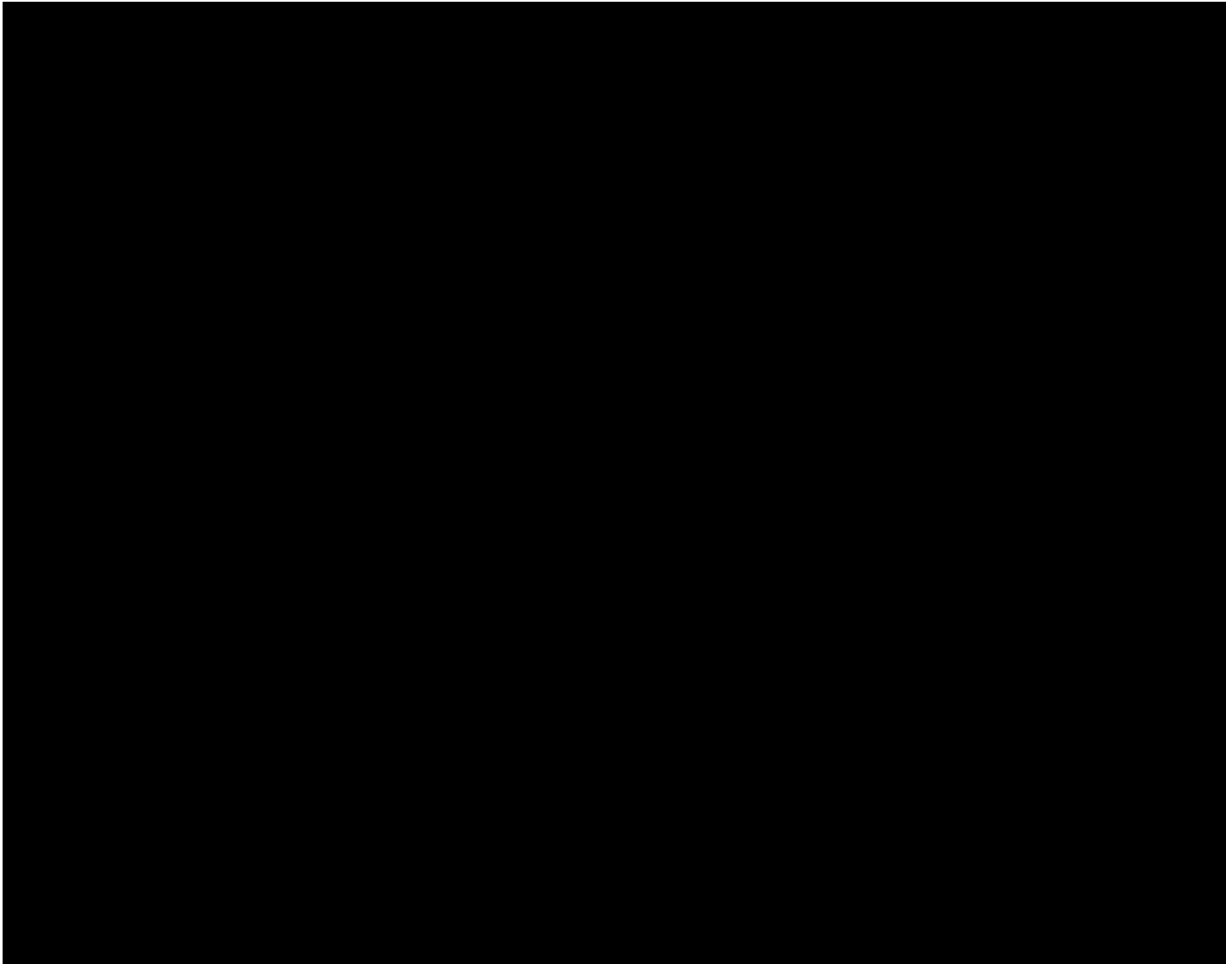
**From:** [REDACTED]  
**Sent:** Sunday, February 26, 2023 9:30 AM  
**To:** Morton, Devon  
**Cc:** Clark, Brad; Tucker Tracy  
**Subject:** Re: 1065 Paramount Drive Neighbourhood Meeting  
**Attachments:** 137764\_PTL\_Notice-of-Neighbourhood-Meeting\_2023-02-16.pdf

Devon

As a follow up to the presentation on Feb 16 I would like to propose that the Planning Department consider limiting the proposed apartment building to Institutional only for seniors and a maximum of 2 story's as this would minimize the number of cars in the complex and our area.

This design would be similar to the existing seniors building along Paramount and a more likely compromise between the neighbourhood and the design consultant.

Regards  
Bob



January 24, 2023

Dear Resident:

**NOTICE OF NEIGHBOURHOOD MEETING TO PRESENT THE RESIDENTIAL DEVELOPMENT AT 1065 PARAMOUNT DRIVE, STONEY CREEK**

On behalf of our client; Mikmada (Paramount) Inc., we have submitted formal planning applications to the City of Hamilton for the property known as 1065 Paramount Drive, Stoney Creek. In order to present the project to the public, Arcadis IBI Group is holding a Councillor initiated Neighbourhood Meeting.

The proposed development is for a High-Density Residential development consisting of 299 units. The development will be comprised of a mix of three (3)-storey and three and a half (3.5)-storey stacked townhouses, and an eight (8)-storey apartment building. Parking for the development will be provided in an underground parking garage for the apartment unit and upon surface driveways for the stacked townhouses, and at-grade visitor parking.

The Neighbourhood Meeting is schedule as follows:

**DATE: February 16, 2023**

**TIME: 6:00pm to 8:00pm**

**LOCATION: Salvation Army Winterberry Heights Church  
300 Winterberry Drive, Stoney Creek**

The doors will open at 6:00pm and the formal presentation will begin at 6:15pm followed by a question-and-answer session. At this meeting a description of the proposed development application will be presented.

This Notice is being sent out to all property owners within 200m of the subject lands.

For further information concerning this development project, please contact the undersigned.

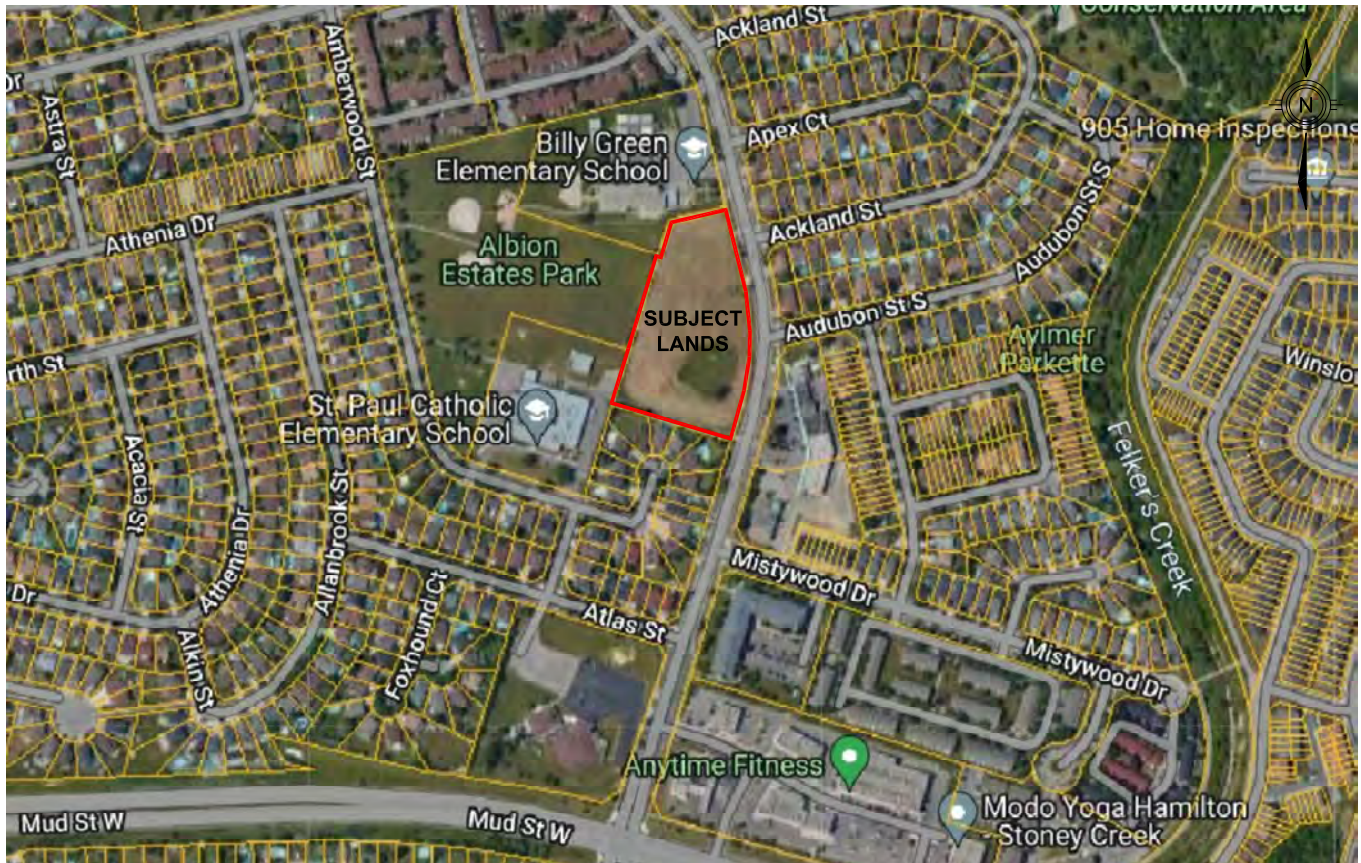
Yours truly,  
**Arcadis IBI Group**



Tracy Tucker | BAA, CPT  
Sr. Project Manager  
**Email: [tracy.tucker@ibigroup.com](mailto:tracy.tucker@ibigroup.com)**  
**Phone: 905-546-1010 ext. 63120**

cc: Councillor Brad Clark | Ward 9 – Upper Stoney Creek  
Charlie Toman | Senior Project Manger – Rural Team, City of Hamilton  
Devon Morton | Planner II, City of Hamilton  
Adam Nesbitt, Mikmada (Paramount) Inc. | Owner

# NOTICE OF NEIGHBOURHOOD MEETING



## DEVELOPMENT APPLICATION

**WHY: TO PRESENT THE PROPOSED DEVELOPMENT OF A MIX OF THREE (3)-STOREY AND THREE AND A HALF (3.5)-STOREY STACKED TOWNHOUSES AND AN EIGHT (8)-STOREY APARTMENT BUILDING LOCATED AT 1065 PARAMOUNT DRIVE, STONEY CREEK**

**WHERE: THE SALVATION ARMY WINTERBERRY HEIGHTS CHURCH  
300 WINTERBERRY DRIVE  
STONEY CREEK, ON L8J 3Y1**

**WHEN: THURSDAY FEBRUARY 16, 2023 FROM 6:00 - 8:00PM**

**From:** [REDACTED]  
**To:** [Van Rooi, James](#)  
**Subject:** [\*\*\*\*POSSIBLE SPAM]1065 Paramount Drive  
**Date:** Tuesday, February 21, 2023 9:24:13 PM

---

Good Evening James

Question, the open house meeting does it constitute a statutory public meeting or it is a question and answer meeting.

Can you provide details to the entire group on the date & time of the next open house?

Or simply provide me the info and I will share it to the group.

Regards

[REDACTED]



**From:** [Clark, Brad](#)  
**To:** [Anita Marshall](#)  
**Cc:** [Ribaric, Robert](#); [Morton, Devon](#); [Van Rooi, James](#)  
**Subject:** RE: Proposed land use on Paramount Dr.  
**Date:** Monday, February 27, 2023 1:39:48 PM

---

Hi [REDACTED]

Thank you for attending this public meeting. While I expected a large turn-out, I was surprised by the size of the crowd.

Please be advised that our city staff have not made any recommendations on the development. There are ongoing discussions with the developers planner regarding density. My hope remains that we can find a way to a more reasonable intensification. I will continue to advocate for the ways and means to lower the height of the building and provide additional parking.

Regardless your names will be added to the database of interested parties. You will be notified of the next public meeting.

If you wish to chat further, please call 905 977-0679.

Respectfully yours,

Brad

Councillor Brad Clark  
Ward 9 - Upper Stoney Creek  
Room 262, 71 Main Street West  
Hamilton, ON L8P 4Y5

Office: 905 546-2703  
Cell: 905 977-0679  
brad.clark@hamilton.ca  
www.bradclarkreport.ca

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-----Original Message-----

**From:** [REDACTED]  
**Sent:** Friday, February 17, 2023 6:19 PM  
**To:** Clark, Brad <Brad.Clark@hamilton.ca>  
**Subject:** Proposed land use on Paramount Dr.

Hi Brad

We have lived here 40 years & love it. Having attended the meeting Thursday night @ the Salvation Army Church, I'm shocked at the anger demonstrated by some.

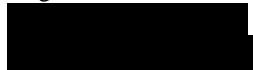
I learned a lot from the presentation and understand that if we want to increase affordable living space we must think in terms of building upwards in order to avoid exploiting precious farmland and urban sprawl.

The proposal was thoughtfully crafted and explained. I can see & understand that this is the pathway to the future. One only has to look at Europe and it's' condensed housing in large cities to understand this.

My issues of the proposal are: 1) parking density that could spill over into the neighbourhood. Could a "visitors parking lot" be considered? 2) Heavy traffic onto Paramount Dr. I would like to see results of such a study at the next meeting.

On the matter of the apartment building's height, decreasing the number of stories would be a favourable compromise.

Regards,

A black rectangular redaction box covering the signature of the sender.

Sent from my iPhone

**From:** [Clark, Brad](#)  
**Cc:** [Jeff](#); [Morton, Devon](#); [Van Rooi, James](#); [Ribaric, Robert](#)  
**Subject:** RE: New Development on Paramount between St. Paul & Billy Green School  
**Date:** Monday, February 27, 2023 1:06:44 PM

---

Good afternoon [REDACTED]

First, I would like to thank you for attending this public meeting. I believe the attendance exceeded 250 people. While I expected a large crowd I did not expect that crowd.

Please be advised that our city staff have not made any recommendations on the development. There are ongoing discussions with the developers planner regarding density. My hope remains that we can find a way to a more reasonable intensification. I will continue to advocate for the ways and means to lower the height of the building and provide additional parking.

Regardless your names will be added to the database of interested parties. You will be notified of the next public meeting.

If you wish to chat further, please call 905 977-0679.

Respectfully yours,

Brad

**Councillor Brad Clark**  
**Ward 9 - Upper Stoney Creek**  
**Room 262, 71 Main Street West**  
**Hamilton, ON L8P 4Y5**

**Office:** [905 546-2703](tel:9055462703)  
**Cell:** [905 977-0679](tel:9059770679)  
[brad.clark@hamilton.ca](mailto:brad.clark@hamilton.ca)  
[www.bradclarkreport.ca](http://www.bradclarkreport.ca)



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**From:** [REDACTED]  
**Sent:** Tuesday, February 21, 2023 6:45 PM  
**To:** Clark, Brad <Brad.Clark@hamilton.ca>  
**Cc:** [REDACTED]  
**Subject:** New Development on Paramount between St. Paul & Billy Green School

Hi Brad - We would like to express our concerns regarding the new development being proposed on Paramount Drive between St. Paul's Elementary School and Billy Green Public School.

As a resident on Audubon Street South, we strongly disagree with the development of a high density residential development consisting of 300 units and placing a completely out of place 8 story building between 2 elementary schools. With the additional capacity being proposed, we have safety concerns for the children in this area based on this development.

Parking and road traffic will be a huge issue at Mud & Paramount coming off the link. This area will become a safety and congestion issue. Supporting parking of 300 units with 1.5 vehicles per unit is a concern within that space and we can see it spilling onto our neighbourhood streets. The building will be completely out of place as there is nothing higher than 4 stories within miles of this area. This development proposes only a downside to existing residents while benefiting only the developer.

During the meeting held last Thursday at Salvation Army Heights Church (which had great attendance and was at full capacity plus standing room), it was evident that nobody was in favour of this development.

Let us know what the next steps are for changing/limiting this development and who else we should contact regarding this concern.

Thank you,

[REDACTED]  
Resident on Audubon St South

**From:** [Morton, Devon](mailto:Devon.Morton@hamilton.ca)  
**To:** [REDACTED]  
**Cc:** [Clark, Brad](mailto:Clark,Brad@hamilton.ca); [Tracy Tucker](mailto:Tracy.Tucker@ibigroup.com); [Van Rooi, James](mailto:Van.Rooi.James@hamilton.ca); [Fabac, Anita](mailto:Fabac.Anita@hamilton.ca); [Robichaud, Steve](mailto:Robichaud.Steve@hamilton.ca)  
**Subject:** RE: 1065 Paramount Drive: files UHOPA-23-005 & ZAC-23-006  
**Date:** Thursday, February 23, 2023 12:25:17 PM  
**Attachments:** [image001.png](#)

---

Hi [REDACTED]

Thank you for your email and for providing fulsome comments on the application(s).

Your concerns have been noted and will be included in the staff report to Planning Committee (date to be determined).

Please note, no decision has been made at this time.

For your information, I will be transitioning into a new position within the corporation. As such, Senior Planner James van Rooi (cc'd) will be assuming carriage of this file moving forward. Please contact James (cc'd) should you need anything further.

Thank you,

**Devon M. Morton, MCIP, RPP** (he/him/his)  
Planner II (Rural Team)  
Development Planning  
Planning & Economic Development Department  
City of Hamilton, 71 Main St. W, 5<sup>th</sup> floor, L8P 4Y5  
Ph: (905) 546-2424 ext. 1384  
Email: [Devon.Morton@hamilton.ca](mailto:Devon.Morton@hamilton.ca)



---

**From:** Audrey Woods <[awoods@bell.net](mailto:awoods@bell.net)>  
**Sent:** Thursday, February 23, 2023 12:22 PM  
**To:** Clark, Brad <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)>; Morton, Devon <[Devon.Morton@hamilton.ca](mailto:Devon.Morton@hamilton.ca)>; [tracy.tucker@ibigroup.com](mailto:tracy.tucker@ibigroup.com)  
**Subject:** 1065 Paramount Drive: files UHOPA-23-005 & ZAC-23-006

From:

[REDACTED]

Good day all,

I attended the February 16, 2023 Neighbourhood Meeting at which the residential development plan for 1065 Paramount Drive was presented. After thoughtful

consideration and some local reconnoitering I offer the following comments:

John, who presented the plan at the meeting, made some arguments for the suitability of a High-Density Residential development of 299 units with only 306 parking spaces on this property. I challenge some of his assertions.

1: "This is a walkable community with local shopping availability." While there are two small shopping plazas very close by people would not be able to purchase, other than a few groceries, many things they need on a regular basis.

2: "Public transit is readily available." Public transit in Upper Stoney Creek is infrequent and very slow. What might be a ten minute or less drive can easily take 30 minutes or more on the bus. I walk my dog three times a day and sometimes see buses go by; at least half of which are completely empty. In today's high speed society very few people are willing to use public transit because it is too slow and too inconvenient.

3: "Parking will take care of itself." The proposed development is woefully lacking in parking spaces. With the usual standard of 1.5 spaces, 299 units require 450 parking spaces. If this development goes ahead as planned there will significant parking issues. The neighbouring streets cannot absorb an increase of 150 vehicles parked overnight, everynight. Some future residents at 1065 Paramount WILL park on local private properties, ie: school, church, business and even nearby townhouse condominium parking lots.

4: "The insufficient parking in the development might encourage some residents to not have a car, better for the planet." This is just plain fantasy!

5: "The eight storey apartment building will be in the least intrusive place on the property." Any eight storey building in this neighbourhood will be intrusive no matter where it is located.

6: "The increased traffic, especially mornings and afternoons, will have no impact on the safety of the children using the two school crossings." These crossings are less than 100 meters north or south of the entrances to the development. Adding 600 plus vehicle trips daily to this area of Paramount Drive will result in increased risk for everyone using it, pedestrians, cyclists, and drivers. The intersections at Paramount Drive and Mud St., both on the east and west sides, will also become much busier with rush hour delays in making turns adding to the risk of accidents. Of note: The segment of Paramount Drive from Audubon St. N. to Mud St. is .7K long, with a total of eight intersections, three entrances to businesses, two entrances to Billy Green School, two school crossings, one church entrance, and three driveways. Putting a high-density development with two entrances in the middle of this short stretch of road seems like a bad idea.

And lastly, my fantasy: The apartment building will be reduced to four storeys. This will still be higher than any other building in the area but much more acceptable. More importantly, this would reduce the number of units to about 200, with about 300 parking spaces. It would also lessen the traffic impact. I know we need more housing

and I like idea of this development being affordable for middle-income people. This is a fantastic neighbourhood to live in and I am happy to share its space with a more appropriate mid-density development.

Thank you for considering my comments. I would like to receive further information on the rezoning and planning as it happens.



**From:** [Ribaric, Robert](#)  
**To:** [Van Rooi, James](#)  
**Cc:** [REDACTED]  
**Subject:** FW: Condo Plan for Paramount  
**Date:** Wednesday, April 19, 2023 3:32:27 PM

---

Good afternoon James. Can you please include the below correspondence for the file on 1065 Paramount Drive? Thanks.

Rob Ribaric (he/him)  
Assistant to Councillor Brad Clark, Ward 9  
Ph: 905-546-3210 Fx: 905-546-2535  
[bradclarkreport.com](http://bradclarkreport.com)

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***Test your Carbon Monoxide and Smoke Alarms Today!***

*\*\*\* The City of Hamilton encourages physical distancing, wearing a mask in an enclosed public space, and increased handwashing. Learn more about the City's response to COVID-19 [www.hamilton.ca/coronavirus](http://www.hamilton.ca/coronavirus).\*\*\**

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The lobbying of members of the City of Hamilton's Mayor, Council and Senior Management Team are subject to the City's Lobbyist Registry By-law. It's the responsibility of lobbyists to register their lobbying activity. For more information about the Lobbyist Registry please visit [www.hamilton.ca/lobbyistregistry](http://www.hamilton.ca/lobbyistregistry).

**From:** [REDACTED]  
**Sent:** April 19, 2023 3:03 PM  
**To:** Ribaric, Robert <[Robert.Ribaric@hamilton.ca](mailto:Robert.Ribaric@hamilton.ca)>  
**Subject:** Re: Condo Plan for Paramount

Hello Robert:

Here's my email as requested

Regards..... [REDACTED]



----- Original Message -----

From: [REDACTED]  
To: [brad.clark@hamilton.ca](mailto:brad.clark@hamilton.ca)  
Sent: Wednesday, March 1, 2023 3:27 PM  
Subject: Condo Plan for Paramount

Hello

I have recently read the article in the Stoney News concerning the development of a 299 unit which is to be an 8 story complex. I also live not far from this site and totally agree with residents that attended this meeting in their concerns. I too feel this development is very out of character to this community area

The development would bring extra traffic and parking chaos and I have a huge concern on the closeness to Billy Green School.....Parking there on schools days is very hectic in the best of times. Also the park which is close by as well

I take offense to the developer John Ariens comments on this project and his methodology of what is best for current residents

As commented in the article you have not have a position in this matter.

I hope you push that Mikmada holds another neighbouring meeting, but you as our Councillor for this ward encourage for a compromise that will meet the needs of the existing residents or stop the development entirely.

I look forward to hearing back from you on this matter and also keeping the residents informed of another upcoming meeting any more developments

Regards.

[REDACTED]

[REDACTED]

[REDACTED]

**From:** [REDACTED]  
**To:** [Van Rooi, James](#)  
**Subject:** Proposed development on Paramount Drive  
**Date:** Sunday, February 26, 2023 1:25:53 PM

---

Hi James

I am sure you are getting swamped with emails regarding the proposed housing development on Paramount Drive next to Billy Green School. I too am a concerned resident that is worried about the additional traffic, safety of the kids that go to both schools, parking etc that will come with the development. I believe the general agreement is we are all opposed to the eight storey apartment building which does not fit in with the area and that a three storey building would be better.

I will be waiting the to see when the next meeting is and hopefully we can come to a made in Stoney Creek compromise which is what John was hoping for and hopefully will happen.

Have a great day

Regards

[REDACTED]

From: [REDACTED]  
To: [Van Rooi, James](#)  
Subject: Re: 1065 Paramount Drive  
Date: Thursday, February 23, 2023 3:16:59 PM

---

Good Afternoon

I suggested to Brad Clark a different venue be used for the next meeting.

Perhaps Valley Park Arena. I know it has lots of seating as well as good sound equipment.

It would be appreciated if the people asking questions could be heard as well as the speaker responding.

The people at the meeting need to hear the questions and responses. This hopefully will eliminate duplicate questions unless the previous response was actually just deflected.

Hopefully we can also hear from the planning committee as well.

Regards  
[REDACTED]

On Tue, Feb 21, 2023 at 9:23 PM [REDACTED] wrote:

Good Evening James

Question, the open house meeting does it constitute a statutory public meeting or it is a question and answer meeting.

Can you provide details to the entire group on the date & time of the next open house?

Or simply provide me the info and I will share it to the group.

Regards  
[REDACTED]

**From:** [Clark, Brad](#)  
**To:** [REDACTED]  
**Cc:** [Ribaric, Robert](#); [Morton, Devon](#); [Van Rooi, James](#)  
**Subject:** RE: Paramount Meeting  
**Date:** Monday, February 27, 2023 1:30:17 PM

---

Good afternoon [REDACTED]

Let me try to clarify as it is easy to misinterpret the Ontario planning act, especially with all of the new changes.

At the moment, the City has received an application for rezoning. The proponent, at my behest, held a public meeting outside of the planning act process. There has yet to be the required hearing under the planning act to which I believe your friend was referring.

During this time, with the assistance of the developer and their planners we can discuss and negotiate changes to their proposed development. In this case, I am hoping for a more reasonable density in their next proposal.

The developer's planner has publicly stated that he will come back with one more public meeting prior to proceeding to the requisite hearing under the planning act. I have known this planner for many years and I have found him to be honest. I have no expectation that he will double cross the residents.

I hope this helps, if not I would be happy to chat further at 905 977-0679 or over a coffee.

Respectfully yours

Brad

**Councillor Brad Clark**  
**Ward 9 - Upper Stoney Creek**  
**Room 262, 71 Main Street West**  
**Hamilton, ON L8P 4Y5**

**Office:** [905 546-2703](tel:9055462703)  
**Cell:** [905 977-0679](tel:9059770679)  
[brad.clark@hamilton.ca](mailto:brad.clark@hamilton.ca)  
[www.bradclarkreport.ca](http://www.bradclarkreport.ca)



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**From:** [REDACTED]  
**Sent:** Monday, February 20, 2023 8:55 PM  
**To:** Clark, Brad <Brad.Clark@hamilton.ca>  
**Subject:** Paramount Meeting

I just read this posting.

Spoke with a family member who knows zoning laws and according to the planning act. The meeting on Thursday was considered a public meeting so therefore they can pass the zoning restructure without having another meeting according to the law  
Also point was made rock dust like shale and limestone are know to cause cancer if silica dust is released in the air.

Is this true? If so, why weren't we informed of this?

Why did the presenter cut the meeting short by 15 minutes as well? It was scheduled until 8pm and he ended it at 7:45pm with several people waiting to ask questions.

[REDACTED]

From: [REDACTED]  
To: [Clark, Brad](#)  
Cc: [REDACTED]; [Ribaric, Robert](#); [Morton, Devon](#); [Van Rooi, James](#)  
Subject: Re: Stoney Creek Lakeshore Apartments  
Date: Monday, February 27, 2023 1:45:11 PM

---

Brad

You never mentioned anything about 120 days at the meeting. This so called trump card you are saying is wrong. The next planning committee meeting is scheduled for mid March which is playing into their hands.

The people of the area have already spoken that none of us want this high density development on the property. That was made very clear at the meeting.

As our elected representative it's time that you make a clear stance to the planning committee and fellow council members that this high density development is not wanted in this area as per the voters of this fine community.

This company is trying to force high density in the area because of the cost they paid for the property. That is not our problem.

“I’ve heard this feedback from the community: What it looks like is that council was not in control of this. The optics are that the tail was wagging the dog.”

To me and others, it doesn't just look like this, it's a fact!

Regardless of personal feelings, you as our elected representative must convey the stance of the people you are representing. None of us in the area want this proposed development to proceed as laid out now.

[REDACTED]

On Mon, Feb 27, 2023 at 11:58 AM Clark, Brad <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)> wrote:

Hi [REDACTED]

I do recall mentioning that risk at the public meeting. To be clear, even as we have discussions with the developer to try to lower densities, they still have this trump card that can be played at any time after 120 days regardless of where we are in our discussions.

Brad

**Councillor Brad Clark**  
**Ward 9 - Upper Stoney Creek**  
**Room 262, 71 Main Street West**  
**Hamilton, ON L8P 4Y5**

**Office:** [905 546-2703](tel:9055462703)

**Cell:** [905 977-0679](tel:9059770679)

[brad.clark@hamilton.ca](mailto:brad.clark@hamilton.ca)

[www.bradclarkreport.ca](http://www.bradclarkreport.ca)



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**From:** [REDACTED]  
**Sent:** Saturday, February 25, 2023 1:32 PM  
**To:** [REDACTED]; Clark, Brad <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)>  
**Subject:** Stoney Creek Lakeshore Apartments

Please review the attachment.

because developers can appeal to the OLT if a municipality doesn't decide on their application within 120 days of it being deemed complete

[Hamilton councillors reviewing settlement authority for Ontario Land Tribunal appeals | TheSpec.com](#)

Regards





**From:** [Clark, Brad](#)  
**To:** [REDACTED]  
**Cc:** [Ribaric, Robert](#); [Morton, Devon](#); [Van Rooi, James](#); [Kathy Archer \[Trustee\]](#)  
**Subject:** RE: New School  
**Date:** Monday, February 27, 2023 1:51:32 PM

---

Hi Bill,

I was told that this new school is replacing Tapley Town School and providing additional capacity for students east of First Rd W. All of this has been reported in local media.

There has been no indication of any changes to Billy Green School.

All of the discussions and subsequent decisions by the board were made transparent.

Brad

**Councillor Brad Clark**  
**Ward 9 - Upper Stoney Creek**  
**Room 262, 71 Main Street West**  
**Hamilton, ON L8P 4Y5**

**Office:** [905 546-2703](tel:9055462703)  
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**From:** [REDACTED]  
**Sent:** Friday, February 17, 2023 2:42 PM  
**To:** Clark, Brad <Brad.Clark@hamilton.ca>  
**Subject:** New School

I followed up on a FB group posting and found that there is a new school being built on 1st Road West.

This was from April 2022 and apparently awarded.

[Bids and Tenders - HWDSB](#)

One of the bidders was IBI.

My concern is if the school board sells Billy Green to this group building on Paramount Drive that another apartment building will result.

Why isn't there more transparency within the entire Ward?



**From:** [REDACTED]  
**To:** [Tracy Tucker](#)  
**Cc:** [Clark, Brad](#); [Van Rooi, James](#)  
**Subject:** Re: 1065 Paramount Drive Neighbourhood Meeting  
**Date:** Tuesday, February 28, 2023 10:46:08 PM  
**Attachments:** [image001.png](#)

---

Tracy

Thank you for a copy of the presentation. As a follow up to the presentation on Feb 16 it was obvious that there was a strong opposition to the proposed 8 story apartment building at 1065 Paramount Drive. I believe It would help to minimize many of the neighbours concerns if your consulting group were to propose the following recommendation to your client Mikmada in order to come to a compromise with the residents in the area of 1065 Paramount Drive.

If you could consider a plan to provide proposed a 3 story apartment building that is similar in design to the existing Paramount Place on the corner of Mistywood and Paramount that is for seniors only it would reduce the car and building height which seem to be major issues. Moving forward this design would be a more likely compromise between the neighbourhood and your client Mikmada Homes.

Your thoughts would be appreciated.

Regards

[REDACTED]

On Feb 27, 2023, at 5:19 PM, Tracy Tucker <Tracy.Tucker@ibigroup.com> wrote:

Good evening [REDACTED]

Please see attached for our presentation from the 16<sup>th</sup>. John's Contact information is at the end. However, I am the main contact person on this file.

Thanks,  
Tracy

Tracy Tucker BAA, CPT

Sr. Project Manager

Suite 200, East Wing-360 James Street North  
Hamilton ON L8L 1H5 Canada  
tel +1 905 546 1010 ext 63120  
mob 289 237 2808



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**From:** [REDACTED]  
**Sent:** Sunday, February 26, 2023 9:34 AM  
**To:** Tracy Tucker <tracy.tucker@ibigroup.com>  
**Cc:** Clark Brad <brad.clark@hamilton.ca>; Devon Morton <devon.morton@hamilton.ca>  
**Subject:** Re: 1065 Paramount Drive Neighbourhood Meeting

\*\*\* Exercise caution. This is an EXTERNAL email. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*

Tracy

Can you please forward me a copy of the presentation and contact information for the consultant speaker at the public meeting on February 16?

Regards

[REDACTED]  
31 Audubon St South

On Jan 24, 2023, at 5:46 PM, Morton, Devon  
<[Devon.Morton@hamilton.ca](mailto:Devon.Morton@hamilton.ca)> wrote:

Good evening,

At the request of Councilor Clark, a Neighbourhood Meeting has been scheduled regarding the proposed development at 1065 Paramount Drive, Stoney Creek.

**This is an opportunity for members of the public to voice their concerns and learn more about the proposal.**

Details of the Neighbourhood Meeting are attached and below:

**Date:** February 16, 2023

**Time:** 6:00PM to 8:00PM

**Location:** Salvation Army Winterberry Heights Church, 300

Winterberry Drive, Stoney Creek, L8J 3Y1

This email serves as a courtesy notification of the Neighbourhood Meeting.

The applicant has further indicated that formal notices will be sent to all registered land owners within 200 metres of the subject lands.

Please note, this is not a statutory Public Meeting as required by the Planning Act.

If you have any questions regarding the Neighbourhood Meeting, please contact the applicant directly (contact details in attached notice).

Thank you,

**Devon M. Morton, MCIP, RPP** (he/him/his)  
Planner II (Rural Team)  
Development Planning  
Planning & Economic Development Department  
City of Hamilton, 71 Main St. W, 5<sup>th</sup> floor, L8P 4Y5  
Ph: (905) 546-2424 ext. 1384  
Email: [Devon.Morton@hamilton.ca](mailto:Devon.Morton@hamilton.ca)



<PZS.NeighborhoodOpenHouse.2023-02-16 (Final).pdf>

**From:** [REDACTED]  
**To:** [Morton, Devon](#); [Clark, Brad](#)  
**Cc:** [tracy.tucker@ibigroup.com](mailto:tracy.tucker@ibigroup.com); [Van Rooi, James](#)  
**Subject:** Re: Paramount build  
**Date:** Friday, February 17, 2023 9:44:44 AM

---

Thanks!

Last question, we've obviously voiced our concern over the additional traffic in the survey, but who do we contact about the situation that currently exists at the top of the Redhill ( basically a parking lot every morning) and the LINC. In combination of this project, and the other construction sites I've seen happening, something needs to be done to move the traffic better. A lane that continues from upper Redhill to greenhill at least allows traffic to exit should an accident develop further down the highway.. Perhaps reopening the old mud street for emergency vehicles.

There's already too much traffic at the top of the hill and now we're adding so much more.

Thanks

[REDACTED]

> On Feb 17, 2023, at 9:29 AM, Morton, Devon <Devon.Morton@hamilton.ca> wrote:

>

> Hi [REDACTED]

>

> Please see the link below for access to submission material received to date.

>

> <https://cityshare.hamilton.ca/s/qyEeYJF38ZwGHH7>

>

> I will let Tracy respond regarding the presentation material.

>

> As a note, I will be transitioning into a new position within the corporation. As such, Senior Planner James van Rooi (cc'd) will be assuming carriage of this file moving forward. Please contact James should you need anything further.

>

> Thank you,

>

> Devon M. Morton, MCIP, RPP (he/him/his)

> Planner II (Rural Team)

> Development Planning

> Planning & Economic Development Department

> City of Hamilton, 71 Main St. W, 5th floor, L8P 4Y5

> Ph: (905) 546-2424 ext. 1384

> Email: Devon.Morton@hamilton.ca

>

>

> -----Original Message-----

> From: [REDACTED] >

> Sent: Friday, February 17, 2023 9:24 AM

> To: Morton, Devon <Devon.Morton@hamilton.ca>; [tracy.tucker@ibigroup.com](mailto:tracy.tucker@ibigroup.com)

> Subject: Paramount build

>

> Good morning,

>

> I was at the meeting last night, but was at the very back of the room due to the overwhelming response from the community.

>

> I'm wondering if I can be sent either the entire presentation, or at least the slide of the proposed development, parking suggestion and information on the proposed builder.

>

> Thanks



From: [REDACTED]  
To: [Van Rooi, James](#)  
Subject: Zoning meeting  
Date: Monday, February 20, 2023 12:39:06 PM

---

Good morning,

Has a date been set for the zoning meeting for the following property on paramount drive?

UHOPA-23-005 and ZAC-23-006

Will this be a public meeting?

I assume the sign on paramount drive will be updated with the date when established in plenty of time for the residents of the neighborhood to attend.

Thanks

[REDACTED]





From: [Clark, Brad](#)  
To: [REDACTED]  
Cc: [Ribaric, Robert](#); [Morton, Devon](#); [Van Rooi, James](#)  
Subject: RE: 1065 Paramount Dr.  
Date: Monday, February 27, 2023 1:45:49 PM

---

Hi [REDACTED],

Thank you for sharing your objections to this proposed development.

Please be advised that our city planning staff have not made any recommendations on the development.

There are ongoing discussions with the developers planner regarding density. My hope remains that we can find a way to a more reasonable intensification. I will continue to advocate for the ways and means to lower the height of the building and provide additional parking.

Regardless your name will be added to the database of interested parties. You will be notified of the next public meeting.

If you wish to chat further, please call 905 977-0679.

Respectfully yours,

Brad

**Councillor Brad Clark**  
**Ward 9 - Upper Stoney Creek**  
**Room 262, 71 Main Street West**  
**Hamilton, ON L8P 4Y5**

Office: [905 546-2703](tel:9055462703)  
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[brad.clark@hamilton.ca](mailto:brad.clark@hamilton.ca)  
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**From:** [REDACTED]  
**Sent:** Friday, February 17, 2023 3:27 PM  
**To:** Clark, Brad <Brad.Clark@hamilton.ca>; [REDACTED]  
[REDACTED]  
**Subject:** 1065 Paramount Dr.

Strong objection to the residential development plan as presented.  
The development is too dense for the neighbourhood.  
The apartment building is too high at eight stories.  
Parking is too limited, it will spill over into side streets  
There is a safety issue with a large development so close to two schools  
The amount of digging to be done for underground parking will damage basements in the area

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**From:** [REDACTED]  
**To:** [Clark, Brad](#); [Van Rooi, James](#); [Tracy.Tucker@ibigroup.com](mailto:Tracy.Tucker@ibigroup.com)  
**Subject:** 1065 Paramount project objection  
**Date:** Wednesday, March 1, 2023 8:08:57 PM

---

Objection to File No. UHOPA-23-005 regarding the proposed By-Law to change the land use designation from "Institutional" to "Neighbourhoods" in Schedule "E-1" of the Urban Hamilton Official Plan and to change the land use designation from "Institutional" to "High Density Residential 1" in the West Mountain Area (Heritage Green) Secondary Plan.

Objection to File No. ZAC-23-006 regarding the rezoning of the subject lands from the Small Scale Institutional "IS" Zone to a modified Multiple Residential "RM3-XX" Zone

I strongly object to the above proposals for the following reasons:

1. Unsatisfactory "Planning Justification Report" and "Urban Design Brief"

The 'Planning Justification Report' is based extensively on the Provincial governments desire to increase the number of housing units.

This is only one consideration, and given the recent extensive expansion to the Urban boundary it should be near the bottom of the list of priorities to consider, especially when the new development is in the center of a mature, established community. There are so many opposing arguments that render this High-Density "urban" proposal completely unsatisfactory as it is in the middle of a Low-Density "suburban" community (neighbourhood character; Congestion; Traffic; Safety; Pollution; Infrastructure; Mental Health; etc). The High-Density rationale does not apply to our suburb as we are a commuter-based neighbourhood that relies heavily on the Redhill Expressway and Lincoln Alexander Parkway to commute to work.

Please see the attached Addendum for a long list of points that do not adhere to the:

- Planning Act
- Provincial Policy Statement 2020
- Urban Hamilton Official Plan
- Neighbourhoods Designation General Policies
- West Mountain Area Secondary Plan
- Zoning By-laws
- Registered Professional Planners responsibility re "local needs of the community"

Furthermore, the 'Urban Design Brief' states that "the south boundary is defined by residential single dwellings screened by a densely planted landscape buffer" which is not true at all. The trees on the SW corner of the development are tall enough to provide privacy to a 3 level townhouse. However the other 3 houses in Canfield Court that back on to the South side of the lot offer no privacy to any structure over 2 stories. Nor is there any privacy for the homes on Paramount drive from the street facing Apartments and Stacked Townhouses. The townhouses will

be looking directly into the bedrooms on Canfield Court and both the apartments and townhouses will be looking directly into the living rooms on Paramount Drive. In time, these trees will one day die and/or be removed and then there would be absolutely no privacy for any of the existing residents mentioned above.

2. High-Density zoning is completely unnecessary in this Community

With the recent Urban Boundary expansion announced by the Provincial government there is absolutely no need to create a High Density development in a Low Density, mature neighbourhood. The High Density zoning does not fit with the existing character of the community, which is all Low Density. It is also in complete contradiction of section 3.3.1 which states that High Density housing is to be on the outskirts of the community, not on the interior which is exactly where it is being proposed.

3. Recent Precedent for Ward 9 regarding zoning density

Just 4 km away a new development was approved at 15 Ridgeview, which is in Ward 9 as is the proposed development at 1065 Paramount Drive. The property at 15 Ridgeview is 5hectares and a total of 105 residential units (25 single family homes and 80 three-level townhouses) was submitted and approved. That is only 21 residential units per hectare of land.

Comparatively, the proposal for 1065 Paramount Drive is on a lot that is only 1.63 hectares but they are proposing 299 residential units. The proposed density is 187residential units per hectare of land. The present by-law states a maximum 40 residents per hectare.

In regard to the 15 Ridgeview development, The Hamilton Spectator reported that Jeff Beattie (Stoney Creek councilor) said that the proposed development will be similar to the existing housing blocks that have already been built. In other words, they were very cognizant of the existing community and made every effort to ensure the new development fit in.

The closest elementary school to the 15 Ridgeview development is Eastdale which is 6 km away from it whereas the High-Density proposal for 1065 Paramount Drive is within meters of both Billy Green and St. Paul elementary schools. The safety of children making their way to both schools cannot be measured, however it is painfully obvious that having a High Density development with upwards of 600 new cars in the area coming and going during morning and afternoon rush periods will only increase the risk of traffic accidents and injuries.

4. Job Markets not easily accessible via public transit from this area

The argument provided by the planner that there is public transit right on Paramount drive which will help newcomers commute to work and will reduce the number of residents owning vehicles is not valid for this community as it is basically a suburb to Hamilton. Anyone who lives and commutes in this area knows that a bus ride to most work areas is a very lengthy, time consuming journey. A bus to downtown Hamilton takes an hour easily. This community is not close to any major job markets, most people commute. In fact many new people entering the community are probably from out of town and will certainly be driving, creating more congestion and air pollution than is necessary. This High-Density plan is inappropriate for a suburb such as ours and lends itself more to downtown where residents do in fact walk, ride or take public transit to work.

5. Traffic considerations to include the impact on the Red Hill Valley Expressway and the Lincoln Alexander Expressway

The fact is there will be more traffic. Anyone who lives in this area knows that the Red Hill Valley Parkway and the Lincoln Alexander Parkway are already stop and go every morning and afternoon. We know that the planners comment "Traffic will take care of itself" is simply not true for this area as evidenced by years of backlog on the Redhill/Linc. Adding approximately 300 more cars to the morning and evening commute is definitely going to compound this problem and traffic will only get worse.

6. Insufficient Parking

The Planner's goal of not providing enough parking spots in the hopes of attracting residents without cars is not realistic for this community because as previously stated it is a suburb in which most people commute to and from work. Most residents in this area have at least 2 cars per household, townhouses included. This is because there are very few employers in the area and the vast majority of workers have to commute. Using the HSR is a last resort because it takes forever to get anywhere and the routes are extremely limited to and from this community. The proposal allows for 369 parking spaces for 299 units instead of 558 that is presently required in our by-laws. The overflow of parking will obviously spill over to Billy Green's parking lot; the strip plaza parking lot; and neighbourhood side streets. Parking on the side streets is already a daily drama so adding all these extra cars will only increase local residents' anxiety and create so much congestion that snow plows and traffic will be an ongoing problem. Also, there are an unacceptable number of Physically Challenged Parking spots of only 6 instead of 37 as required (1%). Again, this High-Density plan is inappropriate for a suburb such as ours and lends itself more to downtown where residents are more apt to not own cars and walk/ride/transit.

7. No regard for the Character of our existing community or the mental health of existing residents

This high-density proposal in no way considers the character or desires of the local community. There is nothing like this in all of Stoney Creek. To take the last plot of land in the center of a very mature neighbourhood and change the whole complexion of it is extremely disrespectful to the existing community. Absolutely no regard has been shown for the lifelong investment residents have made to live and retire here. Not to mention the mental health issues this is creating in our community. I know for a fact that there are a LOT of residents who are quite outraged about this. The stress and anxiety this is creating is completely unnecessary. *The fact that this is listed as a major consideration for*

*both Registered Professional Planners and as a ByLaw consideration but is not being addressed is cause for great concern*

In conclusion, I respectfully ask the Planning Committee to reject this proposal in its entirety and start from scratch, with community involvement.

Thank you for your time and consideration.

#### Addendum to Objection Letter

##### 6.1 Urban Design Brief

*The height of these buildings provides a comfortable transition between higher building masses and the surrounding neighbourhood character*

This is not true as the transition between a 3 storey stacked townhouse and a single family home is not a "comfortable" transition at all.

##### 7.1 Planning Act

Planning Comment:

"The proposed layout will ensure compatibility with neighbouring land uses, by placing the lower-density three-storey stacked townhouses on the southern portion of the subject lands, adjacent to the existing single detached dwellings along Canfield Court"

This is not true as the proposal is completely incompatible with the existing community and especially the dwellings along Canfield Court and Paramount Drive.

##### 7.2 Provincial Policy Statement

Policy 1.1.1 f)

This proposal does NOT improve accessibility for persons with disabilities and older persons because there are not nearly enough Physically Challenged Parking spots available (6 proposed 37 required)

Policy 1.1.2 is inadmissible as it is based on intensification targets "which shall be established through a future Amendment to the UHOP

Policy 1.1.3.4

Planning Comment:

The surrounding neighbourhood is comprised of primarily single detached residential dwellings and block townhouses. The abutting built form is predominantly single detached residential and open space/institutional, which makes the location of the proposed three-storey stacked townhouse units and eight-storey apartment building appropriate

This is not true either as it is extremely inappropriate to put these buildings in the center of a mature neighbourhood, which goes directly against section Policy number 3.3.1 which states that high density development should be on the outskirts of a community. Also, putting 3 storey "stacked" townhouses adjacent to single family homes is completely unacceptable.

Policy 1.4.3 b) 1.

This proposal does NOT meet the social, health, economic and well-being requirements of current and future residents! The property values will be greatly reduced for current residents; the Mental Health of current residents is already being adversely affected; an insufficient number of physically challenged parking spots will seriously impact future residents, especially as they are targeting seniors to retire there.

Policy 1.6.6

I have not seen any studies to support the claims that the existing sewage and water services can accommodate this proposal. From what I understand these studies have not yet been done.

Policy 1.6.7.4

Again, being a commuter-based community driving is essential. This proposal will NOT minimize the length and number of vehicle trips in this community.

Policy 1.8.1

The significant increase of vehicles in such a small area will increase air pollution. Also, this proposal is in a commuter's neighbourhood and will not reduce motor vehicle trips and congestion but increase them both.

7.4 Urban Hamilton Official Plan (UHOP)

Policy 2.4.1.4

Planning Comment:

It represents a form of intensification, which is compatible in terms of scale and built form with the surrounding neighbourhood, by placing the lower-density three-storey stacked townhouses on the southern portion of the subject lands, adjacent to the existing single detached dwellings along Canfield Court.

This is NOT true as the proposal is not compatible with the surrounding neighbourhood in the least. There is nothing in this neighbourhood that resembles this proposal at all. The skyline and character of the



neighbourhood will be ruined forever.

This proposal is not a compatible integration with the surrounding area!

Planning Comment:

It is not anticipated to adversely impact the existing transportation network  
This is obviously not true. Any increase in traffic will adversely impact any area.

Planning Comment:

The proposed development will make more efficient use of the local road than existing conditions.

This too is not true as Paramount Drive is the only road in and out of the subdivision. Adding another 300 – 600 cars will definitely reduce its efficiency

#### Policy 2.4.2.2

Planning Comment:

The proposed development is a respectful form of residential intensification, as it will not result in shadowing, overlook, noise, lighting or traffic concerns. The layout will ensure compatibility with adjacent land uses,

Judging by the residents' overwhelming outrage at the February 16 meeting this proposal is anything but 'respectful' with regard to both residents or compatibility. It is not compatible with adjacent land uses nor the height, massing or scale of nearby residential buildings (single family homes). The shadows created over Billy Green Elementary school will block out sunlight until mid-day. Furthermore, there are no 'amenity' provisions at all.

#### Policy 3.3.2.3: Urban design should foster a sense of community pride

Not one of the 7 principles listed below were satisfied:

- a) Respecting existing character – Not at all
- b) Consistent with locale and surrounding environment – Not at all
- c) Recognizing and protecting the cultural history - No

- d) Conserving and respecting the existing build heritage features - No
- e) Conserving, maintain, and enhancing the features of its communities - No
- f) Demonstrating sensitivity toward community identity – Not at all
- g) Contributing to the character and ambiance of the community - No

Planning Comments:

The proposed development respects the existing community character, by proposing a compatible building layout with appropriate provisions,

The proposed frontage along Paramount Drive contributes to the character of the streetscape, as the four stacked townhouse blocks will be aligned with the existing street to form a consistent street wall.

Neither of these statements are true. This proposal has totally disrespected our community and the stacked townhouses are not in alignment with the existing street. The style and height of single family homes and townhouses that are already on Paramount Drive would be aligned properly, not stacked townhouses and an 8 storey apartment building.

Policy 3.3.2.4: Quality Spaces

Planning Comment:

The siting of the stacked townhouse blocks and apartment building is logical and fits within the existing neighbourhood context

This is False as it does NOT fit within the existing neighbourhood context

Policy 3.3.2.6: New development and redevelopment should enhance the character of the existing environment

Not one of the 4 sub-sections were satisfied

This is False as it does NOT enhance the character of the existing environment. In reality it will become an eyesore and will deter from the character of the existing environment destroying the skyline of the entire neighbourhood.

Policy 3.3.2.8 Urban design should promote the reduction of greenhouse emissions, ability to adapt to the impacts of a changing climate now and in the future, and protect and enhance the natural urban environment

This is false. Nothing in this proposal will reduce greenhouse emissions or protect/enhance the natural urban environment. Fewer residential units and more green space will protect and enhance the natural urban environment.

Policy 3.3.2.9 Urban design plays a significant role in the physical and mental health of our citizens.

Again, not one sub-section has been satisfied (high quality, safe streetscapes; no development of places for active and passive recreation; no variety of land uses; increased air, noise, and water pollution)

This may be the single biggest concern that is being overlooked. The mere proposal in itself has caused such intense stress and anxiety in the community. The mental health of our citizens is obviously not a concern of the developer but we as a society depend on our City officials/planners to act in our best interest. Presently the mental health of this community is on a steep decline and will get progressively worse with developments like this.

Policy 3.3.3.1

Planning Comment: As previously discussed, the proposed development has been designed to fit within the surrounding neighbourhoods, in terms of scale, and ensure adequate privacy and sunlight to neighbouring properties. It will be compatible with the surrounding low-density context,

This is not true because in no way does this development fit within the surrounding neighbourhood.

Policy 4.5.8.4

The proposed development will make more efficient use of the Collector Road, by increasing residential density on the subject lands, without hindering the current traffic flow.

This is false. More cars will undoubtedly hinder the current traffic flow. In fact, traffic flow will be at a standstill in the morning and afternoon when school starts and ends.

#### Policy 5.3 Lake –Based Municipal Water and Wastewater Systems

Again, I have not seen any studies to support the claim that existing systems can accommodate a development of this size. I find it hard to believe that 40+ years after planning a community that the existing infrastructure could accommodate another 299 units on such a small piece of land. Surely the planners never anticipated this happening that long ago.

#### Chapter E – Urban Systems and Designations

##### Subsection 2.6 Neighbourhoods

###### Scale Policy 2.6.7

*Neighbourhoods shall generally be regarded as physically stable areas with each neighbourhood having a unique scale and character. Changes compatible with the existing character or function of the neighbourhood shall be permitted.*

Planning Comment: The proposed development is compatible with the existing character of the neighbourhood, as a functional layout of differing typologies has been created to ensure that there are significant adverse impacts on any adjoining lands.

This is not true. It does NOT fit with the existing character of the neighbourhood and it will have a significant impact on adjoining lands, specifically residents of Canfield Court, Paramount Drive and both elementary schools.

Scale and Design - Policy 3.2.4

*The existing character of established neighbourhoods designated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood.*

This proposal does not satisfy this policy at all. In fact the complete opposite is true --- the existing character is NOT maintained and intensification is NOT compatible with the existing residential neighbourhood

Policy 3.3.1

*Lower Density residential uses and building forms shall generally be located in the interiors of neighbourhood areas with higher density dwelling forms and supporting uses located on the periphery.*

This proposal is for the exact opposite of 3.3.1. The proposed High-Density development is right in the middle of the Low-Density neighbourhood.

Policy 3.3.2

*Development or redevelopment adjacent to areas of lower density shall ensure the height, massing, and arrangement of buildings and structures are compatible with existing and future uses in the surrounding area.*

This proposed development is not at all compatible with the existing areas of lower density with regard to height, massing and arrangement of buildings.

Policy 3.6.1

*High Density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods.*

Again, this high-density proposal is NOT on the periphery but right in the center of the mature, low density neighbourhood

Policy 3.6.8 d)

This item is also not adhered to as the proposal has inadequate parking, amenity features and is not compatible with existing residential heights. Furthermore it will cast shadows on Billy Green Elementary school for at least 50% of the school day.

Neighbourhoods Designation – High Density Residential

Design Policy 3.6.8

Planning Comment: The proposed development is a respectful form of residential intensification, as it will not result in shadowing, or overlook concerns

This is not true! Residents on Canfield Court and Paramount Drive will have residents in the Stacked Townhouses and apartments looking directly in their bedrooms and living rooms, respectively.

Appendix E Highlights the Significant short-comings of the proposal

Physically Challenged Parking Spots: 1% required = 37 Proposed 6

Minimum Number of Parking Spaces: 558 required Proposed 369

Minimum Front Yard 7.5m required Proposed 3.25m

Minimum Side Yard 6.0m required Proposed 3.0m

Maximum Density 40 units/Ha Proposed 187

Minimum Landscape Open Space 50% Proposed 30%

RM3 Zone: Stacked townhouses Not permitted

Policy 6.2.6

Planning Comment: While the Institutional Designation allows for low-density residential uses, an amendment is required for the proposed development as it does not allow high-density residential uses.

One of the main reasons everyone in this neighbourhood chose to live here is because it was not zoned high-density. Obviously the City Planners had a very good reason not to zone it High Density, mainly because it is a suburb. To suddenly decide after 40+ years that the zoning should be changed to high-density simply to accommodate a developer is outrageous and nothing short of criminal to the existing community.

If we wanted to live downtown or in Toronto we would have moved there.

9 School and City Recreation Facility and Outdoor Recreation/ Parks Issues Assessment

As noted throughout this report, the subject lands directly about Billy Green Elementary School to the north and St. Paul Catholic Elementary School to the south-west. The development of the subject lands will be compatible with the surrounding institutional uses, as it does not create significant shadow impacts upon the schools

This is completely false. The 8 story apartment will completely block out any sunshine that Billy Green's kindergarten classrooms/playground presently enjoy. Furthermore, the apartments will be looking directly into the classroom windows of Billy Green school all day long.

11 Planning Justification

Registered Professional Planners ("Planners") have a responsibility to acknowledge the interrelated nature of planning decisions and the consequences for natural and human environments, and the broader public interest. The public interest reflects a balance between the local needs of the community with the interests of stakeholders. In order to determine whether the proposed development is within the public interest

Both the Councillor and the Planner stated that they have never had as many people at a public meeting in their entire careers as were present at the February 16, 2023 meeting. This in itself tells the whole story.

The unanimous outrage and opposition displayed at the meeting cannot be simply disregarded. If the above Professional Planners code of ethics is to be respected at all then based on this meeting alone the existing High-Density plan needs to be thrown out and a new Low-Density plan submitted, hopefully one that has community involvement and fits the character of the neighbourhood.

11.1 Environment

The proposed development will provide residential density in close proximity to commercial and institutional uses and allow residents to live, work and play within the same neighbourhood, thus being active transportation supportive

This is not true as very few residents work in this neighbourhood.  
There are no employers of any size near this community.

The proposed development will capitalize on the advantage and provide reduced parking ratios to encourage an increase in transit usage. Overall, by promoting transit and active transportation, it decreases the need for automobile travel and greenhouse gas emissions, which contributes to a higher energy consumption and declining air quality.

In reality, this High-Density development will accomplish the complete opposite of what is stated in section 11.1

Once again, this proposal is more fitting to downtown and not a suburb like 1065 Paramount Drive. Residents living here generally need a car. This might be the case in places like downtown where it is easy to ride a bike or take a bus to work. This concept is not applicable to a suburban community that depends on driving and having an adequate traffic infrastructure, which this proposal will certainly affect in an adverse manner.

## 12 Conclusions and Recommendations

I would argue that it does NOT maintain the intent of the Urban Hamilton Official Plan and West Mountain Area Secondary Plan. Sure it may satisfy one such factor, to build more units, but I'm certain the original intent was much more inclusive than that: Fitting in with the Character of the existing neighbourhood; Acceptance by the existing neighbourhood; not creating traffic and parking chaos in an existing neighbourhood; not creating buildings high enough to invade upon the privacy of existing residents.

I also highly doubt that the Former City of Stoney Creek Zoning By-Law would have intended a development such as this. In fact I would argue that the Former City Planners would have shut this down immediately.

It definitely is NOT compatible with the surrounding build form.

It definitely does not represent good planning that is in the public interest. It is only in the developers best interest, not the communities.

**Currently I'm running a 12-storey highrise electrical crew in Kitchener, so I'm familiar with this type of project. There is no way that you will avoid debris falling into the adjoining kindergarten playground at Billy Green elementary, children will be getting hurt and that will be on both the contractor & the city for allowing such a project. These**



types of builders throw buildings up as quickly as possible & have little concern for the safety of their own crews on the jobsite, let alone the safety of elementary school children next door.

The drastic increase of traffic on a small road that will have many small children walking around from both the school and the daycare across the street poses a serious risk to not only my own children, but many other families like mine in the area.

This whole thing is a scheme to maximize quick profits at the cost to the actual hamilton residents in the area & move on, without any concern of the devastation. I am overwhelmingly opposed to this project in its proposed form, I am also concerned for the negative impact this will have on not only my children, but also my neighbours & their children.

--

Sincerely,

A large black rectangular redaction box covering the signature area.

**From:** [Clark, Brad](#)  
**To:** [REDACTED]  
**Cc:** [Morton, Devon](#); [Van Rooi, James](#); [Ribaric, Robert](#)  
**Subject:** RE: 1065 Paramount Drive, Stoney Creek  
**Date:** Monday, February 27, 2023 1:43:36 PM

---

Hi [REDACTED]

Thank you for sharing your concerns and opposition to this proposed development on Paramount.

Please be advised that our city planning staff have not made any recommendations on the development.

There are ongoing discussions with the developers planner regarding density. My hope remains that we can find a way to a more reasonable intensification. I will continue to advocate for the ways and means to lower the height of the building and provide additional parking.

Regardless your name will be added to the database of interested parties. You will be notified of the next public meeting.

If you wish to chat further, please call 905 977-0679.

Respectfully yours,

Brad

**Councillor Brad Clark**  
**Ward 9 - Upper Stoney Creek**  
**Room 262, 71 Main Street West**  
**Hamilton, ON L8P 4Y5**

**Office:** [905 546-2703](tel:9055462703)  
**Cell:** [905 977-0679](tel:9059770679)  
[brad.clark@hamilton.ca](mailto:brad.clark@hamilton.ca)  
[www.bradclarkreport.ca](http://www.bradclarkreport.ca)



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---

**From:** [REDACTED]  
**Sent:** Friday, February 17, 2023 5:01 PM  
**To:** Clark, Brad <Brad.Clark@hamilton.ca>  
**Subject:** 1065 Paramount Drive, Stoney Creek

Good afternoon Brad;

I have a very strong objection to the residential development plan as presented.

The development is too dense for this neighbourhood.

The apartment building is too high at 8 stories. It is inappropriate for this area as this is and has been a low density area.

Parking is too limited, it will spill over into side streets as well as our complex, not to mention the increased traffic flow on the main road of Paramount Drive.

There is a safety issue with a large development so close to 2 schools; as well, both schools are currently at capacity with multiple portables. It will be more than challenging for them to absorb additional multiple hundreds of students.

The amount of digging to be done for underground parking will damage basements and foundations. Many homes in this area are 40+ years old and fragile.

Please consider the concerns of the residents and the constituents that voted for you as their voice, and do not allow this development to happen.

Thank you,

[REDACTED]  
[REDACTED]



Sent from my Galaxy

**From:** [Morton, Devon](#)  
**To:** [Van Rooi, James](#)  
**Subject:** FW: Morning Brad and Devon,  
**Date:** Wednesday, February 22, 2023 9:08:20 AM

---

FYI

Devon M. Morton, MCIP, RPP (he/him/his)  
Planner II (Rural Team)  
Development Planning  
Planning & Economic Development Department  
City of Hamilton, 71 Main St. W, 5th floor, L8P 4Y5  
Ph: (905) 546-2424 ext. 1384  
Email: Devon.Morton@hamilton.ca

-----Original Message-----

**From:** [REDACTED]  
**Sent:** Wednesday, February 22, 2023 8:08 AM  
**To:** Clark, Brad <Brad.Clark@hamilton.ca>; Morton, Devon <Devon.Morton@hamilton.ca>  
**Subject:** Morning Brad and Devon,

[REDACTED] and I attended the meeting at the Salvation Army re: the Rezoning at 1065 Paramount Drive. Guessing a small amount of guests were expected as only a few chairs were set up. Judging by how many residents attended, this development is unwanted. Adult Living complex similar to the one at Mistywood and Paramount with ample parking would be welcomed. Just look at the townhomes on Paramount across from Cineplex Theatre. The parking spills over to the theatre all along Paramount.

I grew up on Beacon Avenue in the Huntington Park community area. The Blue Fountain apartments, 7 stories high, their parking always spilled over to our street. Cars were left for days on end. This community is begging for this not to happen in our area. We are grateful and very comfortable the way things are. Our property taxes afford for us to keep it this way.

[REDACTED]

Sent from my iPad

**From:** [Morton, Devon](#)  
**To:** [\[REDACTED\]](#); [Clark, Brad](#)  
**Cc:** [Van Rooi, James](#); [Toman, Charlie](#); [Fabac, Anita](#); [Bobichaud, Steve](#)  
**Subject:** RE: This is disturbing. . .  
**Date:** Monday, February 27, 2023 11:43:31 AM  
**Attachments:** [image001.png](#)

---

Hi [REDACTED]

Thank you for email.

I will forward this to the developer on your behalf as requested.

For your information, I will be transitioning into a new position within the corporation. As such, Senior Planner James van Rooi (cc'd) will be assuming carriage of this file moving forward. Please contact James (cc'd) should you need anything further.

Thank you,

**Devon M. Morton, MCIP, RPP** (he/him/his)  
Planner II (Rural Team)  
Development Planning  
Planning & Economic Development Department  
City of Hamilton, 71 Main St. W, 5<sup>th</sup> floor, L8P 4Y5  
Ph: (905) 546-2424 ext. 1384  
Email: [Devon.Morton@hamilton.ca](mailto:Devon.Morton@hamilton.ca)



---

**From:** Candace Piva <[cmassullivan@hotmail.com](mailto:cmassullivan@hotmail.com)>  
**Sent:** Monday, February 27, 2023 11:35 AM  
**To:** Clark, Brad <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)>; Morton, Devon <[Devon.Morton@hamilton.ca](mailto:Devon.Morton@hamilton.ca)>  
**Subject:** This is disturbing. . .

please share with the developer.  
C. Piva



### Stoney Creek Residents Against Paramount Drive Rezoning

Brian Dunn · 52m · Stoney Creek, Ontario · 🌐



Can you spot the kids? Can one be hit by a car? Every single one of them behind a car or out of sight! Enlarge the photo see if you spot the dozens of children, let alone parents.

Cars in the cross walk zone, it's a no stopping and or no parking zone on most of the street. Where else is there to park? The side streets with cars parked backward on the wrong side up to the stop signs? Don't even think of parking in the city bus stop, or you're just going to be told to move, be honked at, or stared down. Not enough parking as it is!

The crossing guard constantly acting as a traffic cop to protect the kids, telling cars "you can not park there" he turns his back for a second to tell that to a vehicle and a car or two pulls in, desperate to find a spot to drop off their kids on time.

This picture being taken as the bell is about to ring on Paramount outside of Billy Green public school. Parking figuring it's self out is already a dangerous situation. Don't build condos you are putting our futures, our children at risk. 🚫 — at **Billy Green School**.



Sent from my iPad

**From:** [Clark, Brad](#)  
**To:** [REDACTED]  
**Cc:** [Ribaric, Robert](#); [Van Rooi, James](#); [Morton, Devon](#)  
**Subject:** RE: New Development on Paramount between St. Paul & Billy Green School  
**Date:** Monday, February 27, 2023 12:38:35 PM

---

Good afternoon [REDACTED],

As I understand it, the current status remains as a proposal without staff recommendations. The planner indicated that he would hold another public meeting before proceeding with his next iterations. I will continue to advocate for more reasonable densities.

Our planning staff will add your names to the database to keep you informed.

Respectfully yours,

Brad

**Councillor Brad Clark**  
**Ward 9 - Upper Stoney Creek**  
**Room 262, 71 Main Street West**  
**Hamilton, ON L8P 4Y5**

**Office:** [905 546-2703](tel:9055462703)  
**Cell:** [905 977-0679](tel:9059770679)  
[brad.clark@hamilton.ca](mailto:brad.clark@hamilton.ca)  
[www.bradclarkreport.ca](http://www.bradclarkreport.ca)



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**From:** [REDACTED]  
**Sent:** Thursday, February 23, 2023 12:37 PM



**To:** Clark, Brad <Brad.Clark@hamilton.ca>; [REDACTED]  
**Subject:** New Development on Paramount between St. Paul & Billy Green School

Hi Brad - We would like to express our concerns regarding the new development being proposed on Paramount Drive between St. Paul's Elementary School and Billy Green Public School.

As a resident on Athenia Drive we strongly disagree with the development of a high density residential development consisting of 300 units and placing a completely out of place 8 story building between 2 elementary schools. With the additional capacity being proposed, we have safety concerns for the children in this area based on this development.

Parking and road traffic will be a huge issue at Mud & Paramount coming off the link. This area will become a safety and congestion issue. Supporting parking of 300 units with 1.5 vehicles per unit is a concern within that space and we can see it spilling onto our neighbourhood streets. The building will be completely out of place as there is nothing higher than 4 stories within miles of this area. This development proposes only a downside to existing residents while benefiting only the developer.

During the meeting held last Thursday at Salvation Army Heights Church (which had great attendance and was at full capacity plus standing room), it was evident that nobody was in favour of this development.

Let us know what the next steps are for changing/limiting this development and who else we should contact regarding this concern.

Thanking you in advance for considering our concerns.

Sincerely,

[REDACTED]  
[REDACTED]

**From:** [Morton, Devon](#)  
**To:** [REDACTED]; [Clark, Brad](#)  
**Cc:** [Van Rooi, James](#); [Toman, Charlie](#); [Fabac, Anita](#); [Robichaud, Steve](#)  
**Subject:** RE: Resident feedback re:Rezoning application - UHOPA-23-005 & ZAC-23-006  
**Date:** Tuesday, February 21, 2023 12:08:10 PM  
**Attachments:** [image001.png](#)

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Good afternoon [REDACTED]

Thank you for your email and for providing comments on the application(s).

Your concerns have been noted and will be included in the staff report to Planning Committee (date to be determined).

Please note, no decision has been made at this time.

For your information, I will be transitioning into a new position within the corporation. As such, Senior Planner James van Rooi (cc'd) will be assuming carriage of this file moving forward. Please contact James (cc'd) should you need anything further.

Thank you,

**Devon M. Morton, MCIP, RPP** (he/him/his)  
Planner II (Rural Team)  
Development Planning  
Planning & Economic Development Department  
City of Hamilton, 71 Main St. W, 5<sup>th</sup> floor, L8P 4Y5  
Ph: (905) 546-2424 ext. 1384  
Email: [Devon.Morton@hamilton.ca](mailto:Devon.Morton@hamilton.ca)



---

**From:** [REDACTED]  
**Sent:** Sunday, February 19, 2023 10:54 PM  
**To:** Morton, Devon <[Devon.Morton@hamilton.ca](mailto:Devon.Morton@hamilton.ca)>; Clark, Brad <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)>  
**Subject:** Re: Resident feedback re:Rezoning application - UHOPA-23-005 & ZAC-23-006

Councillor Clark and Mr. Devon Morton ,

Please read below my concerns regarding the above mentioned Paramount Drive property rezoning .

As a resident of this neighbourhood for the past 22 years and after reviewing the information sent by Devon... and attending the "open house" meeting. Our entire family is 100% opposed to this plan. We are open to a reasonable solution, however the 8 story building at this location is a total

insult to the community.

The building should not exceed the height of the townhouses being proposed.

I would like to be included in all future communications regarding this matter. We as a community need to have full transparency and be treated as stake holders in this process.

Issue to date:

1) Lack of inclusiveness - why did the city do the bare minimum until the meeting was held to inform the community? As tax payers, when an oversized building is being proposed and the majority of the community is not informed the optics are very bad and it showed by the sentiment in the meeting.

2) Having the presenter talk down to the community audience with flippant comments like "if you like to stay here and downsize buy my condo" and "parking takes care of itself" and "shadows" and the odd tissue box analogy was insulting and unprofessional.

3) Presenter avoiding and unprepared to answer the real issues, such as parking, traffic, school zone overcrowding, school zone speed. Is John aware that since the boulevards have gone in there have been several car accidents right in front of the lot in the school zone.

4) Where is the timeline of events and milestones to the rezoning application and project plan? Did not see anything on that during the meeting just guesses.

5) Sign pollution - how many more traffic signs will be added? There is already too much signage.

6) Felkers Falls over populated already with cars parking all over the street every weekend, adding 1000 people and 400+ cars in the area won't help with this problem we are already experiencing.

7) Proximity of oversized building to the school and school yards. During the meeting there was no information on how the HWDSB feels about this as well as the attendees to those school. It was mentioned that the HWDSB has no issues, have they asked the families that will be attending this school?

8) Impact to the newly completed road redesign and replacement. Will the project cover all costs and the city assume no costs to any road rework? We just used tax money to fix this and although that experience was not good either it is completed.

9) What city commitments were provided to the project owners and consultants prior to spending capital on survey and geo studies etc? I ask this as there appears to be a lot that went on before the community knew anything about this. This type of process is not inclusive and goes against the morals we expect as tax payers. We are tax payers and deserve respect from our local government. Secretly informing only the minimum amount of people is not what we expect at all.

We expect better than the minimum.

10) Is this proposal going to be an anchor to rubber stamp future proposals in the areas. Feels like our community is about to be invaded with tower cranes. We don't want tall Buildings in this area that is why we choose to live hear.

11) The is no precedence for any tall building like this in this area or neighbouring areas. A three story building went in with no issues.

These are some but not all concerns as we work through catching up to the secrecy that has occurred.

We are opposed to this plan but realize some development has to happen and we as tax payers would like a solution fit for this community as that is what we expect from our planning department and councillors that we help fund.

Regards,

[REDACTED]  
[REDACTED]

**From:** [Morton, Devon](#)  
**To:** [David Barker](#)  
**Cc:** [Clark, Brad](#); [Fabac, Anita](#); [Robichaud, Steve](#); [Toman, Charlie](#); [Van Rooi, James](#)  
**Subject:** RE: Resident feedback re:Rezoning application - UHOPA-23-005 & ZAC-23-006  
**Date:** Wednesday, February 22, 2023 9:26:45 AM  
**Attachments:** [image001.png](#)

---

Hi [REDACTED]

No, we do not have a flow chart that details the dates and milestones of the application.

I can however refer you to the website below that details the rezoning process at a high level.

<https://www.ontario.ca/page/applying-changes-land-use>

<https://www.ontario.ca/document/citizens-guide-land-use-planning/zoning-bylaws>

I hope this helps.

If you need anything further, please contact Senior Planner, James van Rooi (cc'd).

Thank you,

**Devon M. Morton, MCIP, RPP** (he/him/his)  
Planner II (Rural Team)  
Development Planning  
Planning & Economic Development Department  
City of Hamilton, 71 Main St. W, 5<sup>th</sup> floor, L8P 4Y5  
Ph: (905) 546-2424 ext. 1384  
Email: [Devon.Morton@hamilton.ca](mailto:Devon.Morton@hamilton.ca)



---

**From:** [REDACTED]  
**Sent:** Tuesday, February 21, 2023 6:09 PM  
**To:** Morton, Devon <Devon.Morton@hamilton.ca>  
**Cc:** Clark, Brad <Brad.Clark@hamilton.ca>; Fabac, Anita <Anita.Fabac@hamilton.ca>; Robichaud, Steve <Steve.Robichaud@hamilton.ca>; Toman, Charlie <Charlie.Toman@hamilton.ca>; Van Rooi, James <James.VanRooi@hamilton.ca>  
**Subject:** Re: Resident feedback re:Rezoning application - UHOPA-23-005 & ZAC-23-006

Thank you Devon,

Is there an outline or flow chart to this application process with maybe some rough dates and milestones?

Thanks again,  
[REDACTED]

On Tue, Feb 21, 2023 at 12:08 PM Morton, Devon <[Devon.Morton@hamilton.ca](mailto:Devon.Morton@hamilton.ca)> wrote:

Good afternoon [REDACTED]

Thank you for your email and for providing comments on the application(s).

Your concerns have been noted and will be included in the staff report to Planning Committee (date to be determined).

Please note, no decision has been made at this time.

For your information, I will be transitioning into a new position within the corporation. As such, Senior Planner James van Rooi (cc'd) will be assuming carriage of this file moving forward. Please contact James (cc'd) should you need anything further.

Thank you,

**Devon M. Morton, MCIP, RPP** (he/him/his)  
Planner II (Rural Team)  
Development Planning  
Planning & Economic Development Department  
[City of Hamilton, 71 Main St. W](http://City of Hamilton, 71 Main St. W), 5<sup>th</sup> floor, L8P 4Y5  
Ph: (905) 546-2424 ext. 1384  
Email: [Devon.Morton@hamilton.ca](mailto:Devon.Morton@hamilton.ca)



**From:** [REDACTED]  
**Sent:** Sunday, February 19, 2023 10:54 PM  
**To:** Morton, Devon <[Devon.Morton@hamilton.ca](mailto:Devon.Morton@hamilton.ca)>; Clark, Brad <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)>  
**Subject:** Re: Resident feedback re:Rezoning application - UHOPA-23-005 & ZAC-23-006

Councillor Clark and Mr. Devon Morton ,

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The building should not exceed the height of the townhouses being proposed.

I would like to be included in all future communications regarding this matter. We as a community need to have full transparency and be treated as stake holders in this process.

Issue to date:

- 1) Lack of inclusiveness - why did the city do the bare minimum until the meeting was held to inform the community? As tax payers, when an oversized building is being proposed and the majority of the community is not informed the optics are very bad and it showed by the sentiment in the meeting.
- 2) Having the presenter talk down to the community audience with flippant comments like "if you like to stay here and downsize buy my condo" and "parking takes care of itself" and "shadows" and the odd tissue box analogy was insulting and unprofessional.
- 3) Presenter avoiding and unprepared to answer the real issues, such as parking, traffic, school zone overcrowding, school zone speed. Is John aware that since the boulevards have gone in there have been several car accidents right in front of the lot in the school zone.
- 4) Where is the timeline of events and milestones to the rezoning application and project plan? Did not see anything on that during the meeting just guesses.
- 5) Sign pollution - how many more traffic signs will be added? There is already too much signage.
- 6) Felkers Falls over populated already with cars parking all over the street every weekend, adding 1000 people and 400+ cars in the area won't help with this problem we are already

experiencing.

7) Proximity of oversized building to the school and school yards. During the meeting there was no information on how the HWDSB feels about this as well as the attendees to those school. It was mentioned that tje HWCDSB has no issues, have they asked the families that will be attending this school?

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10) Is this proposal going to be an anchor to rubber stamp future proposals in the areas. Feels like our community is about to be invaded with tower cranes. We don't want tall Buildings in this area that is why we choose to live hear.

11) The is no precedence for any tall building like this in this area or neighbouring areas. A three story building went in with no issues.

These are some but not all concerns as we work through catching up to the secrecy that has occurred.

We are opposed to this plan but realize some development has to happen and we as tax payers would like a solution fit for this community as that is what we expect from our planning department and councillors that we help fund.

Regards,

[REDACTED]  
[REDACTED]



From: [REDACTED]  
To: [Clark, Brad; Van Rooi, James; Tracy.Tucker@ibigroup.com](mailto:Clark_Brad; Van Rooi, James; Tracy.Tucker@ibigroup.com)  
Subject: Objection to File No. UHOPA-23-005 rezoning  
Date: Wednesday, March 1, 2023 11:44:47 AM

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Lack of sufficient parking needs to be addressed, the surrounding neighbourhood should not have to deal with this overflow. The developer rep. Stated "Parking will take care of itself" should not be considered an appropriate solution.

Traffic increase is a very large concern due to there only being two exits from this neighbourhood.

We already have traffic and parking problems with overflow on the streets due to people visiting Felker's Falls and Paramount park.

The developer rep. mentioned the Bruce trail as a means to ease traffic, although it enhances lifestyle I don't believe it should be counted on as an alternative to proper traffic control. Please reply with comments from the conservation on this matter.

The planner glossed over the storm sewer ,waste lines and water supply lines saying the engineers said it was ok.  
Was physical testing, line pressure drops and condition based inspections completed.  
In light of the recent sewer overflow issues the city has experienced and the new increased inspections required to determine proper connections this should be done prior to considering any zoning change.

Developers profit margin should not be the driving force behind this zoning change

Perhaps a high school, nursing home or retirement centre might be better suited for this development project without the need for a zoning change and would be more in line with this community's intended design.

We are very concerned about our property values moving forward. This is a beautiful neighbourhood and we would like to keep it safe as a community without over populated

While we appreciate the housing shortfalls, we do not believe that overcrowding this small area would be beneficial to anyone other than the developer. High density zoning should not be considered on this property.

In closing it became apparent that the developer was ready to go to the province to address this matter, this has left me feeling that this is an uphill battle and no matter what I or my neighbours do will change the outcome.

Our community should have a say.

Below is a copy of a letter authored by one of my neighbours. I hole heartedly endorse all statements made.

Objection to File No. UHOPA-23-005 regarding the proposed By-Law to change the land use designation from "Institutional" to "Neighbourhoods" in Schedule "E-

1” of the Urban Hamilton Official Plan and to change the land use designation from “Institutional” to “High Density Residential 1” in the West Mountain Area (Heritage Green) Secondary Plan.

Objection to File No. ZAC-23-006 regarding the rezoning of the subject lands from the Small Scale Institutional “IS” Zone to a modified Multiple Residential “RM3-XX” Zone

I strongly object to the above proposals for the following reasons:

1. **Unsatisfactory “Planning Justification Report” and “Urban Design Brief”**

The ‘Planning Justification Report’ is based extensively on the Provincial governments desire to increase the number of housing units.

This is only one consideration, and given the recent extensive expansion to the Urban boundary it should be near the bottom of the list of priorities to consider, especially when the new development is in the center of a mature, established community. There are so many opposing arguments that render this High-Density “urban” proposal completely unsatisfactory as it is in the middle of a Low-Density “suburban” community (neighbourhood character; Congestion; Traffic; Safety; Pollution; Infrastructure; Mental Health; etc). The High-Density rationale does not apply to our suburb as we are a commuter-based neighbourhood that relies heavily on the Redhill Expressway and Lincoln Alexander Parkway to commute to work.

Please see the attached Addendum for a long list of points that do not adhere to the:

- Planning Act
- Provincial Policy Statement 2020
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- Neighbourhoods Designation General Policies
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- Registered Professional Planners responsibility re “local needs of the community”

Furthermore, the ‘Urban Design Brief’ states that “the south boundary is defined by residential single dwellings screened by a densely planted landscape buffer” which is not true at all. The trees on the SW corner of the development are tall enough to provide privacy to a 3 level townhouse. However the other 3 houses in Canfield Court that back on to the South side of the lot offer no privacy to any structure over 2 stories. Nor is there any privacy for the homes on Paramount drive from the street facing Apartments and Stacked Townhouses. The townhouses will be looking directly into the bedrooms on Canfield Court and both the apartments and townhouses will be looking directly into the living rooms on Paramount Drive. In time, these

trees will one day die and/or be removed and then there would be absolutely no privacy for any of the existing residents mentioned above.

2. **High-Density zoning is completely unnecessary in this Community**

With the recent Urban Boundary expansion announced by the Provincial government there is absolutely no need to create a High Density development in a Low Density, mature neighbourhood. The High Density zoning does not fit with the existing character of the community, which is all Low Density. It is also in complete contradiction of section 3.3.1 which states that High Density housing is to be on the outskirts of the community, not on the interior which is exactly where it is being proposed.

3. **Recent Precedent for Ward 9 regarding zoning density**

Just 4 km away a new development was approved at 15 Ridgeview, which is in Ward 9 as is the proposed development at 1065 Paramount Drive. The property at 15 Ridgeview is 5 hectares and a total of 105 residential units (25 single family homes and 80 three-level townhouses) was submitted and approved. That is only 21 residential units per hectare of land.

Comparatively, the proposal for 1065 Paramount Drive is on a lot that is only 1.63 hectares but they are proposing 299 residential units. The proposed density is **187** residential units per hectare of land. The present by-law states a maximum 40 residents per hectare.

In regard to the 15 Ridgeview development, The Hamilton Spectator reported that Jeff Beattie (Stoney Creek councilor) said that the proposed development will be similar to the existing housing blocks that have already been built. In other words, they were very cognizant of the existing community and made every effort to ensure the new development fit in.

The closest elementary school to the 15 Ridgeview development is Eastdale which is 6 km away from it whereas the High-Density proposal for 1065 Paramount Drive is within meters of both Billy Green and St. Paulelementary schools. The safety of children making their way to both schools cannot be measured, however it is painfully obvious that having a High Density development with upwards of 600 new cars in the area coming and going during morning and afternoon rush periods will only increase the risk of traffic accidents and injuries.

4. **Job Markets not easily accessible via public transit from this area**

The argument provided by the planner that there is public transit right on Paramount drive which will help newcomers commute to work and will reduce

the number of residents owning vehicles is not valid for this community as it is basically a suburb to Hamilton. Anyone who lives and commutes in this area knows that a bus ride to most work areas is a very lengthy, time consuming journey. A bus to downtown Hamilton takes an hour easily. This community is not close to any major job markets, most people commute. In fact many new people entering the community are probably from out of town and will certainly be driving, creating more congestion and air pollution than is necessary. This High-Density plan is inappropriate for a suburb such as ours and lends itself more to downtown where residents do in fact walk, ride or take public transit to work.

5. **Traffic considerations to include the impact on the Red Hill Valley Expressway and the Lincoln Alexander Expressway**

The fact is there will be more traffic. Anyone who lives in this area knows that the Red Hill Valley Parkway and the Lincoln Alexander Parkway are already stop and go every morning and afternoon. We know that the planners comment "Traffic will take care of itself" is simply not true for this area as evidenced by years of backlog on the Redhill/Linc. Adding approximately 300 more cars to the morning and evening commute is definitely going to compound this problem and traffic will only get worse.

6. **Insufficient Parking**

The Planner's goal of not providing enough parking spots in the hopes of attracting residents without cars is not realistic for this community because as previously stated it is a suburb in which most people commute to and from work. Most residents in this area have at least 2 cars per household, townhouses included. This is because there are very few employers in the area and the vast majority of workers have to commute. Using the HSR is a last resort because it takes forever to get anywhere and the routes are extremely limited to and from this community. The proposal allows for 369 parking spaces for 299 units instead of 558 that is presently required in our by-laws. The over-flow of parking will obviously spill over to Billy Green's parking lot; the strip plaza parking lot; and neighbourhood side streets. Parking on the side streets is already a daily drama so adding all these extra cars will only increase local residents' anxiety and create so much congestion that snow plows and traffic will be an ongoing problem. Also, there are an unacceptable number of Physically Challenged Parking spots of only 6 instead of 37 as required (1%). Again, this High-Density plan is inappropriate for a suburb such as ours and lends itself more to downtown where residents are more apt to not own cars and walk/ride/transit.

7. **No regard for the Character of our existing community or the mental**

### **health of existing residents**

This high-density proposal in no way considers the character or desires of the local community. There is nothing like this in all of Stoney Creek. To take the last plot of land in the center of a very mature neighbourhood and change the whole complexion of it is extremely disrespectful to the existing community. Absolutely no regard has been shown for the lifelong investment residents have made to live and retire here. Not to mention the **mental health issues** this is creating in our community. I know for a fact that there are a LOT of residents who are quite outraged about this. The stress and anxiety this is creating is completely unnecessary. *The fact that this is listed as a major consideration for both Registered Professional Planners and as a ByLaw consideration but is not being addressed is cause for great concern*

In conclusion, I respectfully ask the Planning Committee to reject this proposal in its entirety and start from scratch, with community involvement.

Thank you for your time and consideration.

## **Addendum to Objection Letter**

### **6.1 Urban Design Brief**

*The height of these buildings provides a comfortable transition between higher building masses and the surrounding neighbourhood character*

This is not true as the transition between a 3 storey **stacked** townhouse and a single family home is not a "comfortable" transition at all.

### **7.1 Planning Act**

#### **Planning Comment:**

"The proposed layout will ensure compatibility with neighbouring land uses, by placing the lower-density three-storey stacked townhouses on the southern portion of the subject lands, adjacent to the existing single detached dwellings along Canfield Court"

This is not true as the proposal is completely incompatible with the existing community and especially the dwellings along Canfield Court and Paramount Drive.

## 7.2 Provincial Policy Statement

### Policy 1.1.1 f)

This proposal does **NOT** improve accessibility for persons with disabilities and older persons because there are not nearly enough Physically Challenged Parking spots available (6 proposed 37 required)

Policy 1.1.2 is inadmissible as it is based on intensification targets "which shall be established through a **future** Amendment to the UHOP

### Policy 1.1.3.4

#### **Planning Comment:**

The surrounding neighbourhood is comprised of primarily single detached residential dwellings and block townhouses. The abutting built form is predominantly single detached residential and open space/institutional, which makes the location of the proposed three-storey stacked townhouse units and eight-storey apartment building appropriate

This is not true either as it is extremely inappropriate to put these buildings in the center of a mature neighbourhood, which goes directly against section Policy number 3.3.1 which states that **high density development should be on the outskirts of a community**. Also, putting 3 storey "stacked" townhouses adjacent to single family homes is completely unacceptable.

### Policy 1.4.3 b) 1.

This proposal does **NOT** meet the social, health, economic and well-being requirements of current and future residents! The property values will be greatly reduced for current residents; the Mental Health of current residents is already being adversely affected; an insufficient number of physically challenged parking spots will seriously impact future residents, especially as they are targeting seniors to retire there.

### Policy 1.6.6

I have not seen any studies to support the claims that the existing sewage and water services can accommodate this proposal. From what

I understand these studies have not yet been done.

**Policy 1.6.7.4**

Again, being a commuter-based community driving is essential. This proposal will **NOT** minimize the length and number of vehicle trips in this community.

**Policy 1.8.1**

The significant increase of vehicles in such a small area will increase air pollution. Also, this proposal is in a commuter's neighbourhood and will not reduce motor vehicle trips and congestion but increase them both.

**7.4 Urban Hamilton Official Plan (UHOP)**

**Policy 2.4.1.4**

**Planning Comment:**

It represents a form of intensification, which is compatible in terms of scale and built form with the surrounding neighbourhood, by placing the lower-density three-storey stacked townhouses on the southern portion of the subject lands, adjacent to the existing single detached dwellings along Canfield Court.

This is **NOT** true as the proposal is not compatible with the surrounding neighbourhood in the least. There is nothing in this neighbourhood that resembles this proposal at all. The skyline and character of the neighbourhood will be ruined forever.

This proposal is not a compatible integration with the surrounding area!

**Planning Comment:**

It is not anticipated to adversely impact the existing transportation network

This is obviously not true. Any increase in traffic will adversely impact any area.

**Planning Comment:**

The proposed development will make more efficient use of the local road than existing conditions.

This too is not true as Paramount Drive is the only road in and out of the subdivision. Adding another 300 – 600 cars will definitely reduce its efficiency

**Policy 2.4.2.2**

**Planning Comment:**

The proposed development is a respectful form of residential intensification, as it will not result in shadowing, overlook, noise, lighting or traffic concerns. The layout will ensure compatibility with adjacent land uses,

Judging by the residents overwhelming outrage at the February 16 meeting this proposal is anything but 'respectful' with regard to both residents or compatibility. It is not compatible with adjacent land uses nor the height, massing or scale of nearby residential buildings (single family homes). The shadows created over Billy Green Elementary school will block out sunlight until mid-day. Furthermore, there are no 'amenity' provisions at all.

**Policy 3.3.2.3: Urban design should foster a sense of community pride**

**Not one of the 7 principals listed below were satisfied:**

- a) Respecting existing character – Not at all
- b) Consistent with locale and surrounding environment – Not at all
- c) Recognizing and protecting the cultural history - No
- d) Conserving and respecting the existing build heritage features - No
- e) Conserving, maintain, and enhancing the features of its communities - No
- f) Demonstrating sensitivity toward community identity– Not at all
- g) Contributing to the character and ambiance of the community - No

**Planning Comments:**

The proposed development respects the existing community character, by proposing a compatible building layout with appropriate provisions,

The proposed frontage along Paramount Drive contributes to the character of the streetscape, as the four stacked townhouse blocks will be aligned with the existing street to form a consistent street



wall.

Neither of these statements are true. This proposal has totally disrespected our community and the stacked townhouses are not in alignment with the existing street. The style and height of single family homes and townhouses that are already on Paramount Drive would be aligned properly, not stacked townhouses and an 8 storey apartment building.

**Policy 3.3.2.4: Quality Spaces**

**Planning Comment:**

The siting of the stacked townhouse blocks and apartment building is logical and fits within the existing neighbourhood context

This is False as it does NOT fit within the existing neighbourhood context

**Policy 3.3.2.6: New development and redevelopment should enhance the character of the existing environment**

Not one of the 4 sub-sections were satisfied

This is False as it does NOT enhance the character of the existing environment. In reality it will become an eyesore and will deter from the character of the existing environment destroying the skyline of the entire neighbourhood.

**Policy 3.3.2.8 Urban design should promote the reduction of greenhouse emissions, ability to adapt to the impacts of a changing climate now and in the future, and protect and enhance the natural urban environment**

This is false. Nothing in this proposal will reduce greenhouse emissions or protect/enhance the natural urban environment. Fewer residential units and more green space will protect and enhance the natural urban environment.

**Policy 3.3.2.9 Urban design plays a significant role in the physical and mental health of our citizens.**

Again, not one sub-section has been satisfied (high quality, safe streetscapes; no development of places for active and passive recreation; no variety of land uses; increased air, noise, and water

pollution)

This may be the single biggest concern that is being overlooked. The mere proposal in itself has caused such intense stress and anxiety in the community. The **mental health** of our citizens is obviously not a concern of the developer but we as a society depend on our City officials/planners to act in our best interest. Presently the mental health of this community is on a steep decline and will get progressively worse with developments like this.

**Policy 3.3.3.1**

**Planning Comment:** As previously discussed, the proposed development has been designed to fit within the surrounding neighbourhoods, in terms of scale, and ensuring adequate privacy and sunlight to neighbouring properties. It will be compatible with the surrounding low-density context,

This is not true because in no way does this development fit within the surrounding neighbourhood.

**Policy 4.5.8.4**

The proposed development will make more efficient use of the Collector Road, by increasing residential density on the subject lands, without hindering the current traffic flow.

This is false. More cars will undoubtedly hinder the current traffic flow. In fact, traffic flow will be at a stand--still in the morning and afternoon when school starts and ends.

**Policy 5.3 Lake –Based Municipal Water and Wastewater Systems**

Again, I have not seen any studies to support the claim that existing systems can accommodate a development of this size. I find it hard to believe that 40+ years after planning a community that the existing infrastructure could accommodate another 299 units on such a small piece of land. Surely the planners never anticipated this happening that long ago.

**Chapter E – Urban Systems and Designations**

**Subsection 2.6 Neighbourhoods**

### **Scale Policy 2.6.7**

*Neighbourhoods shall generally be regarded as physically stable areas with each neighbourhood having a unique scale and character. Changes compatible with the existing character or function of the neighbourhood shall be permitted.*

**Planning Comment:** The proposed development is compatible with the existing character of the neighbourhood, as a functional layout of differing typologies has been created to ensure that there are significant adverse impacts on any adjoining lands.

This is not true. It does NOT fit with the existing character of the neighbourhood and it will have a significant impact on adjoining lands, specifically residents of Canfield Court, Paramount Drive and both elementary schools.

### **Scale and Design - Policy 3.2.4**

*The existing character of established neighbourhoods designated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood.*

This proposal does not satisfy this policy at all. In fact the complete opposite is true --- the existing character is NOT maintained and intensification is NOT compatible with the existing residential neighbourhood

### **Policy 3.3.1**

*Lower Density residential uses and building forms shall generally be located in the interiors of neighbourhood areas with higher density dwelling forms and supporting uses located on the periphery.*

This proposal is for the exact opposite of 3.3.1. The proposed High-Density development is right in the middle of the Low-Density neighbourhood.

**Policy 3.3.2**

*Development or redevelopment adjacent to areas of lower density shall ensure the height, massing, and arrangement of buildings and structures are compatible with existing and future uses in the surrounding area.*

This proposed development is not at all compatible with the existing areas of lower density with regard to height, massing and arrangement of buildings.

**Policy 3.6.1**

*High Density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods.*

Again, this high-density proposal is NOT on the periphery but right in the center of the mature, low density neighbourhood

**Policy 3.6.8 d)**

This item is also not adhered to as the proposal has inadequate parking, amenity features and is not compatible with existing residential heights. Furthermore it will cast shadows on Billy Green Elementary school for at least 50% of the school day.

**Neighbourhoods Designation – High Density Residential Design Policy 3.6.8**

**Planning Comment:** The proposed development is a respectful form of residential intensification, as it will not result in shadowing, or overlook concerns

This is not true! Residents on Canfield Court and Paramount Drive will have residents in the Stacked Townhouses and apartment looking directly in their bedrooms and living rooms, respectively.

**Appendix E Highlights the Significant short-comings of the proposal**

Physically Challenged Parking Spots:	1% required =	
37	Proposed 6	
Minimum Number of Parking Spaces:	558	
required	Proposed 369	
Minimum Front Yard	7.5m required	Proposed 3.25m

Minimum Side Yard	6.0m required	Proposed 3.0m
Maximum Density	40 units/Ha	Proposed 187
Minimum Landscape Open Space	50%	Proposed 30%
RM3 Zone: Stacked townhouses	Notpermitted	

**Policy 6.2.6**

**Planning Comment:** While the Institutional Designation allows for low-density residential uses, an amendment is required for the proposed development as it does not allow high-density residential uses.

One of the main reasons everyone in this neighbourhood chose to live here is because it wasnot zoned high-density. Obviously the City Planners had a very good reason not to zone it High Density, mainly because it is a suburb. To suddenly decide after 40+ years that the zoning should be changed to high-density simply to accommodate a developer is outrageous and nothing short of criminal to the existing community.

If we wanted to live downtown or in Toronto we would have moved there.

**9 School and City Recreation Facility and Outdoor Recreation/ Parks Issues Assessment**

As noted throughout this report, the subject lands directly abut Billy Green Elementary School to the north and St. Paul Catholic Elementary School to the south-west. The development of the subject lands will be compatible with the surrounding institutional uses, as it does not create significant shadow impacts upon the schools

This is completely false. The 8 story apartment will completely block out any sunshine that Billy Green’s kindergarten classrooms/playground presently enjoy. Furthermore, the apartments will be looking directly into the classroom windows of Billy Green school all day long.

**11 Planning Justification**

Registered Professional Planners (“Planners”) have a responsibility to acknowledge the interrelated nature of planning decisions and the consequences for natural and human environments, and the broader public interest. The public interest reflects a balance between the local needs of the community with the interests of stakeholders. In order to determine whether the proposed development is within the public interest

Both the Councillor and the Planner stated that they have never had as many people at a public meeting in their entire careers as were present at the February 16, 2023 meeting. This in itself tells the whole story.

The unanimous outrage and opposition displayed at the meeting cannot be simply disregarded. If the above Professional Planners code of ethics is to be respected at all then based on this meeting alone the existing High-Density plan needs to be thrown out and a new Low-Density plan submitted, hopefully one that has community involvement and fits the character of the neighbourhood.

### **11.1 Environment**

The proposed development will provide residential density in close proximity to commercial and institutional uses and allow residents to live, work and play within the same neighbourhood, thus being active transportation supportive

This is not true as very few residents work in this neighbourhood. There are no employers of any size near this community.

The proposed development will capitalize on the advantage and provide reduced parking ratios to encourage an increase in transit usage. Overall, by promoting transit and active transportation, it decreases the need for automobile travel and greenhouse gas emissions, which contributes to a higher energy consumption and declining air quality.

In reality, this High-Density development will accomplish the complete opposite of what is stated in section 11.1

Once again, this proposal is more fitting to downtown and not a suburb like 1065 Paramount Drive. Residents living here generally need a car. This might be the case in places like downtown where it is easy to ride a bike or take a bus to work. This concept is not applicable to a suburban community that depends on driving and having an adequate traffic infrastructure, which this proposal will certainly affect in an adverse manner.

### **12 Conclusions and Recommendations**

I would argue that it does NOT maintain the intent of the Urban

Hamilton Official Plan and West Mountain Area Secondary Plan. Sure it may satisfy one such factor, to build more units, but I'm certain the original intent was much more inclusive than that: Fitting in with the Character of the existing neighbourhood; Acceptance by the existing neighbourhood; not creating traffic and parking chaos in an existing neighbourhood; not creating buildings high enough to invade upon the privacy of existing residents.

I also highly doubt that the Former City of Stoney Creek Zoning By-Law would have intended a development such as this. In fact I would argue that the Former City Planners would have shut this down immediately.

It definitely is NOT compatible with the surrounding build form.

It definitely does not represent good planning that is in the public interest. It is only in the developers best interest, not the communities.

Page | 4

Sent from my iPhone

**From:** [REDACTED]  
**To:** [Van Rooi, James](mailto:James.VanRooi@hamilton.ca)  
**Subject:** Re: Objection to File No. UHOPA-23-005 rezoning  
**Date:** Wednesday, March 1, 2023 6:35:55 PM

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Sent from my iPhone

On Mar 1, 2023, at 4:14 PM, Van Rooi, James <[James.VanRooi@hamilton.ca](mailto:James.VanRooi@hamilton.ca)> wrote:

Afternoon [REDACTED], thank you for your comments and a copy of the letter.

This email is to confirm that your comments regarding planning applications UHOPA-23-005 & ZAC-23-006 have been received.

Your comments will be included and discussed in our staff report presented to the Planning Committee as part of the required public hearing. Please note, that at this time a public hearing has not been scheduled for Planning Committee. When we do have a Planning Committee date, you will be notified and will receive a copy of the staff report in advance.

I kindly request that you provide me your mailing address so that I may forward future staff reports and information regarding this development.

Thank you.

James Van Rooi, *MCIP, RPP*  
Senior Planner (Rural Team)

Development Planning,  
Planning & Economic Development Department  
City of Hamilton  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton ON L8P 4Y5  
p. 905.546.2424 ext. 4283  
f. 905.546.4202  
e. [James.VanRooi@hamilton.ca](mailto:James.VanRooi@hamilton.ca)



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**From:** [REDACTED]  
**Sent:** Wednesday, March 1, 2023 11:43 AM  
**To:** Clark, Brad <Brad.Clark@hamilton.ca>; Van Rooi, James <James.VanRooi@hamilton.ca>; Tracy.Tucker@ibigroup.com  
**Subject:** Objection to File No. UHOPA-23-005 rezoning

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The argument provided by the planner that there is public transit right on Paramount drive which will help newcomers commute to work and will reduce the number of residents owning vehicles is not valid for this community as it is basically a suburb to Hamilton. Anyone who lives and commutes in this area knows that a bus ride to most work areas is a very lengthy, time consuming journey. A bus to downtown Hamilton takes an hour easily. This

community is not close to any major job markets, most people commute. In fact many new people entering the community are probably from out of town and will certainly be driving, creating more congestion and air pollution than is necessary. This High-Density plan is inappropriate for a suburb such as ours and lends itself more to downtown where residents do in fact walk, ride or take public transit to work.

5. **Traffic considerations to include the impact on the Red Hill Valley Expressway and the Lincoln Alexander Expressway**

The fact is there will be more traffic. Anyone who lives in this area knows that the Red Hill Valley Parkway and the Lincoln Alexander Parkway are already stop and go every morning and afternoon. We know that the planners comment "Traffic will take care of itself" is simply not true for this area as evidenced by years of backlog on the Redhill/Linc. Adding approximately 300 more cars to the morning and evening commute is definitely going to compound this problem and traffic will only get worse.

6. **Insufficient Parking**

The Planner's goal of not providing enough parking spots in the hopes of attracting residents without cars is not realistic for this community because as previously stated it is a suburb in which most people commute to and from work. Most residents in this area have at least 2 cars per household, townhouses included. This is because there are very few employers in the area and the vast majority of workers have to commute. Using the HSR is a last resort because it takes forever to get anywhere and the routes are extremely limited to and from this community. The proposal allows for 369 parking spaces for 299 units instead of 558 that is presently required in our by-laws. The over-flow of parking will obviously spill over to Billy Green's parking lot; the strip plaza parking lot; and neighbourhood side streets. Parking on the side streets is already a daily drama so adding all these extra cars will only increase local residents' anxiety and create so much congestion that snow plows and traffic will be an ongoing problem. Also, there are an unacceptable number of Physically Challenged Parking spots of only 6 instead of 37 as required (1%). Again, this High-Density

plan is inappropriate for a suburb such as ours and lends itself more to downtown where residents are more apt to not own cars and walk/ride/transit.

7. **No regard for the Character of our existing community or the mental health of existing residents**

This high-density proposal in no way considers the character or desires of the local community. There is nothing like this in all of Stoney Creek. To take the last plot of land in the center of a very mature neighbourhood and change the whole complexion of it is extremely disrespectful to the existing community. Absolutely no regard has been shown for the lifelong investment residents have made to live and retire here. Not to mention the **mental health issues** this is creating in our community. I know for a fact that there are a LOT of residents who are quite outraged about this. The stress and anxiety this is creating is completely unnecessary. ***The fact that this is listed as a major consideration for both Registered Professional Planners and as a ByLaw consideration but is not being addressed is cause for great concern***

In conclusion, I respectfully ask the Planning Committee to reject this proposal in its entirety and start from scratch, with community involvement.

Thank you for your time and consideration.

## **Addendum to Objection Letter**

### **6.1 Urban Design Brief**

*The height of these buildings provides a comfortable transition between higher building masses and the surrounding neighbourhood character*

This is not true as the transition between a 3 storey **stacked** townhouse and a single family home is not a “comfortable” transition at all.

## **7.1 Planning Act**

### **Planning Comment:**

“The proposed layout will ensure compatibility with neighbouring land uses, by placing the lower-density three-storey stacked townhouses on the southern portion of the subject lands, adjacent to the existing single detached dwellings along Canfield Court”

This is not true as the proposal is completely incompatible with the existing community and especially the dwellings along Canfield Court and Paramount Drive.

## **7.2 Provincial Policy Statement**

### **Policy 1.1.1 f)**

This proposal does **NOT** improve accessibility for persons with disabilities and older persons because there are not nearly enough Physically Challenged Parking spots available (6 proposed 37 required)

**Policy 1.1.2** is inadmissible as it is based on intensification targets “which shall be established through a **future** Amendment to the UHOP

### **Policy 1.1.3.4**

### **Planning Comment:**

The surrounding neighbourhood is comprised of primarily single detached residential dwellings and block townhouses. The abutting built form is predominantly single detached residential and open space/institutional, which makes the location of the proposed three-storey stacked townhouse units and eight-storey apartment building appropriate

This is not true either as it is extremely inappropriate to put these buildings in the center of a mature neighbourhood, which goes directly against section Policy number 3.3.1 which states that **high density development should be on the outskirts of a community**. Also, putting 3 storey "stacked" townhouses adjacent to single family homes is completely unacceptable.

### **Policy 1.4.3 b) 1.**

This proposal does **NOT** meet the social, health, economic and well-being requirements of current and future residents! The property values will be greatly reduced for current residents; the Mental Health of current residents is already being adversely affected; an insufficient number of physically challenged parking spots will seriously impact future residents, especially as they are targeting seniors to retire there.

### **Policy 1.6.6**

I have not seen any studies to support the claims that the existing sewage and water services can accommodate this



proposal. From what I understand these studies have not yet been done.

#### **Policy 1.6.7.4**

Again, being a commuter-based community driving is essential. This proposal will **NOT** minimize the length and number of vehicle trips in this community.

#### **Policy 1.8.1**

The significant increase of vehicles in such a small area will increase air pollution. Also, this proposal is in a commuter's neighbourhood and will not reduce motor vehicle trips and congestion but increase them both.

### **7.4 Urban Hamilton Official Plan (UHOP)**

#### **Policy 2.4.1.4**

##### **Planning Comment:**

It represents a form of intensification, which is compatible in terms of scale and built form with the surrounding neighbourhood, by placing the lower-density three-storey stacked townhouses on the southern portion of the subject lands, adjacent to the existing single detached dwellings along Canfield Court.

This is **NOT** true as the proposal is not compatible with the surrounding neighbourhood in the least. There is nothing in this neighbourhood that resembles this proposal at all. The skyline and character of the neighbourhood will be ruined forever.

This proposal is not a compatible integration with the surrounding area!

**Planning Comment:**

It is not anticipated to adversely impact the existing transportation network

This is obviously not true. Any increase in traffic will adversely impact any area.

**Planning Comment:**

The proposed development will make more efficient use of the local road than existing conditions.

This too is not true as Paramount Drive is the only road in and out of the subdivision. Adding another 300 – 600 cars will definitely reduce its efficiency

**Policy 2.4.2.2**

**Planning Comment:**

The proposed development is a respectful form of residential intensification, as it will not result in shadowing, overlook, noise, lighting or traffic concerns. The layout will ensure compatibility with adjacent land uses,

Judging by the residents overwhelming outrage at the February 16 meeting this proposal is anything but 'respectful' with regard to both residents or compatibility. It is not compatible with adjacent land uses nor the height, massing or scale of nearby residential buildings (single family homes). The shadows created over Billy Green Elementary school will block out sunlight until mid-day. Furthermore, there are no 'amenity' provisions at all.

**Policy 3.3.2.3: Urban design should foster a sense of community pride**

**Not one of the 7 principals listed below were satisfied:**

- a) Respecting existing character – Not at all
- b) Consistent with locale and surrounding environment – Not at all
- c) Recognizing and protecting the cultural history - No
- d) Conserving and respecting the existing build heritage features - No
- e) Conserving, maintain, and enhancing the features of its communities - No
- f) Demonstrating sensitivity toward community identity– Not at all
- g) Contributing to the character and ambiance of the community - No

**Planning Comments:**

The proposed development respects the existing community character, by proposing a compatible building layout with appropriate provisions,

The proposed frontage along Paramount Drive contributes to the character of the streetscape, as the four stacked townhouse blocks will be aligned with the existing street to form a consistent street wall.

Neither of these statements are true. This proposal has totally disrespected our community and the stacked townhouses are not in alignment with the existing street. The style and height

of single family homes and townhouses that are already on Paramount Drive would be aligned properly, not stacked townhouses and an 8 storey apartment building.

**Policy 3.3.2.4: Quality Spaces**

**Planning Comment:**

The siting of the stacked townhouse blocks and apartment building is logical and fits within the existing neighbourhood context

This is False as it does NOT fit within the existing neighbourhood context

**Policy 3.3.2.6: New development and redevelopment should enhance the character of the existing environment**

Not one of the 4 sub-sections were satisfied

This is False as it does NOT enhance the character of the existing environment. In reality it will become an eyesore and will deter from the character of the existing environment destroying the skyline of the entire neighbourhood.

**Policy 3.3.2.8 Urban design should promote the reduction of greenhouse emissions, ability to adapt to the impacts of a changing climate now and in the**

**future, and protect and enhance the natural urban environment**

This is false. Nothing in this proposal will reduce greenhouse emissions or protect/enhance the natural urban environment. Fewer residential units and more green space will protect and enhance the natural urban environment.

**Policy 3.3.2.9 Urban design plays a significant role in the physical and mental health of our citizens.**

Again, not one sub-section has been satisfied (high quality, safe streetscapes; no development of places for active and passive recreation; no variety of land uses; increased air, noise, and water pollution)

This may be the single biggest concern that is being overlooked. The mere proposal in itself has caused such intense stress and anxiety in the community. The **mental health** of our citizens is obviously not a concern of the developer but we as a society depend on our City officials/planners to act in our best interest. Presently the mental health of this community is on a steep decline and will get progressively worse with developments like this.

**Policy 3.3.3.1**

**Planning Comment:** As previously discussed, the proposed development has been designed to fit within the surrounding neighbourhoods, in terms of scale, and ensuring adequate privacy and sunlight to neighbouring properties. It will be compatible with the surrounding low-density context,

This is not true because in no way does this development fit within the surrounding neighbourhood.

**Policy 4.5.8.4**

The proposed development will make more efficient use of the Collector Road, by increasing residential density on the subject lands, without hindering the current traffic flow.

This is false. More cars will undoubtedly hinder the current traffic flow. In fact, traffic flow will be at a stand--still in the morning and afternoon when school starts and ends.

### **Policy 5.3 Lake –Based Municipal Water and Wastewater Systems**

Again, I have not seen any studies to support the claim that existing systems can accommodate a development of this size. I find it hard to believe that 40+ years after planning a community that the existing infrastructure could accommodate another 299 units on such a small piece of land. Surely the planners never anticipated this happening that long ago.

## **Chapter E – Urban Systems and Designations**

### **Subsection 2.6 Neighbourhoods**

#### **Scale Policy 2.6.7**

*Neighbourhoods shall generally be regarded as physically stable areas with each neighbourhood having a unique scale*

*and character. Changes compatible with the existing character or function of the neighbourhood shall be permitted.*

**Planning Comment:** The proposed development is compatible with the existing character of the neighbourhood, as a functional layout of differing typologies has been created to ensure that there are significant adverse impacts on any adjoining lands.

This is not true. It does NOT fit with the existing character of the neighbourhood and it will have a significant impact on adjoining lands, specifically residents of Canfield Court, Paramount Drive and both elementary schools.

#### **Scale and Design - Policy 3.2.4**

*The existing character of established neighbourhoodsdesignated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood.*

This proposal does not satisfy this policy at all. In fact the complete opposite is true --- the existing character is NOT maintained and intensification is NOTcompatible with the

existing residential neighbourhood

**Policy 3.3.1**

*Lower Density residential uses and building forms shall generally be located in the interiors of neighbourhood areas with higher density dwelling forms and supporting uses located on the periphery.*

This proposal is for the exact opposite of 3.3.1. The proposed High-Density development is right in the middle of the Low-Density neighbourhood.

**Policy 3.3.2**

*Development or redevelopment adjacent to areas of lower density shall ensure the height, massing, and arrangement of buildings and structures are compatible with existing and future uses in the surrounding area.*

This proposed development is not at all compatible with the existing areas of lower density with regard to height, massing and arrangement of buildings.

**Policy 3.6.1**

*High Density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods.*

Again, this high-density proposal is NOT on the periphery but right in the center of the mature, low density neighbourhood

**Policy 3.6.8 d)**



This item is also not adhered to as the proposal has inadequate parking, amenity features and is not compatible with existing residential heights. Furthermore it will cast shadows on Billy Green Elementary school for at least 50% of the school day.

## **Neighbourhoods Designation – High Density Residential**

### **DesignPolicy 3.6.8**

**Planning Comment:** The proposed development is a respectful form of residential intensification, as it will not result in shadowing, or overlook concerns

This is not true! Residents on Canfield Court and Paramount Drive will have residents in the Stacked Townhouses and apartment looking directly in their bedrooms and living rooms, respectively.

### **Appendix E Highlights the Significant short-comings of the proposal**

Physically Challenged Parking Spots:1% required = 37  
Proposed 6

Minimum Number of Parking Spaces:558 required  
Proposed 369

Minimum Front Yard7.5m required  
Proposed 3.25m

Minimum Side Yard6.0m required  
Proposed 3.0m

Maximum Density40 units/Ha  
Proposed 187

Minimum Landscape Open Space50%  
Proposed 30%

RM3 Zone: Stacked townhouses  
Notpermitted

### **Policy 6.2.6**

**Planning Comment:** While the Institutional Designation allows for low-density residential uses, an amendment is required for the proposed development as it does not allow high-density residential uses.

One of the main reasons everyone in this neighbourhood chose to live here is because it was not zoned high-density. Obviously the City Planners had a very good reason not to zone it High Density, mainly because it is a suburb. To suddenly decide after 40+ years that the zoning should be changed to high-density simply to accommodate a developer is outrageous and nothing short of criminal to the existing community.

If we wanted to live downtown or in Toronto we would have moved there.

### **9 School and City Recreation Facility and Outdoor Recreation/ Parks Issues Assessment**

As noted throughout this report, the subject lands directly abut Billy Green Elementary School to the north and St. Paul Catholic Elementary School to the south-west. The development of the subject lands will be compatible with the surrounding institutional uses, as it does not create significant shadow impacts upon the schools

This is completely false. The 8 story apartment will completely block out any sunshine that Billy Green's kindergarten classrooms/playground presently enjoy. Furthermore, the apartments will be looking directly into the classroom windows of Billy Green school all day long.

### **11 Planning Justification**

Registered Professional Planners ("Planners") have a responsibility to acknowledge the interrelated nature of planning decisions and the consequences for natural and human environments, and the broader public interest.

The public interest reflects a balance between the local needs of the community with the interests of stakeholders. In order to determine whether the proposed development is within the public interest

Both the Councillor and the Planner stated that they have never had as many people at a public meeting in their entire careers as were present at the February 16, 2023 meeting. This in itself tells the whole story.

The unanimous outrage and opposition displayed at the meeting cannot be simply disregarded. If the above Professional Planners code of ethics is to be respected at all then based on this meeting alone the existing High-Density plan needs to be thrown out and a new Low-Density plan submitted, hopefully one that has community involvement and fits the character of the neighbourhood.

### **11.1 Environment**

The proposed development will provide residential density in close proximity to commercial and institutional uses and allow residents to live, work and play within the same neighbourhood, thus being active transportation supportive

This is not true as very few residents work in this neighbourhood.

There are no employers of any size near this community.

The proposed development will capitalize on the advantage and provide reduced parking ratios to

encourage an increase in transit usage. Overall, by promoting transit and active transportation, it decreases the need for automobile travel and greenhouse gas emissions, which contributes to a higher energy consumption and declining air quality.

In reality, this High-Density development will accomplish the complete opposite of what is stated in section 11.1

Once again, this proposal is more fitting to downtown and not a suburb like 1065 Paramount Drive. Residents living here generally need a car. This might be the case in places like downtown where it is easy to ride a bike or take a bus to work. This concept is not applicable to a suburban community that depends on driving and having an adequate traffic infrastructure, which this proposal will certainly affect in an adverse manner.

## **12 Conclusions and Recommendations**

I would argue that it does NOT maintain the intent of the Urban Hamilton Official Plan and West Mountain Area Secondary Plan. Sure it may satisfy one such factor, to build more units, but I'm certain the original intent was much more inclusive than that: Fitting in with the Character of the existing neighbourhood; Acceptance by the existing neighbourhood; not creating traffic and parking chaos in an existing neighbourhood; not creating buildings high enough to invade upon the privacy of existing residents.

I also highly doubt that the Former City of Stoney Creek Zoning By-Law would have intended a development such as this. In fact I would argue that the Former City Planners would have shut this down immediately.

It definitely is NOT compatible with the surrounding build form.

It definitely does not represent good planning that is in the public interest. It is only in the developers best interest, not the communities.

Page | 4

Sent from my iPhone

**From:** [REDACTED]  
**To:** [Clark, Brad](#); [Van Rooi, James](#); [Tracy.Tucker@ibigroup.com](mailto:Tracy.Tucker@ibigroup.com); [Office of the Mayor](#)  
**Subject:** FW: Against Proposed Urban Development on Paramount Drive in Stoney Creek  
**Date:** Friday, March 3, 2023 7:46:12 PM

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March 2, 2023

Objection to File No. UHOPA-23-005 regarding the proposed By-Law to change the land use designation from "Institutional" to "Neighbourhoods" in Schedule "E-1" of the Urban Hamilton Official Plan and to change the land use designation from "Institutional" to "High Density Residential 1" in the West Mountain Area (Heritage Green) Secondary Plan.

Objection to File No. ZAC-23-006 regarding the rezoning of the subject lands from the Small Scale Institutional "IS" Zone to a modified Multiple Residential "RM3-XX" Zone

I strongly object to the above proposals for the following reasons:

**1. Unsatisfactory "Planning Justification Report" and "Urban Design Brief"**

The 'Planning Justification Report' is based extensively on the Provincial governments desire to increase the number of housing units.

This is only one consideration, and given the recent extensive expansion to the Urban boundary it should be near the bottom of the list of priorities to consider, especially when the new development is in the center of a mature, established community. There are so many opposing arguments that render this High-Density "urban" proposal completely unsatisfactory as it is in the middle of a Low-Density "suburban" community (neighbourhood character; Congestion; Traffic; Safety; Pollution; Infrastructure; Mental Health; etc). The High-Density rationale does not apply to our suburb as we are a commuter-based neighbourhood that relies heavily on the Redhill Expressway and Lincoln Alexander Parkway to commute to work.

Please see the attached Addendum for a long list of points that do not adhere to the:

- Planning Act
- Provincial Policy Statement 2020
- Urban Hamilton Official Plan
- Neighbourhoods Designation General Policies
- West Mountain Area Secondary Plan
- Zoning By-laws
- Registered Professional Planners responsibility re "local needs of the

community”

Furthermore, the ‘Urban Design Brief’ states that “the south boundary is defined by residential single dwellings screened by a densely planted landscape buffer” which is not true at all. The trees on the SW corner of the development are tall enough to provide privacy to a 3 level townhouse. However the other 3 houses in Canfield Court that back on to the South side of the lot offer no privacy to any structure over 2 stories. Nor is there any privacy for the homes on Paramount drive from the street facing Apartments and Stacked Townhouses. The townhouses will be looking directly into the bedrooms on Canfield Court and both the apartments and townhouses will be looking directly into the living rooms on Paramount Drive. In time, these trees will one day die and/or be removed and then there would be absolutely no privacy for any of the existing residents mentioned above.

## **2. High-Density zoning is completely unnecessary in this Community**

With the recent Urban Boundary expansion announced by the Provincial government there is absolutely no need to create a High Density development in a Low Density, mature neighbourhood. The High Density zoning does not fit with the existing character of the community, which is all Low Density. It is also in complete contradiction of section 3.3.1 which states that High Density housing is to be on the outskirts of the community, not on the interior which is exactly where it is being proposed.

## **3. Recent Precedent for Ward 9 regarding zoning density**

Just 4 km away a new development was approved at 15 Ridgeview, which is in Ward 9 as is the proposed development at 1065 Paramount Drive. The property at 15 Ridgeview is 5 hectares and a total of 105 residential units (25 single family homes and 80 three-level townhouses) was submitted and approved. That is only 21 residential units per hectare of land.

Comparatively, the proposal for 1065 Paramount Drive is on a lot that is only 1.63 hectares but they are proposing 299 residential units. The proposed density is **187** residential units per hectare of land. The present by-law states a maximum 40 residents per hectare.

In regard to the 15 Ridgeview development, The Hamilton Spectator reported that Jeff Beattie (Stoney Creek councilor) said that the proposed development will be similar to the existing housing blocks that have already been built. In other words, they were very cognizant of the existing community and made every effort to ensure the new

development fit in.

The closest elementary school to the 15 Ridgeview development is Eastdale which is 6 km away from it whereas the High-Density proposal for 1065 Paramount Drive is within meters of both Billy Green and St. Paul elementary schools. The safety of children making their way to both schools cannot be measured, however it is painfully obvious that having a High Density development with upwards of 600 new cars in the area coming and going during morning and afternoon rush periods will only increase the risk of traffic accidents and injuries.

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The fact is there will be more traffic. Anyone who lives in this area knows that the Red Hill Valley Parkway and the Lincoln Alexander Parkway are already stop and go every morning and afternoon. We know that the planners comment "Traffic will take care of itself" is simply not true for this area as evidenced by years of backlog on the Redhill/Linc. Adding approximately 300 more cars to the morning and evening commute is definitely going to compound this problem and traffic will only get worse.

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cars per household, townhouses included. This is because there are very few employers in the area and the vast majority of workers have to commute. Using the HSR is a last resort because it takes forever to get anywhere and the routes are extremely limited to and from this community. The proposal allows for 369 parking spaces for 299 units instead of 558 that is presently required in our by-laws. The over-flow of parking will obviously spill over to Billy Green's parking lot; the strip plaza parking lot; and neighbourhood side streets. Parking on the side streets is already a daily drama so adding all these extra cars will only increase local residents' anxiety and create so much congestion that snow plows and traffic will be an ongoing problem. Also, there are an unacceptable number of Physically Challenged Parking spots of only 6 instead of 37 as required (1%). Again, this High-Density plan is inappropriate for a suburb such as ours and lends itself more to downtown where residents are more apt to not own cars and walk/ride/transit.

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In conclusion, I respectfully ask the Planning Committee to reject this proposal in its entirety and start from scratch, with community involvement.

Thank you for your time and consideration.

Denise & John Stribbell / 19 Canfield Court / Stoney Creek Ontario

**Addendum to Objection Letter**

-

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This is False as it does NOT enhance the character of the existing environment. In reality it will become an eyesore and will deter from the character of the existing environment destroying the skyline of the entire neighbourhood.

**Policy 3.3.2.8 Urban design should promote the reduction of greenhouse emissions, ability to adapt to the impacts of a changing climate now and in the future, and protect and enhance the natural urban environment**

This is false. Nothing in this proposal will reduce greenhouse emissions or protect/enhance the natural urban environment. Fewer residential units and more green space will protect and enhance the natural urban environment.

**Policy 3.3.2.9 Urban design plays a significant role in**

### **the physical and mental health of our citizens.**

Again, not one sub-section has been satisfied (high quality, safe streetscapes; no development of places for active and passive recreation; no variety of land uses; increased air, noise, and water pollution)

This may be the single biggest concern that is being overlooked. The mere proposal in itself has caused such intense stress and anxiety in the community. The **mental health** of our citizens is obviously not a concern of the developer but we as a society depend on our City officials/planners to act in our best interest. Presently the mental health of this community is on a steep decline and will get progressively worse with developments like this.

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This is not true because in no way does this development fit within the surrounding neighbourhood.

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The proposed development will make more efficient use of the Collector Road, by increasing residential density on the subject lands, without hindering the current traffic flow.

This is false. More cars will undoubtedly hinder the current traffic flow. In fact, traffic flow will be at a stand--still in the morning and afternoon when school starts and ends.

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Again, I have not seen any studies to support the claim that



existing systems can accommodate a development of this size. I find it hard to believe that 40+ years after planning a community that the existing infrastructure could accommodate another 299 units on such a small piece of land. Surely the planners never anticipated this happening that long ago.

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## **Chapter E – Urban Systems and Designations**

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### **Subsection 2.6 Neighbourhoods**

-

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*Neighbourhoods shall generally be regarded as physically stable areas with each neighbourhood having a unique scale and character. Changes compatible with the existing character or function of the neighbourhood shall be permitted.*

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*The existing character of established neighbourhoods designated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood.*

This proposal does not satisfy this policy at all. In fact the complete opposite is true --- the existing character is NOT maintained and intensification is NOT compatible with the existing residential neighbourhood

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**Policy 3.3.1**

*Lower Density residential uses and building forms shall generally be located in the interiors of neighbourhood areas with higher density dwelling forms and supporting uses located on the periphery.*

This proposal is for the exact opposite of 3.3.1. The proposed High-Density development is right in the middle of the Low-Density neighbourhood.

-  
**Policy 3.3.2**

*Development or redevelopment adjacent to areas of lower density shall ensure the height, massing, and arrangement of buildings and structures are compatible with existing and future uses in the surrounding area.*

This proposed development is not at all compatible with the existing areas of lower density with regard to height, massing and arrangement of buildings.

**Policy 3.6.1**

*High Density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods.*

Again, this high-density proposal is NOT on the periphery but right in the center of the mature, low density neighbourhood

**Policy 3.6.8 d)**

This item is also not adhered to as the proposal has inadequate parking, amenity features and is not compatible with existing residential heights. Furthermore it will cast shadows on Billy Green Elementary school for at least 50% of the school day.

**Neighbourhoods Designation – High Density Residential Design Policy 3.6.8**

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This is not true! Residents on Canfield Court and Paramount Drive will have residents in the Stacked Townhouses and apartment looking directly in their bedrooms and living rooms, respectively.

**Appendix E Highlights the Significant short-comings of the proposal**

Physically Challenged Parking Spots: 1% required = 37  
 Proposed 6

Minimum Number of Parking Spaces: 558 required  
 Proposed 369

Minimum Front Yard 7.5m required Proposed  
 3.25m

Minimum Side Yard 6.0m required  
 Proposed 3.0m

Maximum Density 40 units/Ha  
 Proposed 187

Minimum Landscape Open Space 50% Proposed  
 30%

RM3 Zone: Stacked townhouses Not permitted

**Policy 6.2.6**

**Planning Comment:** While the Institutional Designation allows for low-density residential uses, an amendment is required for the proposed development as it does not allow high-density residential uses.

One of the main reasons everyone in this neighbourhood chose to live here is because it was not zoned high-density. Obviously the City Planners had a very good reason not to zone it High Density, mainly because it is a suburb. To suddenly decide after 40+ years that the zoning should be changed to high-density simply to accommodate a developer is outrageous and nothing short of criminal to the existing community.

If we wanted to live downtown or in Toronto we would have moved there.

## **9 School and City Recreation Facility and Outdoor Recreation/ Parks Issues Assessment**

As noted throughout this report, the subject lands directly abut Billy Green Elementary School to the north and St. Paul Catholic Elementary School to the south-west. The development of the subject lands will be compatible with the surrounding institutional uses, as it does not create significant shadow impacts upon the schools

This is completely false. The 8 story apartment will completely block out any sunshine that Billy Green's kindergarten classrooms/playground presently enjoy. Furthermore, the apartments will be looking directly into the classroom windows of Billy Green school all day long.

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Registered Professional Planners ("Planners") have a responsibility to acknowledge the interrelated nature of planning decisions and the consequences for natural and human environments, and the broader public interest. The public interest reflects a balance between the local needs of the community with the interests of stakeholders. In order to determine whether the proposed development is within the public interest

Both the Councillor and the Planner stated that they have never had as many people at a public meeting in their entire careers as were present at the February 16, 2023 meeting. This in itself tells the whole story.

The unanimous outrage and opposition displayed at the meeting cannot be simply disregarded. If the above Professional Planners code of ethics is to be respected at all then based on this meeting alone the existing High-Density plan needs to be thrown out and a new Low-Density plan submitted, hopefully one that has community involvement and fits the character of the neighbourhood.

## **11.1 Environment**

The proposed development will provide residential density in close proximity to commercial and institutional uses and allow residents to live, work and play within the same neighbourhood, thus being active transportation supportive

This is not true as very few residents work in this neighbourhood. There are no employers of any size near this community.

The proposed development will capitalize on the advantage and provide reduced parking ratios to encourage an increase in transit usage. Overall, by promoting transit and active transportation, it decreases the need for automobile travel and greenhouse gas emissions, which contributes to a higher energy consumption and declining air quality.

In reality, this High-Density development will accomplish the complete opposite of what is stated in section 11.1

Once again, this proposal is more fitting to downtown and not a suburb like 1065 Paramount Drive. Residents living here generally need a car. This might be the case in places like downtown where it is easy to ride a bike or take a bus to work. This concept is not applicable to a suburban community that depends on driving and having an adequate traffic infrastructure, which this proposal will certainly affect in an adverse manner.

## **12 Conclusions and Recommendations**

I would argue that it does NOT maintain the intent of the Urban Hamilton Official Plan and West Mountain Area Secondary Plan. Sure it may satisfy one such factor, to build more units, but I'm certain the original intent was much more inclusive than that: Fitting in with the Character of the existing neighbourhood; Acceptance by the existing neighbourhood; not creating traffic and parking chaos in an existing neighbourhood; not creating buildings

high enough to invade upon the privacy of existing residents.

I also highly doubt that the Former City of Stoney Creek Zoning By-Law would have intended a development such as this. In fact I would argue that the Former City Planners would have shut this down immediately.

It definitely is NOT compatible with the surrounding build form.

It definitely does not represent good planning that is in the public interest. It is only in the developers best interest, not the communities.

**From:** [REDACTED]  
**To:** [Van Rooi, James](mailto:James.VanRooi@hamilton.ca)  
**Subject:** RE: Against Proposed Urban Development on Paramount Drive in Stoney Creek  
**Date:** Monday, March 6, 2023 12:45:36 PM

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Hi James:

As per your request please find my address below:

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

I truly hope this apartment building is not allowed in our area. Please consider the huge turnout at the initial meeting with hundreds of members ( if not thousands) from our community upset about the apartment structure.

Thanks!

[REDACTED]

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**From:** Van Rooi, James [mailto:James.VanRooi@hamilton.ca]  
**Sent:** Monday, March 6, 2023 9:59 AM  
**To:** [REDACTED]  
**Cc:** Clark, Brad; Tracy.Tucker@ibigroup.com; Office of the Mayor; Toman, Charlie  
**Subject:** RE: Against Proposed Urban Development on Paramount Drive in Stoney Creek

Good morning [REDACTED], thank you for your comments.

This email is to confirm that your comments regarding planning applications UHOPA-23-005 & ZAC-23-006 have been received.

Your comments will be included and discussed in our staff report presented to the Planning Committee as part of the required public hearing. Please note, that at this time a public hearing has not been scheduled for Planning Committee. When we do have a Planning Committee date, you will be notified and will receive a copy of the staff report in advance.

I kindly request that you provide me your mailing address so that I may forward future staff reports and information regarding this development.

Thank you.

James Van Rooi, *MCIP, RPP*  
Senior Planner (Rural Team)

Development Planning,  
Planning & Economic Development Department  
City of Hamilton

71 Main Street West, 5<sup>th</sup> Floor  
Hamilton ON L8P 4Y5  
p. 905.546.2424 ext. 4283  
f. 905.546.4202  
e. [James.VanRooi@hamilton.ca](mailto:James.VanRooi@hamilton.ca)

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**From:** [REDACTED]  
**Sent:** Friday, March 3, 2023 7:46 PM  
**To:** Clark, Brad <Brad.Clark@hamilton.ca>; Van Rooi, James <James.VanRooi@hamilton.ca>; Tracy.Tucker@ibigroup.com; Office of the Mayor <Officeofthe.Mayor@hamilton.ca>  
**Subject:** FW: Against Proposed Urban Development on Paramount Drive in Stoney Creek

March 2, 2023

Objection to File No. UHOPA-23-005 regarding the proposed By-Law to change the land use designation from "Institutional" to "Neighbourhoods" in Schedule "E-1" of the Urban Hamilton Official Plan and to change the land use designation from "Institutional" to "High Density Residential 1" in the West Mountain Area (Heritage Green) Secondary Plan.

Objection to File No. ZAC-23-006 regarding the rezoning of the subject lands from the Small Scale Institutional "IS" Zone to a modified Multiple Residential "RM3-XX" Zone

I strongly object to the above proposals for the following reasons:

**1. Unsatisfactory "Planning Justification Report" and "Urban Design Brief"**

The 'Planning Justification Report' is based extensively on the Provincial governments desire to increase the number of housing units.

This is only one consideration, and given the recent extensive expansion to the Urban boundary it should be near the bottom of the list of priorities to consider, especially when the new development is in the center of a mature, established community. There are so many opposing arguments that render this High-Density "urban" proposal completely unsatisfactory as it is in the middle of a Low-Density "suburban" community (neighbourhood character; Congestion; Traffic; Safety; Pollution; Infrastructure; Mental Health; etc). The High-Density rationale



does not apply to our suburb as we are a commuter-based neighbourhood that relies heavily on the Redhill Expressway and Lincoln Alexander Parkway to commute to work.

Please see the attached Addendum for a long list of points that do not adhere to the:

- Planning Act
- Provincial Policy Statement 2020
- Urban Hamilton Official Plan
- Neighbourhoods Designation General Policies
- West Mountain Area Secondary Plan
- Zoning By-laws
- Registered Professional Planners responsibility re “local needs of the community”

Furthermore, the ‘Urban Design Brief’ states that “the south boundary is defined by residential single dwellings screened by a densely planted landscape buffer” which is not true at all. The trees on the SW corner of the development are tall enough to provide privacy to a 3 level townhouse. However the other 3 houses in Canfield Court that back on to the South side of the lot offer no privacy to any structure over 2 stories. Nor is there any privacy for the homes on Paramount drive from the street facing Apartments and Stacked Townhouses. The townhouses will be looking directly into the bedrooms on Canfield Court and both the apartments and townhouses will be looking directly into the living rooms on Paramount Drive. In time, these trees will one day die and/or be removed and then there would be absolutely no privacy for any of the existing residents mentioned above.

## **2. High-Density zoning is completely unnecessary in this Community**

With the recent Urban Boundary expansion announced by the Provincial government there is absolutely no need to create a High Density development in a Low Density, mature neighbourhood. The High Density zoning does not fit with the existing character of the community, which is all Low Density. It is also in complete contradiction of section 3.3.1 which states that High Density housing is to be on the outskirts of the community, not on the interior which is exactly where it is being

proposed.

### **3. Recent Precedent for Ward 9 regarding zoning density**

Just 4 km away a new development was approved at 15 Ridgeview, which is in Ward 9 as is the proposed development at 1065 Paramount Drive. The property at 15 Ridgeview is 5 hectares and a total of 105 residential units (25 single family homes and 80 three-level townhouses) was submitted and approved. That is only 21 residential units per hectare of land.

Comparatively, the proposal for 1065 Paramount Drive is on a lot that is only 1.63 hectares but they are proposing 299 residential units. The proposed density is **187 residential units per hectare of land**. The present by-law states a maximum 40 residents per hectare.

In regard to the 15 Ridgeview development, The Hamilton Spectator reported that Jeff Beattie (Stoney Creek councilor) said that the proposed development will be similar to the existing housing blocks that have already been built. In other words, they were very cognizant of the existing community and made every effort to ensure the new development fit in.

The closest elementary school to the 15 Ridgeview development is Eastdale which is 6 km away from it whereas the High-Density proposal for 1065 Paramount Drive is within meters of both Billy Green and St. Paul elementary schools. The safety of children making their way to both schools cannot be measured, however it is painfully obvious that having a High Density development with upwards of 600 new cars in the area coming and going during morning and afternoon rush periods will only increase the risk of traffic accidents and injuries.

### **4. Job Markets not easily accessible via public transit from this area**

The argument provided by the planner that there is public transit right on Paramount drive which will help newcomers commute to work and will reduce the number of residents owning vehicles is not valid for this community as it is basically a suburb to Hamilton. Anyone who lives and commutes in this area knows that a bus ride to most work areas is a very lengthy, time consuming journey. A bus to downtown Hamilton takes an hour easily. This community is not close to any major job markets, most

people commute. In fact many new people entering the community are probably from out of town and will certainly be driving, creating more congestion and air pollution than is necessary. This High-Density plan is inappropriate for a suburb such as ours and lends itself more to downtown where residents do in fact walk, ride or take public transit to work.

**5. Traffic considerations to include the impact on the Red Hill Valley Expressway and the Lincoln Alexander Expressway**

The fact is there will be more traffic. Anyone who lives in this area knows that the Red Hill Valley Parkway and the Lincoln Alexander Parkway are already stop and go every morning and afternoon. We know that the planners comment "Traffic will take care of itself" is simply not true for this area as evidenced by years of backlog on the Redhill/Linc. Adding approximately 300 more cars to the morning and evening commute is definitely going to compound this problem and traffic will only get worse.

**6. Insufficient Parking**

The Planner's goal of not providing enough parking spots in the hopes of attracting residents without cars is not realistic for this community because as previously stated it is a suburb in which most people commute to and from work. Most residents in this area have at least 2 cars per household, townhouses included. This is because there are very few employers in the area and the vast majority of workers have to commute. Using the HSR is a last resort because it takes forever to get anywhere and the routes are extremely limited to and from this community. The proposal allows for 369 parking spaces for 299 units instead of 558 that is presently required in our by-laws. The over-flow of parking will obviously spill over to Billy Green's parking lot; the strip plaza parking lot; and neighbourhood side streets. Parking on the side streets is already a daily drama so adding all these extra cars will only increase local residents' anxiety and create so much congestion that snow plows and traffic will be an ongoing problem. Also, there are an unacceptable number of Physically Challenged Parking spots of only 6 instead of 37 as required (1%). Again, this High-Density plan is inappropriate for a suburb such as ours and lends itself more to downtown where residents are more apt to not own cars and walk/ride/transit.

**7. No regard for the Character of our existing community or the mental**

### health of existing residents

This high-density proposal in no way considers the character or desires of the local community. There is nothing like this in all of Stoney Creek. To take the last plot of land in the center of a very mature neighbourhood and change the whole complexion of it is extremely disrespectful to the existing community. Absolutely no regard has been shown for the lifelong investment residents have made to live and retire here. Not to mention the **mental health issues** this is creating in our community. I know for a fact that there are a LOT of residents who are quite outraged about this. The stress and anxiety this is creating is completely unnecessary. ***The fact that this is listed as a major consideration for both Registered Professional Planners and as a ByLaw consideration but is not being addressed is cause for great concern***

In conclusion, I respectfully ask the Planning Committee to reject this proposal in its entirety and start from scratch, with community involvement.

Thank you for your time and consideration.

Denise & John Stribbell / 19 Canfield Court / Stoney Creek Ontario

### **Addendum to Objection Letter**

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#### **6.1 Urban Design Brief**

***The height of these buildings provides a comfortable transition between higher building masses and the surrounding neighbourhood character***

This is not true as the transition between a 3 storey **stacked** townhouse and a single family home is not a "comfortable" transition at all.

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## 7.1 Planning Act

### **Planning Comment:**

"The proposed layout will ensure compatibility with neighbouring land uses, by placing the lower-density three-storey stacked townhouses on the southern portion of the subject lands, adjacent to the existing single detached dwellings along Canfield Court"

This is not true as the proposal is completely incompatible with the existing community and especially the dwellings along Canfield Court and Paramount Drive.

## 7.2 Provincial Policy Statement

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### Policy 1.1.1 f)

This proposal does **NOT** improve accessibility for persons with disabilities and older persons because there are not nearly enough Physically Challenged Parking spots available (6 proposed 37 required)

**Policy 1.1.2** is inadmissible as it is based on intensification targets "which shall be established through a **future** Amendment to the UHOP

### Policy 1.1.3.4

### **Planning Comment:**

The surrounding neighbourhood is comprised of primarily single detached residential dwellings and block townhouses. The abutting built form is predominantly single detached residential and open space/institutional, which makes the location of the proposed three-storey stacked townhouse units

and eight-storey apartment building appropriate

This is not true either as it is extremely inappropriate to put these buildings in the center of a mature neighbourhood, which goes directly against section Policy number 3.3.1 which states that **high density development should be on the outskirts of a community**. Also, putting 3 storey "stacked" townhouses adjacent to single family homes is completely unacceptable.

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**Policy 1.4.3 b) 1.**

This proposal does **NOT** meet the social, health, economic and well-being requirements of current and future residents! The property values will be greatly reduced for current residents; the Mental Health of current residents is already being adversely affected; an insufficient number of physically challenged parking spots will seriously impact future residents, especially as they are targeting seniors to retire there.

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**Policy 1.6.6**

I have not seen any studies to support the claims that the existing sewage and water services can accommodate this proposal. From what I understand these studies have not yet been done.

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**Policy 1.6.7.4**

Again, being a commuter-based community driving is essential. This proposal will **NOT** minimize the length and number of vehicle

trips in this community.

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### **Policy 1.8.1**

The significant increase of vehicles in such a small area will increase air pollution. Also, this proposal is in a commuter's neighbourhood and will not reduce motor vehicle trips and congestion but increase them both.

## **4. Urban Hamilton Official Plan (UHOP)**

### **Policy 2.4.1.4**

#### **Planning Comment:**

It represents a form of intensification, which is compatible in terms of scale and built form with the surrounding neighbourhood, by placing the lower-density three-storey stacked townhouses on the southern portion of the subject lands, adjacent to the existing single detached dwellings along Canfield Court.

This is **NOT** true as the proposal is not compatible with the surrounding neighbourhood in the least. There is nothing in this neighbourhood that resembles this proposal at all. The skyline and character of the neighbourhood will be ruined forever.

This proposal is not a compatible integration with the surrounding area!

**Planning Comment:**

It is not anticipated to adversely impact the existing transportation network

This is obviously not true. Any increase in traffic will adversely impact any area.

**Planning Comment:**

The proposed development will make more efficient use of the local road than existing conditions.

This too is not true as Paramount Drive is the only road in and out of the subdivision. Adding another 300 – 600 cars will definitely reduce its efficiency

**Policy 2.4.2.2**

**Planning Comment:**

The proposed development is a respectful form of residential intensification, as it will not result in shadowing, overlook, noise, lighting or traffic concerns. The layout will ensure compatibility with adjacent land uses,

Judging by the residents overwhelming outrage at the February 16 meeting this proposal is anything but 'respectful' with regard to both residents or compatibility. It is not compatible with adjacent land uses nor the height, massing or scale of nearby residential buildings (single family homes). The shadows created over Billy Green Elementary school will block out sunlight until mid-day. Furthermore, there are no 'amenity' provisions at all.



**Policy 3.3.2.3: Urban design should foster a sense of community pride**

**Not one of the 7 principals listed below were satisfied:**

- a. Respecting existing character – Not at all
- b. Consistent with locale and surrounding environment – Not at all
- c. Recognizing and protecting the cultural history - No
- d. Conserving and respecting the existing build heritage features - No
- e. Conserving, maintain, and enhancing the features of its communities - No
- f. Demonstrating sensitivity toward community identity – Not at all
- g. Contributing to the character and ambiance of the community - No

**Planning Comments:**

The proposed development respects the existing community character, by proposing a compatible building layout with appropriate provisions,

The proposed frontage along Paramount Drive contributes to the character of the streetscape, as the four stacked townhouse blocks will be aligned with the existing street to form a consistent street wall.

Neither of these statements are true. This proposal has totally disrespected our community and the stacked townhouses are not in alignment with the existing street. The style and height of single family homes and townhouses that are already on Paramount Drive would be aligned properly, not stacked townhouses and an 8 storey apartment building.

**Policy 3.3.2.4: Quality Spaces**

**Planning Comment:**

The siting of the stacked townhouse blocks and apartment

building is logical and fits within the existing neighbourhood context

This is False as it does NOT fit within the existing neighbourhood context

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**Policy 3.3.2.6: New development and redevelopment should enhance the character of the existing environment**

Not one of the 4 sub-sections were satisfied

This is False as it does NOT enhance the character of the existing environment. In reality it will become an eyesore and will deter from the character of the existing environment destroying the skyline of the entire neighbourhood.

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This is not true because in no way does this development fit within the surrounding neighbourhood.

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This is false. More cars will undoubtedly hinder the current traffic flow. In fact, traffic flow will be at a stand--still in the morning and afternoon when school starts and ends.

**Policy 5.3 Lake –Based Municipal Water and Wastewater Systems**

Again, I have not seen any studies to support the claim that existing systems can accommodate a development of this size. I find it hard to believe that 40+ years after planning a community that the existing infrastructure could accommodate another 299 units on such a small piece of land. Surely the planners never anticipated this happening that long ago.

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**Chapter E – Urban Systems and Designations**

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**Subsection 2.6 Neighbourhoods**

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### **Policy 3.3.2**

*Development or redevelopment adjacent to areas of lower density shall ensure the height, massing, and arrangement of buildings and structures are compatible with existing and future uses in the surrounding area.*

This proposed development is not at all compatible with the existing areas of lower density with regard to height, massing and arrangement of buildings.

### **Policy 3.6.1**

*High Density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods.*

Again, this high-density proposal is NOT on the periphery but right in the center of the mature, low density neighbourhood

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This item is also not adhered to as the proposal has inadequate parking, amenity features and is not compatible with existing residential heights. Furthermore it will cast shadows on Billy Green Elementary school for at least 50% of the school day.

### **Neighbourhoods Designation – High Density Residential Design Policy 3.6.8**

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Minimum Number of Parking Spaces: 558 required  
Proposed 369

Minimum Front Yard 3.25m	7.5m required	Proposed
Minimum Side Yard Proposed 3.0m	6.0m required	
Maximum Density Proposed 187	40 units/Ha	
Minimum Landscape Open Space 30%	50%	Proposed
RM3 Zone: Stacked townhouses	Not permitted	

**Policy 6.2.6**

**Planning Comment:** While the Institutional Designation allows for low-density residential uses, an amendment is required for the proposed development as it does not allow high-density residential uses.

One of the main reasons everyone in this neighbourhood chose to live here is because it was not zoned high-density. Obviously the City Planners had a very good reason not to zone it High Density, mainly because it is a suburb. To suddenly decide after 40+ years that the zoning should be changed to high-density simply to accommodate a developer is outrageous and nothing short of criminal to the existing community.

If we wanted to live downtown or in Toronto we would have moved there.

**9 School and City Recreation Facility and Outdoor Recreation/ Parks Issues Assessment**

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Registered Professional Planners ("Planners") have a responsibility to acknowledge the interrelated nature of planning decisions and the consequences for natural and human environments, and the broader public interest. The public interest reflects a balance between the local needs of the community with the interests of stakeholders. In order to determine whether the proposed development is within the public interest

Both the Councillor and the Planner stated that they have never had as many people at a public meeting in their entire careers as were present at the February 16, 2023 meeting. This in itself tells the whole story.

The unanimous outrage and opposition displayed at the meeting cannot be simply disregarded. If the above Professional Planners code of ethics is to be respected at all then based on this meeting alone the existing High-Density plan needs to be thrown out and a new Low-Density plan submitted, hopefully one that has community involvement and fits the character of the neighbourhood.

### **11.1 Environment**

The proposed development will provide residential density in close proximity to commercial and institutional uses and allow residents to live, work and play within the same neighbourhood, thus being active transportation supportive

This is not true as very few residents work in this neighbourhood. There are no employers of any size near this community.

The proposed development will capitalize on the advantage and provide reduced parking ratios to encourage an increase in transit usage. Overall, by promoting transit and active transportation, it decreases the need for automobile travel and greenhouse gas emissions, which contributes to a higher energy consumption and declining air quality.

In reality, this High-Density development will accomplish the complete opposite of what is stated in section 11.1

Once again, this proposal is more fitting to downtown and not a suburb like 1065 Paramount Drive. Residents living here generally need a car. This might be the case in places like downtown where it is easy to ride a bike or take a bus to work. This concept is not applicable to a suburban community that depends on driving and having an adequate traffic infrastructure, which this proposal will certainly affect in an adverse manner.

## **12 Conclusions and Recommendations**

I would argue that it does NOT maintain the intent of the Urban Hamilton Official Plan and West Mountain Area Secondary Plan. Sure it may satisfy one such factor, to build more units, but I'm certain the original intent was much more inclusive than that: Fitting in with the Character of the existing neighbourhood; Acceptance by the existing neighbourhood; not creating traffic and parking chaos in an existing neighbourhood; not creating buildings high enough to invade upon the privacy of existing residents.

I also highly doubt that the Former City of Stoney Creek Zoning By-Law would have intended a development such as this. In fact I would argue that the Former City Planners would have shut this down immediately.

It definitely is NOT compatible with the surrounding build form.

It definitely does not represent good planning that is in the public interest. It is only in the developers best interest, not the communities.





**From:** [REDACTED]  
**To:** [Van Rooi, James](#); [Clark, Brad](#)  
**Subject:** File No. UHOPA-23-005/ZAC-23-006  
**Date:** Monday, June 12, 2023 5:35:29 PM

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Regarding the above mentioned proposed development on 1065 Paramount Drive, Stoney Creek I have just received a letter from Arcadis providing us with a quick update on the revised plan. The revised plan addresses non of the concerns shared by the existing residents ie: overcrowding of schools, high traffic ,parking etc. The plan has gone from 299 dwellings to 304 dwellings. I am very confused on how this addresses any of our concerns. I believe it is smoke and mirrors which as a resident of 44 years leads me to believe they are not listening to us. The fact that parking is mentioned generically “substantially increasing the proposed parking available with the site” leads me to believe they don’t want to address the situation prior to the meeting, best to spring it on us during the meeting. I have tried very hard not to make this emotional but it is hard to keep feelings at bay when this development will affect every facet of our existing community.

[REDACTED]  
[REDACTED]  
[REDACTED]

Sent from [Mail](#) for Windows

**From:** [Clark, Brad](#)  
**To:** [REDACTED]  
**Cc:** [Ribaric, Robert](#); [Morton, Devon](#); [Van Rooi, James](#)  
**Subject:** RE: Opposition to the Rezoning of 1065 Paramount Drive  
**Date:** Monday, February 27, 2023 1:00:30 PM

---

Good afternoon [REDACTED]

I have shared your letter by copying our staff in this email.

We will add you to the list of interested parties. I will continue to advocate for more reasonable densities on this property.

Gratefully yours,

Brad

**Councillor Brad Clark**  
**Ward 9 - Upper Stoney Creek**  
**Room 262, 71 Main Street West**  
**Hamilton, ON L8P 4Y5**

**Office:** [905 546-2703](tel:9055462703)  
**Cell:** [905 977-0679](tel:9059770679)  
[brad.clark@hamilton.ca](mailto:brad.clark@hamilton.ca)  
[www.bradclarkreport.ca](http://www.bradclarkreport.ca)



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**From:** [REDACTED]  
**Sent:** Tuesday, February 21, 2023 6:49 PM  
**To:** Clark, Brad <Brad.Clark@hamilton.ca>  
**Subject:** Opposition to the Rezoning of 1065 Paramount Drive

Attached, please find a list of questions and concerns we have concerning this proposed development

## Paramount Project:

Greetings, we were at the meeting last night regarding the proposed rezoning along paramount. The community sentiment was clearly evident with their views and emotions around the proposed plans.

Main issues amongst residents:

Apt Building/Hi Density

Building Height

Parking

Increased Traffic

Pedestrian safety, specifically by schools

Devaluation of property

Recent changes from our Governments have resulted in a Wild West scenario amongst developers, a complete free for all around Ontario communities. If the Cities are taking too long to review zoning changes they, the developers are circumventing City Bylaws and going directly to the Ontario appeals board.

To be clear, I am opposed to the Apt building because I strongly believe it will have an adverse effect on our community. I also realize that we cannot fight progress and change in every instance.

We are of the opinion that 300 residences is simply too much for that allotted space. I believe that the apt building is the main source of discontent for a variety of reasons.

There are so many large project under way there is no need to compromise this community.

Stoney Creek Towers, Battlefield Park Area, Eastgate area, New Red Hill Buildings by Sobeys, Delta High School property.

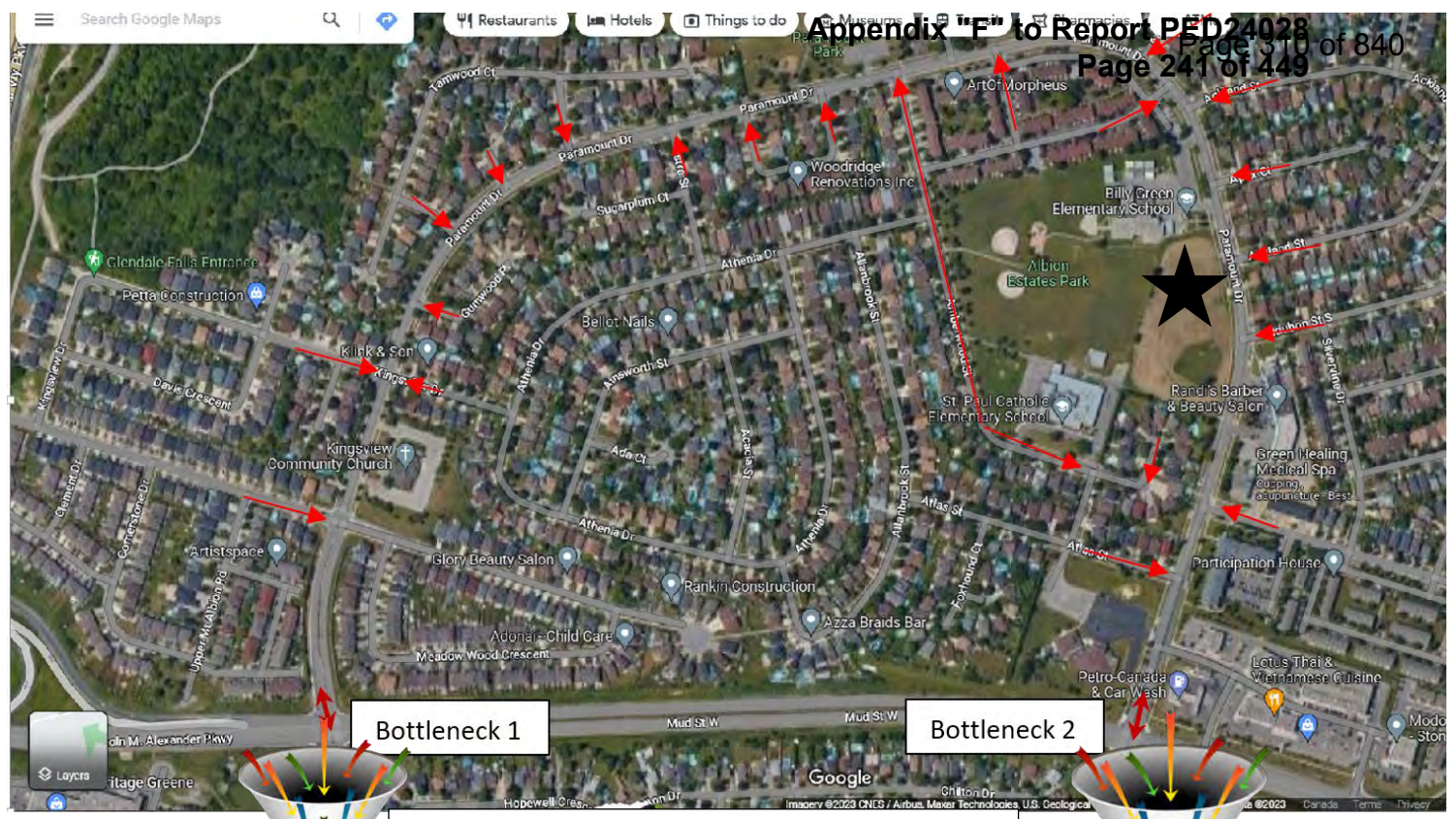
People do not care over 45 Deg. angularity studies/ smoke and mirror proposals. The current landscape in this community is nothing above 3 stories.

The overall residences needs to be reduced to a manageable state without compromising the community and safety in any way.

## Traffic and Congestion:

Without a doubt there will be considerable increase in traffic and congestion around rush hour and school times. A big problem is we have too many arteries going into Paramount which lead to 2 ways to get in and out of the survey. There are simply too many bottlenecks within the survey.

See Fig 1. Below



Bottleneck 1

Bottleneck 2

**Compromising Public Safety** ★



Statistically, we will significantly increase the risk to pedestrians/child foot traffic and compromise public safety. This new proposed apartment building right between 2 schools, it was suggested that this was the perfect location for people to be less dependent on cars for everyday living. There are multiple amenities within walking distance. Most people need to have hi paying jobs to pay for their townhouse or Condo. Many people need 2 cars and cannot solely rely on public transportation.

The increased vehicular traffic right between 2 elementary schools is the worst possible place. One child fatality is one too much. In the event of a medical or fire emergency, how quickly can fire trucks respond, where minutes count to enter and leave this survey quickly? This is an aging community and emergencies do not work around rush hour traffic.

How safe will the bike lanes be with such an increase in traffic, distracted driving, impatient drivers trying to get out of the survey.

**PARKING**

Parking minimum requirements should be 1.5 per residence and additional for visitor parking. To simply say parking will look after itself in a condescending manner, that it will look after itself is ridiculous. You should have closer to 500 spaces rather than 300 to not adversely affect the community.

Outside in the real world and not in an office environment, you will have all the surrounding side streets congested with additional cars parked regularly, this will impede snow plowing and medical/fire emergencies significantly. This does not affect the community in a positive way. The attendance turnout has given a very clear barometer with respect to the community.

## CRIME

If you do a query on police calls throughout the city it would be interesting to see what hi density dwelling numbers are. There is an element that is undesired in the community. To build and fabricate this environment between 2 elementary schools is unconscionable.

There are many problem areas in the city,

Parkdale and Melvin, Delawana Dr by Eastgate, Tindale Court area, new complex by Frances Ave by the lake a lot of drugs / violence. There is so much trouble coming ahead perhaps council needs to think again over the policing budgets.

There are no easy solutions on that front.

## BILL 23

Bill 23 in Ontario is a huge problem for all cities and communities. The provincial Government does not care about greenspace, environmental impacts, they just want higher numbers in communities no matter what the cost. Developers are now circumventing the system and going right to the appeals board. This is not good for cities and communities in Ontario, it is in our best interests to work with the City and developer to modify the 8 storey building height, reduce the units per floor have them say 750 SQ FT per 1 Bedroom and 900 to 1000 SQ FT 2 Bedroom.

Ensure each Townhouse has a garage, little tweaks to try and reduce the residence number in my view may be a win.

*It is my hope that city council has some savvy and finesse to somehow maintain the integrity of the area, provide some latitude with the developer and appease the community.*

### City & Council

- WORKING TOGETHER TO MAKE A POSITIVE IMPACT ON THE COMMUNITY
- This City has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

### ENHANCING PUBLIC TRUST

The City is committed to openness and transparency in its decision-making and service delivery. To help deliver on this commitment, there are a number of mechanisms in place to promote and protect accountability and transparency in our government.

With all the new projects in the city it is not clear to me that the City will be able to comply with their policies.

< Water, Wastewater & Stormwater

**Wastewater Collection & Treatment**

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Biosolids Management

Monitoring Wastewater Overflows and Bypasses

Sewer Lateral Cross-Connections

Sewer Systems

Wastewater Quality Management System

Wastewater Systems

The City of Hamilton created a voluntary Wastewater Quality Management System (WWQMS) to improve our existing wastewater systems and processes and reduce environmental impacts.

The WWQMS is a set of policies and procedures implemented to effectively and efficiently collect and treat wastewater in a manner that protects the environment, meets legal and regulatory requirements & meets City of Hamilton's commitment to a high-quality wastewater system.

The **WWQMS Policy CLEAN (PDF, 318.02 KB)** ensures the City's commitment to:

- Compliance with all legal and other requirements
- Leaders in pollution prevention
- Effective communication with the community
- Always improving the Wastewater Quality Management System; and
- Noteworthy innovation

The WWQMS was built upon Hamilton Water's strong quality management system foundation, existing operational framework and staff expertise. The City of Hamilton's Wastewater Quality Management System (WWQMS) received endorsement from Council on December 16, 2020. The WWQMS was fully implemented and operational in 2021.

**OPERATING AUTHORITY**

Hamilton Water is the Operating Authority for the City's wastewater collection and treatment systems. Hamilton Water has established and maintains the WWQMS such that it meets legal and other requirements including financial planning and annual reporting.

**THE WWQMS OPERATIONAL PLAN AND ADDITIONAL REPORTS**

I have yet to hear any response if the city is able to meet the upcoming needs in waste water management. I am not aware if any new CSO tanks are being built. I am aware of upgrades at the water treatment plant. I am not sure as to how much capacity has been increased or how if influent and effluent have become much more efficient.

Is the City Waste Water Systems prepared for an additional 5000 to 10000 new residences?

**WASTEWATER QUALITY MANAGEMENT SYSTEM POLICY**

The City of Hamilton owns, maintains and operates various wastewater systems. The City is committed to:

**C** Compliance with all legal and other requirements

**L** Leaders in pollution prevention

**E** Effective Communication with the community

**A** Always improving the Wastewater Quality Management System

**N** Noteworthy innovation

Hamilton BCOS  
 WASTEWATER QUALITY MANAGEMENT SYSTEM

I have contacted the city a few times now awaiting a response of what the City is proactively doing with respect to their Wastewater Quality Management System Policy?

Over the last 3 years there have been 334 overflow to the lake with untreated water incidents

Over the last 3 document years we have had 33-34-37 days, 2500 Hours and 104 days of untreated overflow into the lake.

I am at a loss at how the city is always improving the Wastewater Quality Systems. If we are adding so many upstream new residences, these numbers will not improve.

1-2-7 are almost 100% of the reason codes.

**Reason Codes:**

1. Heavy Precipitation
2. Snow Melt
3. Equipment Failure
4. Equipment Maintenance
5. Sewer Problems
6. Power Failure
7. Exceed Design
8. Other



2021 Overflow Incidents

148	HCG03	2021-12-25	13:24	2021-12-25	14:14	0.83	n/a	No	1,7	
		2021-12-25	15:11	2021-12-25	15:26	0.25				
						888.11	4059.840			

2020 Overflow Incidents

201230-000001	114	2020-12-30	18:43	S	2020-12-30	22:34	3.85	27.947	No	1,2,7	70	n/a	93	1.79	930,000	7.18	0.00
							791.80	2352.154									

2019 Overflow Incidents

62	2019-12-30	08:32	HCS05	2019-12-30	16:53	8.30	18.646	No	1,7	n/a	65	176	2.12	1,600,000	n/a	n/a
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Total Number of Events: 62 822.84 4286.34

INITIATION	COMPLETION	WASTEWATER TREATMENT PLANT	TYPE OF BYPASS	DURATION	VOLUME
2/09/23 11:18	2/10/23 15:09	Woodward WWTP	Secondary Bypass	27.86 hrs	317.410 million litres
1/04/23 18:55	1/04/23 19:50	Woodward WWTP	Headworks Bypass	0.92 hrs	19.370 million litres
1/04/23 18:05	1/05/23 4:24	Woodward WWTP	Secondary Bypass	10.27 hrs	100.871 million litres

2022 COMBINED SEWER OVERFLOW LOG

Updated weekly

January 1, 2020 through June 24, 2020 the Overflow Log shows CSO tank overflow events. Starting June 25, 2020 the Overflow Log will show all monitored overflow location events. **Table data is not official record.**

INITIATION	COMPLETION	CSO OUTFALL	DURATION	VOLUME
2/9/2023 19:33	2/9/2023 23:51	Greenhill CSO Tank	3.78 hrs	13.956 million litres
2/9/2023 11:12	2/9/2023 11:24	Wellington CSO Outfall	0.21 hrs	No flow metering present at this location
2/9/2023 8:04	2/9/2023 20:31	Wentworth CSO Outfall	8.76 hrs	No flow metering present at this location
1/20/2023 0:55	1/20/2023 2:28	Wentworth CSO Outfall	1.56 hrs	No flow metering present at this location
1/4/2023 17:30	1/4/2023 18:43	Wellington CSO Outfall	1.23 hrs	No flow metering present at this location
1/4/2023 15:30	1/4/2023 21:38	Wentworth CSO Outfall	4.92 hrs	No flow metering present at this location

CONCLUSION

There are so many issues with running a city and communities, dealing with Province and the Feds, workers, Police, Fire, Budgets, taxes. Dealing with the 24 Billion water spill, encampments, it just goes on and on. There are no easy solutions to anything with all the issues at hand. It is overwhelming and I have only touched the tip of the ice berg.

Good Luck and Thank you for your service.

Regards,



Stoney Creek,

**From:** [Morton, Devon](#)  
**To:** [Van Rooi, James](#)  
**Subject:** FW: Albion Estates-Paramount Project  
**Date:** Tuesday, February 21, 2023 12:09:05 PM  
**Attachments:** [Paramount Project.docx](#)  
[image001.png](#)

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FYI

**Devon M. Morton, MCIP, RPP** (he/him/his)  
Planner II (Rural Team)  
Development Planning  
Planning & Economic Development Department  
City of Hamilton, 71 Main St. W, 5<sup>th</sup> floor, L8P 4Y5  
Ph: (905) 546-2424 ext. 1384  
Email: [Devon.Morton@hamilton.ca](mailto:Devon.Morton@hamilton.ca)



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**From:** [REDACTED]  
**Sent:** Saturday, February 18, 2023 11:31 AM  
**To:** Clark, Brad <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)>; Office of the Mayor <[Officeofthe.Mayor@hamilton.ca](mailto:Officeofthe.Mayor@hamilton.ca)>;  
Morton, Devon <[Devon.Morton@hamilton.ca](mailto:Devon.Morton@hamilton.ca)>; Ribaric, Robert <[Robert.Ribaric@hamilton.ca](mailto:Robert.Ribaric@hamilton.ca)>;  
[KAArcher@hwdsp.on.ca](mailto:KAArcher@hwdsp.on.ca); [AgroL@hwcdsb.ca](mailto:AgroL@hwcdsb.ca)  
**Subject:** Albion Estates-Paramount Project

Pardon the intrusion, we were at the Albion Estates Paramount Project meeting the other night, it was an emotional meeting with residents from the community. There are some issues that I hope are reviewed and find some middle ground without compromising safety in any way. What is very clear to me, this will be a very challenging process to mitigate through.

Regards,

[REDACTED]

From: [REDACTED]  
To: [Clark, Brad](mailto:Clark.Brad@hamilton.ca)  
Cc: [Van Rooi, James](mailto:Van.Rooi.James@hamilton.ca)  
Subject: 1065 Paramount project objection  
Date: Wednesday, March 1, 2023 9:41:18 AM

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To: Brad Clark [Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)  
James Van Rooi [James.VanRooi@hamilton.ca](mailto:James.VanRooi@hamilton.ca)  
Tracy Tucker [Tracy.Tucker@ibigroup.com](mailto:Tracy.Tucker@ibigroup.com)

Objection to File No. UHOPA-23-005 regarding the proposed By-Law to change the land use designation from “Institutional” to “Neighbourhoods” in Schedule “E-1” of the Urban Hamilton Official Plan and to change the land use designation from “Institutional” to “High Density Residential 1” in the West Mountain Area (Heritage Green) Secondary Plan.  
Objection to File No. ZAC-23-006 regarding the rezoning of the subject lands from the Small Scale Institutional “IS” Zone to a modified Multiple Residential “RM3-XX” Zone  
I strongly object to the above proposals for the following reasons:

**1. Unsatisfactory “Planning Justification Report” and “Urban Design Brief”**

The ‘Planning Justification Report’ is based extensively on the Provincial governments desire to increase the number of housing units.

This is only one consideration, and given the recent extensive expansion to the Urban boundary it should be near the bottom of the list of priorities to consider, especially when the new development is in the center of a mature, established community. There are so many opposing arguments that render this High-Density “urban” proposal completely unsatisfactory as it is in the middle of a Low-Density “suburban” community (neighbourhood character; Congestion; Traffic; Safety; Pollution; Infrastructure; Mental Health; etc). The High-Density rationale does not apply to our suburb as we are a commuter-based neighbourhood that relies heavily on the Redhill Expressway and Lincoln Alexander Parkway to commute to work.

Please see the attached Addendum for a long list of points that do not adhere to the:

- Planning Act
- Provincial Policy Statement 2020
- Urban Hamilton Official Plan
- Neighbourhoods Designation General Policies
- West Mountain Area Secondary Plan
- Zoning By-laws
- Registered Professional Planners responsibility re “local needs of the community”

Furthermore, the ‘Urban Design Brief’ states that “the south boundary is defined by residential single dwellings screened by a densely planted landscape buffer” which is not true at all. The trees on the SW corner of the development are tall enough to provide privacy to a 3 level townhouse. However the other 3 houses in Canfield Court that back on to the South side of the lot offer no privacy to any structure over 2 stories. Nor is there any privacy for the homes on Paramount drive from the street facing Apartments and Stacked Townhouses. The townhouses will be looking directly into the bedrooms on Canfield Court and both the apartments and townhouses will be looking directly into the living rooms on Paramount Drive. In time, these trees will one day die and/or be removed and then there would be absolutely no privacy for any of the existing residents mentioned above.

**2. High-Density zoning is completely unnecessary in this Community**

With the recent Urban Boundary expansion announced by the Provincial government there is absolutely no need to create a High Density development in a Low Density, mature neighbourhood. The High Density zoning does not fit with the existing character of the community, which is all Low Density. It is also in complete contradiction of section 3.3.1 which states that High Density housing is to be on the outskirts of the community, not on the interior which is exactly where it is being proposed.

**3. Recent Precedent for Ward 9 regarding zoning density**

Just 4 km away a new development was approved at 15 Ridgeview, which is in Ward 9 as is the proposed development at 1065 Paramount Drive. The property at 15 Ridgeview is 5hectares and a total of 105 residential units (25 single family homes and 80 three-level townhouses) was submitted and approved. That is only 21 residential units per hectare of land.

Comparatively, the proposal for 1065 Paramount Drive is on a lot that is only 1.63 hectares but they are proposing 299 residential units. The proposed density is **187**residential units per hectare of land. The present by-law states a maximum 40 residents per hectare.

In regard to the 15 Ridgeview development, The Hamilton Spectator reported that Jeff Beattie (Stoney Creek councilor) said that the proposed development will be similar to the existing housing blocks that have already been built. In other words, they were very cognizant of the existing community and made every effort to ensure the new development fit in.

The closest elementary school to the 15 Ridgeview development is Eastdale which is 6 km away from it whereas the High-Density proposal for 1065 Paramount Drive is within meters of both Billy Green and St. Paul elementary schools. The safety of children making their way to both schools cannot be measured, however it is painfully obvious that having a High Density development with upwards of 600 new cars in the area coming and going during morning and afternoon rush periods will only increase the risk of traffic accidents and injuries.

**4. Job Markets not easily accessible via public transit from this area**

The argument provided by the planner that there is public transit right on Paramount drive which will help newcomers commute to work and will reduce the number of residents owning vehicles is not valid for this community as it is basically a suburb to Hamilton. Anyone who lives and commutes in this area knows that a bus ride to most work areas is a very lengthy, time consuming journey. A bus to downtown Hamilton takes an hour easily. This community is not close to any major job markets, most people commute. In fact many new people entering the community are probably from out of town and will certainly be driving, creating more congestion and air pollution than is necessary. This High-Density plan is inappropriate for a suburb such as ours and lends itself more to downtown where residents do in fact walk, ride or take public transit to work.

**5. Traffic considerations to include the impact on the Red Hill Valley Expressway and the Lincoln Alexander Expressway**

The fact is there will be more traffic. Anyone who lives in this area knows that the Red Hill Valley Parkway and the Lincoln Alexander Parkway are already stop and go every morning and afternoon. We know that the planners comment "Traffic will take care of itself" is simply not true for this area as evidenced by years of backlog on the Redhill/Linc. Adding approximately 300 more cars to the morning and evening commute is definitely going to compound this problem and traffic will only get worse.

**6. Insufficient Parking**

The Planner's goal of not providing enough parking spots in the hopes of attracting residents without cars is not realistic for this community because as previously stated it is a suburb in which most people commute to and from work. Most residents in this area have at least 2 cars per household, townhouses included. This is because there are very few employers in the area and the vast majority of workers have to commute. Using the HSR is a last resort because it takes forever to get anywhere and the routes are extremely limited to and from this community. The proposal allows for 369 parking spaces for 299 units instead of 558 that is presently required in our by-laws. The overflow of parking will obviously spill over to Billy Green's parking lot; the strip plaza parking lot; and neighbourhood side streets. Parking on the side streets is already a daily drama so adding all these extra cars will only increase local residents' anxiety and create so much congestion that snow plows and traffic will be an ongoing problem. Also, there are an unacceptable number of Physically Challenged Parking spots of only 6 instead of 37 as required (1%). Again, this High-Density plan is inappropriate for a suburb such as ours and lends itself more to downtown where residents are more apt to not own cars and walk/ride/transit.

**7. No regard for the Character of our existing community or the mental health of existing residents**

This high-density proposal in no way considers the character or desires of the local community. There is nothing like this in all of Stoney Creek. To take the last plot of land in the center of a very mature neighbourhood and change the whole complexion of it is extremely disrespectful to the existing community. Absolutely no regard has been shown for

the lifelong investment residents have made to live and retire here. Not to mention the **mental health issues** this is creating in our community. I know for a fact that there are a LOT of residents who are quite outraged about this. The stress and anxiety this is creating is completely unnecessary. ***The fact that this is listed as a major consideration for both Registered Professional Planners and as a ByLaw consideration but is not being addressed is cause for great concern***

In conclusion, I respectfully ask the Planning Committee to reject this proposal in its entirety and start from scratch, with community involvement.

Thank you for your time and consideration.

### **Addendum to Objection Letter**

#### **6.1 Urban Design Brief**

*The height of these buildings provides a comfortable transition between higher building masses and the surrounding neighbourhood character*

This is not true as the transition between a 3 storey **stacked** townhouse and a single family home is not a "comfortable" transition at all.

#### **7.1 Planning Act**

##### **Planning Comment:**

"The proposed layout will ensure compatibility with neighbouring land uses, by placing the lower-density three-storey stacked townhouses on the southern portion of the subject lands, adjacent to the existing single detached dwellings along Canfield Court"

This is not true as the proposal is completely incompatible with the existing community and especially the dwellings along Canfield Court and Paramount Drive.

#### **7.2 Provincial Policy Statement**

##### **Policy 1.1.1 f)**

This proposal does **NOT** improve accessibility for persons with disabilities and older persons because there are not nearly enough Physically Challenged Parking spots available (6 proposed 37 required)

**Policy 1.1.2** is inadmissible as it is based on intensification targets "which shall be established through a **future** Amendment to the UHOP

##### **Policy 1.1.3.4**

##### **Planning Comment:**

The surrounding neighbourhood is comprised of primarily single detached residential dwellings and block townhouses. The abutting built form is predominantly single detached residential and open space/institutional, which makes the location of the proposed three-storey stacked townhouse units and eight-storey apartment building appropriate

This is not true either as it is extremely inappropriate to put these buildings in the center of a mature neighbourhood, which goes directly against section Policy number 3.3.1 which states that **high density development should be on the outskirts of a community**. Also, putting 3 storey "stacked" townhouses

adjacent to single family homes is completely unacceptable.

**Policy 1.4.3 b) 1.**

This proposal does **NOT** meet the social, health, economic and well-being requirements of current and future residents! The property values will be greatly reduced for current residents; the Mental Health of current residents is already being adversely affected; an insufficient number of physically challenged parking spots will seriously impact future residents, especially as they are targeting seniors to retire there.

**Policy 1.6.6**

I have not seen any studies to support the claims that the existing sewage and water services can accommodate this proposal. From what I understand these studies have not yet been done.

**Policy 1.6.7.4**

Again, being a commuter-based community driving is essential. This proposal will **NOT** minimize the length and number of vehicle trips in this community.

**Policy 1.8.1**

The significant increase of vehicles in such a small area will increase air pollution. Also, this proposal is in a commuter's neighbourhood and will not reduce motor vehicle trips and congestion but increase them both.

**7.4 Urban Hamilton Official Plan (UHOP)**

**Policy 2.4.1.4**

**Planning Comment:**

It represents a form of intensification, which is compatible in terms of scale and built form with the surrounding neighbourhood, by placing the lower-density three-storey stacked townhouses on the southern portion of the subject lands, adjacent to the existing single detached dwellings along Canfield Court.

This is **NOT** true as the proposal is not compatible with the surrounding neighbourhood in the least. There is nothing in this neighbourhood that resembles this proposal at all. The skyline and character of the neighbourhood will be ruined forever.

This proposal is not a compatible integration with the surrounding area!

**Planning Comment:**

It is not anticipated to adversely impact the existing transportation network

This is obviously not true. Any increase in traffic will adversely impact any area.

**Planning Comment:**

The proposed development will make more efficient use of the local road than existing conditions.

This too is not true as Paramount Drive is the only road in and out of the subdivision. Adding another 300 –

600 cars will definitely reduce its efficiency

**Policy 2.4.2.2**

**Planning Comment:**

The proposed development is a respectful form of residential intensification, as it will not result in shadowing, overlook, noise, lighting or traffic concerns. The layout will ensure compatibility with adjacent land uses,

Judging by the residents overwhelming outrage at the February 16 meeting this proposal is anything but 'respectful' with regard to both residents or compatibility. It is not compatible with adjacent land uses nor the height, massing or scale of nearby residential buildings (single family homes). The shadows created over Billy Green Elementary school will block out sunlight until mid-day. Furthermore, there are no 'amenity' provisions at all.

**Policy 3.3.2.3: Urban design should foster a sense of community pride**

**Not one of the 7 principals listed below were satisfied:**

- a) Respecting existing character – Not at all
- b) Consistent with locale and surrounding environment – Not at all
- c) Recognizing and protecting the cultural history - No
- d) Conserving and respecting the existing build heritage features - No
- e) Conserving, maintain, and enhancing the features of its communities - No
- f) Demonstrating sensitivity toward community identity – Not at all
- g) Contributing to the character and ambiance of the community - No

**Planning Comments:**

The proposed development respects the existing community character, by proposing a compatible building layout with appropriate provisions,

The proposed frontage along Paramount Drive contributes to the character of the streetscape, as the four stacked townhouse blocks will be aligned with the existing street to form a consistent street wall. Neither of these statements are true. This proposal has totally disrespected our community and the stacked townhouses are not in alignment with the existing street. The style and height of single family homes and townhouses that are already on Paramount Drive would be aligned properly, not stacked townhouses and an 8 storey apartment building.

**Policy 3.3.2.4: Quality Spaces**

**Planning Comment:**

The siting of the stacked townhouse blocks and apartment building is logical and fits within the existing neighbourhood context

This is False as it does NOT fit within the existing neighbourhood context

**Policy 3.3.2.6: New development and redevelopment should enhance the character of the existing environment**

Not one of the 4 sub-sections were satisfied

This is False as it does NOT enhance the character of the existing environment. In reality it will become an eyesore and will deter from the character of the existing environment destroying the skyline of the entire

neighbourhood.

**Policy 3.3.2.8 Urban design should promote the reduction of greenhouse emissions, ability to adapt to the impacts of a changing climate now and in the future, and protect and enhance the natural urban environment**

This is false. Nothing in this proposal will reduce greenhouse emissions or protect/enhance the natural urban environment. Fewer residential units and more green space will protect and enhance the natural urban environment.

**Policy 3.3.2.9 Urban design plays a significant role in the physical and mental health of our citizens.**

Again, not one sub-section has been satisfied (high quality, safe streetscapes; no development of places for active and passive recreation; no variety of land uses; increased air, noise, and water pollution)

This may be the single biggest concern that is being overlooked. The mere proposal in itself has caused such intense stress and anxiety in the community. The **mental health** of our citizens is obviously not a concern of the developer but we as a society depend on our City officials/planners to act in our best interest. Presently the mental health of this community is on a steep decline and will get progressively worse with developments like this.

**Policy 3.3.3.1**

**Planning Comment:** As previously discussed, the proposed development has been designed to fit within the surrounding neighbourhoods, in terms of scale, and ensuring adequate privacy and sunlight to neighbouring properties. It will be compatible with the surrounding low-density context,

This is not true because in no way does this development fit within the surrounding neighbourhood.

**Policy 4.5.8.4**

The proposed development will make more efficient use of the Collector Road, by increasing residential density on the subject lands, without hindering the current traffic flow.

This is false. More cars will undoubtedly hinder the current traffic flow. In fact, traffic flow will be at a standstill in the morning and afternoon when school starts and ends.

**Policy 5.3 Lake –Based Municipal Water and Wastewater Systems**

Again, I have not seen any studies to support the claim that existing systems can accommodate a development of this size. I find it hard to believe that 40+ years after planning a community that the existing infrastructure could accommodate another 299 units on such a small piece of land. Surely the planners never anticipated this happening that long ago.

**Chapter E – Urban Systems and Designations**

**Subsection 2.6 Neighbourhoods**

**Scale Policy 2.6.7**

*Neighbourhoods shall generally be regarded as physically stable areas with each neighbourhood having a unique scale and character. Changes compatible with the existing character or function of the neighbourhood shall be permitted.*

**Planning Comment:** The proposed development is compatible with the existing character of the neighbourhood, as a functional layout of differing typologies has been created to ensure that there are significant adverse impacts on any adjoining lands.

This is not true. It does NOT fit with the existing character of the neighbourhood and it will have a significant impact on adjoining lands, specifically residents of Canfield Court, Paramount Drive and both elementary



schools.

**Scale and Design - Policy 3.2.4**

*The existing character of established neighbourhoods designated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood.*

This proposal does not satisfy this policy at all. In fact the complete opposite is true --- the existing character is NOT maintained and intensification is NOT compatible with the existing residential neighbourhood

**Policy 3.3.1**

*Lower Density residential uses and building forms shall generally be located in the interiors of neighbourhood areas with higher density dwelling forms and supporting uses located on the periphery.*

This proposal is for the exact opposite of 3.3.1. The proposed High-Density development is right in the middle of the Low-Density neighbourhood.

**Policy 3.3.2**

*Development or redevelopment adjacent to areas of lower density shall ensure the height, massing, and arrangement of buildings and structures are compatible with existing and future uses in the surrounding area.*

This proposed development is not at all compatible with the existing areas of lower density with regard to height, massing and arrangement of buildings.

**Policy 3.6.1**

*High Density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods.*

Again, this high-density proposal is NOT on the periphery but right in the center of the mature, low density neighbourhood

**Policy 3.6.8 d)**

This item is also not adhered to as the proposal has inadequate parking, amenity features and is not compatible with existing residential heights. Furthermore it will cast shadows on Billy Green Elementary school for at least 50% of the school day.

**Neighbourhoods Designation – High Density Residential Design Policy 3.6.8**

**Planning Comment:** The proposed development is a respectful form of residential intensification, as it will not result in shadowing, or overlook concerns

This is not true! Residents on Canfield Court and Paramount Drive will have residents in the Stacked Townhouses and apartment looking directly in their bedrooms and living rooms, respectively.

**Appendix E Highlights the Significant short-comings of the proposal**

Physically Challenged Parking Spots:	1% required = 37	Proposed 6
Minimum Number of Parking Spaces:	558 required	Proposed 369
Minimum Front Yard	7.5m required	Proposed 3.25m
Minimum Side Yard	6.0m required	Proposed 3.0m
Maximum Density	40 units/Ha	Proposed 187
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RM3 Zone: Stacked townhouses	Not permitted	

**Policy 6.2.6**

**Planning Comment:** While the Institutional Designation allows for low-density residential uses, an amendment is required for the proposed development as it does not allow high-density residential uses.

One of the main reasons everyone in this neighbourhood chose to live here is because it was not zoned high-density. Obviously the City Planners had a very good reason not to zone it High Density, mainly because it is a suburb. To suddenly decide after 40+ years that the zoning should be changed to high-density simply to accommodate a developer is outrageous and nothing short of criminal to the existing community.  
 If we wanted to live downtown or in Toronto we would have moved there.

**9 School and City Recreation Facility and Outdoor Recreation/ Parks Issues Assessment**

As noted throughout this report, the subject lands directly about Billy Green Elementary School to the north and St. Paul Catholic Elementary School to the south-west. The development of the subject lands will be compatible with the surrounding institutional uses, as it does not create significant shadow impacts upon the schools

This is completely false. The 8 story apartment will completely block out any sunshine that Billy Green's kindergarten classrooms/playground presently enjoy. Furthermore, the apartments will be looking directly into the classroom windows of Billy Green school all day long.

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Registered Professional Planners ("Planners") have a responsibility to acknowledge the interrelated nature of planning decisions and the consequences for natural and human environments, and the broader public interest. The public interest reflects a balance between the local needs of the community with the interests of stakeholders. In order to determine whether the proposed development is within the public interest

Both the Councillor and the Planner stated that they have never had as many people at a public meeting in their entire careers as were present at the February 16, 2023 meeting. This in itself tells the whole story.

The unanimous outrage and opposition displayed at the meeting cannot be simply disregarded. If the above Professional Planners code of ethics is to be respected at all then based on this meeting alone the existing High-Density plan needs to be thrown out and a new Low-Density plan submitted, hopefully one that has community involvement and fits the character of the neighbourhood.

**11.1 Environment**

The proposed development will provide residential density in close proximity to commercial and institutional uses and allow residents to live, work and play within the same neighbourhood, thus being active transportation supportive

This is not true as very few residents work in this neighbourhood.  
 There are no employers of any size near this community.

The proposed development will capitalize on the advantage and provide reduced parking ratios to encourage an increase in transit usage. Overall, by promoting transit and active transportation, it decreases the need for automobile travel and greenhouse gas emissions, which contributes to a higher energy consumption and declining air quality.

In reality, this High-Density development will accomplish the complete opposite of what is stated in section 11.1

Once again, this proposal is more fitting to downtown and not a suburb like 1065 Paramount Drive. Residents living here generally need a car. This might be the case in places like downtown where it is easy to ride a bike or take a bus to work. This concept is not applicable to a suburban community that depends on driving and having an adequate traffic infrastructure, which this proposal will certainly affect in an adverse manner.

### **12 Conclusions and Recommendations**

I would argue that it does NOT maintain the intent of the Urban Hamilton Official Plan and West Mountain Area Secondary Plan. Sure it may satisfy one such factor, to build more units, but I'm certain the original intent was much more inclusive than that: Fitting in with the Character of the existing neighbourhood; Acceptance by the existing neighbourhood; not creating traffic and parking chaos in an existing neighbourhood; not creating buildings high enough to invade upon the privacy of existing residents. I also highly doubt that the Former City of Stoney Creek Zoning By-Law would have intended a development such as this. In fact I would argue that the Former City Planners would have shut this down immediately.

It definitely is NOT compatible with the surrounding build form.

It definitely does not represent good planning that is in the public interest. It is only in the developers best interest, not the communities.

This development is NOT suitable for the existing residents and character of this neighborhood. I am 100% opposed to it in the proposed form.

Sincerely,

[REDACTED]

Stoney Creek

[REDACTED]

Sent from my iPad

**From:** [REDACTED]  
**To:** [Clark, Brad](#); [Van Rooi, James](#); [Tracy.Tucker@ibigroup.com](mailto:Tracy.Tucker@ibigroup.com)  
**Subject:** Paramount Drive rezoning.  
**Date:** Thursday, March 9, 2023 3:19:49 PM

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We are totally against this project for reasons already sent to you by many residents.

It does not belong in this neighbourhood.

Sincerely,

[REDACTED]

[REDACTED]

--  
[REDACTED]

February 28, 2023

To: Brad Clark [Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)  
James Van Rooi [James.VanRooi@hamilton.ca](mailto:James.VanRooi@hamilton.ca)  
Tracy Tucker [Tracy.Tucker@ibigroup.com](mailto:Tracy.Tucker@ibigroup.com)

Objection to File No. UHOPA-23-005 regarding the proposed By-Law to change the land use designation from "Institutional" to "Neighbourhoods" in Schedule "E-1" of the Urban Hamilton Official Plan and to change the land use designation from "Institutional" to "High Density Residential 1" in the West Mountain Area (Heritage Green) Secondary Plan.

Objection to File No. ZAC-23-006 regarding the rezoning of the subject lands from the Small Scale Institutional "IS" Zone to a modified Multiple Residential "RM3-XX" Zone

I strongly object to the above proposals for the following reasons:

**1. Unsatisfactory "Planning Justification Report" and "Urban Design Brief"**

The 'Planning Justification Report' is based extensively on the Provincial governments desire to increase the number of housing units.

This is only one consideration, and given the recent extensive expansion to the Urban boundary it should be near the bottom of the list of priorities to consider, especially when the new development is in the center of a mature, established community. There are so many opposing arguments that render this High-Density "urban" proposal completely unsatisfactory as it is in the middle of a Low-Density "suburban" community (neighbourhood character; Congestion; Traffic; Safety; Pollution; Infrastructure; Mental Health; etc). The High-Density rationale does not apply to our suburb as we are a commuter-based neighbourhood that relies heavily on the Redhill Expressway and Lincoln Alexander Parkway to commute to work.

Please see the attached Addendum for a long list of points that do not adhere to the:

- Planning Act
- Provincial Policy Statement 2020
- Urban Hamilton Official Plan
- Neighbourhoods Designation General Policies
- West Mountain Area Secondary Plan
- Zoning By-laws
- Registered Professional Planners responsibility to "local needs of the community"

Furthermore, the 'Urban Design Brief' states that "the south boundary is defined by residential single dwellings screened by a densely planted landscape buffer" which is not true at all. The trees on the SW corner of the development are tall enough to provide privacy to a 3 level townhouse. However the other 3 houses in Canfield Court that back on to the South side of the lot offer no privacy to any structure over 2 stories. Nor is there any privacy for the homes on Paramount drive from the street facing Apartments and Stacked Townhouses. The townhouses will be looking directly into the bedrooms on Canfield Court and both the apartments and townhouses will be looking directly into the living rooms on Paramount Drive. In time, these trees will one day die and/or be removed and then there would be absolutely no privacy for any of the existing residents mentioned above.

**2. High-Density zoning is completely unnecessary in this Community**

With the recent Urban Boundary expansion announced by the Provincial government there is absolutely no need to create a High Density development in a Low Density, mature neighbourhood. The High Density zoning does not fit with the existing character of the community, which is all Low Density. It is also in complete contradiction of section 3.3.1 which states that High Density housing is to be on the outskirts of the community, not on the interior which is exactly where it is being proposed.

**3. Recent Precedent for Ward 9 regarding zoning density**

Just 4 km away a new development was approved at 15 Ridgeview, which is in Ward 9 as is the proposed development at 1065 Paramount Drive. The property at 15 Ridgeview is 5 hectares and a total of 105 residential units (25 single family homes and 80 three-level townhouses) was submitted and approved. That is only 21 residential units per hectare of land.

Comparatively, the proposal for 1065 Paramount Drive is on a lot that is only 1.63 hectares but they are proposing 299 residential units. **The proposed density is 187 residential units per hectare of land. The present by-law states a maximum 40 residents per hectare.**

In regard to the 15 Ridgeview development, The Hamilton Spectator reported that Jeff Beattie (Stoney Creek councilor) said that the proposed development will be similar to the existing housing blocks that have already been built. In other words, they were very cognizant of the existing community and made every effort to ensure the new development fit in.

The closest elementary school to the 15 Ridgeview development is Eastdale which is 6 km away from it whereas the High-Density proposal for 1065 Paramount Drive is within meters of both Billy Green and St. Paul elementary schools. The safety of children making their way to both schools cannot be measured, however it is painfully obvious that having a High Density development with upwards of 600 new cars in the area coming and going during morning and afternoon rush periods will only increase the risk of traffic accidents and injuries.

**4. Job Markets not easily accessible via public transit from this area**

The argument provided by the planner that there is public transit right on Paramount drive which will help newcomers commute to work and will reduce the number of residents owning vehicles is not valid for this community as it is basically a suburb to Hamilton. Anyone who lives and commutes in this area knows that a bus ride to most work areas is a very lengthy, time consuming journey. A bus to downtown Hamilton takes an hour easily. This community is not close to any major job markets, most people commute. In fact many new people entering the community are probably from out of town and will certainly be driving, creating more congestion and air pollution than is necessary. This High-Density plan is inappropriate for a suburb such as ours and lends itself more to downtown where residents do in fact walk, ride or take public transit to work.

**5. Traffic considerations to include the impact on the Red Hill Valley Expressway and the Lincoln Alexander Expressway**

The fact is there will be more traffic. Anyone who lives in this area knows that the Red Hill Valley Parkway and the Lincoln Alexander Parkway are already stop and go every morning and afternoon. We know that the planners comment "Traffic will take care of itself" is simply not true for this area as evidenced by years of backlog on the Redhill/Linc. Adding approximately 300 more cars to the morning and evening commute is definitely going to compound this problem and traffic will only get worse.

**6. Insufficient Parking**

The Planner's goal of not providing enough parking spots in the hopes of attracting residents without cars is not realistic for this community because as previously stated it is a suburb in which most people commute to and from work. Most residents in this area have at least 2 cars per household, townhouses included. This is because there are very few employers in the area and the vast majority of workers have to commute. Using the HSR is a last resort because it takes forever to get anywhere and the routes

are extremely limited to and from this community. The proposal allows for 369 parking spaces for 299 units instead of 558 that is presently required in our by-laws. The overflow of parking will obviously spill over to Billy Green's parking lot; the strip plaza parking lot; and neighbourhood side streets. Parking on the side streets is already a daily drama so adding all these extra cars will only increase local residents' anxiety and create so much congestion that snow plows and traffic will be an ongoing problem. Also, there are an unacceptable number of Physically Challenged Parking spots of only 6 instead of 37 as required (1%). Again, this High-Density plan is inappropriate for a suburb such as ours and lends itself more to downtown where residents are more apt to not own cars and walk/ride/transit.

7. **No regard for the Character of our existing community or the mental health of existing residents**

This high-density proposal in no way considers the character or desires of the local community. There is nothing like this in all of Stoney Creek. To take the last plot of land in the center of a very mature neighbourhood and change the whole complexion of it is extremely disrespectful to the existing community. Absolutely no regard has been shown for the lifelong investment residents have made to live and retire here. Not to mention the **mental health issues** this is creating in our community. My wife and I haven't had a full night's sleep since we received the notice of this development in early January. I know for a fact that there are a LOT of other residents who are even more vocal and outraged than us. ***The fact that this is listed as a major consideration for both Registered Professional Planners and as a ByLaw consideration but is not being addressed is cause for great concern***

In conclusion, I respectfully ask the Planning Committee to reject this proposal in its entirety and start from scratch, with community involvement. I know there a lot of residents who want it left Institutional.

What we really need in this community is a daycare center. There are other groups who want only single family homes. The one thing I do know is that the entire community is unanimously against this proposal. The views of this community should be a top priority when a proposal of this significance is introduced to such a mature, established neighbourhood.

Thank you for your time and consideration.

████████████████████

████████████████



## Addendum to Objection Letter

### 6.1 Urban Design Brief

*The height of these buildings provides a comfortable transition between higher building masses and the surrounding neighbourhood character*

This is not true as the transition between a 3 storey **stacked** townhouse and a single family home is not a “comfortable” transition at all.

### 7.1 Planning Act

#### **Planning Comment:**

“The proposed layout will ensure compatibility with neighbouring land uses, by placing the lower-density three-storey stacked townhouses on the southern portion of the subject lands, adjacent to the existing single detached dwellings along Canfield Court”

This is not true as the proposal is completely incompatible with the existing community and especially the dwellings along Canfield Court and Paramount Drive.

### 7.2 Provincial Policy Statement

#### Policy 1.1.1 f)

This proposal does **NOT** improve accessibility for persons with disabilities and older persons because there are not nearly enough Physically Challenged Parking spots available (6 proposed 37 required)

Policy 1.1.2 is inadmissible as it is based on intensification targets “which shall be established through a **future** Amendment to the UHOP

#### Policy 1.1.3.4

#### **Planning Comment:**

The surrounding neighbourhood is comprised of primarily single detached residential dwellings and block townhouses. The abutting built form is predominantly single detached residential and open space/institutional, which makes the location of the proposed three-storey stacked townhouse units and eight-storey apartment building appropriate

This is not true either as it is extremely inappropriate to put these buildings in the center of a mature neighbourhood, which goes directly against section Policy number 3.3.1 which states that **high density development should be on the outskirts of a community**. Also, putting 3 storey "stacked" townhouses adjacent to single family homes is completely unacceptable.

**Policy 1.4.3 b) 1.**

This proposal does **NOT** meet the social, health, economic and well-being requirements of current and future residents! The property values will be greatly reduced for current residents; the Mental Health of current residents is already being adversely affected; an insufficient number of physically challenged parking spots will seriously impact future residents, especially as they are targeting seniors to retire there.

**Policy 1.6.6**

I have not seen any studies to support the claims that the existing sewage and water services can accommodate this proposal. From what I understand these studies have not yet been done.

**Policy 1.6.7.4**

Again, being a commuter-based community driving is essential. This proposal will **NOT** minimize the length and number of vehicle trips in this community.

**Policy 1.8.1**

The significant increase of vehicles in such a small area will increase air pollution. Also, this proposal is in a commuter's neighbourhood and will not reduce motor vehicle trips and congestion but increase them both.

## **7.4 Urban Hamilton Official Plan (UHOP)**

### **Policy 2.4.1.4**

#### **Planning Comment:**

It represents a form of intensification, which is compatible in terms of scale and built form with the surrounding neighbourhood, by placing the lower-density three-storey stacked townhouses on the southern portion of the subject lands, adjacent to the existing single detached dwellings along Canfield Court.

This is **NOT** true as the proposal is not compatible with the surrounding neighbourhood in the least. There is nothing in this neighbourhood that resembles this proposal at all. The skyline and character of the neighbourhood will be ruined forever.

This proposal is not a compatible integration with the surrounding area!

#### **Planning Comment:**

It is not anticipated to adversely impact the existing transportation network

This is obviously not true. Any increase in traffic will adversely impact any area.

#### **Planning Comment:**

The proposed development will make more efficient use of the local road than existing conditions.

This too is not true as Paramount Drive is the only road in and out of the subdivision. Adding another 300 – 600 cars will definitely reduce its efficiency

### **Policy 2.4.2.2**

#### **Planning Comment:**

The proposed development is a respectful form of residential intensification, as it will not result in shadowing, overlook, noise, lighting or traffic concerns. The layout will ensure compatibility with adjacent land uses,

Judging by the residents overwhelming outrage at the February 16 meeting this proposal is anything but 'respectful' with regard to both residents or compatibility. It is not compatible with adjacent land uses nor the height, massing or scale of nearby residential buildings (single family homes). The shadows created over Billy Green Elementary school will block out sunlight until mid-day. Furthermore, there are no 'amenity' provisions at all.

**Policy 3.3.2.3: Urban design should foster a sense of community pride**

**Not one of the 7 principals listed below were satisfied:**

- a) Respecting existing character – Not at all
- b) Consistent with locale and surrounding environment – Not at all
- c) Recognizing and protecting the cultural history - No
- d) Conserving and respecting the existing build heritage features - No
- e) Conserving, maintain, and enhancing the features of its communities - No
- f) Demonstrating sensitivity toward community identity – Not at all
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This is False as it does NOT fit within the existing neighbourhood context

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This is false. Nothing in this proposal will reduce greenhouse emissions or protect/enhance the natural urban environment. Fewer residential units and more green space will protect and enhance the natural urban environment.

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**Policy 3.6.8 d)**

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**Neighbourhoods Designation – High Density Residential**

**Design Policy 3.6.8**

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Minimum Landscape Open Space	50%	Proposed 30%

RM3 Zone: Stacked townhouses Not permitted

**Policy 6.2.6**

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#### **11.1 Environment**

The proposed development will provide residential density in close proximity to commercial and institutional uses and allow residents to live, work and play within the same neighbourhood, thus being active transportation supportive

This is not true as very few residents work in this neighbourhood. There are no employers of any size near this community.

The proposed development will capitalize on the advantage and provide reduced parking ratios to encourage an increase in transit usage. Overall, by promoting transit and active transportation, it decreases the need for automobile travel and greenhouse gas emissions, which contributes to a higher energy consumption and declining air quality.

In reality, this High-Density development will accomplish the complete opposite of what is stated in section 11.1

Once again, this proposal is more fitting to downtown and not a suburb like 1065 Paramount Drive. Residents living here generally need a car. This might be the case in places like downtown where it is easy to ride a bike or take a bus to work. This concept is not applicable to a suburban community that depends on driving and having an adequate traffic infrastructure, which this proposal will certainly affect in an adverse manner.

## **12 Conclusions and Recommendations**

I would argue that it does NOT maintain the intent of the Urban Hamilton Official Plan and West Mountain Area Secondary Plan. Sure it may satisfy one such factor, to build more units, but I'm certain the original intent was much more inclusive than that: Fitting in with the Character of the existing neighbourhood; Acceptance by the existing neighbourhood; not creating traffic and parking chaos in an existing neighbourhood; not creating buildings high enough to invade upon the privacy of existing residents.

I also highly doubt that the Former City of Stoney Creek Zoning By-Law would have intended a development such as this. In fact I would argue that the Former City Planners would have shut this down immediately.

It definitely is NOT compatible with the surrounding build form.

It definitely does not represent good planning that is in the public interest. It is only in the developers best interest, not the communities.

**From:** [REDACTED]  
**To:** [Clark, Brad](#); [Van Rooi, James](#); [tracy.tucker@ibigroup.com](mailto:tracy.tucker@ibigroup.com)  
**Subject:** Notice of objection to Proposed Development at 1065 Paramount Drive  
**Date:** Tuesday, February 28, 2023 8:08:00 PM  
**Attachments:** [Letter of Objection.docx](#)

---

Attached are our objections to this proposed development for your consideration.

Regards.

[REDACTED]

From: [REDACTED]  
To: [Van Rooi, James](mailto:Van.Rooi.James)  
Subject: Re: Notice of objection to Proposed Development at 1065 Paramount Drive  
Date: Wednesday, March 1, 2023 4:41:07 PM

---

Thank you James.

[REDACTED]

On Wed, Mar 1, 2023, 3:56 p.m. Van Rooi, James <[James.VanRooi@hamilton.ca](mailto:James.VanRooi@hamilton.ca)> wrote:

Good afternoon [REDACTED] thank you for the letter.

This email is to confirm that your comments regarding planning applications UHOPA-23-005 & ZAC-23-006 have been received.

Your comments will be included and discussed in our staff report presented to the Planning Committee as part of the required public hearing. Please note, that at this time a public hearing has not been scheduled for Planning Committee. When we do have a Planning Committee date, you will be notified and will receive a copy of the staff report in advance.

I kindly request that you provide me your mailing address so that I may forward future staff reports and information regarding this development.

Thank you.

James Van Rooi, *MCIP, RPP*

Senior Planner (Rural Team)

Development Planning,

Planning & Economic Development Department

City of Hamilton

71 Main Street West, 5<sup>th</sup> Floor

Hamilton ON L8P 4Y5

p. 905.546.2424 ext. 4283

f. 905.546.4202

e. [James.VanRooi@hamilton.ca](mailto:James.VanRooi@hamilton.ca)

---

**From:** [REDACTED]  
**Sent:** Tuesday, February 28, 2023 8:06 PM  
**To:** Clark, Brad <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)>; Van Rooi, James  
<[James.VanRooi@hamilton.ca](mailto:James.VanRooi@hamilton.ca)>; [tracy.tucker@ibigroup.com](mailto:tracy.tucker@ibigroup.com)  
**Subject:** Notice of objection to Proposed Development at 1065 Paramount Drive

Attached are our objections to this proposed development for your consideration.

Regards.

[REDACTED]

**From:** [REDACTED]  
**To:** [Clark, Brad](#); [Van Rooi, James](#)  
**Subject:** File UHOPA-23-005 Re: By-law change- West Mountain Area Heritage Green) land use change  
**Date:** Monday, March 6, 2023 2:50:52 PM  
**Attachments:** [Paramount.pdf](#)

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Good afternoon Brad and James.

I am a concerned resident in the Heritage Green area that will be affected by this proposed development.

I have received the attached letter, which I fully concur with. I have done similar research into rezoning.

To recap, there is no precedent for high occupancy zoning in this area, nor is there a need for it.

IBI has completely misread the neighbourhood they are proposing for this development. In doing so, their finds are flawed. This is not good design, this is not compatible with the surrounding buildings. It is not good planning, it is not in the interest of the community.

I would ask that the City of Hamilton does what IBI has not. That is to visit the site and the surrounding area to come to the same conclusion as all other residents and to deny the rezoning.

Best Regards,

[REDACTED]  
[REDACTED]

**From:** [REDACTED]  
**To:** [Van Rooi, James](mailto:James.VanRooi@hamilton.ca)  
**Cc:** [Clark, Brad](mailto:Clark.Brad@hamilton.ca); [Toman, Charlie](mailto:Toman.Charlie@hamilton.ca)  
**Subject:** Re: File UHOPA-23-005 Re: By-law change- West Mountain Area Heritage Green) land use change  
**Date:** Monday, March 6, 2023 3:14:12 PM

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Thanks James:  
My mailing address is:

[REDACTED]  
[REDACTED]  
[REDACTED]

Regards,

[REDACTED]

Sent from my iPhone

On Mar 6, 2023, at 3:09 PM, Van Rooi, James <[James.VanRooi@hamilton.ca](mailto:James.VanRooi@hamilton.ca)> wrote:

Good afternoon [REDACTED], thank you for your comments.

This email is to confirm that your comments and letter regarding planning applications UHOPA-23-005 & ZAC-23-006 have been received.

Your comments will be included and discussed in our staff report presented to the Planning Committee as part of the required public hearing. Please note, that at this time a public hearing has not been scheduled for Planning Committee. When we do have a Planning Committee date, you will be notified and will receive a copy of the staff report in advance.

I kindly request that you provide me your mailing address so that I may forward future staff reports and information regarding this development.

Thank you.

James Van Rooi, *MCIP, RPP*  
Senior Planner (Rural Team)

Development Planning,  
Planning & Economic Development Department  
City of Hamilton

71 Main Street West, 5<sup>th</sup> Floor  
Hamilton ON L8P 4Y5  
p. 905.546.2424 ext. 4283  
f. 905.546.4202

e. [James.VanRooi@hamilton.ca](mailto:James.VanRooi@hamilton.ca)

---

**From:** [REDACTED]  
**Sent:** Monday, March 6, 2023 2:50 PM  
**To:** Clark, Brad <Brad.Clark@hamilton.ca>; Van Rooi, James <James.VanRooi@hamilton.ca>  
**Subject:** File UHOPA-23-005 Re: By-law change- West Mountain Area Heritage Green) land use change

Good afternoon Brad and James.

I am a concerned resident in the Heritage Green area that will be affected by this proposed development.

I have received the attached letter, which I fully concur with. I have done similar research into rezoning.

To recap, there is no precedent for high occupancy zoning in this area, nor is there a need for it.

IBI has completely misread the neighbourhood they are proposing for this development. In doing so, their finds are flawed. This is not good design, this is not compatible with the surrounding buildings. It is not good planning, it is not in the interest of the community.

I would ask that the City of Hamilton does what IBI has not. That is to visit the site and the surrounding area to come to the same conclusion as all other residents and to deny the rezoning.

Best Regards,

[REDACTED]  
[REDACTED]



**From:** [Clark, Brad](#)  
**To:** [REDACTED]  
**Cc:** [Ribaric, Robert](#); [Morton, Devon](#); [Van Rooi, James](#)  
**Subject:** RE: Last nites meeting  
**Date:** Monday, February 27, 2023 2:00:04 PM

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Hi [REDACTED]

I appreciate your comments on this application and thank you for attending this public meeting. I believe the attendance exceeded 250 people. While I expected a large crowd I did not expect that crowd.

Please be advised that our city staff have not made any recommendations on the development. There are ongoing discussions with the developers planner regarding density. My hope remains that we can find a way to a more reasonable intensification. I will continue to advocate for the ways and means to lower the height of the building and provide additional parking.

Regardless your names will be added to the database of interested parties. You will be notified of the next public meeting.

I have taken note of your suggestion about speeding on Paramount. I will be requesting volume and speed counts in the spring as I expect that driving behaviours are now normalized.

If you wish to chat further, please call 905 977-0679.

Respectfully yours,

Brad

**Councillor Brad Clark**  
**Ward 9 - Upper Stoney Creek**  
**Room 262, 71 Main Street West**  
**Hamilton, ON L8P 4Y5**

**Office:** [905 546-2703](tel:9055462703)  
**Cell:** [905 977-0679](tel:9059770679)  
[brad.clark@hamilton.ca](mailto:brad.clark@hamilton.ca)  
[www.bradclarkreport.ca](http://www.bradclarkreport.ca)



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**From:** [REDACTED]  
**Sent:** Friday, February 17, 2023 11:01 AM  
**To:** Clark, Brad <Brad.Clark@hamilton.ca>  
**Subject:** Last nites meeting

Good Morning Brad

Quite a meeting last nite, a little rowdy at times, BUT that being said it was quite obvious that the contentious issue is the apartment building.

Remove the apartment from the plan replacing it with more 3 story condos and I don't think you'd have as much backlash.

On a side note, the city should in my opinion look at the potential of speed bumps to control the racing that is constant on Paramount.

It's not visitors that are speeding BUT residents in the area.

JUST A THOUGHT

[REDACTED]

**From:** [REDACTED]  
**To:** [Clark, Brad; Van Rooi, James; Tracy.Tucker@ibigroup.com](mailto:Clark, Brad; Van Rooi, James; Tracy.Tucker@ibigroup.com)  
**Subject:** Objection to File No. ZAC-23-006 regarding the rezoning  
**Date:** Monday, March 6, 2023 9:54:10 PM

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To whom it may concern,

Objection to File No. UHOPA-23-005 regarding the proposed By-Law to change the land use designation from "Institutional" to "Neighbourhoods" in Schedule "E-1" of the Urban Hamilton Official Plan and to change the land use designation from "Institutional" to "High Density Residential 1" in the West Mountain Area (Heritage Green) Secondary Plan.

Objection to File No. ZAC-23-006 regarding the rezoning of the subject lands from the Small Scale Institutional "IS" Zone to a modified Multiple Residential "RM3-XX" Zone

I strongly object to the above proposals for the following reasons:

**1. Unsatisfactory "Planning Justification Report" and "Urban Design Brief"**

The 'Planning Justification Report' is based extensively on the Provincial governments desire to increase the number of housing units.

This is only one consideration, and given the recent extensive expansion to the Urban boundary it should be near the bottom of the list of priorities to consider, especially when the new development is in the center of a mature, established community. There are so many opposing arguments that render this High-Density "urban" proposal completely unsatisfactory as it is in the middle of a Low-Density "suburban" community (neighbourhood character; Congestion; Traffic; Safety; Pollution; Infrastructure; Mental Health; etc). The High-Density rationale does not apply to our suburb as we are a commuter-based neighbourhood that relies heavily on the Redhill Expressway and Lincoln Alexander Parkway to commute to work.

Please see the attached Addendum for a long list of points that do not adhere to the:

- Planning Act
- Provincial Policy Statement 2020
- Urban Hamilton Official Plan
- Neighbourhoods Designation General Policies
- West Mountain Area Secondary Plan
- Zoning By-laws
- Registered Professional Planners responsibility re "local needs of the community"

Furthermore, the 'Urban Design Brief' states that "the south boundary is defined by residential single dwellings screened by a densely planted landscape buffer" which is not true at all. The trees on the SW corner of the development are tall enough to provide privacy to a 3 level townhouse. However the other 3 houses in Canfield Court that back on to the South side of the lot offer no privacy to any structure over 2 stories. Nor is there any privacy for the homes on Paramount drive from the street facing Apartments and Stacked Townhouses. The townhouses will be looking directly into the bedrooms on Canfield Court and both the apartments and townhouses will be looking directly into the living rooms on Paramount Drive. In time, these trees will one day die and/or be removed and then there would be absolutely no privacy for any of the existing residents mentioned above.

**2. High-Density zoning is completely unnecessary in this Community**

With the recent Urban Boundary expansion announced by the Provincial government there is absolutely no need to create a High Density development in a Low Density, mature neighbourhood. The High Density zoning does not fit with the existing character of the community, which is all Low Density. It is also in complete contradiction of section 3.3.1 which states that High Density housing is to be on the outskirts of the community, not on the interior which is exactly where it is being proposed.

**3. Recent Precedent for Ward 9 regarding zoning density**

Just 4 km away a new development was approved at 15 Ridgeview, which is in Ward 9 as is the proposed development at 1065 Paramount Drive. The property at 15 Ridgeview is 5 hectares and a total of 105 residential units (25 single family homes and 80 three-level townhouses) was submitted and approved. That is only 21 residential units per hectare of land.

Comparatively, the proposal for 1065 Paramount Drive is on a lot that is only 1.63 hectares but they are proposing 299 residential units. The proposed density is 187 residential units per hectare of land. The present by-law states a maximum 40 residents per hectare.

In regard to the 15 Ridgeview development, The Hamilton Spectator reported that Jeff Beattie (Stoney Creek councilor) said that the proposed development will be similar to the existing housing blocks that have already been built. In other words, they were very cognizant of the existing community and made every effort to ensure the new development fit in.

The closest elementary school to the 15 Ridgeview development is Eastdale which is 6 km away from it whereas the High-Density proposal for 1065 Paramount Drive is within meters of both Billy Green and St. Paul elementary schools. The safety of children making their way to both schools cannot be measured, however it is painfully obvious that having a High Density development with upwards of 600 new cars in the area coming and going during morning and afternoon rush periods will only increase the risk of traffic accidents and injuries.

**4. Job Markets not easily accessible via public transit from this area**

The argument provided by the planner that there is public transit right on Paramount drive which will help newcomers commute to work and will reduce the number of residents owning vehicles is not valid for this community as it is basically a suburb to Hamilton. Anyone who lives and commutes in this area knows that a bus ride to most work areas is a very lengthy, time consuming journey. A bus to downtown Hamilton takes an hour easily. This community is not close to any major job markets, most people commute. In fact many new people entering the community are probably from out of town and will certainly be driving, creating more congestion and air pollution than is necessary. This High-Density plan is inappropriate for a suburb such as ours and lends itself more to downtown where residents do in fact walk, ride or take public transit to work.

**5. Traffic considerations to include the impact on the Red Hill Valley Expressway and the Lincoln Alexander Expressway**

The fact is there will be more traffic. Anyone who lives in this area knows that the Red

Hill Valley Parkway and the Lincoln Alexander Parkway are already stop and go every morning and afternoon. We know that the planners comment "Traffic will take care of itself" is simply not true for this area as evidenced by years of backlog on the Redhill/Linc. Adding approximately 300 more cars to the morning and evening commute is definitely going to compound this problem and traffic will only get worse.

**6. Insufficient Parking**

The Planner's goal of not providing enough parking spots in the hopes of attracting residents without cars is not realistic for this community because as previously stated it is a suburb in which most people commute to and from work. Most residents in this area have at least 2 cars per household, townhouses included. This is because there are very few employers in the area and the vast majority of workers have to commute. Using the HSR is a last resort because it takes forever to get anywhere and the routes are extremely limited to and from this community. The proposal allows for 369 parking spaces for 299 units instead of 558 that is presently required in our by-laws. The overflow of parking will obviously spill over to Billy Green's parking lot; the strip plaza parking lot; and neighbourhood side streets. Parking on the side streets is already a daily drama so adding all these extra cars will only increase local residents' anxiety and create so much congestion that snow plows and traffic will be an ongoing problem. Also, there are an unacceptable number of Physically Challenged Parking spots of only 6 instead of 37 as required (1%). Again, this High-Density plan is inappropriate for a suburb such as ours and lends itself more to downtown where residents are more apt to not own cars and walk/ride/transit.

**7. No regard for the Character of our existing community or the mental health of existing residents**

This high-density proposal in no way considers the character or desires of the local community. There is nothing like this in all of Stoney Creek. To take the last plot of land in the center of a very mature neighbourhood and change the whole complexion of it is extremely disrespectful to the existing community. Absolutely no regard has been shown for the lifelong investment residents have made to live and retire here. Not to mention the **mental health issues** this is creating in our community. I know for a fact that there are a LOT of residents who are quite outraged about this. The stress and anxiety this is creating is completely unnecessary. ***The fact that this is listed as a major consideration for both Registered Professional Planners and as a ByLaw consideration but is not being addressed is cause for great concern***

**Addendum to Objection Letter**

**6.1 Urban Design Brief**

***The height of these buildings provides a comfortable transition between higher building masses and the surrounding neighbourhood character***

This is not true as the transition between a 3 storey **stacked** townhouse and a single family home is not a "comfortable" transition at all.

## 7.1 Planning Act

### **Planning Comment:**

"The proposed layout will ensure compatibility with neighbouring land uses, by placing the lower-density three-storey stacked townhouses on the southern portion of the subject lands, adjacent to the existing single detached dwellings along Canfield Court"

This is not true as the proposal is completely incompatible with the existing community and especially the dwellings along Canfield Court and Paramount Drive.

## 7.2 Provincial Policy Statement

### Policy 1.1.1 f)

This proposal does **NOT** improve accessibility for persons with disabilities and older persons because there are not nearly enough Physically Challenged Parking spots available (6 proposed 37 required)

Policy 1.1.2 is inadmissible as it is based on intensification targets "which shall be established through a **future** Amendment to the UHOP

### Policy 1.1.3.4

#### **Planning Comment:**

The surrounding neighbourhood is comprised of primarily single detached residential dwellings and block townhouses. The abutting built form is predominantly single detached residential and open space/institutional, which makes the location of the proposed three-storey stacked townhouse units and eight-storey apartment building appropriate

This is not true either as it is extremely inappropriate to put these buildings in the center of a mature neighbourhood, which goes directly against section Policy number 3.3.1 which states that **high density development should be on the outskirts of a community**. Also, putting 3 storey "stacked" townhouses adjacent to single family homes is completely unacceptable.

### Policy 1.4.3 b) 1.

This proposal does **NOT** meet the social, health, economic and well-being requirements of current and future residents! The property values will be greatly reduced for current residents; the Mental Health of current residents is already being adversely affected; an insufficient number of physically challenged parking spots will seriously impact future residents, especially as they are targeting seniors to retire there.

-  
**Policy 1.6.6**

I have not seen any studies to support the claims that the existing sewage and water services can accommodate this proposal. From what I understand these studies have not yet been done.

-  
**Policy 1.6.7.4**

Again, being a commuter-based community driving is essential. This proposal will **NOT** minimize the length and number of vehicle trips in this community.

-  
**Policy 1.8.1**

The significant increase of vehicles in such a small area will increase air pollution. Also, this proposal is in a commuter's neighbourhood and will not reduce motor vehicle trips and congestion but increase them both.

## **7.4 Urban Hamilton Official Plan (UHOP)**

### **Policy 2.4.1.4**

#### **Planning Comment:**

It represents a form of intensification, which is compatible in terms of scale and built form with the surrounding neighbourhood, by placing the lower-density three-storey stacked townhouses on the southern portion of the subject lands, adjacent to the existing single detached dwellings along Canfield Court.

This is **NOT** true as the proposal is not compatible with the surrounding neighbourhood in the least. There is nothing in this neighbourhood that resembles this proposal at all. The skyline and character of the neighbourhood will be ruined forever.

This proposal is not a compatible integration with the surrounding area!

#### **Planning Comment:**

It is not anticipated to adversely impact the existing transportation network

This is obviously not true. Any increase in traffic will adversely impact any area.

#### **Planning Comment:**

The proposed development will make more efficient use of the local road than existing conditions.

This too is not true as Paramount Drive is the only road in and out of the subdivision. Adding another 300 – 600 cars will definitely reduce its efficiency

### **Policy 2.4.2.2**

#### **Planning Comment:**

The proposed development is a respectful form of residential intensification, as it will not result in shadowing, overlook, noise, lighting or traffic concerns. The layout will ensure compatibility with adjacent land uses,

Judging by the residents overwhelming outrage at the February 16 meeting this proposal is anything but 'respectful' with regard to both residents or compatibility. It is not compatible with adjacent land uses nor the height, massing or scale of nearby residential buildings (single family homes). The shadows created over Billy Green Elementary school will block out sunlight until mid-day. Furthermore, there are no 'amenity' provisions at all.

**Policy 3.3.2.3: Urban design should foster a sense of community pride**

**Not one of the 7 principals listed below were satisfied:**

- a) Respecting existing character – Not at all
- b) Consistent with locale and surrounding environment – Not at all
- c) Recognizing and protecting the cultural history - No
- d) Conserving and respecting the existing build heritage features - No
- e) Conserving, maintain, and enhancing the features of its communities - No
- f) Demonstrating sensitivity toward community identity – Not at all
- g) Contributing to the character and ambiance of the community - No

**Planning Comments:**

The proposed development respects the existing community character, by proposing a compatible building layout with appropriate provisions,

The proposed frontage along Paramount Drive contributes to the character of the streetscape, as the four stacked townhouse blocks will be aligned with the existing street to form a consistent street wall.

Neither of these statements are true. This proposal has totally disrespected our community and the stacked townhouses are not in alignment with the existing street. The style and height of single family homes and townhouses that are already on Paramount Drive would be aligned properly, not stacked townhouses and an 8 storey apartment building.

**Policy 3.3.2.4: Quality Spaces**

**Planning Comment:**

The siting of the stacked townhouse blocks and apartment building is logical and fits within the existing neighbourhood context

This is False as it does NOT fit within the existing neighbourhood context

**Policy 3.3.2.6: New development and redevelopment should enhance the character of the existing environment**

Not one of the 4 sub-sections were satisfied

This is False as it does NOT enhance the character of the existing



environment. In reality it will become an eyesore and will deter from the character of the existing environment destroying the skyline of the entire neighbourhood.

**Policy 3.3.2.8 Urban design should promote the reduction of greenhouse emissions, ability to adapt to the impacts of a changing climate now and in the future, and protect and enhance the natural urban environment**

This is false. Nothing in this proposal will reduce greenhouse emissions or protect/enhance the natural urban environment. Fewer residential units and more green space will protect and enhance the natural urban environment.

**Policy 3.3.2.9 Urban design plays a significant role in the physical and mental health of our citizens.**

Again, not one sub-section has been satisfied (high quality, safe streetscapes; no development of places for active and passive recreation; no variety of land uses; increased air, noise, and water pollution)

This may be the single biggest concern that is being overlooked. The mere proposal in itself has caused such intense stress and anxiety in the community. The **mental health** of our citizens is obviously not a concern of the developer but we as a society depend on our City officials/planners to act in our best interest. Presently the mental health of this community is on a steep decline and will get progressively worse with developments like this.

**Policy 3.3.3.1**

**Planning Comment:** As previously discussed, the proposed development has been designed to fit within the surrounding neighbourhoods, in terms of scale, and ensuring adequate privacy and sunlight to neighbouring properties. It will be compatible with the surrounding low-density context,

This is not true because in no way does this development fit within the surrounding neighbourhood.

**Policy 4.5.8.4**

The proposed development will make more efficient use of the Collector Road, by increasing residential density on the subject lands, without hindering the current traffic flow.

This is false. More cars will undoubtedly hinder the current traffic flow. In fact, traffic flow will be at a stand--still in the morning and afternoon when school starts and ends.

**Policy 5.3 Lake –Based Municipal Water and Wastewater Systems**

Again, I have not seen any studies to support the claim that existing systems can accommodate a development of this size. I find it hard to believe that 40+ years after planning a community that the existing infrastructure could accommodate another 299 units on such a small piece of land. Surely the

planners never anticipated this happening that long ago.

## **Chapter E – Urban Systems and Designations**

### **Subsection 2.6 Neighbourhoods**

#### **Scale Policy 2.6.7**

*Neighbourhoods shall generally be regarded as physically stable areas with each neighbourhood having a unique scale and character. Changes compatible with the existing character or function of the neighbourhood shall be permitted.*

**Planning Comment:** The proposed development is compatible with the existing character of the neighbourhood, as a functional layout of differing typologies has been created to ensure that there are significant adverse impacts on any adjoining lands.

This is not true. It does NOT fit with the existing character of the neighbourhood and it will have a significant impact on adjoining lands, specifically residents of Canfield Court, Paramount Drive and both elementary schools.

#### **Scale and Design - Policy 3.2.4**

*The existing character of established neighbourhoods designated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood.*

This proposal does not satisfy this policy at all. In fact the complete opposite is true --- the existing character is NOT maintained and intensification is NOT compatible with the existing residential neighbourhood

#### **Policy 3.3.1**

*Lower Density residential uses and building forms shall generally be located in the interiors of neighbourhood areas with higher density dwelling forms and supporting uses located on the periphery.*

This proposal is for the exact opposite of 3.3.1. The proposed High-Density development is right in the middle of the Low-Density neighbourhood.

#### **Policy 3.3.2**

*Development or redevelopment adjacent to areas of lower density shall ensure the height, massing, and arrangement of buildings and structures are compatible with existing and future uses in the surrounding area.*

This proposed development is not at all compatible with the existing areas of lower density with regard to height, massing and arrangement of buildings.

**Policy 3.6.1**

*High Density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods.*

Again, this high-density proposal is NOT on the periphery but right in the center of the mature, low density neighbourhood

**Policy 3.6.8 d)**

This item is also not adhered to as the proposal has inadequate parking, amenity features and is not compatible with existing residential heights. Furthermore it will cast shadows on Billy Green Elementary school for at least 50% of the school day.

**Neighbourhoods Designation – High Density Residential Design Policy 3.6.8**

**Planning Comment:** *The proposed development is a respectful form of residential intensification, as it will not result in shadowing, or overlook concerns*

This is not true! Residents on Canfield Court and Paramount Drive will have residents in the Stacked Townhouses and apartment looking directly in their bedrooms and living rooms, respectively.

**Appendix E Highlights the Significant short-comings of the proposal**

Physically Challenged Parking Spots:	1% required = 37	Proposed 6
Minimum Number of Parking Spaces:	558 required	Proposed 369
Minimum Front Yard	7.5m required	Proposed 3.25m
Minimum Side Yard	6.0m required	Proposed 3.0m
Maximum Density	40 units/Ha	Proposed 187
Minimum Landscape Open Space	50%	Proposed 30%
RM3 Zone: Stacked townhouses	Not permitted	

**Policy 6.2.6**

**Planning Comment:** *While the Institutional Designation allows for low-density residential uses, an amendment is required for the proposed development as it does not allow high-density residential uses.*

One of the main reasons everyone in this neighbourhood chose to live here is because it was not zoned high-density. Obviously the City Planners had a very good reason not to zone it High Density, mainly because it is a suburb. To suddenly decide after 40+ years that the zoning should be changed to high-density simply to accommodate a developer is outrageous and nothing short of criminal to the existing community.

If we wanted to live downtown or in Toronto we would have moved there.

## **9 School and City Recreation Facility and Outdoor Recreation/ Parks Issues Assessment**

As noted throughout this report, the subject lands directly abut Billy Green Elementary School to the north and St. Paul Catholic Elementary School to the south-west. The development of the subject lands will be compatible with the surrounding institutional uses, as it does not create significant shadow impacts upon the schools

This is completely false. The 8 story apartment will completely block out any sunshine that Billy Green's kindergarten classrooms/playground presently enjoy. Furthermore, the apartments will be looking directly into the classroom windows of Billy Green school all day long.

### **11 Planning Justification**

Registered Professional Planners ("Planners") have a responsibility to acknowledge the interrelated nature of planning decisions and the consequences for natural and human environments, and the broader public interest. The public interest reflects a balance between the local needs of the community with the interests of stakeholders. In order to determine whether the proposed development is within the public interest

Both the Councillor and the Planner stated that they have never had as many people at a public meeting in their entire careers as were present at the February 16, 2023 meeting. This in itself tells the whole story.

The unanimous outrage and opposition displayed at the meeting cannot be simply disregarded. If the above Professional Planners code of ethics is to be respected at all then based on this meeting alone the existing High-Density plan needs to be thrown out and a new Low-Density plan submitted, hopefully one that has community involvement and fits the character of the neighbourhood.

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The proposed development will provide residential density in close proximity to commercial and institutional uses and allow residents to live, work and play within the same neighbourhood, thus being active transportation supportive

This is not true as very few residents work in this neighbourhood. There are no employers of any size near this community.

The proposed development will capitalize on the advantage and provide reduced parking ratios to encourage an increase in transit usage. Overall, by promoting transit and active transportation, it decreases the need for automobile travel and greenhouse gas emissions, which contributes to a

higher energy consumption and declining air quality.

In reality, this High-Density development will accomplish the complete opposite of what is stated in section 11.1

Once again, this proposal is more fitting to downtown and not a suburb like 1065 Paramount Drive. Residents living here generally need a car. This might be the case in places like downtown where it is easy to ride a bike or take a bus to work. This concept is not applicable to a suburban community that depends on driving and having an adequate traffic infrastructure, which this proposal will certainly affect in an adverse manner.

## **12 Conclusions and Recommendations**

I would argue that it does NOT maintain the intent of the Urban Hamilton Official Plan and West Mountain Area Secondary Plan. Sure it may satisfy one such factor, to build more units, but I'm certain the original intent was much more inclusive than that: Fitting in with the Character of the existing neighbourhood; Acceptance by the existing neighbourhood; not creating traffic and parking chaos in an existing neighbourhood; not creating buildings high enough to invade upon the privacy of existing residents.

I also highly doubt that the Former City of Stoney Creek Zoning By-Law would have intended a development such as this. In fact I would argue that the Former City Planners would have shut this down immediately.

It definitely is NOT compatible with the surrounding build form.

It definitely does not represent good planning that is in the public interest. It is only in the developers best interest, not the communities.

In conclusion, I respectfully ask the Planning Committee to reject this proposal in its entirety and start from scratch, with community involvement.

Thank you for your time and consideration.

Laura and John Samson

**From:** [REDACTED]  
**To:** [Van Rooi, James](mailto:James.VanRooi@hamilton.ca)  
**Subject:** Re: Objection to File No. ZAC-23-006 regarding the rezoning  
**Date:** Thursday, March 9, 2023 9:02:45 AM

---

Thanks for your response James.

Our address is:

[REDACTED]  
[REDACTED]

[REDACTED]

On Mar 8, 2023, at 10:57 AM, Van Rooi, James <[James.VanRooi@hamilton.ca](mailto:James.VanRooi@hamilton.ca)> wrote:

Good morning [REDACTED], thank you for your comments.

This email is to confirm that your comments and letter regarding planning applications UHOPA-23-005 & ZAC-23-006 have been received.

Your comments will be included and discussed in our staff report presented to the Planning Committee as part of the required public hearing. Please note, that at this time a public hearing has not been scheduled for Planning Committee. When we do have a Planning Committee date, you will be notified and will receive a copy of the staff report in advance.

I kindly request that you provide me your mailing address so that I may forward future staff reports and information regarding this development. Please note that your address and contact information remains confidential. It will not appear in any of the public documents.

Thank you.

James Van Rooi, *MCIP, RPP*  
Senior Planner (Rural Team)

Development Planning,  
Planning & Economic Development Department  
City of Hamilton  
71 Main Street West, 5<sup>th</sup> Floor

Hamilton ON L8P 4Y5  
p. 905.546.2424 ext. 4283  
f. 905.546.4202  
e. [James.VanRooi@hamilton.ca](mailto:James.VanRooi@hamilton.ca)

---

**From:** [REDACTED]  
**Sent:** Monday, March 6, 2023 9:54 PM  
**To:** Clark, Brad <Brad.Clark@hamilton.ca>; Van Rooi, James <James.VanRooi@hamilton.ca>; Tracy.Tucker@ibigroup.com  
**Subject:** Objection to File No. ZAC-23-006 regarding the rezoning

To whom it may concern,

Objection to File No. UHOPA-23-005 regarding the proposed By-Law to change the land use designation from "Institutional" to "Neighbourhoods" in Schedule "E-1" of the Urban Hamilton Official Plan and to change the land use designation from "Institutional" to "High Density Residential 1" in the West Mountain Area (Heritage Green) Secondary Plan.

Objection to File No. ZAC-23-006 regarding the rezoning of the subject lands from the Small Scale Institutional "IS" Zone to a modified Multiple Residential "RM3-XX" Zone

I strongly object to the above proposals for the following reasons:

**1. Unsatisfactory "Planning Justification Report" and "Urban Design Brief"**

The 'Planning Justification Report' is based extensively on the Provincial governments desire to increase the number of housing units.

This is only one consideration, and given the recent extensive expansion to the Urban boundary it should be near the bottom of the list of priorities to consider, especially when the new development is in the center of a mature, established community. There are so many opposing arguments that render this High-Density "urban" proposal completely unsatisfactory as it is in the middle of a Low-Density "suburban" community (neighbourhood character; Congestion; Traffic; Safety; Pollution; Infrastructure; Mental Health; etc). The High-Density rationale does not apply to our suburb as we are a commuter-based neighbourhood that relies heavily on the Redhill Expressway and Lincoln Alexander Parkway to commute to work.

Please see the attached Addendum for a long list of points that do not adhere to the:

- Planning Act

- Provincial Policy Statement 2020
- Urban Hamilton Official Plan
- Neighbourhoods Designation General Policies
- West Mountain Area Secondary Plan
- Zoning By-laws
- Registered Professional Planners responsibility re "local needs of the community"

Furthermore, the 'Urban Design Brief' states that "the south boundary is defined by residential single dwellings screened by a densely planted landscape buffer" which is not true at all. The trees on the SW corner of the development are tall enough to provide privacy to a 3 level townhouse. However the other 3 houses in Canfield Court that back on to the South side of the lot offer no privacy to any structure over 2 stories. Nor is there any privacy for the homes on Paramount drive from the street facing Apartments and Stacked Townhouses. The townhouses will be looking directly into the bedrooms on Canfield Court and both the apartments and townhouses will be looking directly into the living rooms on Paramount Drive. In time, these trees will one day die and/or be removed and then there would be absolutely no privacy for any of the existing residents mentioned above.

**2. High-Density zoning is completely unnecessary in this Community**

With the recent Urban Boundary expansion announced by the Provincial government there is absolutely no need to create a High Density development in a Low Density, mature neighbourhood. The High Density zoning does not fit with the existing character of the community, which is all Low Density. It is also in complete contradiction of section 3.3.1 which states that High Density housing is to be on the outskirts of the community, not on the interior which is exactly where it is being proposed.

**3. Recent Precedent for Ward 9 regarding zoning density**

Just 4 km away a new development was approved at 15 Ridgeview, which is in Ward 9 as is the proposed development at 1065 Paramount Drive. The property at 15 Ridgeview is 5 hectares and a total of 105 residential units (25 single family homes and 80 three-level townhouses) was submitted and approved. That is only 21 residential units per hectare of land.

Comparatively, the proposal for 1065 Paramount Drive is on a lot that is only 1.63 hectares but they are proposing 299 residential units. The proposed density is **187 residential units per hectare of land**. The present by-law states a maximum 40 residents per hectare.

In regard to the 15 Ridgeview development, The Hamilton Spectator reported that Jeff Beattie (Stoney Creek councilor) said that the proposed development will be similar to the existing housing blocks that have already been built. In other words, they were very cognizant of the existing community and made every effort to ensure the new development fit in.



The closest elementary school to the 15 Ridgeview development is Eastdale which is 6 km away from it whereas the High-Density proposal for 1065 Paramount Drive is within meters of both Billy Green and St. Paul elementary schools. The safety of children making their way to both schools cannot be measured, however it is painfully obvious that having a High Density development with upwards of 600 new cars in the area coming and going during morning and afternoon rush periods will only increase the risk of traffic accidents and injuries.

**4. Job Markets not easily accessible via public transit from this area**

The argument provided by the planner that there is public transit right on Paramount drive which will help newcomers commute to work and will reduce the number of residents owning vehicles is not valid for this community as it is basically a suburb to Hamilton. Anyone who lives and commutes in this area knows that a bus ride to most work areas is a very lengthy, time consuming journey. A bus to downtown Hamilton takes an hour easily. This community is not close to any major job markets, most people commute. In fact many new people entering the community are probably from out of town and will certainly be driving, creating more congestion and air pollution than is necessary. This High-Density plan is inappropriate for a suburb such as ours and lends itself more to downtown where residents do in fact walk, ride or take public transit to work.

**5. Traffic considerations to include the impact on the Red Hill Valley Expressway and the Lincoln Alexander Expressway**

The fact is there will be more traffic. Anyone who lives in this area knows that the Red Hill Valley Parkway and the Lincoln Alexander Parkway are already stop and go every morning and afternoon. We know that the planners comment "Traffic will take care of itself" is simply not true for this area as evidenced by years of backlog on the Redhill/Linc. Adding approximately 300 more cars to the morning and evening commute is definitely going to compound this problem and traffic will only get worse.

**6. Insufficient Parking**

The Planner's goal of not providing enough parking spots in the hopes of attracting residents without cars is not realistic for this community because as previously stated it is a suburb in which most people commute to and from work. Most residents in this area have at least 2 cars per household, townhouses included. This is because there are very few employers in the area and the vast majority of workers have to commute. Using the HSR is a last resort because it takes forever to get anywhere and the routes are extremely limited to and from this community. The proposal allows for 369 parking spaces for 299 units instead of 558 that is presently required in our by-laws. The over-flow of parking will obviously spill over to Billy Green's parking lot; the strip plaza parking lot; and neighbourhood side streets. Parking on the side streets is already a daily

drama so adding all these extra cars will only increase local residents' anxiety and create so much congestion that snow plows and traffic will be an ongoing problem. Also, there are an unacceptable number of Physically Challenged Parking spots of only 6 instead of 37 as required (1%). Again, this High-Density plan is inappropriate for a suburb such as ours and lends itself more to downtown where residents are more apt to not own cars and walk/ride/transit.

**7. No regard for the Character of our existing community or the mental health of existing residents**

This high-density proposal in no way considers the character or desires of the local community. There is nothing like this in all of Stoney Creek. To take the last plot of land in the center of a very mature neighbourhood and change the whole complexion of it is extremely disrespectful to the existing community. Absolutely no regard has been shown for the lifelong investment residents have made to live and retire here. Not to mention the **mental health issues** this is creating in our community. I know for a fact that there are a LOT of residents who are quite outraged about this. The stress and anxiety this is creating is completely unnecessary. ***The fact that this is listed as a major consideration for both Registered Professional Planners and as a ByLaw consideration but is not being addressed is cause for great concern***

## **Addendum to Objection Letter**

-  
**6.1 Urban Design Brief**

*The height of these buildings provides a comfortable transition between higher building masses and the surrounding neighbourhood character*

This is not true as the transition between a 3 storey **stacked** townhouse and a single family home is not a "comfortable" transition at all.

-  
**7.1 Planning Act**

**Planning Comment:**

*"The proposed layout will ensure compatibility with neighbouring land uses, by placing the lower-density three-storey stacked townhouses on the southern portion of the subject lands, adjacent*

to the existing single detached dwellings along Canfield Court”

This is not true as the proposal is completely incompatible with the existing community and especially the dwellings along Canfield Court and Paramount Drive.

## 7.2 Provincial Policy Statement

-

### Policy 1.1.1 f)

This proposal does **NOT** improve accessibility for persons with disabilities and older persons because there are not nearly enough Physically Challenged Parking spots available (6 proposed 37 required)

Policy 1.1.2 is inadmissible as it is based on intensification targets “which shall be established through a **future** Amendment to the UHOP

### Policy 1.1.3.4

#### Planning Comment:

The surrounding neighbourhood is comprised of primarily single detached residential dwellings and block townhouses. The abutting built form is predominantly single detached residential and open space/institutional, which makes the location of the proposed three-storey stacked townhouse units and eight-storey apartment building appropriate

This is not true either as it is extremely inappropriate to put these buildings in the center of a mature neighbourhood, which goes directly against section Policy number 3.3.1 which states that **high density development should be on the outskirts of a community**. Also, putting 3 storey “stacked” townhouses adjacent to single family homes is completely unacceptable.

-

### Policy 1.4.3 b) 1.

This proposal does **NOT** meet the social, health, economic and well-being requirements of current and future residents! The property values will be greatly reduced for current residents; the Mental Health of current residents is already being adversely affected; an insufficient number of physically challenged parking spots will seriously impact future residents, especially as they are targeting seniors to retire there.

-

**Policy 1.6.6**

I have not seen any studies to support the claims that the existing sewage and water services can accommodate this proposal. From what I understand these studies have not yet been done.

**Policy 1.6.7.4**

Again, being a commuter-based community driving is essential. This proposal will **NOT** minimize the length and number of vehicle trips in this community.

**Policy 1.8.1**

The significant increase of vehicles in such a small area will increase air pollution. Also, this proposal is in a commuter's neighbourhood and will not reduce motor vehicle trips and congestion but increase them both.

**7.4 Urban Hamilton Official Plan (UHOP)**

**Policy 2.4.1.4**

**Planning Comment:**

It represents a form of intensification, which is compatible in terms of scale and built form with the surrounding neighbourhood, by placing the lower-density three-storey stacked townhouses on the southern portion of the subject lands, adjacent to the existing single detached dwellings along Canfield Court.

This is **NOT** true as the proposal is not compatible with the surrounding neighbourhood in the least. There is nothing in this neighbourhood that resembles this proposal at all. The skyline and character of the neighbourhood will be ruined forever.

This proposal is not a compatible integration with the surrounding area!

**Planning Comment:**

It is not anticipated to adversely impact the existing transportation network

This is obviously not true. Any increase in traffic will adversely impact any area.

**Planning Comment:**

The proposed development will make more efficient use of the local road than existing conditions.

This too is not true as Paramount Drive is the only road in and out of the subdivision. Adding another 300 – 600 cars will definitely reduce its efficiency

**Policy 2.4.2.2**

**Planning Comment:**

The proposed development is a respectful form of residential intensification, as it will not result in shadowing, overlook, noise, lighting or traffic concerns. The layout will ensure compatibility with adjacent land uses,

Judging by the residents overwhelming outrage at the February 16 meeting this proposal is anything but 'respectful' with regard to both residents or compatibility. It is not compatible with adjacent land uses nor the height, massing or scale of nearby residential buildings (single family homes). The shadows created over Billy Green Elementary school will block out sunlight until mid-day. Furthermore, there are no 'amenity' provisions at all.

**Policy 3.3.2.3: Urban design should foster a sense of community pride**

**Not one of the 7 principals listed below were satisfied:**

- a) Respecting existing character – Not at all
- b) Consistent with locale and surrounding environment – Not at all
- c) Recognizing and protecting the cultural history - No
- d) Conserving and respecting the existing build heritage features - No
- e) Conserving, maintain, and enhancing the features of its communities - No
- f) Demonstrating sensitivity toward community identity – Not at all
- g) Contributing to the character and ambiance of the community - No

**Planning Comments:**

The proposed development respects the existing community character, by proposing a compatible building layout with appropriate provisions,

The proposed frontage along Paramount Drive contributes to the character of the streetscape, as the four stacked townhouse blocks will be aligned with the existing street to form a consistent street wall.

Neither of these statements are true. This proposal has totally disrespected our community and the stacked townhouses are not in alignment with the existing street. The style and height of single

family homes and townhouses that are already on Paramount Drive would be aligned properly, not stacked townhouses and an 8 storey apartment building.

**Policy 3.3.2.4: Quality Spaces**

**Planning Comment:**

The siting of the stacked townhouse blocks and apartment building is logical and fits within the existing neighbourhood context

This is False as it does NOT fit within the existing neighbourhood context

**Policy 3.3.2.6: New development and redevelopment should enhance the character of the existing environment**

Not one of the 4 sub-sections were satisfied

This is False as it does NOT enhance the character of the existing environment. In reality it will become an eyesore and will deter from the character of the existing environment destroying the skyline of the entire neighbourhood.

**Policy 3.3.2.8 Urban design should promote the reduction of greenhouse emissions, ability to adapt to the impacts of a changing climate now and in the future, and protect and enhance the natural urban environment**

This is false. Nothing in this proposal will reduce greenhouse emissions or protect/enhance the natural urban environment. Fewer residential units and more green space will protect and enhance the natural urban environment.

**Policy 3.3.2.9 Urban design plays a significant role in the physical and mental health of our citizens.**

Again, not one sub-section has been satisfied (high quality, safe streetscapes; no development of places for active and passive recreation; no variety of land uses; increased air, noise, and water pollution)

This may be the single biggest concern that is being overlooked. The mere proposal in itself has caused such intense stress and anxiety in the community. The **mental health** of our citizens is obviously not a concern of the developer but we as a society depend on our City officials/planners to act in our best interest. Presently the mental health of this community is on a steep decline and will get progressively worse with developments like this.

**Policy 3.3.3.1**

**Planning Comment:** As previously discussed, the proposed

development has been designed to fit within the surrounding neighbourhoods, in terms of scale, and ensuring adequate privacy and sunlight to neighbouring properties. It will be compatible with the surrounding low-density context,

This is not true because in no way does this development fit within the surrounding neighbourhood.

#### **Policy 4.5.8.4**

The proposed development will make more efficient use of the Collector Road, by increasing residential density on the subject lands, without hindering the current traffic flow.

This is false. More cars will undoubtedly hinder the current traffic flow. In fact, traffic flow will be at a stand--still in the morning and afternoon when school starts and ends.

#### **Policy 5.3 Lake –Based Municipal Water and Wastewater Systems**

Again, I have not seen any studies to support the claim that existing systems can accommodate a development of this size. I find it hard to believe that 40+ years after planning a community that the existing infrastructure could accommodate another 299 units on such a small piece of land. Surely the planners never anticipated this happening that long ago.

### **Chapter E – Urban Systems and Designations**

#### **Subsection 2.6 Neighbourhoods**

##### **Scale Policy 2.6.7**

*Neighbourhoods shall generally be regarded as physically stable areas with each neighbourhood having a unique scale and character. Changes compatible with the existing character or function of the neighbourhood shall be permitted.*

**Planning Comment:** The proposed development is compatible with the existing character of the neighbourhood, as a functional layout of differing typologies has been created to ensure that there are significant adverse impacts on any adjoining lands.

This is not true. It does NOT fit with the existing character of the neighbourhood and it will have a significant impact on adjoining lands, specifically residents of Canfield Court, Paramount Drive and both elementary schools.

**Scale and Design - Policy 3.2.4**

*The existing character of established neighbourhoods designated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood.*

This proposal does not satisfy this policy at all. In fact the complete opposite is true --- the existing character is NOT maintained and intensification is NOT compatible with the existing residential neighbourhood

-  
**Policy 3.3.1**

*Lower Density residential uses and building forms shall generally be located in the interiors of neighbourhood areas with higher density dwelling forms and supporting uses located on the periphery.*

This proposal is for the exact opposite of 3.3.1. The proposed High-Density development is right in the middle of the Low-Density neighbourhood.

-  
**Policy 3.3.2**

*Development or redevelopment adjacent to areas of lower density shall ensure the height, massing, and arrangement of buildings and structures are compatible with existing and future uses in the surrounding area.*

This proposed development is not at all compatible with the existing areas of lower density with regard to height, massing and arrangement of buildings.

**Policy 3.6.1**

*High Density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods.*

Again, this high-density proposal is NOT on the periphery but right in the center of the mature, low density neighbourhood

**Policy 3.6.8 d)**

This item is also not adhered to as the proposal has inadequate parking, amenity features and is not compatible with existing residential heights. Furthermore it will cast shadows on Billy Green Elementary school for at least 50% of the school day.

**Neighbourhoods Designation – High Density Residential Design Policy 3.6.8**



**Planning Comment:** The proposed development is a respectful form of residential intensification, as it will not result in shadowing, or overlook concerns

This is not true! Residents on Canfield Court and Paramount Drive will have residents in the Stacked Townhouses and apartment looking directly in their bedrooms and living rooms, respectively.

**Appendix E Highlights the Significant short-comings of the proposal**

Physically Challenged Parking Spots: 1% required = 37  
 Proposed 6

Minimum Number of Parking Spaces: 558 required  
 Proposed 369

Minimum Front Yard 7.5m required  
 Proposed 3.25m

Minimum Side Yard 6.0m required  
 Proposed 3.0m

Maximum Density 40 units/Ha  
 Proposed 187

Minimum Landscape Open Space 50%  
 Proposed 30%

RM3 Zone: Stacked townhouses Not permitted

**Policy 6.2.6**

**Planning Comment:** While the Institutional Designation allows for low-density residential uses, an amendment is required for the proposed development as it does not allow high-density residential uses.

One of the main reasons everyone in this neighbourhood chose to live here is because it was not zoned high-density. Obviously the City Planners had a very good reason not to zone it High Density, mainly because it is a suburb. To suddenly decide after 40+ years that the zoning should be changed to high-density simply to accommodate a developer is outrageous and nothing short of criminal to the existing community.

If we wanted to live downtown or in Toronto we would have moved there.

**9 School and City Recreation Facility and Outdoor Recreation/ Parks Issues Assessment**

As noted throughout this report, the subject lands directly abut Billy Green Elementary School to the north and St. Paul Catholic Elementary School to the south-west. The development of the subject lands will be compatible with the surrounding institutional uses, as it does not create significant shadow impacts upon the schools

This is completely false. The 8 story apartment will completely block out any sunshine that Billy Green's kindergarten classrooms/playground presently enjoy. Furthermore, the apartments will be looking directly into the classroom windows of Billy Green school all day long.

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The unanimous outrage and opposition displayed at the meeting cannot be simply disregarded. If the above Professional Planners code of ethics is to be respected at all then based on this meeting alone the existing High-Density plan needs to be thrown out and a new Low-Density plan submitted, hopefully one that has community involvement and fits the character of the neighbourhood.

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The proposed development will capitalize on the advantage and provide reduced parking ratios to encourage an increase in transit usage. Overall, by promoting transit and active

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In reality, this High-Density development will accomplish the complete opposite of what is stated in section 11.1

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I also highly doubt that the Former City of Stoney Creek Zoning By-Law would have intended a development such as this. In fact I would argue that the Former City Planners would have shut this down immediately.

It definitely is NOT compatible with the surrounding build form.

It definitely does not represent good planning that is in the public interest. It is only in the developers best interest, not the communities.

In conclusion, I respectfully ask the Planning Committee to reject this proposal in its entirety and start from scratch, with community involvement.

Thank you for your time and consideration.





**From:** [Morton, Devon](#)  
**To:** [Van Rooi, James](#)  
**Subject:** FW: Rezoning on Paramount Drive  
**Date:** Wednesday, February 22, 2023 9:08:42 AM  
**Attachments:** [image001.png](#)

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FYI

**Devon M. Morton, MCIP, RPP** (he/him/his)  
Planner II (Rural Team)  
Development Planning  
Planning & Economic Development Department  
City of Hamilton, 71 Main St. W, 5<sup>th</sup> floor, L8P 4Y5  
Ph: (905) 546-2424 ext. 1384  
Email: [Devon.Morton@hamilton.ca](mailto:Devon.Morton@hamilton.ca)



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**From:** [REDACTED]  
**Sent:** Tuesday, February 21, 2023 6:45 PM  
**To:** Clark, Brad <Brad.Clark@hamilton.ca>; Morton, Devon <Devon.Morton@hamilton.ca>  
**Subject:** Rezoning on Paramount Drive

We are adding our voice to the rezoning of the parcel of land on Paramount Drive from Industrial to Residential. As home owners on Ackland Street our concerns are many. The congestion on Paramount during school hours with school buses, cars, foot traffic, city buses and residents leaving or returning from work is huge. Two elementary schools on either side of the property have many children crossing Paramount for lunch at Venice Beach Pizza when no crossing guard is available. Paramount Street has been narrowed to one lane with long medians planted with perennials that restrict the view and direction of traffic. Already many drivers pull U-turns when exiting existing plazas the wrong way. Adding 299 units with more than 2 or 3 people per unit plus more than one car for many units it's very likely it will add 700 plus people and conservatively 400 to 500 cars to the immediate area. Add to that extra school buses to handle children bused to other schools since St. Paul's and Billy Green are already adding portables for existing students and more city buses added to the route in the future we feel the situation is an accident waiting to happen. Since the plans are already 40 parking spots short ..cars will end up on side streets adding to blocking the sight lines of drivers using the street for access to Felkers Falls parking.

We also have a real concern for the conservation area at Felkers Falls that is overrun with off road bicycle riders racing through the trails putting sensitive natural resource areas at risk. Although everyone is welcome to visit the Falls an influx of hundreds of people will have a huge impact on sensitive areas.

Please consider our concerns before a child is hurt or worse.

Marsha and Jim Pead

[REDACTED]  
[REDACTED]  
[REDACTED]

Sent from my Bell Samsung device over Canada's largest network.

**From:** [REDACTED]  
**To:** [Clark, Brad](#); [Van Rooi, James](#); [tracy.tucker@ibigroup.com](mailto:tracy.tucker@ibigroup.com)  
**Subject:** Proposed Rezoning of 1065 Paramount Drive  
**Date:** Tuesday, March 7, 2023 10:03:15 AM

---

Please add my concerns regarding the rezoning of 1065 Paramount Drive to those of fellow community members, to the agenda for the upcoming Planning Committee meeting. I have many more concerns than those I have listed below, but these are significant safety factors that I feel are the most glaring concerns.

**Inconsistencies in Zoning Density decisions**

Just 4 km away, a new development was approved at 15 Ridgeview, which is in Ward 9 as is the proposed development at 1065 Paramount Drive. The property at 15 Ridgeview is 5 hectares with a total of 105 residential units (25 single family homes and 80 three-level townhouses) was submitted and approved. That is only 21 residential units per hectare of land.

Comparatively, the proposal for 1065 Paramount Drive is on a lot that is only 1.63 hectares, but the developer is proposing 299 residential units. The proposed density is **187** residential units per hectare of land. The present by-law states a maximum 40 residents per hectare.

With regard to the 15 Ridgeview development, The Hamilton Spectator reported that Jeff Beattie (Stoney Creek Councillor) said that the proposed development will be similar to the existing housing blocks that have already been built. In other words, they were aware of and sympathetic to the concerns of the existing community and made every effort to ensure the new development fit in.

The closest elementary school to the 15 Ridgeview development is Eastdale, which is 6 km away. Whereas the High-Density proposal for 1065 Paramount Drive is within mere meters of both Billy Green and St. Paul elementary schools. The safety of children making their way to both schools cannot be measured, however, it is painfully obvious that having a High Density development with upwards of 600 new cars in the area coming and going during morning and afternoon rush periods will only increase the risk of traffic accidents and injuries.

**Insufficient Parking**

The Planner's proposal of not providing enough parking spots for the apartment building and the townhomes will place an undue hardship on the residents and businesses in the immediate vicinity. Most residences in this area have at least 2 cars. There is already a problem of overflow parking on the streets. Some streets are particularly crowded, i.e. Ackland.

Since most most people work outside of this area in parts of the city where it would be difficult to take public transit, a car is necessary. Also, given that this is a desirable area because of its proximity to the Linc and the Red Hill expressway with easy access to the QEW, it draws home buyers who work outside of Hamilton, and a car is an absolute necessity. Given these two scenarios, the HSR is not an option.

The increase of vehicles will add to overflow of parking due to the limited number of parking spaces provided in the developer's plan and will more than likely spill over to Billy Green's parking lot; the strip plaza parking lot, and neighbourhood side streets. Parking on the side streets is already a significant issue, so adding all these extra cars will only increase local residents' anxiety and create so much congestion. Snow plows already have problems clearing our streets because of parking on both sides of the street!

[REDACTED]

--  
[REDACTED]

**From:** [Clark, Brad](#)  
**To:** [REDACTED]  
**Cc:** [Ribaric, Robert](#); [Morton, Devon](#); [Van Rooi, James](#)  
**Subject:** RE: Paramount Dr. Rezoning  
**Date:** Monday, February 27, 2023 2:04:57 PM

---

Hi [REDACTED]

I would like to thank you for attending this public meeting. I believe the attendance exceeded 250 people. While I expected a large crowd, I did not expect that crowd.

I do appreciate your comments.

Please be advised that our city staff have not made any recommendations on the application. There are ongoing discussions with the developer's planner regarding density.

My hope remains that we can find a way to a more reasonable intensification. I will continue to advocate for the ways and means to lower the height of the building and provide additional parking.

Your names will be added to the database of interested parties. You will be notified of the next public meeting.

If you wish to chat further, please call 905 977-0679.

Respectfully yours,

Brad

Councillor Brad Clark  
Ward 9 - Upper Stoney Creek  
Room 262, 71 Main Street West  
Hamilton, ON L8P 4Y5

Office: 905 546-2703  
Cell: 905 977-0679  
[brad.clark@hamilton.ca](mailto:brad.clark@hamilton.ca)  
[www.bradclarkreport.ca](http://www.bradclarkreport.ca)

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-----Original Message-----

**From:** [REDACTED]  
**Sent:** Thursday, February 16, 2023 9:08 PM  
**To:** Clark, Brad <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)>  
**Subject:** Paramount Dr. Rezoning

Hi Brad,

I attended the meeting tonight. First thank you for getting the meeting under control so people like myself could be informed of what the proposal is for this property. I have no major concerns with the project and I was glad to see



you explained if the developer were to go to the tribunal chances are good they would win. I do not think people heard they are just against it period. I have seen the condos on the old Connon Nursery property and they appear very attractive.

Regards. [REDACTED]

Sent from my iPad

February 28, 2023

To: Brad Clark [Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)  
James Van Rooi [James.VanRooi@hamilton.ca](mailto:James.VanRooi@hamilton.ca)  
Tracy Tucker [Tracy.Tucker@ibigroup.com](mailto:Tracy.Tucker@ibigroup.com)

Objection to File No. UHOPA-23-005 regarding the proposed By-Law to change the land use designation from "Institutional" to "Neighbourhoods" in Schedule "E-1" of the Urban Hamilton Official Plan and to change the land use designation from "Institutional" to "High Density Residential 1" in the West Mountain Area (Heritage Green) Secondary Plan.

Objection to File No. ZAC-23-006 regarding the rezoning of the subject lands from the Small Scale Institutional "IS" Zone to a modified Multiple Residential "RM3-XX" Zone

I strongly object to the above proposals for the following reasons:

**1. Unsatisfactory "Planning Justification Report" and "Urban Design Brief"**

The 'Planning Justification Report' is based extensively on the Provincial governments desire to increase the number of housing units.

This is only one consideration, and given the recent extensive expansion to the Urban boundary it should be near the bottom of the list of priorities to consider, especially when the new development is in the center of a mature, established community. There are so many opposing arguments that render this High-Density "urban" proposal completely unsatisfactory as it is in the middle of a Low-Density "suburban" community (neighbourhood character; Congestion; Traffic; Safety; Pollution; Infrastructure; Mental Health; etc). The High-Density rationale does not apply to our suburb as we are a commuter-based neighbourhood that relies heavily on the Redhill Expressway and Lincoln Alexander Parkway to commute to work.

Please see the attached Addendum for a long list of points that do not adhere to the:

- Planning Act
- Provincial Policy Statement 2020
- Urban Hamilton Official Plan
- Neighbourhoods Designation General Policies
- West Mountain Area Secondary Plan
- Zoning By-laws
- Registered Professional Planners responsibility re "local needs of the community"

Furthermore, the 'Urban Design Brief' states that "the south boundary is defined by residential single dwellings screened by a densely planted landscape buffer" which is not true at all. The trees on the SW corner of the development are tall enough to provide privacy to a 3 level townhouse. However the other 3 houses in Canfield Court that back on to the South side of the lot offer no privacy to any structure over 2 stories. Nor is there any privacy for the homes on Paramount drive from the street facing Apartments and Stacked Townhouses. The townhouses will be looking directly into the bedrooms on Canfield Court and both the apartments and townhouses will be looking directly into the living rooms on Paramount Drive. In time, these trees will one day die and/or be removed and then there would be absolutely no privacy for any of the existing residents mentioned above.

**2. High-Density zoning is completely unnecessary in this Community**

With the recent Urban Boundary expansion announced by the Provincial government there is absolutely no need to create a High Density development in a Low Density, mature neighbourhood. The High Density zoning does not fit with the existing character of the community, which is all Low Density. It is also in complete contradiction of section 3.3.1 which states that High Density housing is to be on the outskirts of the community, not on the interior which is exactly where it is being proposed.

**3. Recent Precedent for Ward 9 regarding zoning density**

Just 4 km away a new development was approved at 15 Ridgeview, which is in Ward 9 as is the proposed development at 1065 Paramount Drive. The property at 15 Ridgeview is 5 hectares and a total of 105 residential units (25 single family homes and 80 three-level townhouses) was submitted and approved. That is only 21 residential units per hectare of land.

Comparatively, the proposal for 1065 Paramount Drive is on a lot that is only 1.63 hectares but they are proposing 299 residential units. **The proposed density is 187 residential units per hectare of land. The present by-law states a maximum 40 residents per hectare.**

In regard to the 15 Ridgeview development, The Hamilton Spectator reported that Jeff Beattie (Stoney Creek councilor) said that the proposed development will be similar to the existing housing blocks that have already been built. In other words, they were very cognizant of the existing community and made every effort to ensure the new development fit in.

The closest elementary school to the 15 Ridgeview development is Eastdale which is 6 km away from it whereas the High-Density proposal for 1065 Paramount Drive is within meters of both Billy Green and St. Paul elementary schools. The safety of children making their way to both schools cannot be measured, however it is painfully obvious that having a High Density development with upwards of 600 new cars in the area coming and going during morning and afternoon rush periods will only increase the risk of traffic accidents and injuries.

**4. Job Markets not easily accessible via public transit from this area**

The argument provided by the planner that there is public transit right on Paramount drive which will help newcomers commute to work and will reduce the number of residents owning vehicles is not valid for this community as it is basically a suburb to Hamilton. Anyone who lives and commutes in this area knows that a bus ride to most work areas is a very lengthy, time consuming journey. A bus to downtown Hamilton takes an hour easily. This community is not close to any major job markets, most people commute. In fact many new people entering the community are probably from out of town and will certainly be driving, creating more congestion and air pollution than is necessary. This High-Density plan is inappropriate for a suburb such as ours and lends itself more to downtown where residents do in fact walk, ride or take public transit to work.

**5. Traffic considerations to include the impact on the Red Hill Valley Expressway and the Lincoln Alexander Expressway**

The fact is there will be more traffic. Anyone who lives in this area knows that the Red Hill Valley Parkway and the Lincoln Alexander Parkway are already stop and go every morning and afternoon. We know that the planners comment "Traffic will take care of itself" is simply not true for this area as evidenced by years of backlog on the Redhill/Linc. Adding approximately 300 more cars to the morning and evening commute is definitely going to compound this problem and traffic will only get worse.

**6. Insufficient Parking**

The Planner's goal of not providing enough parking spots in the hopes of attracting residents without cars is not realistic for this community because as previously stated it is a suburb in which most people commute to and from work. Most residents in this area have at least 2 cars per household, townhouses included. This is because there are very few employers in the area and the vast majority of workers have to commute.

Using the HSR is a last resort because it takes forever to get anywhere and the routes are extremely limited to and from this community. The proposal allows for 369 parking spaces for 299 units instead of 558 that is presently required in our by-laws. The overflow of parking will obviously spill over to Billy Green's parking lot; the strip plaza parking lot; and neighbourhood side streets. Parking on the side streets is already a daily drama so adding all these extra cars will only increase local residents' anxiety and create so much congestion that snow plows and traffic will be an ongoing problem. Also, there are an unacceptable number of Physically Challenged Parking spots of only 6 instead of 37 as required (1%). Again, this High-Density plan is inappropriate for a suburb such as ours and lends itself more to downtown where residents are more apt to not own cars and walk/ride/transit.

7. **No regard for the Character of our existing community or the mental health of existing residents**

This high-density proposal in no way considers the character or desires of the local community. There is nothing like this in all of Stoney Creek. To take the last plot of land in the center of a very mature neighbourhood and change the whole complexion of it is extremely disrespectful to the existing community. Absolutely no regard has been shown for the lifelong investment residents have made to live and retire here. Not to mention the **mental health issues** this is creating in our community. I know for a fact that there are a LOT of residents who are quite outraged about this. The stress and anxiety this is creating is completely unnecessary. ***The fact that this is listed as a major consideration for both Registered Professional Planners and as a ByLaw consideration but is not being addressed is cause for great concern***

In conclusion, I respectfully ask the Planning Committee to reject this proposal in its entirety and start from scratch, with community involvement.

Thank you for your time and consideration.

## Addendum to Objection Letter

### 6.1 Urban Design Brief

*The height of these buildings provides a comfortable transition between higher building masses and the surrounding neighbourhood character*

This is not true as the transition between a 3 storey **stacked** townhouse and a single family home is not a “comfortable” transition at all.

### 7.1 Planning Act

#### **Planning Comment:**

“The proposed layout will ensure compatibility with neighbouring land uses, by placing the lower-density three-storey stacked townhouses on the southern portion of the subject lands, adjacent to the existing single detached dwellings along Canfield Court”

This is not true as the proposal is completely incompatible with the existing community and especially the dwellings along Canfield Court and Paramount Drive.

### 7.2 Provincial Policy Statement

#### Policy 1.1.1 f)

This proposal does **NOT** improve accessibility for persons with disabilities and older persons because there are not nearly enough Physically Challenged Parking spots available (6 proposed 37 required)

Policy 1.1.2 is inadmissible as it is based on intensification targets “which shall be established through a **future** Amendment to the UHOP

#### Policy 1.1.3.4

#### **Planning Comment:**

The surrounding neighbourhood is comprised of primarily single detached residential dwellings and block townhouses. The abutting built form is predominantly single detached residential and open space/institutional, which makes the location of the proposed three-storey stacked townhouse units and eight-storey apartment building appropriate

This is not true either as it is extremely inappropriate to put these buildings in the center of a mature neighbourhood, which goes directly against section Policy number 3.3.1 which states that **high density development should be on the outskirts of a community**. Also, putting 3 storey "stacked" townhouses adjacent to single family homes is completely unacceptable.

**Policy 1.4.3 b) 1.**

This proposal does **NOT** meet the social, health, economic and well-being requirements of current and future residents! The property values will be greatly reduced for current residents; the Mental Health of current residents is already being adversely affected; an insufficient number of physically challenged parking spots will seriously impact future residents, especially as they are targeting seniors to retire there.

**Policy 1.6.6**

I have not seen any studies to support the claims that the existing sewage and water services can accommodate this proposal. From what I understand these studies have not yet been done.

**Policy 1.6.7.4**

Again, being a commuter-based community driving is essential. This proposal will **NOT** minimize the length and number of vehicle trips in this community.

**Policy 1.8.1**

The significant increase of vehicles in such a small area will increase air pollution. Also, this proposal is in a commuter's neighbourhood and will not reduce motor vehicle trips and congestion but increase them both.

## **7.4 Urban Hamilton Official Plan (UHOP)**

### **Policy 2.4.1.4**

#### **Planning Comment:**

It represents a form of intensification, which is compatible in terms of scale and built form with the surrounding neighbourhood, by placing the lower-density three-storey stacked townhouses on the southern portion of the subject lands, adjacent to the existing single detached dwellings along Canfield Court.

This is **NOT** true as the proposal is not compatible with the surrounding neighbourhood in the least. There is nothing in this neighbourhood that resembles this proposal at all. The skyline and character of the neighbourhood will be ruined forever.

This proposal is not a compatible integration with the surrounding area!

#### **Planning Comment:**

It is not anticipated to adversely impact the existing transportation network

This is obviously not true. Any increase in traffic will adversely impact any area.

#### **Planning Comment:**

The proposed development will make more efficient use of the local road than existing conditions.

This too is not true as Paramount Drive is the only road in and out of the subdivision. Adding another 300 – 600 cars will definitely reduce its efficiency

### **Policy 2.4.2.2**

#### **Planning Comment:**

The proposed development is a respectful form of residential intensification, as it will not result in shadowing, overlook, noise, lighting or traffic concerns. The layout will ensure compatibility with adjacent land uses,

Judging by the residents overwhelming outrage at the February 16 meeting this proposal is anything but 'respectful' with regard to both residents or compatibility. It is not compatible with adjacent land uses nor the height, massing or scale of nearby residential buildings (single family homes). The shadows created over Billy Green Elementary school will block out sunlight until mid-day. Furthermore, there are no 'amenity' provisions at all.



**Policy 3.3.2.3: Urban design should foster a sense of community pride**

**Not one of the 7 principals listed below were satisfied:**

- a) Respecting existing character – Not at all
- b) Consistent with locale and surrounding environment – Not at all
- c) Recognizing and protecting the cultural history - No
- d) Conserving and respecting the existing build heritage features - No
- e) Conserving, maintain, and enhancing the features of its communities - No
- f) Demonstrating sensitivity toward community identity – Not at all
- g) Contributing to the character and ambiance of the community - No

**Planning Comments:**

The proposed development respects the existing community character, by proposing a compatible building layout with appropriate provisions,

The proposed frontage along Paramount Drive contributes to the character of the streetscape, as the four stacked townhouse blocks will be aligned with the existing street to form a consistent street wall.

Neither of these statements are true. This proposal has totally disrespected our community and the stacked townhouses are not in alignment with the existing street. The style and height of single family homes and townhouses that are already on Paramount Drive would be aligned properly, not stacked townhouses and an 8 storey apartment building.

**Policy 3.3.2.4: Quality Spaces**

**Planning Comment:**

The siting of the stacked townhouse blocks and apartment building is logical and fits within the existing neighbourhood context

This is False as it does NOT fit within the existing neighbourhood context

**Policy 3.3.2.6: New development and redevelopment should enhance the character of the existing environment**

Not one of the 4 sub-sections were satisfied

This is False as it does NOT enhance the character of the existing environment. In reality it will become an eyesore and will deter from the character of the existing environment destroying the skyline of the entire neighbourhood.

**Policy 3.3.2.8 Urban design should promote the reduction of greenhouse emissions, ability to adapt to the impacts of a changing climate now and in the future, and protect and enhance the natural urban environment**

This is false. Nothing in this proposal will reduce greenhouse emissions or protect/enhance the natural urban environment. Fewer residential units and more green space will protect and enhance the natural urban environment.

**Policy 3.3.2.9 Urban design plays a significant role in the physical and mental health of our citizens.**

Again, not one sub-section has been satisfied (high quality, safe streetscapes; no development of places for active and passive recreation; no variety of land uses; increased air, noise, and water pollution)

This may be the single biggest concern that is being overlooked. The mere proposal in itself has caused such intense stress and anxiety in the community. The **mental health** of our citizens is obviously not a concern of the developer but we as a society depend on our City officials/planners to act in our best interest. Presently the mental health of this community is on a steep decline and will get progressively worse with developments like this.

**Policy 3.3.3.1**

**Planning Comment:** As previously discussed, the proposed development has been designed to fit within the surrounding neighbourhoods, in terms of scale, and ensuring adequate privacy and sunlight to neighbouring properties. It will be compatible with the surrounding low-density context,

This is not true because in no way does this development fit within the surrounding neighbourhood.

#### **Policy 4.5.8.4**

The proposed development will make more efficient use of the Collector Road, by increasing residential density on the subject lands, without hindering the current traffic flow.

This is false. More cars will undoubtedly hinder the current traffic flow. In fact, traffic flow will be at a stand--still in the morning and afternoon when school starts and ends.

#### **Policy 5.3 Lake –Based Municipal Water and Wastewater Systems**

Again, I have not seen any studies to support the claim that existing systems can accommodate a development of this size. I find it hard to believe that 40+ years after planning a community that the existing infrastructure could accommodate another 299 units on such a small piece of land. Surely the planners never anticipated this happening that long ago.

### **Chapter E – Urban Systems and Designations**

#### **Subsection 2.6 Neighbourhoods**

##### **Scale Policy 2.6.7**

*Neighbourhoods shall generally be regarded as physically stable areas with each neighbourhood having a unique scale and character. Changes compatible with the existing character or function of the neighbourhood shall be permitted.*

**Planning Comment:** The proposed development is compatible with the existing character of the neighbourhood, as a functional layout of differing typologies has been created to ensure that there are significant adverse impacts on any adjoining lands.

This is not true. It does NOT fit with the existing character of the neighbourhood and it will have a significant impact on adjoining lands, specifically residents of Canfield Court, Paramount Drive and both elementary schools.

**Scale and Design - Policy 3.2.4**

*The existing character of established neighbourhoods designated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood.*

This proposal does not satisfy this policy at all. In fact the complete opposite is true --- the existing character is NOT maintained and intensification is NOT compatible with the existing residential neighbourhood

**Policy 3.3.1**

*Lower Density residential uses and building forms shall generally be located in the interiors of neighbourhood areas with higher density dwelling forms and supporting uses located on the periphery.*

This proposal is for the exact opposite of 3.3.1. The proposed High-Density development is right in the middle of the Low-Density neighbourhood.

**Policy 3.3.2**

*Development or redevelopment adjacent to areas of lower density shall ensure the height, massing, and arrangement of buildings and structures are compatible with existing and future uses in the surrounding area.*

This proposed development is not at all compatible with the existing areas of lower density with regard to height, massing and arrangement of buildings.

**Policy 3.6.1**

*High Density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods.*

Again, this high-density proposal is NOT on the periphery but right in the center of the mature, low density neighbourhood

**Policy 3.6.8 d)**

This item is also not adhered to as the proposal has inadequate parking, amenity features and is not compatible with existing residential heights. Furthermore it will cast shadows on Billy Green Elementary school for at least 50% of the school day.

**Neighbourhoods Designation – High Density Residential**

**DesignPolicy 3.6.8**

**Planning Comment:** The proposed development is a respectful form of residential intensification, as it will not result in shadowing, or overlook concerns

This is not true! Residents on Canfield Court and Paramount Drive will have residents in the Stacked Townhouses and apartment looking directly in their bedrooms and living rooms, respectively.

**Appendix E Highlights the Significant short-comings of the proposal**

Physically Challenged Parking Spots:	1% required = 37	Proposed 6
Minimum Number of Parking Spaces:	558 required	Proposed 369
Minimum Front Yard	7.5m required	Proposed 3.25m
Minimum Side Yard	6.0m required	Proposed 3.0m
Maximum Density	40 units/Ha	Proposed 187
Minimum Landscape Open Space	50%	Proposed 30%

RM3 Zone: Stacked townhouses Not permitted

**Policy 6.2.6**

**Planning Comment:** While the Institutional Designation allows for low-density residential uses, an amendment is required for the proposed development as it does not allow high-density residential uses.

One of the main reasons everyone in this neighbourhood chose to live here is because it was not zoned high-density. Obviously the City Planners had a very good reason not to zone it High Density, mainly because it is a suburb. To suddenly decide after 40+ years that the zoning should be changed to high-density simply to accommodate a developer is outrageous and nothing short of criminal to the existing community.

If we wanted to live downtown or in Toronto we would have moved there.

## **9 School and City Recreation Facility and Outdoor Recreation/ Parks Issues Assessment**

As noted throughout this report, the subject lands directly abut Billy Green Elementary School to the north and St. Paul Catholic Elementary School to the south-west. The development of the subject lands will be compatible with the surrounding institutional uses, as it does not create significant shadow impacts upon the schools

This is completely false. The 8 story apartment will completely block out any sunshine that Billy Green's kindergarten classrooms/playground presently enjoy. Furthermore, the apartments will be looking directly into the classroom windows of Billy Green school all day long.

### **11 Planning Justification**

Registered Professional Planners ("Planners") have a responsibility to acknowledge the interrelated nature of planning decisions and the consequences for natural and human environments, and the broader public interest. The public interest reflects a balance between the local needs of the community with the interests of stakeholders. In order to determine whether the proposed development is within the public interest

Both the Councillor and the Planner stated that they have never had as many people at a public meeting in their entire careers as were present at the February 16, 2023 meeting. This in itself tells the whole story.

The unanimous outrage and opposition displayed at the meeting cannot be simply disregarded. If the above Professional Planners code of ethics is to be respected at all then based on this meeting alone the existing High-Density plan needs to be thrown out and a new Low-Density plan submitted, hopefully one that has community involvement and fits the character of the neighbourhood.

#### **11.1 Environment**

The proposed development will provide residential density in close proximity to commercial and institutional uses and allow residents to live, work and play within the same neighbourhood, thus being active transportation supportive

This is not true as very few residents work in this neighbourhood. There are no employers of any size near this community.

The proposed development will capitalize on the advantage and provide reduced parking ratios to encourage an increase in transit usage. Overall, by

promoting transit and active transportation, it decreases the need for automobile travel and greenhouse gas emissions, which contributes to a higher energy consumption and declining air quality.

In reality, this High-Density development will accomplish the complete opposite of what is stated in section 11.1

Once again, this proposal is more fitting to downtown and not a suburb like 1065 Paramount Drive. Residents living here generally need a car. This might be the case in places like downtown where it is easy to ride a bike or take a bus to work. This concept is not applicable to a suburban community that depends on driving and having an adequate traffic infrastructure, which this proposal will certainly affect in an adverse manner.

## **12 Conclusions and Recommendations**

I would argue that it does NOT maintain the intent of the Urban Hamilton Official Plan and West Mountain Area Secondary Plan. Sure it may satisfy one such factor, to build more units, but I'm certain the original intent was much more inclusive than that: Fitting in with the Character of the existing neighbourhood; Acceptance by the existing neighbourhood; not creating traffic and parking chaos in an existing neighbourhood; not creating buildings high enough to invade upon the privacy of existing residents.

I also highly doubt that the Former City of Stoney Creek Zoning By-Law would have intended a development such as this. In fact I would argue that the Former City Planners would have shut this down immediately.

It definitely is NOT compatible with the surrounding build form.

It definitely does not represent good planning that is in the public interest. It is only in the developers best interest, not the communities.





**From:** [REDACTED]  
**To:** [Clark, Brad](#); [Van Rooi, James](#); [Tracy.Tucker@ibigroup.com](mailto:Tracy.Tucker@ibigroup.com)  
**Cc:** [REDACTED]  
**Subject:** Rezoning Objection 230309\_135549  
**Date:** Thursday, March 9, 2023 2:24:47 PM  
**Attachments:** [Zoning Objection\\_230309\\_135549.pdf](#)

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Brad, James and Tracy, as a long time resident of our Upper Stoney Creek Paramount Dr community of 37 years I am appalled and total opposed by the proposed planned development. For many if not ALL of the issues stated in the attached Rezoning Objection document, this proposed planning of an 8 storey apartment build along with the number and location of 3.5 stacked townhouses is totally acceptable. This is a low density, mature suburb of 40+ years will be totally out of place. Nowhere on the entire Upper Stoney Creek area do you have an 8 storey apartment building let alone one that is located in a low density area like ours. If this proposed plan is approved and goes ahead, we could potentially see an increase of a 1000+ more people within that small parcel of land let alone added to our already traffic congested arteries (Redhill & Linc). This is NOT the downtown core or outskirts of city. This is a mature low density community of 40+ yrs.

Brad and James, I trust that you will take into consideration all of the items referred to in the attached document and adamantly oppose this proposed planned development within our/your community.

Thanks

[REDACTED]

[REDACTED]

February 28, 2023

To: Brad Clark [Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)  
James Van Rooi [James.VanRooi@hamilton.ca](mailto:James.VanRooi@hamilton.ca)  
Tracy Tucker [Tracy.Tucker@ibigroup.com](mailto:Tracy.Tucker@ibigroup.com)

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The closest elementary school to the 15 Ridgeview development is Eastdale which is 6 km away from it whereas the High-Density proposal for 1065 Paramount Drive is within meters of both Billy Green and St. Paul elementary schools. The safety of children making their way to both schools cannot be measured, however it is painfully obvious that having a High Density development with upwards of 600 new cars in the area coming and going during morning and afternoon rush periods will only increase the risk of traffic accidents and injuries.

**4. Job Markets not easily accessible via public transit from this area**

The argument provided by the planner that there is public transit right on Paramount drive which will help newcomers commute to work and will reduce the number of residents owning vehicles is not valid for this community as it is basically a suburb to Hamilton. Anyone who lives and commutes in this area knows that a bus ride to most work areas is a very lengthy, time consuming journey. A bus to downtown Hamilton takes an hour easily. This community is not close to any major job markets, most people commute. In fact many new people entering the community are probably from out of town and will certainly be driving, creating more congestion and air pollution than is necessary. This High-Density plan is inappropriate for a suburb such as ours and lends itself more to downtown where residents do in fact walk, ride or take public transit to work.

**5. Traffic considerations to include the impact on the Red Hill Valley Expressway and the Lincoln Alexander Expressway**

The fact is there will be more traffic. Anyone who lives in this area knows that the Red Hill Valley Parkway and the Lincoln Alexander Parkway are already stop and go every morning and afternoon. We know that the planners comment "Traffic will take care of itself" is simply not true for this area as evidenced by years of backlog on the Redhill/Linc. Adding approximately 300 more cars to the morning and evening commute is definitely going to compound this problem and traffic will only get worse.

**6. Insufficient Parking**

The Planner's goal of not providing enough parking spots in the hopes of attracting residents without cars is not realistic for this community because as previously stated it is a suburb in which most people commute to and from work. Most residents in this area have at least 2 cars per household, townhouses included. This is because there are very few employers in the area and the vast majority of workers have to commute.

Using the HSR is a last resort because it takes forever to get anywhere and the routes are extremely limited to and from this community. The proposal allows for 369 parking spaces for 299 units instead of 558 that is presently required in our by-laws. The overflow of parking will obviously spill over to Billy Green's parking lot; the strip plaza parking lot; and neighbourhood side streets. Parking on the side streets is already a daily drama so adding all these extra cars will only increase local residents' anxiety and create so much congestion that snow plows and traffic will be an ongoing problem. Also, there are an unacceptable number of Physically Challenged Parking spots of only 6 instead of 37 as required (1%). Again, this High-Density plan is inappropriate for a suburb such as ours and lends itself more to downtown where residents are more apt to not own cars and walk/ride/transit.

7. **No regard for the Character of our existing community or the mental health of existing residents**

This high-density proposal in no way considers the character or desires of the local community. There is nothing like this in all of Stoney Creek. To take the last plot of land in the center of a very mature neighbourhood and change the whole complexion of it is extremely disrespectful to the existing community. Absolutely no regard has been shown for the lifelong investment residents have made to live and retire here. Not to mention the **mental health issues** this is creating in our community. I know for a fact that there are a LOT of residents who are quite outraged about this. The stress and anxiety this is creating is completely unnecessary. ***The fact that this is listed as a major consideration for both Registered Professional Planners and as a ByLaw consideration but is not being addressed is cause for great concern***

In conclusion, I respectfully ask the Planning Committee to reject this proposal in its entirety and start from scratch, with community involvement.

Thank you for your time and consideration.

## Addendum to Objection Letter

### 6.1 Urban Design Brief

*The height of these buildings provides a comfortable transition between higher building masses and the surrounding neighbourhood character*

This is not true as the transition between a 3 storey **stacked** townhouse and a single family home is not a “comfortable” transition at all.

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#### **Planning Comment:**

“The proposed layout will ensure compatibility with neighbouring land uses, by placing the lower-density three-storey stacked townhouses on the southern portion of the subject lands, adjacent to the existing single detached dwellings along Canfield Court”

This is not true as the proposal is completely incompatible with the existing community and especially the dwellings along Canfield Court and Paramount Drive.

### 7.2 Provincial Policy Statement

#### Policy 1.1.1 f)

This proposal does **NOT** improve accessibility for persons with disabilities and older persons because there are not nearly enough Physically Challenged Parking spots available (6 proposed 37 required)

Policy 1.1.2 is inadmissible as it is based on intensification targets “which shall be established through a **future** Amendment to the UHOP

#### Policy 1.1.3.4

#### **Planning Comment:**

The surrounding neighbourhood is comprised of primarily single detached residential dwellings and block townhouses. The abutting built form is predominantly single detached residential and open space/institutional, which makes the location of the proposed three-storey stacked townhouse units and eight-storey apartment building appropriate

This is not true either as it is extremely inappropriate to put these buildings in the center of a mature neighbourhood, which goes directly against section Policy number 3.3.1 which states that **high density development should be on the outskirts of a community**. Also, putting 3 storey "stacked" townhouses adjacent to single family homes is completely unacceptable.

**Policy 1.4.3 b) 1.**

This proposal does **NOT** meet the social, health, economic and well-being requirements of current and future residents! The property values will be greatly reduced for current residents; the Mental Health of current residents is already being adversely affected; an insufficient number of physically challenged parking spots will seriously impact future residents, especially as they are targeting seniors to retire there.

**Policy 1.6.6**

I have not seen any studies to support the claims that the existing sewage and water services can accommodate this proposal. From what I understand these studies have not yet been done.

**Policy 1.6.7.4**

Again, being a commuter-based community driving is essential. This proposal will **NOT** minimize the length and number of vehicle trips in this community.

**Policy 1.8.1**

The significant increase of vehicles in such a small area will increase air pollution. Also, this proposal is in a commuter's neighbourhood and will not reduce motor vehicle trips and congestion but increase them both.

## **7.4 Urban Hamilton Official Plan (UHOP)**

### **Policy 2.4.1.4**

#### **Planning Comment:**

It represents a form of intensification, which is compatible in terms of scale and built form with the surrounding neighbourhood, by placing the lower-density three-storey stacked townhouses on the southern portion of the subject lands, adjacent to the existing single detached dwellings along Canfield Court.

This is **NOT** true as the proposal is not compatible with the surrounding neighbourhood in the least. There is nothing in this neighbourhood that resembles this proposal at all. The skyline and character of the neighbourhood will be ruined forever.

This proposal is not a compatible integration with the surrounding area!

#### **Planning Comment:**

It is not anticipated to adversely impact the existing transportation network

This is obviously not true. Any increase in traffic will adversely impact any area.

#### **Planning Comment:**

The proposed development will make more efficient use of the local road than existing conditions.

This too is not true as Paramount Drive is the only road in and out of the subdivision. Adding another 300 – 600 cars will definitely reduce its efficiency

### **Policy 2.4.2.2**

#### **Planning Comment:**

The proposed development is a respectful form of residential intensification, as it will not result in shadowing, overlook, noise, lighting or traffic concerns. The layout will ensure compatibility with adjacent land uses,

Judging by the residents overwhelming outrage at the February 16 meeting this proposal is anything but 'respectful' with regard to both residents or compatibility. It is not compatible with adjacent land uses nor the height, massing or scale of nearby residential buildings (single family homes). The shadows created over Billy Green Elementary school will block out sunlight until mid-day. Furthermore, there are no 'amenity' provisions at all.



**Policy 3.3.2.3: Urban design should foster a sense of community pride**

**Not one of the 7 principals listed below were satisfied:**

- a) Respecting existing character – Not at all
- b) Consistent with locale and surrounding environment – Not at all
- c) Recognizing and protecting the cultural history - No
- d) Conserving and respecting the existing build heritage features - No
- e) Conserving, maintain, and enhancing the features of its communities - No
- f) Demonstrating sensitivity toward community identity – Not at all
- g) Contributing to the character and ambiance of the community - No

**Planning Comments:**

The proposed development respects the existing community character, by proposing a compatible building layout with appropriate provisions,

The proposed frontage along Paramount Drive contributes to the character of the streetscape, as the four stacked townhouse blocks will be aligned with the existing street to form a consistent street wall.

Neither of these statements are true. This proposal has totally disrespected our community and the stacked townhouses are not in alignment with the existing street. The style and height of single family homes and townhouses that are already on Paramount Drive would be aligned properly, not stacked townhouses and an 8 storey apartment building.

**Policy 3.3.2.4: Quality Spaces**

**Planning Comment:**

The siting of the stacked townhouse blocks and apartment building is logical and fits within the existing neighbourhood context

This is False as it does NOT fit within the existing neighbourhood context

**Policy 3.3.2.6: New development and redevelopment should enhance the character of the existing environment**

Not one of the 4 sub-sections were satisfied

This is False as it does NOT enhance the character of the existing environment. In reality it will become an eyesore and will deter from the character of the existing environment destroying the skyline of the entire neighbourhood.

**Policy 3.3.2.8 Urban design should promote the reduction of greenhouse emissions, ability to adapt to the impacts of a changing climate now and in the future, and protect and enhance the natural urban environment**

This is false. Nothing in this proposal will reduce greenhouse emissions or protect/enhance the natural urban environment. Fewer residential units and more green space will protect and enhance the natural urban environment.

**Policy 3.3.2.9 Urban design plays a significant role in the physical and mental health of our citizens.**

Again, not one sub-section has been satisfied (high quality, safe streetscapes; no development of places for active and passive recreation; no variety of land uses; increased air, noise, and water pollution)

This may be the single biggest concern that is being overlooked. The mere proposal in itself has caused such intense stress and anxiety in the community. The **mental health** of our citizens is obviously not a concern of the developer but we as a society depend on our City officials/planners to act in our best interest. Presently the mental health of this community is on a steep decline and will get progressively worse with developments like this.

**Policy 3.3.3.1**

**Planning Comment:** As previously discussed, the proposed development has been designed to fit within the surrounding neighbourhoods, in terms of scale, and ensuring adequate privacy and sunlight to neighbouring properties. It will be compatible with the surrounding low-density context,

This is not true because in no way does this development fit within the surrounding neighbourhood.

#### **Policy 4.5.8.4**

The proposed development will make more efficient use of the Collector Road, by increasing residential density on the subject lands, without hindering the current traffic flow.

This is false. More cars will undoubtedly hinder the current traffic flow. In fact, traffic flow will be at a stand--still in the morning and afternoon when school starts and ends.

#### **Policy 5.3 Lake –Based Municipal Water and Wastewater Systems**

Again, I have not seen any studies to support the claim that existing systems can accommodate a development of this size. I find it hard to believe that 40+ years after planning a community that the existing infrastructure could accommodate another 299 units on such a small piece of land. Surely the planners never anticipated this happening that long ago.

### **Chapter E – Urban Systems and Designations**

#### **Subsection 2.6 Neighbourhoods**

##### **Scale Policy 2.6.7**

*Neighbourhoods shall generally be regarded as physically stable areas with each neighbourhood having a unique scale and character. Changes compatible with the existing character or function of the neighbourhood shall be permitted.*

**Planning Comment:** The proposed development is compatible with the existing character of the neighbourhood, as a functional layout of differing typologies has been created to ensure that there are significant adverse impacts on any adjoining lands.

This is not true. It does NOT fit with the existing character of the neighbourhood and it will have a significant impact on adjoining lands, specifically residents of Canfield Court, Paramount Drive and both elementary schools.

**Scale and Design - Policy 3.2.4**

*The existing character of established neighbourhoods designated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood.*

This proposal does not satisfy this policy at all. In fact the complete opposite is true --- the existing character is NOT maintained and intensification is NOT compatible with the existing residential neighbourhood

**Policy 3.3.1**

*Lower Density residential uses and building forms shall generally be located in the interiors of neighbourhood areas with higher density dwelling forms and supporting uses located on the periphery.*

This proposal is for the exact opposite of 3.3.1. The proposed High-Density development is right in the middle of the Low-Density neighbourhood.

**Policy 3.3.2**

*Development or redevelopment adjacent to areas of lower density shall ensure the height, massing, and arrangement of buildings and structures are compatible with existing and future uses in the surrounding area.*

This proposed development is not at all compatible with the existing areas of lower density with regard to height, massing and arrangement of buildings.

**Policy 3.6.1**

*High Density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods.*

Again, this high-density proposal is NOT on the periphery but right in the center of the mature, low density neighbourhood

**Policy 3.6.8 d)**

This item is also not adhered to as the proposal has inadequate parking, amenity features and is not compatible with existing residential heights. Furthermore it will cast shadows on Billy Green Elementary school for at least 50% of the school day.

**Neighbourhoods Designation – High Density Residential**

**Design Policy 3.6.8**

**Planning Comment:** The proposed development is a respectful form of residential intensification, as it will not result in shadowing, or overlook concerns

This is not true! Residents on Canfield Court and Paramount Drive will have residents in the Stacked Townhouses and apartment looking directly in their bedrooms and living rooms, respectively.

**Appendix E Highlights the Significant short-comings of the proposal**

Physically Challenged Parking Spots:	1% required = 37	Proposed 6
Minimum Number of Parking Spaces:	558 required	Proposed 369
Minimum Front Yard	7.5m required	Proposed 3.25m
Minimum Side Yard	6.0m required	Proposed 3.0m
Maximum Density	40 units/Ha	Proposed 187
Minimum Landscape Open Space	50%	Proposed 30%

RM3 Zone: Stacked townhouses Not permitted

**Policy 6.2.6**

**Planning Comment:** While the Institutional Designation allows for low-density residential uses, an amendment is required for the proposed development as it does not allow high-density residential uses.

One of the main reasons everyone in this neighbourhood chose to live here is because it was not zoned high-density. Obviously the City Planners had a very good reason not to zone it High Density, mainly because it is a suburb. To suddenly decide after 40+ years that the zoning should be changed to high-density simply to accommodate a developer is outrageous and nothing short of criminal to the existing community.

If we wanted to live downtown or in Toronto we would have moved there.

## **9 School and City Recreation Facility and Outdoor Recreation/ Parks Issues Assessment**

As noted throughout this report, the subject lands directly abut Billy Green Elementary School to the north and St. Paul Catholic Elementary School to the south-west. The development of the subject lands will be compatible with the surrounding institutional uses, as it does not create significant shadow impacts upon the schools

This is completely false. The 8 story apartment will completely block out any sunshine that Billy Green's kindergarten classrooms/playground presently enjoy. Furthermore, the apartments will be looking directly into the classroom windows of Billy Green school all day long.

### **11 Planning Justification**

Registered Professional Planners ("Planners") have a responsibility to acknowledge the interrelated nature of planning decisions and the consequences for natural and human environments, and the broader public interest. The public interest reflects a balance between the local needs of the community with the interests of stakeholders. In order to determine whether the proposed development is within the public interest

Both the Councillor and the Planner stated that they have never had as many people at a public meeting in their entire careers as were present at the February 16, 2023 meeting. This in itself tells the whole story.

The unanimous outrage and opposition displayed at the meeting cannot be simply disregarded. If the above Professional Planners code of ethics is to be respected at all then based on this meeting alone the existing High-Density plan needs to be thrown out and a new Low-Density plan submitted, hopefully one that has community involvement and fits the character of the neighbourhood.

#### **11.1 Environment**

The proposed development will provide residential density in close proximity to commercial and institutional uses and allow residents to live, work and play within the same neighbourhood, thus being active transportation supportive

This is not true as very few residents work in this neighbourhood. There are no employers of any size near this community.

The proposed development will capitalize on the advantage and provide reduced parking ratios to encourage an increase in transit usage. Overall, by

promoting transit and active transportation, it decreases the need for automobile travel and greenhouse gas emissions, which contributes to a higher energy consumption and declining air quality.

In reality, this High-Density development will accomplish the complete opposite of what is stated in section 11.1

Once again, this proposal is more fitting to downtown and not a suburb like 1065 Paramount Drive. Residents living here generally need a car. This might be the case in places like downtown where it is easy to ride a bike or take a bus to work. This concept is not applicable to a suburban community that depends on driving and having an adequate traffic infrastructure, which this proposal will certainly affect in an adverse manner.

## **12 Conclusions and Recommendations**

I would argue that it does NOT maintain the intent of the Urban Hamilton Official Plan and West Mountain Area Secondary Plan. Sure it may satisfy one such factor, to build more units, but I'm certain the original intent was much more inclusive than that: Fitting in with the Character of the existing neighbourhood; Acceptance by the existing neighbourhood; not creating traffic and parking chaos in an existing neighbourhood; not creating buildings high enough to invade upon the privacy of existing residents.

I also highly doubt that the Former City of Stoney Creek Zoning By-Law would have intended a development such as this. In fact I would argue that the Former City Planners would have shut this down immediately.

It definitely is NOT compatible with the surrounding build form.

It definitely does not represent good planning that is in the public interest. It is only in the developers best interest, not the communities.

**From:** [REDACTED]  
**To:** [Clark, Brad](mailto:Clark,Brad@hamilton.ca); [Van Rooi, James](mailto:VanRooi,James@ibigroup.com); [Tracy Tucker@ibigroup.com](mailto:Tracy.Tucker@ibigroup.com)  
**Subject:** Zoning Objection - Paramount Drive neighbourhood  
**Date:** Tuesday, March 7, 2023 4:52:01 PM

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February 28, 2023

To: Brad Clark [Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)  
James Van Rooi [James.VanRooi@hamilton.ca](mailto:James.VanRooi@hamilton.ca)  
Tracy Tucker [Tracy.Tucker@ibigroup.com](mailto:Tracy.Tucker@ibigroup.com)

Objection to File No. UHOPA-23-005 regarding the proposed By-Law to change the land use designation from "Institutional" to "Neighbourhoods" in Schedule "E-1" of the Urban Hamilton Official Plan and to change the land use designation from "Institutional" to "High Density Residential 1" in the West Mountain Area (Heritage Green) Secondary Plan.

Objection to File No. ZAC-23-006 regarding the rezoning of the subject lands from the Small Scale Institutional "IS" Zone to a modified Multiple Residential "RM3-XX" Zone

I strongly object to the above proposals for the following reasons:

1. **Unsatisfactory "Planning Justification Report" and "Urban Design Brief"**

The 'Planning Justification Report' is based extensively on the Provincial governments desire to increase the number of housing units.

This is only one consideration, and given the recent extensive expansion to the Urban boundary it should be near the bottom of the list of priorities to consider, especially when the new development is in the center of a mature, established community. There are so many opposing arguments that render this High-Density "urban" proposal completely unsatisfactory as it is in the middle of a Low-Density "suburban" community (neighbourhood character; Congestion; Traffic; Safety; Pollution; Infrastructure; Mental Health; etc). The High-Density rationale does not apply to our suburb as we are a commuter-based neighbourhood that relies heavily on the Redhill Expressway and Lincoln Alexander Parkway to commute to work.

Please see the attached Addendum for a long list of points that do not adhere to the:

- Planning Act
  - Provincial Policy Statement 2020
  - Urban Hamilton Official Plan
  - Neighbourhoods Designation General Policies
  - West Mountain Area Secondary Plan
  - Zoning By-laws
  - Registered Professional Planners responsibility re "local needs of the community"
- Furthermore, the 'Urban Design Brief' states that "the south boundary is defined by residential single dwellings screened by a densely planted landscape buffer" which is not true at all. The trees on the SW corner of the development are tall enough to provide privacy to a 3 level townhouse. However the other 3 houses in Canfield Court that back on to the South side of the lot offer no privacy to any structure over 2 stories. Nor is there any privacy for the homes on Paramount drive from the street facing Apartments and Stacked Townhouses. The townhouses will be looking directly into the bedrooms on Canfield Court and both the apartments and townhouses will be



looking directly into the living rooms on Paramount Drive. In time, these trees will one day die and/or be removed and then there would be absolutely no privacy for any of the existing residents mentioned above.

2. **High-Density zoning is completely unnecessary in this Community**

With the recent Urban Boundary expansion announced by the Provincial government there is absolutely no need to create a High Density development in a Low Density, mature neighbourhood. The High Density zoning does not fit with the existing character of the community, which is all Low Density. It is also in complete contradiction of section 3.3.1 which states that High Density housing is to be on the outskirts of the community, not on the interior which is exactly where it is being proposed.

3. **Recent Precedent for Ward 9 regarding zoning density**

Just 4 km away a new development was approved at 15 Ridgeview, which is in Ward 9 as is the proposed development at 1065 Paramount Drive. The property at 15 Ridgeview is 5 hectares and a total of 105 residential units (25 single family homes and 80 three-level townhouses) was submitted and approved. That is only 21 residential units per hectare of land.

Comparatively, the proposal for 1065 Paramount Drive is on a lot that is only 1.63 hectares but they are proposing 299 residential units. The proposed density is 187 residential units per hectare of land. The present by-law states a maximum 40 residents per hectare.

In regard to the 15 Ridgeview development, The Hamilton Spectator reported that Jeff Beattie (Stoney Creek councilor) said that the proposed development will be similar to the existing housing blocks that have already been built. In other words, they were very cognizant of the existing community and made every effort to ensure the new development fit in.

The closest elementary school to the 15 Ridgeview development is Eastdale which is 6 km away from it whereas the High-Density proposal for 1065 Paramount Drive is within meters of both Billy Green and St. Paul elementary schools. The safety of children making their way to both schools cannot be measured, however it is painfully obvious that having a High Density development with upwards of 600 new cars in the area coming and going during morning and afternoon rush periods will only increase the risk of traffic accidents and injuries.

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lends itself more to downtown where residents do in fact walk, ride or take public transit to work.

5. **Traffic considerations to include the impact on the Red Hill Valley Expressway and the Lincoln Alexander Expressway**

The fact is there will be more traffic. Anyone who lives in this area knows that the Red Hill Valley Parkway and the Lincoln Alexander Parkway are already stop and go every morning and afternoon. We know that the planners comment "Traffic will take care of itself" is simply not true for this area as evidenced by years of backlog on the Redhill/Linc. Adding approximately 300 more cars to the morning and evening commute is definitely going to compound this problem and traffic will only get worse.

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Thank you for your time and consideration.

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- e. Conserving, maintain, and enhancing the features of its communities - No
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The proposed frontage along Paramount Drive contributes to the character of

the streetscape, as the four stacked townhouse blocks will be aligned with the existing street to form a consistent street wall.

Neither of these statements are true. This proposal has totally disrespected our community and the stacked townhouses are not in alignment with the existing street. The style and height of single family homes and townhouses that are already on Paramount Drive would be aligned properly, not stacked townhouses and an 8 storey apartment building.

**Policy 3.3.2.4: Quality Spaces**

**Planning Comment:**

The siting of the stacked townhouse blocks and apartment building is logical and fits within the existing neighbourhood context

This is False as it does NOT fit within the existing neighbourhood context

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**Policy 3.3.2.6: New development and redevelopment should enhance the character of the existing environment**

Not one of the 4 sub-sections were satisfied

This is False as it does NOT enhance the character of the existing environment. In reality it will become an eyesore and will deter from the character of the existing environment destroying the skyline of the entire neighbourhood.

**Policy 3.3.2.8 Urban design should promote the reduction of greenhouse emissions, ability to adapt to the impacts of a changing climate now and in the future, and protect and enhance the natural urban environment**

This is false. Nothing in this proposal will reduce greenhouse emissions or protect/enhance the natural urban environment. Fewer residential units and more green space will protect and enhance the natural urban environment.

**Policy 3.3.2.9 Urban design plays a significant role in the physical and mental health of our citizens.**

Again, not one sub-section has been satisfied (high quality, safe streetscapes; no development of places for active and passive recreation; no variety of land uses; increased air, noise, and water pollution)

This may be the single biggest concern that is being overlooked. The mere proposal in itself has caused such intense stress and anxiety in the community. The **mental health** of our citizens is obviously not a concern of the developer but we as a society depend on our City officials/planners to act in our best interest. Presently the mental health of this community is on a steep decline and will get progressively worse with developments like this.

**Policy 3.3.3.1**

**Planning Comment:** As previously discussed, the proposed development has been designed to fit within the surrounding neighbourhoods, in terms of scale, and ensuring adequate privacy and sunlight to neighbouring properties. It will be compatible with the surrounding low-density context,

This is not true because in no way does this development fit within the surrounding neighbourhood.

**Policy 4.5.8.4**

The proposed development will make more efficient use of the Collector Road, by increasing residential density on the subject lands, without hindering the current traffic flow.

This is false. More cars will undoubtedly hinder the current traffic flow. In fact, traffic flow will be at a stand--still in the morning and afternoon when school starts and ends.

**Policy 5.3 Lake –Based Municipal Water and Wastewater Systems**

Again, I have not seen any studies to support the claim that existing systems can accommodate a development of this size. I find it hard to believe that 40+ years after planning a community that the existing infrastructure could accommodate another 299 units on such a small piece of land. Surely the planners never anticipated this happening that long ago.

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**Chapter E – Urban Systems and Designations**

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**Subsection 2.6 Neighbourhoods**

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**Scale Policy 2.6.7**

*Neighbourhoods shall generally be regarded as physically stable areas with each neighbourhood having a unique scale and character. Changes compatible with the existing character or function of the neighbourhood shall be permitted.*

**Planning Comment:** The proposed development is compatible with the existing character of the neighbourhood, as a functional layout of differing typologies has been created to ensure that there are significant adverse impacts on any adjoining lands.

This is not true. It does NOT fit with the existing character of the neighbourhood and it will have a significant impact on adjoining lands,

specifically residents of Canfield Court, Paramount Drive and both elementary schools.

**Scale and Design - Policy 3.2.4**

*The existing character of established neighbourhoods designated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood.*

This proposal does not satisfy this policy at all. In fact the complete opposite is true --- the existing character is NOT maintained and intensification is NOT compatible with the existing residential neighbourhood

-  
**Policy 3.3.1**

*Lower Density residential uses and building forms shall generally be located in the interiors of neighbourhood areas with higher density dwelling forms and supporting uses located on the periphery.*

This proposal is for the exact opposite of 3.3.1. The proposed High-Density development is right in the middle of the Low-Density neighbourhood.

-  
**Policy 3.3.2**

*Development or redevelopment adjacent to areas of lower density shall ensure the height, massing, and arrangement of buildings and structures are compatible with existing and future uses in the surrounding area.*

This proposed development is not at all compatible with the existing areas of lower density with regard to height, massing and arrangement of buildings.

**Policy 3.6.1**

*High Density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods.*

Again, this high-density proposal is NOT on the periphery but right in the center of the mature, low density neighbourhood

**Policy 3.6.8 d)**

This item is also not adhered to as the proposal has inadequate parking, amenity features and is not compatible with existing residential heights. Furthermore it will cast shadows on Billy Green Elementary school for at least



50% of the school day.

**Neighbourhoods Designation – High Density Residential Design Policy 3.6.8**

**Planning Comment:** The proposed development is a respectful form of residential intensification, as it will not result in shadowing, or overlook concerns

This is not true! Residents on Canfield Court and Paramount Drive will have residents in the Stacked Townhouses and apartment looking directly in their bedrooms and living rooms, respectively.

**Appendix E Highlights the Significant short-comings of the proposal**

Physically Challenged Parking Spots:	1% required = 37	Proposed 6
Minimum Number of Parking Spaces:	558 required	Proposed 369
Minimum Front Yard	7.5m required	Proposed 3.25m
Minimum Side Yard	6.0m required	Proposed 3.0m
Maximum Density	40 units/Ha	Proposed 187
Minimum Landscape Open Space	50%	Proposed 30%
RM3 Zone: Stacked townhouses	Not permitted	

**Policy 6.2.6**

**Planning Comment:** While the Institutional Designation allows for low-density residential uses, an amendment is required for the proposed development as it does not allow high-density residential uses.

One of the main reasons everyone in this neighbourhood chose to live here is because it was not zoned high-density. Obviously the City Planners had a very good reason not to zone it High Density, mainly because it is a suburb. To suddenly decide after 40+ years that the zoning should be changed to high-density simply to accommodate a developer is outrageous and nothing short of criminal to the existing community.

If we wanted to live downtown or in Toronto we would have moved there.

**9 School and City Recreation Facility and Outdoor Recreation/ Parks Issues Assessment**

As noted throughout this report, the subject lands directly abut Billy Green Elementary School to the north and St. Paul Catholic Elementary School to the south-west. The development of the subject lands will be compatible with the surrounding institutional uses, as it does not create significant shadow impacts upon the schools

This is completely false. The 8 story apartment will completely block out any sunshine that Billy Green’s kindergarten classrooms/playground presently enjoy. Furthermore, the apartments will be looking directly into the classroom windows of Billy Green school all day long.

## **11 Planning Justification**

Registered Professional Planners ("Planners") have a responsibility to acknowledge the interrelated nature of planning decisions and the consequences for natural and human environments, and the broader public interest. The public interest reflects a balance between the local needs of the community with the interests of stakeholders. In order to determine whether the proposed development is within the public interest

Both the Councillor and the Planner stated that they have never had as many people at a public meeting in their entire careers as were present at the February 16, 2023 meeting. This in itself tells the whole story.

The unanimous outrage and opposition displayed at the meeting cannot be simply disregarded. If the above Professional Planners code of ethics is to be respected at all then based on this meeting alone the existing High-Density plan needs to be thrown out and a new Low-Density plan submitted, hopefully one that has community involvement and fits the character of the neighbourhood.

### **11.1 Environment**

The proposed development will provide residential density in close proximity to commercial and institutional uses and allow residents to live, work and play within the same neighbourhood, thus being active transportation supportive

This is not true as very few residents work in this neighbourhood. There are no employers of any size near this community.

The proposed development will capitalize on the advantage and provide reduced parking ratios to encourage an increase in transit usage. Overall, by promoting transit and active transportation, it decreases the need for automobile travel and greenhouse gas emissions, which contributes to a higher energy consumption and declining air quality.

In reality, this High-Density development will accomplish the complete opposite of what is stated in section 11.1

Once again, this proposal is more fitting to downtown and not a suburb like 1065 Paramount Drive. Residents living here generally need a car. This might be the case in places like downtown where it is easy to ride a bike or take a bus to work. This concept is not applicable to a suburban community that depends on driving and having an adequate traffic infrastructure, which this proposal will certainly affect in an adverse manner.

## **12 Conclusions and Recommendations**

I would argue that it does NOT maintain the intent of the Urban Hamilton Official Plan and West Mountain Area Secondary Plan. Sure it may satisfy one such factor, to build more units, but I'm certain the original intent was much more inclusive than that: Fitting in with the Character of the existing neighbourhood; Acceptance by the existing neighbourhood; not creating traffic and parking chaos in an existing neighbourhood; not creating buildings high enough to invade upon the privacy of existing residents.

I also highly doubt that the Former City of Stoney Creek Zoning By-Law would have intended a development such as this. In fact I would argue that the Former City Planners would have shut this down immediately.

**It definitely is NOT compatible with the surrounding build form.**

**It definitely does not represent good planning that is in the public interest. It is only in the developer's best interest, not the community's.**

 [Consulting](#)

Sent from [Mail](#) for Windows

From: [REDACTED]  
To: [Van Rooi, James](#)  
Cc: [Clark, Brad](#); [Office of the Mayor](#)  
Subject: Paramount Drive Rezoning, Mikmada (Paramount) Inc.  
Date: Wednesday, February 22, 2023 10:48:35 AM

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To All Concerned,

I have significant opposition to the proposed development plans for the Mikmada (Paramount) building project.

**An eight storey apartment building is too high** for the existing Albion Estates community, and in fact, too high for the entire Upper Stoney Creek community. Existing structures have been limited to **3 stories** (Plan M-181) and that restriction must be carried forward for any new developments. An eight story building will dominate over the entire community to the north of Mud St. Low and high density development should be integrated and compatible in density, height, and building setbacks.

**This project is NOT compatible with the existing community.** A townhouse community similar to the townhouses to the north of Billy Green School should be pursued.

**The proposed location of the apartment building is too close to the existing Billy Green Elementary School** and impacts on the safety, cleanliness and culture of the school. A setback of six meters from the property line of the school is not nearly adequate. The increase of vehicle traffic so close to both Billy Green Elementary School and St. Paul Catholic Elementary School will be an **extreme safety risk** to the children of these schools. Furthermore, both of these schools are at capacity and using portable classrooms. Additional children residing in this new proposed development will result in further overcapacity and lower quality of education to the existing students.

The **lack of adequate parking** proposed for this new building project (0.92 parking places per unit for apartment and one parking space per townhouse) will result in more cars being parked in on neighbourhood streets that are already overcrowded and causing safety concerns. The current standard of providing 1.5 parking spaces per unit must be enforced. Furthermore, Ackland St. is extremely busy with visitors to the **Felkers Falls Conservation Area**. **A traffic study should be required to determine the impact of this proposed development on this residential area** as well.

I thank you for your time in considering these objections.

If you are not the appropriate person to receive this communication, please advise me who is. And please ensure that I am put on any lists for future communications regarding this project.

Yours sincerely,

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**From:** [Morton, Devon](#)  
**To:** [Van Rooi, James](#)  
**Subject:** FW: Zoning By-law Amendment Application at 2800 Library Lane and Portion of lands located at 2641 Regional Road  
**Date:** Monday, February 27, 2023 8:56:47 AM  
**Attachments:** [image001.png](#)

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FYI

**Devon M. Morton, MCIP, RPP** (he/him/his)  
Planner II (Rural Team)  
Development Planning  
Planning & Economic Development Department  
City of Hamilton, 71 Main St. W, 5<sup>th</sup> floor, L8P 4Y5  
Ph: (905) 546-2424 ext. 1384  
Email: [Devon.Morton@hamilton.ca](mailto:Devon.Morton@hamilton.ca)



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**From:** [REDACTED]  
**Sent:** Sunday, February 26, 2023 2:13 PM  
**To:** Morton, Devon <[Devon.Morton@hamilton.ca](mailto:Devon.Morton@hamilton.ca)>  
**Subject:** Re: Zoning By-law Amendment Application at 2800 Library Lane and Portion of lands located at 2641 Regional Road

This is in regards to Application ZAC-23-002

On Sunday, February 26, 2023 at 12:09:35 p.m. EST, [REDACTED] wrote:

Hello Devon

I would like to voice my concerns about the zoning by-law amendment application at 2800 Library Lane and portion of lands located at 2641 Regional Road 56. As a resident at [REDACTED] I had bought with the understanding that the land behind me was zoned agricultural. It is unfair that now it is being changed and taking away privacy from my property, particularly with roof-top terraces where people can stare down into our backyards and into our homes. Is there a way to eliminate this roof-top terrace? Also, three stories will deeply shade my backyard and not provide light for the gardens that I take great pride in. Finally, it is a natural sanctuary for many animals and particularly birds...it will be a shame to lose this greenspace for nature. Please take these concerns seriously as if this was happening in your own backyard.

Thanks you for your time and consideration

[REDACTED]

**From:** [Clark, Brad](#)  
**Cc:** [Ribaric, Robert](#); [Morton, Devon](#); [Van Rooi, James](#)  
**Subject:** RE: Tonight's meeting  
**Date:** Monday, February 27, 2023 2:06:38 PM

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Hi [REDACTED]

As always, I appreciate your comments.

Thank you for attending this public meeting. I believe the attendance exceeded 250 people. While I expected a large crowd I did not expect that crowd.

Please be advised that our city staff have not made any recommendations on the development. There are ongoing discussions with the developers planner regarding density. My hope remains that we can find a way to a more reasonable intensification. I will continue to advocate for the ways and means to lower the height of the building and provide additional parking.

Regardless your names will be added to the database of interested parties. You will be notified of the next public meeting.

If you wish to chat further, please call 905 977-0679.

Respectfully yours,

Brad

**Councillor Brad Clark**  
**Ward 9 - Upper Stoney Creek**  
**Room 262, 71 Main Street West**  
**Hamilton, ON L8P 4Y5**

**Office:** [905 546-2703](tel:9055462703)  
**Cell:** [905 977-0679](tel:9059770679)  
[brad.clark@hamilton.ca](mailto:brad.clark@hamilton.ca)  
[www.bradclarkreport.ca](http://www.bradclarkreport.ca)



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**From:** [REDACTED]  
**Sent:** Thursday, February 16, 2023 7:56 PM  
**To:** Clark, Brad <Brad.Clark@hamilton.ca>  
**Subject:** Tonight's meeting

Hey Brad,

Pretty sure nobody expected that type of turn out or anger. During the meeting I kept notes on my phone and will post below. However my main concern and I took serious offense to was the ignorant comment by that clown suggesting I walk to get my lotto tickets. As you are aware I have permanent paralysis in my left leg and am utterly disgusted at the comment I walk..

I demand a letter of apology as that comment will be relayed to CHCH news. I thought this was 2023 where people are more aware of the idea we don't understand what others lives entail..

His comment he sees higher density because it has schools, shopping. Do you see if the infrastructure supports the increased family density?

Engineer tells you the pipes are big enough.... People don't want to be told we want engineer reports.. Reports they will stand behind and be held liable should they fail.. Not our tax dollars

1/3 of land has buildings.. That's laughable as you are going up as air is free. Basing that statement on amount of land being built on is only relevant if they were all one story single family homes. That statement is misleading as the building occupies air and not based on land.

On your list was lack of infrastructure reports or school vacancy reports.

Stop signs merging will back traffic up right through the school walk

Walking distance is laughable as it is a bedroom community and nobody is employed or works in the neighbourhood. So they'll drive and as much of a fairy land you live in its not developer's or builders proactive to eliminate cars. Rather insulting that he assumed people are stupid to believe such a ridiculous comment.

Hopefully the city will fight this even to the tribunal.



Sent from my Bell Samsung device over Canada's largest network.



From: [REDACTED]  
To: [Clark, Brad](mailto:Clark,Brad); [Van Rooi, James](mailto:Van Rooi,James); [Tracy.Tucker@ibigroup.com](mailto:Tracy.Tucker@ibigroup.com)  
Subject: Strong Objection to Proposed By-Law by St. Paul/Billy Green Schools  
Date: Sunday, March 19, 2023 2:02:24 PM

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March 19, 2023

Objection to File No. UHOPA-23-005 regarding the proposed By-Law to change the land use designation from “Institutional” to “Neighbourhoods” in Schedule “E-1” of the Urban Hamilton Official Plan and to change the land use designation from “Institutional” to “High Density Residential 1” in the West Mountain Area (Heritage Green) Secondary Plan.

Objection to File No. ZAC-23-006 regarding the rezoning of the subject lands from the Small Scale Institutional “IS” Zone to a modified Multiple Residential “RM3-XX” Zone

I strongly object to the above proposals for the following reasons:

1. **Unsatisfactory “Planning Justification Report” and “Urban Design Brief”**

The ‘Planning Justification Report’ is based extensively on the Provincial governments desire to increase the number of housing units.

This is only one consideration, and given the recent extensive expansion to the Urban boundary it should be near the bottom of the list of priorities to consider, especially when the new development is in the center of a mature, established community. There are so many opposing arguments that render this High-Density “urban” proposal completely unsatisfactory as it is in the middle of a Low-Density “suburban” community (neighbourhood character; Congestion; Traffic; Safety; Pollution; Infrastructure; Mental Health; etc). The High-Density rationale does not apply to our suburb as we are a commuter-based neighbourhood that relies heavily on the Redhill Expressway and Lincoln Alexander Parkway to commute to work.

Please see the attached Addendum for a long list of points that do not adhere to the:

- Planning Act
- Provincial Policy Statement 2020
- Urban Hamilton Official Plan
- Neighbourhoods Designation General Policies
- West Mountain Area Secondary Plan
- Zoning By-laws
- Registered Professional Planners responsibility re “local needs of the community”

Furthermore, the 'Urban Design Brief' states that "the south boundary is defined by residential single dwellings screened by a densely planted landscape buffer" which is not true at all. The trees on the SW corner of the development are tall enough to provide privacy to a 3 level townhouse. However the other 3 houses in Canfield Court that back on to the South side of the lot offer no privacy to any structure over 2 stories. Nor is there any privacy for the homes on Paramount drive from the street facing Apartments and Stacked Townhouses. The townhouses will be looking directly into the bedrooms on Canfield Court and both the apartments and townhouses will be looking directly into the living rooms on Paramount Drive. In time, these trees will one day die and/or be removed and then there would be absolutely no privacy for any of the existing residents mentioned above.

2. **High-Density zoning is completely unnecessary in this Community**

With the recent Urban Boundary expansion announced by the Provincial government there is absolutely no need to create a High Density development in a Low Density, mature neighbourhood. The High Density zoning does not fit with the existing character of the community, which is all Low Density. It is also in complete contradiction of section 3.3.1 which states that High Density housing is to be on the outskirts of the community, not on the interior which is exactly where it is being proposed.

3. **Recent Precedent for Ward 9 regarding zoning density**

Just 4 km away a new development was approved at 15 Ridgeview, which is in Ward 9 as is the proposed development at 1065 Paramount Drive. The property at 15 Ridgeview is 5 hectares and a total of 105 residential units (25 single family homes and 80 three-level townhouses) was submitted and approved. That is only 21 residential units per hectare of land.

Comparatively, the proposal for 1065 Paramount Drive is on a lot that is only 1.63 hectares but they are proposing 299 residential units. The proposed density is **187** residential units per hectare of land. The present by-law states a maximum 40 residents per hectare.

In regard to the 15 Ridgeview development, The Hamilton Spectator reported that Jeff Beattie (Stoney Creek councilor) said that the proposed development will be similar to the existing housing blocks that have already been built. In other words, they were very cognizant of the existing community and made every effort to ensure the new development fit in.

The closest elementary school to the 15 Ridgeview development is Eastdale which is 6 km away from it whereas the High-Density proposal for 1065 Paramount Drive is within meters of both

Billy Green and St. Paulelementary schools. The safety of children making their way to both schools cannot be measured, however it is painfully obvious that having a High Density development with upwards of 600 new cars in the area coming and going during morning and afternoon rush periods will only increase the risk of traffic accidents and injuries.

4. **Job Markets not easily accessible via public transit from this area**

The argument provided by the planner that there is public transit right on Paramount drive which will help newcomers commute to work and will reduce the number of residents owning vehicles is not valid for this community as it is basically a suburb to Hamilton. Anyone who lives and commutes in this area knows that a bus ride to most work areas is a very lengthy, time consuming journey. A bus to downtown Hamilton takes an hour easily. This community is not close to any major job markets, most people commute. In fact many new people entering the community are probably from out of town and will certainly be driving, creating more congestion and air pollution than is necessary. This High-Density plan is inappropriate for a suburb such as ours and lends itself more to downtown where residents do in fact walk, ride or take public transit to work.

5. **Traffic considerations to include the impact on the Red Hill Valley Expressway and the Lincoln Alexander Expressway**

The fact is there will be more traffic. Anyone who lives in this area knows that the Red Hill Valley Parkway and the Lincoln Alexander Parkway are already stop and go every morning and afternoon. We know that the planners comment "Traffic will take care of itself" is simply not true for this area as evidenced by years of backlog on the Redhill/Linc. Adding approximately 300 more cars to the morning and evening commute is definitely going to compound this problem and traffic will only get worse.

6. **Insufficient Parking**

The Planner's goal of not providing enough parking spots in the hopes of attracting residents without cars is not realistic for this community because as previously stated it is a suburb in which most people commute to and from work. Most residents in this area have at least 2 cars per household, townhouses included. This is because there are very few employers in the area and the vast majority of workers have to commute. Using the HSR is a last resort because it takes forever to get anywhere and the routes are extremely limited to and from this community. The proposal allows for 369 parking spaces for 299 units instead of 558 that is presently required in our by-laws. The over-flow of parking will obviously spill over to Billy Green's

parking lot; the strip plaza parking lot; and neighbourhood side streets. Parking on the side streets is already a daily drama so adding all these extra cars will only increase local residents' anxiety and create so much congestion that snow plows and traffic will be an ongoing problem. Also, there are an unacceptable number of Physically Challenged Parking spots of only 6 instead of 37 as required (1%). Again, this High-Density plan is inappropriate for a suburb such as ours and lends itself more to downtown where residents are more apt to not own cars and walk/ride/transit.

7. **No regard for the Character of our existing community or the mental health of existing residents**

This high-density proposal in no way considers the character or desires of the local community. There is nothing like this in all of Stoney Creek. To take the last plot of land in the center of a very mature neighbourhood and change the whole complexion of it is extremely disrespectful to the existing community. Absolutely no regard has been shown for the lifelong investment residents have made to live and retire here. Not to mention the **mental health issues** this is creating in our community. I know for a fact that there are a LOT of residents who are quite outraged about this. The stress and anxiety this is creating is completely unnecessary. *The fact that this is listed as a major consideration for both Registered Professional Planners and as a ByLaw consideration but is not being addressed is cause for great concern*

In conclusion, I respectfully ask the Planning Committee to reject this proposal in its entirety and start from scratch, with community involvement.

Thank you for your time and consideration.

## **Addendum to Objection Letter**

### **6.1 Urban Design Brief**

*The height of these buildings provides a comfortable transition between higher building masses and the surrounding neighbourhood character*

This is not true as the transition between a 3 storey **stacked** townhouse and a single family home is not a "comfortable" transition at all.

## 7.1 Planning Act

### **Planning Comment:**

“The proposed layout will ensure compatibility with neighbouring land uses, by placing the lower-density three-storey stacked townhouses on the southern portion of the subject lands, adjacent to the existing single detached dwellings along Canfield Court”

This is not true as the proposal is completely incompatible with the existing community and especially the dwellings along Canfield Court and Paramount Drive.

## 7.2 Provincial Policy Statement

### **Policy 1.1.1 f)**

This proposal does **NOT** improve accessibility for persons with disabilities and older persons because there are not nearly enough Physically Challenged Parking spots available (6 proposed 37 required)

**Policy 1.1.2** is inadmissible as it is based on intensification targets “which shall be established through a **future** Amendment to the UHOP

### **Policy 1.1.3.4**

#### **Planning Comment:**

The surrounding neighbourhood is comprised of primarily single detached residential dwellings and block townhouses. The abutting built form is predominantly single detached residential and open space/institutional, which makes the location of the proposed three-storey stacked townhouse units and eight-storey apartment building appropriate

This is not true either as it is extremely inappropriate to put these buildings in the center of a mature neighbourhood, which goes directly against section Policy number 3.3.1 which states that **high density development should be on the outskirts of a community**. Also, putting 3 storey “stacked” townhouses adjacent to single family homes is completely unacceptable.

### **Policy 1.4.3 b) 1.**

This proposal does **NOT** meet the social, health, economic and well-being requirements of current and future residents! The property values

will be greatly reduced for current residents; the Mental Health of current residents is already being adversely affected; an insufficient number of physically challenged parking spots will seriously impact future residents, especially as they are targeting seniors to retire there.

#### **Policy 1.6.6**

I have not seen any studies to support the claims that the existing sewage and water services can accommodate this proposal. From what I understand these studies have not yet been done.

#### **Policy 1.6.7.4**

Again, being a commuter-based community driving is essential. This proposal will **NOT** minimize the length and number of vehicle trips in this community.

#### **Policy 1.8.1**

The significant increase of vehicles in such a small area will increase air pollution. Also, this proposal is in a commuter's neighbourhood and will not reduce motor vehicle trips and congestion but increase them both.

### **7.4 Urban Hamilton Official Plan (UHOP)**

#### **Policy 2.4.1.4**

##### **Planning Comment:**

It represents a form of intensification, which is compatible in terms of scale and built form with the surrounding neighbourhood, by placing the lower-density three-storey stacked townhouses on the southern portion of the subject lands, adjacent to the existing single detached dwellings along Canfield Court.

This is **NOT** true as the proposal is not compatible with the surrounding neighbourhood in the least. There is nothing in this neighbourhood that resembles this proposal at all. The skyline and character of the

neighbourhood will be ruined forever.

This proposal is not a compatible integration with the surrounding area!

**Planning Comment:**

It is not anticipated to adversely impact the existing transportation network

This is obviously not true. Any increase in traffic will adversely impact any area.

**Planning Comment:**

The proposed development will make more efficient use of the local road than existing conditions.

This too is not true as Paramount Drive is the only road in and out of the subdivision. Adding another 300 – 600 cars will definitely reduce its efficiency

**Policy 2.4.2.2**

**Planning Comment:**

The proposed development is a respectful form of residential intensification, as it will not result in shadowing, overlook, noise, lighting or traffic concerns. The layout will ensure compatibility with adjacent land uses,

Judging by the residents overwhelming outrage at the February 16 meeting this proposal is anything but 'respectful' with regard to both residents or compatibility. It is not compatible with adjacent land uses nor the height, massing or scale of nearby residential buildings (single family homes). The shadows created over Billy Green Elementary school will block out sunlight until mid-day. Furthermore, there are no 'amenity' provisions at all.

**Policy 3.3.2.3: Urban design should foster a sense of community pride**

**Not one of the 7 principals listed below were satisfied:**

- a) Respecting existing character – Not at all
- b) Consistent with locale and surrounding environment – Not at all
- c) Recognizing and protecting the cultural history - No
- d) Conserving and respecting the existing build heritage features - No
- e) Conserving, maintain, and enhancing the features of its communities - No

- f) Demonstrating sensitivity toward community identity– Not at all
- g) Contributing to the character and ambiance of the community - No

**Planning Comments:**

The proposed development respects the existing community character, by proposing a compatible building layout with appropriate provisions,

The proposed frontage along Paramount Drive contributes to the character of the streetscape, as the four stacked townhouse blocks will be aligned with the existing street to form a consistent street wall.

Neither of these statements are true. This proposal has totally disrespected our community and the stacked townhouses are not in alignment with the existing street. The style and height of single family homes and townhouses that are already on Paramount Drive would be aligned properly, not stacked townhouses and an 8 storey apartment building.

**Policy 3.3.2.4: Quality Spaces**

**Planning Comment:**

The siting of the stacked townhouse blocks and apartment building is logical and fits within the existing neighbourhood context

This is False as it does NOT fit within the existing neighbourhood context

**Policy 3.3.2.6: New development and redevelopment should enhance the character of the existing environment**

Not one of the 4 sub-sections were satisfied

This is False as it does NOT enhance the character of the existing environment. In reality it will become an eyesore and will deter from the character of the existing environment destroying the skyline of the entire neighbourhood.

**Policy 3.3.2.8 Urban design should promote the reduction of greenhouse emissions, ability to adapt to the impacts of a changing climate now and in the future, and protect and enhance**



**the natural urban environment**

This is false. Nothing in this proposal will reduce greenhouse emissions or protect/enhance the natural urban environment. Fewer residential units and more green space will protect and enhance the natural urban environment.

**Policy 3.3.2.9 Urban design plays a significant role in the physical and mental health of our citizens.**

Again, not one sub-section has been satisfied (high quality, safe streetscapes; no development of places for active and passive recreation; no variety of land uses; increased air, noise, and water pollution)

This may be the single biggest concern that is being overlooked. The mere proposal in itself has caused such intense stress and anxiety in the community. The **mental health** of our citizens is obviously not a concern of the developer but we as a society depend on our City officials/planners to act in our best interest. Presently the mental health of this community is on a steep decline and will get progressively worse with developments like this.

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**Planning Comment:** As previously discussed, the proposed development has been designed to fit within the surrounding neighbourhoods, in terms of scale, and ensuring adequate privacy and sunlight to neighbouring properties. It will be compatible with the surrounding low-density context,

This is not true because in no way does this development fit within the surrounding neighbourhood.

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The proposed development will make more efficient use of the Collector Road, by increasing residential density on the subject lands, without hindering the current traffic flow.

This is false. More cars will undoubtedly hinder the current traffic flow. In fact, traffic flow will be at a stand--still in the morning and afternoon when school starts and ends.

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Again, I have not seen any studies to support the claim that existing systems can accommodate a development of this size. I find it hard to

believe that 40+ years after planning a community that the existing infrastructure could accommodate another 299 units on such a small piece of land. Surely the planners never anticipated this happening that long ago.

## **Chapter E – Urban Systems and Designations**

### **Subsection 2.6 Neighbourhoods**

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This is not true. It does NOT fit with the existing character of the neighbourhood and it will have a significant impact on adjoining lands, specifically residents of Canfield Court, Paramount Drive and both elementary schools.

#### **Scale and Design - Policy 3.2.4**

*The existing character of established neighbourhoods designated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood.*

This proposal does not satisfy this policy at all. In fact the complete opposite is true --- the existing character is NOT maintained and intensification is NOT compatible with the existing residential

neighbourhood

**Policy 3.3.1**

*Lower Density residential uses and building forms shall generally be located in the interiors of neighbourhood areas with higher density dwelling forms and supporting uses located on the periphery.*

This proposal is for the exact opposite of 3.3.1. The proposed High-Density development is right in the middle of the Low-Density neighbourhood.

**Policy 3.3.2**

*Development or redevelopment adjacent to areas of lower density shall ensure the height, massing, and arrangement of buildings and structures are compatible with existing and future uses in the surrounding area.*

This proposed development is not at all compatible with the existing areas of lower density with regard to height, massing and arrangement of buildings.

**Policy 3.6.1**

*High Density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods.*

Again, this high-density proposal is NOT on the periphery but right in the center of the mature, low density neighbourhood

**Policy 3.6.8 d)**

This item is also not adhered to as the proposal has inadequate parking, amenity features and is not compatible with existing residential heights. Furthermore it will cast shadows on Billy Green Elementary school for at least 50% of the school day.

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This is not true! Residents on Canfield Court and Paramount Drive will

have residents in the Stacked Townhouses and apartment looking directly in their bedrooms and living rooms, respectively.

**Appendix E Highlights the Significant short-comings of the proposal**

Physically Challenged Parking Spots:	1% required =	
37	Proposed 6	
Minimum Number of Parking Spaces:	558	
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Minimum Front Yard	7.5m required	Proposed 3.25m
Minimum Side Yard	6.0m required	Proposed 3.0m
Maximum Density	40 units/Ha	Proposed 187
Minimum Landscape Open Space	50%	Proposed 30%
RM3 Zone: Stacked townhouses	Notpermitted	

**Policy 6.2.6**

**Planning Comment:** While the Institutional Designation allows for low-density residential uses, an amendment is required for the proposed development as it does not allow high-density residential uses.

One of the main reasons everyone in this neighbourhood chose to live here is because it wasnot zoned high-density. Obviously the City Planners had a very good reason not to zone it High Density, mainly because it is a suburb. To suddenly decide after 40+ years that the zoning should be changed to high-density simply to accommodate a developer is outrageous and nothing short of criminal to the existing community.

If we wanted to live downtown or in Toronto we would have moved there.

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into the classroom windows of Billy Green school all day long.

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This is not true as very few residents work in this neighbourhood. There are no employers of any size near this community.

The proposed development will capitalize on the advantage and provide reduced parking ratios to encourage an increase in transit usage. Overall, by promoting transit and active transportation, it decreases the need for automobile travel and greenhouse gas emissions, which contributes to a higher energy consumption and declining air quality.

In reality, this High-Density development will accomplish the complete opposite of what is stated in section 11.1

Once again, this proposal is more fitting to downtown and not a suburb like 1065 Paramount Drive. Residents living here generally need a car. This might be the case in places like downtown where it is easy to ride a bike or take a bus to work. This concept is not applicable to a suburban community that depends on driving and having an adequate traffic infrastructure, which this proposal will certainly affect in an adverse manner.

## **12 Conclusions and Recommendations**

I would argue that it does NOT maintain the intent of the Urban Hamilton Official Plan and West Mountain Area Secondary Plan. Sure it may satisfy one such factor, to build more units, but I'm certain the original intent was much more inclusive than that: Fitting in with the Character of the existing neighbourhood; Acceptance by the existing neighbourhood; not creating traffic and parking chaos in an existing neighbourhood; not creating buildings high enough to invade upon the privacy of existing residents.

I also highly doubt that the Former City of Stoney Creek Zoning By-Law would have intended a development such as this. In fact I would argue that the Former City Planners would have shut this down immediately. It definitely is NOT compatible with the surrounding build form. It definitely does not represent good planning that is in the public interest. It is only in the developers best interest, not the communities.

**From:** [REDACTED]  
**To:** [Van Rooi, James](mailto:James.VanRooi@hamilton.ca)  
**Subject:** Re: Strong Objection to Proposed By-Law by St. Paul/Billy Green Schools  
**Date:** Monday, March 20, 2023 4:13:05 PM

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Thank you very much for the response.

My mailing address is:

[REDACTED]

Sent from my iPhone

On Mar 20, 2023, at 9:08 AM, Van Rooi, James <[James.VanRooi@hamilton.ca](mailto:James.VanRooi@hamilton.ca)> wrote:

Good morning [REDACTED], thank you for your email.

This email is to confirm that your comments regarding planning applications UHOPA-23-005 & ZAC-23-006 have been received.

Your comments will be included and discussed in our staff report presented to the Planning Committee as part of the required public hearing. Please note, that at this time a public hearing has not been scheduled for Planning Committee. When we do have a Planning Committee date, you will be notified and will receive a copy of the staff report in advance.

I kindly request that you provide me with your mailing contact information so that I may forward future staff reports and information regarding this development.

Please note that your address and contact information remains confidential. It will not appear in any of the public documents.

Thank you.

James Van Rooi, *MCIP, RPP*  
Senior Planner (Rural Team)

Development Planning,  
Planning & Economic Development Department  
City of Hamilton  
71 Main Street West, 5<sup>th</sup> Floor

Hamilton ON L8P 4Y5  
p. 905.546.2424 ext. 4283  
f. 905.546.4202  
e. [James.VanRooi@hamilton.ca](mailto:James.VanRooi@hamilton.ca)

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**From:** [REDACTED]  
**Sent:** Sunday, March 19, 2023 2:02 PM  
**To:** Clark, Brad <Brad.Clark@hamilton.ca>; Van Rooi, James <James.VanRooi@hamilton.ca>; Tracy.Tucker@ibigroup.com  
**Subject:** Strong Objection to Proposed By-Law by St. Paul/Billy Green Schools

March 19, 2023

Objection to File No. UHOPA-23-005 regarding the proposed By-Law to change the land use designation from “Institutional” to “Neighbourhoods” in Schedule “E-1” of the Urban Hamilton Official Plan and to change the land use designation from “Institutional” to “High Density Residential 1” in the West Mountain Area (Heritage Green) Secondary Plan.

Objection to File No. ZAC-23-006 regarding the rezoning of the subject lands from the Small Scale Institutional “IS” Zone to a modified Multiple Residential “RM3-XX” Zone

I strongly object to the above proposals for the following reasons:

1. **Unsatisfactory “Planning Justification Report” and “Urban Design Brief”**

The ‘Planning Justification Report’ is based extensively on the Provincial governments desire to increase the number of housing units.

This is only one consideration, and given the recent extensive expansion to the Urban boundary it should be near the bottom of the list of priorities to consider, especially when the new development is in the center of a mature, established community. There are so many opposing arguments that render this High-Density “urban” proposal completely unsatisfactory as it is in the middle of a Low-Density “suburban” community (neighbourhood character; Congestion; Traffic; Safety;



Pollution; Infrastructure; Mental Health; etc). The High-Density rationale does not apply to our suburb as we are a commuter-based neighbourhood that relies heavily on the Redhill Expressway and Lincoln Alexander Parkway to commute to work.

Please see the attached Addendum for a long list of points that do not adhere to the:

- Planning Act
- Provincial Policy Statement 2020
- Urban Hamilton Official Plan
- Neighbourhoods Designation General Policies
- West Mountain Area Secondary Plan
- Zoning By-laws
- Registered Professional Planners responsibility re “local needs of the community”

Furthermore, the ‘Urban Design Brief’ states that “the south boundary is defined by residential single dwellings screened by a densely planted landscape buffer” which is not true at all. The trees on the SW corner of the development are tall enough to provide privacy to a 3 level townhouse. However the other 3 houses in Canfield Court that back on to the South side of the lot offer no privacy to any structure over 2 stories. Nor is there any privacy for the homes on Paramount drive from the street facing Apartments and Stacked Townhouses. The townhouses will be looking directly into the bedrooms on Canfield Court and both the apartments and townhouses will be looking directly into the living rooms on Paramount Drive. In time, these trees will one day die and/or be removed and then there would be absolutely no privacy for any of the existing residents mentioned above.

## 2. **High-Density zoning is completely unnecessary in this Community**

With the recent Urban Boundary expansion announced by the Provincial government there is absolutely no need to create a High Density development in a Low Density, mature neighbourhood. The High Density zoning does not fit with the existing character of the community, which is all Low Density. It is also in complete contradiction of section 3.3.1 which states that High Density

housing is to be on the outskirts of the community, not on the interior which is exactly where it is being proposed.

3. **Recent Precedent for Ward 9 regarding zoning density**

Just 4 km away a new development was approved at 15 Ridgeview, which is in Ward 9 as is the proposed development at 1065 Paramount Drive. The property at 15 Ridgeview is 5 hectares and a total of 105 residential units (25 single family homes and 80 three-level townhouses) was submitted and approved. That is only 21 residential units per hectare of land.

Comparatively, the proposal for 1065 Paramount Drive is on a lot that is only 1.63 hectares but they are proposing 299 residential units. The proposed density is **187** residential units per hectare of land. The present by-law states a maximum 40 residents per hectare.

In regard to the 15 Ridgeview development, The Hamilton Spectator reported that Jeff Beattie (Stoney Creek councilor) said that the proposed development will be similar to the existing housing blocks that have already been built. In other words, they were very cognizant of the existing community and made every effort to ensure the new development fit in.

The closest elementary school to the 15 Ridgeview development is Eastdale which is 6 km away from it whereas the High-Density proposal for 1065 Paramount Drive is within meters of both Billy Green and St. Paulelementary schools. The safety of children making their way to both schools cannot be measured, however it is painfully obvious that having a High Density development with upwards of 600 new cars in the area coming and going during morning and afternoon rush periods will only increase the risk of traffic accidents and injuries.

4. **Job Markets not easily accessible via public transit from this area**

The argument provided by the planner that there is public transit right on Paramount drive which will help newcomers commute to work and will reduce the number of residents owning vehicles is not valid for this community as it is basically a suburb to Hamilton. Anyone who lives and commutes in this area knows that a bus ride to most work areas is a very lengthy, time consuming journey. A bus to downtown Hamilton takes an hour easily. This community is not close to any major job markets, most people commute. In fact many new people entering the community are probably from out of town and will certainly be driving, creating more congestion and air pollution than is necessary. This High-Density plan is inappropriate for a suburb such as ours and lends itself more to downtown where residents do in fact walk, ride or take public transit to work.

5. **Traffic considerations to include the impact on the Red Hill Valley Expressway and the Lincoln Alexander Expressway**

The fact is there will be more traffic. Anyone who lives in this area knows that the Red Hill Valley Parkway and the Lincoln Alexander Parkway are already stop and go every morning and afternoon. We know that the planners comment "Traffic will take care of itself" is simply not true for this area as evidenced by years of backlog on the Redhill/Linc. Adding approximately 300 more cars to the morning and evening commute is definitely going to compound this problem and traffic will only get worse.

6. **Insufficient Parking**

The Planner's goal of not providing enough parking spots in the hopes of attracting residents without cars is not realistic for this community because as previously stated it is a suburb in which most people commute to and from work. Most residents in this area have at least 2 cars per household, townhouses included. This is because there are very few employers in the area and the vast majority of workers have to commute. Using the HSR is a last resort because it takes forever to get anywhere and the routes are extremely limited to and from this community. The proposal allows for 369 parking spaces for 299 units instead of 558 that is presently

required in our by-laws. The over-flow of parking will obviously spill over to Billy Green's parking lot; the strip plaza parking lot; and neighbourhood side streets. Parking on the side streets is already a daily drama so adding all these extra cars will only increase local residents' anxiety and create so much congestion that snow plows and traffic will be an ongoing problem. Also, there are an unacceptable number of Physically Challenged Parking spots of only 6 instead of 37 as required (1%). Again, this High-Density plan is inappropriate for a suburb such as ours and lends itself more to downtown where residents are more apt to not own cars and walk/ride/transit.

7. **No regard for the Character of our existing community or the mental health of existing residents**

This high-density proposal in no way considers the character or desires of the local community. There is nothing like this in all of Stoney Creek. To take the last plot of land in the center of a very mature neighbourhood and change the whole complexion of it is extremely disrespectful to the existing community. Absolutely no regard has been shown for the lifelong investment residents have made to live and retire here. Not to mention the **mental health issues** this is creating in our community. I know for a fact that there are a LOT of residents who are quite outraged about this. The stress and anxiety this is creating is completely unnecessary. ***The fact that this is listed as a major consideration for both Registered Professional Planners and as a ByLaw consideration but is not being addressed is cause for great concern***

In conclusion, I respectfully ask the Planning Committee to reject this proposal in its entirety and start from scratch, with community involvement.

Thank you for your time and consideration.

**Addendum to Objection Letter**

## **6.1 Urban Design Brief**

*The height of these buildings provides a comfortable transition between higher building masses and the surrounding neighbourhood character*

This is not true as the transition between a 3 storey **stacked** townhouse and a single family home is not a "comfortable" transition at all.

## **7.1 Planning Act**

### **Planning Comment:**

"The proposed layout will ensure compatibility with neighbouring land uses, by placing the lower-density three-storey stacked townhouses on the southern portion of the subject lands, adjacent to the existing single detached dwellings along Canfield Court"

This is not true as the proposal is completely incompatible with the existing community and especially the dwellings along Canfield Court and Paramount Drive.

## **7.2 Provincial Policy Statement**

### **Policy 1.1.1 f)**

This proposal does **NOT** improve accessibility for persons with disabilities and older persons because there are not nearly enough Physically Challenged Parking spots available (6 proposed 37 required)

**Policy 1.1.2** is inadmissible as it is based on intensification targets “which shall be established through a **future** Amendment to the UHOP

#### **Policy 1.1.3.4**

##### **Planning Comment:**

The surrounding neighbourhood is comprised of primarily single detached residential dwellings and block townhouses. The abutting built form is predominantly single detached residential and open space/institutional, which makes the location of the proposed three-storey stacked townhouse units and eight-storey apartment building appropriate

This is not true either as it is extremely inappropriate to put these buildings in the center of a mature neighbourhood, which goes directly against section Policy number 3.3.1 which states that **high density development should be on the outskirts of a community**. Also, putting 3 storey “stacked” townhouses adjacent to single family homes is completely unacceptable.

#### **Policy 1.4.3 b) 1.**

This proposal does **NOT** meet the social, health, economic and well-being requirements of current and future residents! The property values will be greatly reduced for current residents; the Mental Health of current residents is already being adversely affected; an insufficient number of physically challenged parking spots will seriously impact future residents, especially as they are targeting seniors to retire there.

### **Policy 1.6.6**

I have not seen any studies to support the claims that the existing sewage and water services can accommodate this proposal. From what I understand these studies have not yet been done.

### **Policy 1.6.7.4**

Again, being a commuter-based community driving is essential. This proposal will **NOT** minimize the length and number of vehicle trips in this community.

### **Policy 1.8.1**

The significant increase of vehicles in such a small area will increase air pollution. Also, this proposal is in a commuter's neighbourhood and will not reduce motor vehicle trips and congestion but increase them both.

## **7.4 Urban Hamilton Official Plan (UHOP)**

### **Policy 2.4.1.4**

**Planning Comment:**

It represents a form of intensification, which is compatible in terms of scale and built form with the surrounding neighbourhood, by placing the lower-density three-storey stacked townhouses on the southern portion of the subject lands, adjacent to the existing single detached dwellings along Canfield Court.

This is **NOT** true as the proposal is not compatible with the surrounding neighbourhood in the least. There is nothing in this neighbourhood that resembles this proposal at all. The skyline and character of the neighbourhood will be ruined forever.

This proposal is not a compatible integration with the surrounding area!

**Planning Comment:**

It is not anticipated to adversely impact the existing transportation network

This is obviously not true. Any increase in traffic will adversely impact any area.

**Planning Comment:**

The proposed development will make more efficient use of the local road than existing conditions.

This too is not true as Paramount Drive is the only road in and out of the subdivision. Adding another 300 – 600 cars will definitely reduce its efficiency

**Policy 2.4.2.2**



**Planning Comment:**

The proposed development is a respectful form of residential intensification, as it will not result in shadowing, overlook, noise, lighting or traffic concerns. The layout will ensure compatibility with adjacent land uses,

Judging by the residents overwhelming outrage at the February 16 meeting this proposal is anything but 'respectful' with regard to both residents or compatibility. It is not compatible with adjacent land uses nor the height, massing or scale of nearby residential buildings (single family homes). The shadows created over Billy Green Elementary school will block out sunlight until mid-day. Furthermore, there are no 'amenity' provisions at all.

**Policy 3.3.2.3: Urban design should foster a sense of community pride**

**Not one of the 7 principals listed below were satisfied:**

- a) Respecting existing character – Not at all
- b) Consistent with locale and surrounding environment – Not at all
- c) Recognizing and protecting the cultural history - No
- d) Conserving and respecting the existing build heritage features - No
- e) Conserving, maintain, and enhancing the features of its communities - No
- f) Demonstrating sensitivity toward community identity– Not at all
- g) Contributing to the character and ambiance of the community - No

**Planning Comments:**

The proposed development respects the existing community character, by proposing a compatible building layout with appropriate provisions,

The proposed frontage along Paramount Drive contributes to the character of the streetscape, as the four stacked townhouse blocks will be aligned with the existing street to form a consistent street wall.

Neither of these statements are true. This proposal has totally disrespected our community and the stacked townhouses are not in alignment with the existing street. The style and height of single family homes and townhouses that are already on Paramount Drive would be aligned properly, not stacked townhouses and an 8 storey apartment building.

#### **Policy 3.3.2.4: Quality Spaces**

##### **Planning Comment:**

The siting of the stacked townhouse blocks and apartment building is logical and fits within the existing neighbourhood context

This is False as it does NOT fit within the existing neighbourhood context

#### **Policy 3.3.2.6: New development and redevelopment should enhance the character of the existing environment**

Not one of the 4 sub-sections were satisfied

This is False as it does NOT enhance the character of the existing environment. In reality it will become an eyesore and

will deter from the character of the existing environment destroying the skyline of the entire neighbourhood.

**Policy 3.3.2.8 Urban design should promote the reduction of greenhouse emissions, ability to adapt to the impacts of a changing climate now and in the future, and protect and enhance the natural urban environment**

This is false. Nothing in this proposal will reduce greenhouse emissions or protect/enhance the natural urban environment. Fewer residential units and more green space will protect and enhance the natural urban environment.

**Policy 3.3.2.9 Urban design plays a significant role in the physical and mental health of our citizens.**

Again, not one sub-section has been satisfied (high quality, safe streetscapes; no development of places for active and passive recreation; no variety of land uses; increased air, noise, and water pollution)

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Again, this high-density proposal is NOT on the periphery but right in the center of the mature, low density neighbourhood

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**Neighbourhoods Designation – High Density Residential**

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Once again, this proposal is more fitting to downtown and not a suburb like 1065 Paramount Drive. Residents living here generally need a car. This might be the case in places like downtown where it is easy to ride a bike or take a bus to work. This concept is not applicable to a suburban community that depends on driving and having an adequate traffic infrastructure, which this proposal will certainly affect in an adverse manner.

## **12 Conclusions and Recommendations**

I would argue that it does NOT maintain the intent of the Urban Hamilton Official Plan and West Mountain Area Secondary Plan. Sure it may satisfy one such factor, to build more units, but I'm certain the original intent was much more inclusive than that: Fitting in with the Character of the existing neighbourhood; Acceptance by the existing neighbourhood; not creating traffic and parking chaos in an existing neighbourhood; not creating buildings high enough to invade upon the privacy of existing residents.

I also highly doubt that the Former City of Stoney Creek Zoning By-Law would have intended a development such as this. In fact I would argue that the Former City Planners would have shut this down immediately.

It definitely is NOT compatible with the surrounding build form.

It definitely does not represent good planning that is in the public interest. It is only in the developers best interest, not the communities.

**From:** [REDACTED]  
**To:** [Clark, Brad](#); [Van Rooi, James](#); [Tracy.Tucker@ibigroup.com](mailto:Tracy.Tucker@ibigroup.com); [Office of the Mayor](#)  
**Subject:** SEE ATTACHED LETTER RE: PARAMOUNT DRIVE REZONING MUST BE STOPPED!  
**Date:** Wednesday, March 1, 2023 10:07:21 AM  
**Attachments:** [Zoning Objection.docx](#)

---

OUR CHILDRENS SAFETY IS ON THE LINE! WE MUST PROTECT OUR CHILDREN AND OUR COMMUNITY. THE DEVELOPER AND THE PLANNER SHOULD BE ASHAMED OF THEMSELVES FOR SACRIFICING HEALTH AND SAFETY FOR PROFITS.

**From:** [REDACTED]  
**To:** [doug.fordco@pc.ola.org](mailto:doug.fordco@pc.ola.org); [premier@ontario.ca](mailto:premier@ontario.ca); [Office of the Mayor](#); [dan.muys@parl.gc.ca](mailto:dan.muys@parl.gc.ca);  
[kelli.aquino@pc.ola.org](mailto:kelli.aquino@pc.ola.org); [kaarcher@hwdsb.ca](mailto:kaarcher@hwdsb.ca); [agrol@hwcdsb.ca](mailto:agrol@hwcdsb.ca); [Clark, Brad](#); [Ribaric, Robert](#); [Van Rooi, James](#);  
[OLT.General.Inquiry@ontario.ca](mailto:OLT.General.Inquiry@ontario.ca); [Mike Stone](#)  
**Cc:** [ali](#)  
**Subject:** STop The Re Zoning of PARAMOUNT DRIVE in Stoney Creek Request  
**Date:** Wednesday, September 6, 2023 9:35:31 AM

---

Dear All

Please stop re zoning and building UGLY High Rise building in middle of two schools we so cherish .

Please stop RE zoning and giving in to developer demands and Greed to destro our Suburb neighborhood, by HIGH DENSITY Greed based developements.

Traffic would be adversely affected as the infrostructure can not support so many cars, and blowing up underground to make basement parking will affect foundatin of houses around.

BILLY GREEN , my daughter Precious school as well as neighbor St Paul Schools will be adversely affected by iNCRERASE in class zize from newcomers too.

Crime would increase and NLOISE level peacful environment of our area will be devastating.

NO GREEN SPACE is in their Concept drawing either .

Please stop destroyiong both out neighborhood and Green Belt without consulting our Municipicity.

We pay taxes to Hamilton Municipility and province, and we expect this to be stopped at al cost in 1065 Paramount Drive

Best Regards

[REDACTED]

**From:** [REDACTED]  
**To:** [Office of the Mayor](#)  
**Subject:** Re- Proposed Rezoning of 1065 Paramount Drive from Institutional to High Density  
**Date:** Wednesday, August 16, 2023 9:25:47 PM

---

Dear Ms./Sir

In my opinion this will not work.

Building an 8-storey apartment building beside Billy Green School and 123, 3 and 4 story stacked town houses backing onto St. Pauls Cautholic school on less than 4 acres of land does not fit this low density neighborhood.

My main concern is the extra 1200 people and 800 plus cars that will create a huge safety issue with only 2 entrance/exits from the complex leading onto Paramount Drive. This is already a busy street with parents dropping off and picking up their children from school not to mention children crossing Paramount to go home. Speeding and non compliance with regards to Stop signs has always been an issue.

Needless to say this complex will also devalue all the properties within the subdivision. I am not against building homes on this property as long they remain in a low density zone.

In closing all I can say is this proposed development has no positive impact on our subdivision only negative and should not be approved.

[REDACTED]

**From:** [REDACTED]  
**To:** [Clark, Brad](#); [Van Rooi, James](#); [Office of the Mayor](#); [donna.skelly@pc.ola.org](mailto:donna.skelly@pc.ola.org); [dan.muys@parl.gc.ca](mailto:dan.muys@parl.gc.ca); [kaarcher@hwdsb.on.ca](mailto:kaarcher@hwdsb.on.ca)  
**Subject:** Building on 1065 Paramount Drive  
**Date:** Friday, June 30, 2023 2:23:56 PM  
**Attachments:** [image.png](#)

---

Good afternoon,

I am very confused and VERY concerned about the plans for the empty lot on Paramount drive, currently zoned as institutional. The Catholic Church sold the property to a developer who wants to cram as many units as possible onto a postage size piece of property in a survey that has been established for close to 50 years that is sandwiched between TWO schools!

This raises the following issues,

- a) How many 8 storey/plus apartment buildings are there in Hamilton that are located within 25 feet of an Elementary School? NONE were found!!!
- b) Apparently not one school located within Toronto had an over 8 storey apartment building within 25 feet of a school.
- c) Is this even allowed under the Ontario Building Codes or are we changing all the rules now to accommodate our new housing crisis?????

Obviously, it's in the best interest of the developer to have this property rezoned to "high density" to allow him to go ahead with his design, but how is this a wise decision for this area with the TWO schools boarding the property.

It strikes me as odd that the rendering for such a development is pictured (below) with 4 lanes of traffic and a turning lane, surrounded by grass and trees, which is not even close to the actual area in question. If you haven't seen the area in question, come for a drive, especially when schools are in session.

YOU are the elected representatives, the people in a position to make this HIGH DENSITY rezoning STOP and force the developer to put the safety of the children first, keep the development in tune with the existing community. HIGH DENSITY has NO place here!

We have all heard the news about the requirements for housing, but at whose expense? The developers are the ones with the most to gain and the community suffers. This proposed development would be great for a NEW subdivision, but NOT HERE!

I implore you to please look at this matter with the same concern as EVERYONE in our neighbourhood. No one cares when it's not in their backyard, but there comes a time when you need to empathize with existing communities and how this affects them. It is not our fault there is a housing shortage!

[REDACTED]  
40 year resident in the community





**From:** [Morton, Devon](#)  
**To:** [REDACTED]  
**Cc:** [Van Rooi, James](#)  
**Subject:** RE: RE: Mikmada (Paramount) Inc. UHOPA-23-005 & ZAC-23-006  
**Date:** Wednesday, September 27, 2023 9:07:39 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

Hi [REDACTED]

Thank you for your email.

This file is now under the carriage of James Van Rooi, Senior Planner (cc'd).

James, please see the request below.

Regards,

**Devon M. Morton, MCIP, RPP** (he/him/his)  
Planner I – Site Plan  
Heritage and Urban Design  
Planning & Economic Development Department  
City of Hamilton, 71 Main St. W., 4<sup>th</sup> Floor, L8P 4Y5  
Ph: (905) 546 2424 ext. 1384  
Email: [Devon.Morton@hamilton.ca](mailto:Devon.Morton@hamilton.ca)



**Note: I am in training Monday, September 25, 2023, Tuesday, September 26, 2023 and Thursday, September 27, 2023. Response times may be delayed during this time.**

---

**From:** [REDACTED]  
**Sent:** Tuesday, September 26, 2023 9:53 PM  
**To:** Morton, Devon <[Devon.Morton@hamilton.ca](mailto:Devon.Morton@hamilton.ca)>  
**Subject:** Re: RE: Mikmada (Paramount) Inc. UHOPA-23-005 & ZAC-23-006

Kindly update my contact email to [REDACTED] with respect to the above project.

This email will be disabled. With thanks,

[REDACTED]

----- Original Message -----

From: [Devon.Morton@hamilton.ca](mailto:Devon.Morton@hamilton.ca)

To: [REDACTED]

Subject: RE: Mikmada (Paramount) Inc. UHOPA-23-005 & ZAC-23-006

Hi [REDACTED]

Thank you for your email and for providing formal comments on the application(s).

Your concerns have been noted and will be included in the staff report.

Staff have not formalized a recommendation to Planning Committee at this time but will consider all public input in making that recommendation.

Should you require anything further, please let me know.

Thank you,

**Devon M. Morton, MCIP, RPP** (he/him/his)

Planner II (Rural Team)

Development Planning

Planning & Economic Development Department

City of Hamilton, 71 Main St. W, 5<sup>th</sup> floor, L8P 4Y5

Ph: (905) 546-2424 ext. 1384

Email: [Devon.Morton@hamilton.ca](mailto:Devon.Morton@hamilton.ca)



From: [REDACTED]

Sent: Monday, January 23, 2023 8:14 PM

To: Morton, Devon <[Devon.Morton@hamilton.ca](mailto:Devon.Morton@hamilton.ca)>

Cc: Clark, Brad <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)>; [agrol@hwcdsb.ca](mailto:agrol@hwcdsb.ca); [kaarcher@hwdsb.on.ca](mailto:kaarcher@hwdsb.on.ca);

Office of the Mayor <[OfficeoftheMayor@hamilton.ca](mailto:OfficeoftheMayor@hamilton.ca)>

Subject: Mikmada (Paramount) Inc. UHOPA-23-005 & ZAC-23-006

Hi Devon,

Please find attached, our concerns and opposition to the

above project - especially noting it's impact to St. Paul Catholic Elementary School and Billy Green and the surrounding neighbourhood.

Respectfully,

[Redacted signature line]

[Redacted signature line]

[Redacted signature line]

[Redacted signature line]

**From:** [Mike Stone](#)  
**To:** [REDACTED]; [Van Rooi, James](#)  
**Subject:** RE: 1065 Paramount Drive  
**Date:** Monday, August 14, 2023 9:47:21 AM

---

Good morning [REDACTED]

Thank you for your email. In reviewing your comments I can advise that HCA does provide planning and technical review services to the City of Hamilton regarding some planning matters. The City circulates certain planning applications for proposed development to the HCA for our review and comment. HCA's review focuses on the identification of any natural hazard related matters.

In this particular case, the City did circulate the proposed zoning by-law amendment and official plan amendment applications to HCA earlier this year. In reviewing the proposal, HCA staff noted the property is not regulated by HCA and there are no natural hazards present. As such, HCA did not provide any comments on the applications to the City.

HCA does own property in the area (Felker's Falls) as you note, but does not have any policies that specifically restricts high density development adjacent to a conservation area.

I would also note that both Felker's Falls and Mt. Albion Falls are listed on the HCA website at the following link:

<https://conservationhamilton.ca/conservation-areas/passive-areas/>

If you have further questions please feel free to contact me at my office extension as noted below.

Kind regards,

**Mike Stone MA, MCIP, RPP | Manager, Watershed Planning Services | Hamilton  
Conservation Authority**

838 Mineral Springs Road, P.O. Box 81067, Ancaster (Hamilton), Ontario L9G 4X1

T: 905.525.2181 ext. 133 | E: [mike.stone@conservationhamilton.ca](mailto:mike.stone@conservationhamilton.ca) | W:

[www.conservationhamilton.ca](http://www.conservationhamilton.ca)

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---

**From:** [REDACTED]  
**Sent:** Friday, August 11, 2023 7:52 PM

**To:** James.VanRooi@hamilton.ca; Mike Stone <mike.stone@conservationhamilton.ca>  
**Subject:** 1065 Paramount Drive

It has been brought to the community's attention when investigating guidelines that the HCA has in place prohibiting high density development so close to Felker's Falls and Bruce Trail that the HCA Planning committee(Mike Stone) has been working with yourself regarding a project re: development so close to Felker's Falls and Bruce Trail. Not sure what this project entails but does it have anything to do with changing the rules allowing proposed high density zone change. It now appears that Felker's falls and Mt Albion Falls are now no longer listed on the website as Conservation Areas. This is creating more questions regarding the proposed rezoning of the above address. Can you please explain to me what all this means.

[REDACTED]

[REDACTED]

**From:** [Mike Stone](#)  
**To:** [Van Rooi, James](#)  
**Subject:** FW: 1065 Paramount Drive  
**Date:** Monday, August 14, 2023 9:40:57 AM

---

Hello James,

Sharing FYI.

I see another related email from last week which you were copied on as well. I will respond to that email with copy to you.

Mike

---

**From:** Mike Stone  
**Sent:** Monday, August 14, 2023 9:38 AM  
**To:** [REDACTED]  
**Subject:** RE: 1065 Paramount Drive

Good morning [REDACTED]

Thank you for your email. In reviewing your comments I can advise that HCA does provide planning and technical review services to the City of Hamilton regarding some planning matters. The City circulates certain planning applications for proposed development to the HCA for our review and comment. HCA's review focuses on the identification of any natural hazard related matters.

In this particular case, the City did circulate the proposed zoning by-law amendment and official plan amendment applications to HCA earlier this year. In reviewing the proposal, HCA staff noted the property is not regulated by HCA and there are no natural hazards present. As such, HCA did not provide any comments on the applications to the City.

HCA does own property in the area (Felker's Falls) as you note, but does not have any policies that specifically restricts development with a certain distance of a conservation area.

If you have further questions please feel free to contact me at my office extension as noted below.

Kind regards,

**Mike Stone MA, MCIP, RPP | Manager, Watershed Planning Services | Hamilton Conservation Authority**

838 Mineral Springs Road, P.O. Box 81067, Ancaster (Hamilton), Ontario L9G 4X1

T: 905.525.2181 ext. 133 | E: [mike.stone@conservationhamilton.ca](mailto:mike.stone@conservationhamilton.ca) | W:

[www.conservationhamilton.ca](http://www.conservationhamilton.ca)

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**From:** [REDACTED]  
**Sent:** Friday, August 11, 2023 1:00 PM  
**To:** Mike Stone <[mike.stone@conservationhamilton.ca](mailto:mike.stone@conservationhamilton.ca)>  
**Subject:** 1065 Paramount Drive  
**Importance:** High

Good Afternoon Mr. Stone:

Contacting you as we have discovered that you have been working with James Van Rooi (City Planner) with regard to the development on 1065 Paramount Drive which 95% of this Community opposes.

We are not quite sure why you would be working with him on the proposed development? Wondering if the HCA is with the residents of Felkers Falls and Mount Albion Estates or are you working with the City to change the rules?

We are of the understanding that an apartment building cannot be built within a certain mileage of a conservation site, that being Felker's Falls and the Bruce Trail!!

Please contact me at your earliest time.

Kind regards,

[REDACTED]  
[REDACTED]  
[REDACTED]

February 28, 2023

To: Brad Clark [Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)  
James Van Rooi [James.VanRooi@hamilton.ca](mailto:James.VanRooi@hamilton.ca)  
Tracy Tucker [Tracy.Tucker@ibigroup.com](mailto:Tracy.Tucker@ibigroup.com)

Objection to File No. UHOPA-23-005 regarding the proposed By-Law to change the land use designation from "Institutional" to "Neighbourhoods" in Schedule "E-1" of the Urban Hamilton Official Plan and to change the land use designation from "Institutional" to "High Density Residential 1" in the West Mountain Area (Heritage Green) Secondary Plan.

Objection to File No. ZAC-23-006 regarding the rezoning of the subject lands from the Small Scale Institutional "IS" Zone to a modified Multiple Residential "RM3-XX" Zone

I strongly object to the above proposals for the following reasons:

**1. Unsatisfactory "Planning Justification Report" and "Urban Design Brief"**

The 'Planning Justification Report' is based extensively on the Provincial governments desire to increase the number of housing units.

This is only one consideration, and given the recent extensive expansion to the Urban boundary it should be near the bottom of the list of priorities to consider, especially when the new development is in the center of a mature, established community. There are so many opposing arguments that render this High-Density "urban" proposal completely unsatisfactory as it is in the middle of a Low-Density "suburban" community (neighbourhood character; Congestion; Traffic; Safety; Pollution; Infrastructure; Mental Health; etc). The High-Density rationale does not apply to our suburb as we are a commuter-based neighbourhood that relies heavily on the Redhill Expressway and Lincoln Alexander Parkway to commute to work.

Please see the attached Addendum for a long list of points that do not adhere to the:

- Planning Act
- Provincial Policy Statement 2020
- Urban Hamilton Official Plan
- Neighbourhoods Designation General Policies
- West Mountain Area Secondary Plan
- Zoning By-laws
- Registered Professional Planners responsibility to "local needs of the community"



Furthermore, the 'Urban Design Brief' states that "the south boundary is defined by residential single dwellings screened by a densely planted landscape buffer" which is not true at all. The trees on the SW corner of the development are tall enough to provide privacy to a 3 level townhouse. However the other 3 houses in Canfield Court that back on to the South side of the lot offer no privacy to any structure over 2 stories. Nor is there any privacy for the homes on Paramount drive from the street facing Apartments and Stacked Townhouses. The townhouses will be looking directly into the bedrooms on Canfield Court and both the apartments and townhouses will be looking directly into the living rooms on Paramount Drive. In time, these trees will one day die and/or be removed and then there would be absolutely no privacy for any of the existing residents mentioned above.

**2. High-Density zoning is completely unnecessary in this Community**

With the recent Urban Boundary expansion announced by the Provincial government there is absolutely no need to create a High Density development in a Low Density, mature neighbourhood. The High Density zoning does not fit with the existing character of the community, which is all Low Density. It is also in complete contradiction of section 3.3.1 which states that High Density housing is to be on the outskirts of the community, not on the interior which is exactly where it is being proposed.

**3. Recent Precedent for Ward 9 regarding zoning density**

Just 4 km away a new development was approved at 15 Ridgeview, which is in Ward 9 as is the proposed development at 1065 Paramount Drive. The property at 15 Ridgeview is 5 hectares and a total of 105 residential units (25 single family homes and 80 three-level townhouses) was submitted and approved. That is only 21 residential units per hectare of land.

Comparatively, the proposal for 1065 Paramount Drive is on a lot that is only 1.63 hectares but they are proposing 299 residential units. **The proposed density is 187 residential units per hectare of land. The present by-law states a maximum 40 residents per hectare.**

In regard to the 15 Ridgeview development, The Hamilton Spectator reported that Jeff Beattie (Stoney Creek councilor) said that the proposed development will be similar to the existing housing blocks that have already been built. In other words, they were very cognizant of the existing community and made every effort to ensure the new development fit in.

The closest elementary school to the 15 Ridgeview development is Eastdale which is 6 km away from it whereas the High-Density proposal for 1065 Paramount Drive is within meters of both Billy Green and St. Paul elementary schools. The safety of children making their way to both schools cannot be measured, however it is painfully obvious that having a High Density development with upwards of 600 new cars in the area coming and going during morning and afternoon rush periods will only increase the risk of traffic accidents and injuries.

**4. Job Markets not easily accessible via public transit from this area**

The argument provided by the planner that there is public transit right on Paramount drive which will help newcomers commute to work and will reduce the number of residents owning vehicles is not valid for this community as it is basically a suburb to Hamilton. Anyone who lives and commutes in this area knows that a bus ride to most work areas is a very lengthy, time consuming journey. A bus to downtown Hamilton takes an hour easily. This community is not close to any major job markets, most people commute. In fact many new people entering the community are probably from out of town and will certainly be driving, creating more congestion and air pollution than is necessary. This High-Density plan is inappropriate for a suburb such as ours and lends itself more to downtown where residents do in fact walk, ride or take public transit to work.

**5. Traffic considerations to include the impact on the Red Hill Valley Expressway and the Lincoln Alexander Expressway**

The fact is there will be more traffic. Anyone who lives in this area knows that the Red Hill Valley Parkway and the Lincoln Alexander Parkway are already stop and go every morning and afternoon. We know that the planners comment "Traffic will take care of itself" is simply not true for this area as evidenced by years of backlog on the Redhill/Linc. Adding approximately 300 more cars to the morning and evening commute is definitely going to compound this problem and traffic will only get worse.

**6. Insufficient Parking**

The Planner's goal of not providing enough parking spots in the hopes of attracting residents without cars is not realistic for this community because as previously stated it is a suburb in which most people commute to and from work. Most residents in this area have at least 2 cars per household, townhouses included. This is because there are very few employers in the area and the vast majority of workers have to commute. Using the HSR is a last resort because it takes forever to get anywhere and the routes

are extremely limited to and from this community. The proposal allows for 369 parking spaces for 299 units instead of 558 that is presently required in our by-laws. The overflow of parking will obviously spill over to Billy Green's parking lot; the strip plaza parking lot; and neighbourhood side streets. Parking on the side streets is already a daily drama so adding all these extra cars will only increase local residents' anxiety and create so much congestion that snow plows and traffic will be an ongoing problem. Also, there are an unacceptable number of Physically Challenged Parking spots of only 6 instead of 37 as required (1%). Again, this High-Density plan is inappropriate for a suburb such as ours and lends itself more to downtown where residents are more apt to not own cars and walk/ride/transit.

7. **No regard for the Character of our existing community or the mental health of existing residents**

This high-density proposal in no way considers the character or desires of the local community. There is nothing like this in all of Stoney Creek. To take the last plot of land in the center of a very mature neighbourhood and change the whole complexion of it is extremely disrespectful to the existing community. Absolutely no regard has been shown for the lifelong investment residents have made to live and retire here. Not to mention the **mental health issues** this is creating in our community. My wife and I haven't had a full night's sleep since we received the notice of this development in early January. I know for a fact that there are a LOT of other residents who are even more vocal and outraged than us. ***The fact that this is listed as a major consideration for both Registered Professional Planners and as a ByLaw consideration but is not being addressed is cause for great concern***

In conclusion, I respectfully ask the Planning Committee to reject this proposal in its entirety and start from scratch, with community involvement. I know there a lot of residents who want it left Institutional.

What we really need in this community is a daycare center. There are other groups who want only single family homes. The one thing I do know is that the entire community is unanimously against this proposal. The views of this community should be a top priority when a proposal of this significance is introduced to such a mature, established neighbourhood.

Thank you for your time and consideration.

████████████████████

████████████████

## Addendum to Objection Letter

### 6.1 Urban Design Brief

*The height of these buildings provides a comfortable transition between higher building masses and the surrounding neighbourhood character*

This is not true as the transition between a 3 storey **stacked** townhouse and a single family home is not a “comfortable” transition at all.

### 7.1 Planning Act

#### **Planning Comment:**

“The proposed layout will ensure compatibility with neighbouring land uses, by placing the lower-density three-storey stacked townhouses on the southern portion of the subject lands, adjacent to the existing single detached dwellings along Canfield Court”

This is not true as the proposal is completely incompatible with the existing community and especially the dwellings along Canfield Court and Paramount Drive.

### 7.2 Provincial Policy Statement

#### Policy 1.1.1 f)

This proposal does **NOT** improve accessibility for persons with disabilities and older persons because there are not nearly enough Physically Challenged Parking spots available (6 proposed 37 required)

Policy 1.1.2 is inadmissible as it is based on intensification targets “which shall be established through a **future** Amendment to the UHOP

#### Policy 1.1.3.4

#### **Planning Comment:**

The surrounding neighbourhood is comprised of primarily single detached residential dwellings and block townhouses. The abutting built form is predominantly single detached residential and open space/institutional, which makes the location of the proposed three-storey stacked townhouse units and eight-storey apartment building appropriate

This is not true either as it is extremely inappropriate to put these buildings in the center of a mature neighbourhood, which goes directly against section Policy number 3.3.1 which states that **high density development should be on the outskirts of a community**. Also, putting 3 storey "stacked" townhouses adjacent to single family homes is completely unacceptable.

**Policy 1.4.3 b) 1.**

This proposal does **NOT** meet the social, health, economic and well-being requirements of current and future residents! The property values will be greatly reduced for current residents; the Mental Health of current residents is already being adversely affected; an insufficient number of physically challenged parking spots will seriously impact future residents, especially as they are targeting seniors to retire there.

**Policy 1.6.6**

I have not seen any studies to support the claims that the existing sewage and water services can accommodate this proposal. From what I understand these studies have not yet been done.

**Policy 1.6.7.4**

Again, being a commuter-based community driving is essential. This proposal will **NOT** minimize the length and number of vehicle trips in this community.

**Policy 1.8.1**

The significant increase of vehicles in such a small area will increase air pollution. Also, this proposal is in a commuter's neighbourhood and will not reduce motor vehicle trips and congestion but increase them both.

## **7.4 Urban Hamilton Official Plan (UHOP)**

### **Policy 2.4.1.4**

#### **Planning Comment:**

It represents a form of intensification, which is compatible in terms of scale and built form with the surrounding neighbourhood, by placing the lower-density three-storey stacked townhouses on the southern portion of the subject lands, adjacent to the existing single detached dwellings along Canfield Court.

This is **NOT** true as the proposal is not compatible with the surrounding neighbourhood in the least. There is nothing in this neighbourhood that resembles this proposal at all. The skyline and character of the neighbourhood will be ruined forever.

This proposal is not a compatible integration with the surrounding area!

#### **Planning Comment:**

It is not anticipated to adversely impact the existing transportation network

This is obviously not true. Any increase in traffic will adversely impact any area.

#### **Planning Comment:**

The proposed development will make more efficient use of the local road than existing conditions.

This too is not true as Paramount Drive is the only road in and out of the subdivision. Adding another 300 – 600 cars will definitely reduce its efficiency

### **Policy 2.4.2.2**

#### **Planning Comment:**

The proposed development is a respectful form of residential intensification, as it will not result in shadowing, overlook, noise, lighting or traffic concerns. The layout will ensure compatibility with adjacent land uses,

Judging by the residents overwhelming outrage at the February 16 meeting this proposal is anything but 'respectful' with regard to both residents or compatibility. It is not compatible with adjacent land uses nor the height, massing or scale of nearby residential buildings (single family homes). The shadows created over Billy Green Elementary school will block out sunlight until mid-day. Furthermore, there are no 'amenity' provisions at all.

**Policy 3.3.2.3: Urban design should foster a sense of community pride**

**Not one of the 7 principals listed below were satisfied:**

- a) Respecting existing character – Not at all
- b) Consistent with locale and surrounding environment – Not at all
- c) Recognizing and protecting the cultural history - No
- d) Conserving and respecting the existing build heritage features - No
- e) Conserving, maintain, and enhancing the features of its communities - No
- f) Demonstrating sensitivity toward community identity – Not at all
- g) Contributing to the character and ambiance of the community - No

**Planning Comments:**

The proposed development respects the existing community character, by proposing a compatible building layout with appropriate provisions,

The proposed frontage along Paramount Drive contributes to the character of the streetscape, as the four stacked townhouse blocks will be aligned with the existing street to form a consistent street wall.

Neither of these statements are true. This proposal has totally disrespected our community and the stacked townhouses are not in alignment with the existing street. The style and height of single family homes and townhouses that are already on Paramount Drive would be aligned properly, not stacked townhouses and an 8 storey apartment building.

**Policy 3.3.2.4: Quality Spaces**

**Planning Comment:**

The siting of the stacked townhouse blocks and apartment building is logical and fits within the existing neighbourhood context

This is False as it does NOT fit within the existing neighbourhood context

**Policy 3.3.2.6: New development and redevelopment should enhance the character of the existing environment**

Not one of the 4 sub-sections were satisfied

This is False as it does NOT enhance the character of the existing environment. In reality it will become an eyesore and will deter from the character of the existing environment destroying the skyline of the entire neighbourhood.

**Policy 3.3.2.8 Urban design should promote the reduction of greenhouse emissions, ability to adapt to the impacts of a changing climate now and in the future, and protect and enhance the natural urban environment**

This is false. Nothing in this proposal will reduce greenhouse emissions or protect/enhance the natural urban environment. Fewer residential units and more green space will protect and enhance the natural urban environment.

**Policy 3.3.2.9 Urban design plays a significant role in the physical and mental health of our citizens.**

Again, not one sub-section has been satisfied (high quality, safe streetscapes; no development of places for active and passive recreation; no variety of land uses; increased air, noise, and water pollution)

This may be the single biggest concern that is being overlooked. The mere proposal in itself has caused such intense stress and anxiety in the community. The **mental health** of our citizens is obviously not a concern of the developer but we as a society depend on our City officials/planners to act in our best interest. Presently the mental health of this community is on a steep decline and will get progressively worse with developments like this.

**Policy 3.3.3.1**

**Planning Comment:** As previously discussed, the proposed development has been designed to fit within the surrounding neighbourhoods, in terms of scale, and ensuring adequate privacy and sunlight to neighbouring properties. It will be compatible with the surrounding low-density context,

This is not true because in no way does this development fit within the surrounding neighbourhood.



#### **Policy 4.5.8.4**

The proposed development will make more efficient use of the Collector Road, by increasing residential density on the subject lands, without hindering the current traffic flow.

This is false. More cars will undoubtedly hinder the current traffic flow. In fact, traffic flow will be at a stand--still in the morning and afternoon when school starts and ends.

#### **Policy 5.3 Lake –Based Municipal Water and Wastewater Systems**

Again, I have not seen any studies to support the claim that existing systems can accommodate a development of this size. I find it hard to believe that 40+ years after planning a community that the existing infrastructure could accommodate another 299 units on such a small piece of land. Surely the planners never anticipated this happening that long ago.

### **Chapter E – Urban Systems and Designations**

#### **Subsection 2.6 Neighbourhoods**

##### **Scale Policy 2.6.7**

*Neighbourhoods shall generally be regarded as physically stable areas with each neighbourhood having a unique scale and character. Changes compatible with the existing character or function of the neighbourhood shall be permitted.*

**Planning Comment:** The proposed development is compatible with the existing character of the neighbourhood, as a functional layout of differing typologies has been created to ensure that there are significant adverse impacts on any adjoining lands.

This is not true. It does NOT fit with the existing character of the neighbourhood and it will have a significant impact on adjoining lands, specifically residents of Canfield Court, Paramount Drive and both elementary schools.

**Scale and Design - Policy 3.2.4**

*The existing character of established neighbourhoods designated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood.*

This proposal does not satisfy this policy at all. In fact the complete opposite is true --- the existing character is NOT maintained and intensification is NOT compatible with the existing residential neighbourhood

**Policy 3.3.1**

*Lower Density residential uses and building forms shall generally be located in the interiors of neighbourhood areas with higher density dwelling forms and supporting uses located on the periphery.*

This proposal is for the exact opposite of 3.3.1. The proposed High-Density development is right in the middle of the Low-Density neighbourhood.

**Policy 3.3.2**

*Development or redevelopment adjacent to areas of lower density shall ensure the height, massing, and arrangement of buildings and structures are compatible with existing and future uses in the surrounding area.*

This proposed development is not at all compatible with the existing areas of lower density with regard to height, massing and arrangement of buildings.

**Policy 3.6.1**

*High Density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods.*

Again, this high-density proposal is NOT on the periphery but right in the center of the mature, low density neighbourhood

**Policy 3.6.8 d)**

This item is also not adhered to as the proposal has inadequate parking, amenity features and is not compatible with existing residential heights. Furthermore it will cast shadows on Billy Green Elementary school for at least 50% of the school day.

**Neighbourhoods Designation – High Density Residential**  
**Design Policy 3.6.8**

**Planning Comment:** The proposed development is a respectful form of residential intensification, as it will not result in shadowing, or overlook concerns

This is not true! Residents on Canfield Court and Paramount Drive will have residents in the Stacked Townhouses and apartment looking directly in their bedrooms and living rooms, respectively.

**Appendix E Highlights the Significant short-comings of the proposal**

Physically Challenged Parking Spots:	1% required = 37	Proposed 6
Minimum Number of Parking Spaces:	558 required	Proposed 369
Minimum Front Yard	7.5m required	Proposed 3.25m
Minimum Side Yard	6.0m required	Proposed 3.0m
Maximum Density	40 units/Ha	Proposed 187
Minimum Landscape Open Space	50%	Proposed 30%

RM3 Zone: Stacked townhouses Not permitted

**Policy 6.2.6**

**Planning Comment:** While the Institutional Designation allows for low-density residential uses, an amendment is required for the proposed development as it does not allow high-density residential uses.

One of the main reasons everyone in this neighbourhood chose to live here is because it was not zoned high-density. Obviously the City Planners had a very good reason not to zone it High Density, mainly because it is a suburb. To suddenly decide after 40+ years that the zoning should be changed to high-density simply to accommodate a developer is outrageous and nothing short of criminal to the existing community.

If we wanted to live downtown or in Toronto we would have moved there.

## **9 School and City Recreation Facility and Outdoor Recreation/ Parks Issues Assessment**

As noted throughout this report, the subject lands directly abut Billy Green Elementary School to the north and St. Paul Catholic Elementary School to the south-west. The development of the subject lands will be compatible with the surrounding institutional uses, as it does not create significant shadow impacts upon the schools

This is completely false. The 8 story apartment will completely block out any sunshine that Billy Green's kindergarten classrooms/playground presently enjoy. Furthermore, the apartments will be looking directly into the classroom windows of Billy Green school all day long.

### **11 Planning Justification**

Registered Professional Planners ("Planners") have a responsibility to acknowledge the interrelated nature of planning decisions and the consequences for natural and human environments, and the broader public interest. The public interest reflects a balance between the local needs of the community with the interests of stakeholders. In order to determine whether the proposed development is within the public interest

Both the Councillor and the Planner stated that they have never had as many people at a public meeting in their entire careers as were present at the February 16, 2023 meeting. This in itself tells the whole story.

The unanimous outrage and opposition displayed at the meeting cannot be simply disregarded. If the above Professional Planners code of ethics is to be respected at all then based on this meeting alone the existing High-Density plan needs to be thrown out and a new Low-Density plan submitted, hopefully one that has community involvement and fits the character of the neighbourhood.

#### **11.1 Environment**

The proposed development will provide residential density in close proximity to commercial and institutional uses and allow residents to live, work and play within the same neighbourhood, thus being active transportation supportive

This is not true as very few residents work in this neighbourhood. There are no employers of any size near this community.

The proposed development will capitalize on the advantage and provide reduced parking ratios to encourage an increase in transit usage. Overall, by promoting transit and active transportation, it decreases the need for automobile travel and greenhouse gas emissions, which contributes to a higher energy consumption and declining air quality.

In reality, this High-Density development will accomplish the complete opposite of what is stated in section 11.1

Once again, this proposal is more fitting to downtown and not a suburb like 1065 Paramount Drive. Residents living here generally need a car. This might be the case in places like downtown where it is easy to ride a bike or take a bus to work. This concept is not applicable to a suburban community that depends on driving and having an adequate traffic infrastructure, which this proposal will certainly affect in an adverse manner.

## **12 Conclusions and Recommendations**

I would argue that it does NOT maintain the intent of the Urban Hamilton Official Plan and West Mountain Area Secondary Plan. Sure it may satisfy one such factor, to build more units, but I'm certain the original intent was much more inclusive than that: Fitting in with the Character of the existing neighbourhood; Acceptance by the existing neighbourhood; not creating traffic and parking chaos in an existing neighbourhood; not creating buildings high enough to invade upon the privacy of existing residents.

I also highly doubt that the Former City of Stoney Creek Zoning By-Law would have intended a development such as this. In fact I would argue that the Former City Planners would have shut this down immediately.

It definitely is NOT compatible with the surrounding build form.

It definitely does not represent good planning that is in the public interest. It is only in the developers best interest, not the communities.

**From:** [Dal Bello, Rino](#)  
**To:** [Van Rooi, James](#)  
**Cc:** [Skidmore, Spencer](#); [Fabac, Anita](#)  
**Subject:** FW: Proposed Development at 1065 Paramount Drive in Stoney Creek  
**Date:** Tuesday, July 11, 2023 3:21:58 PM  
**Attachments:** [Second Public Meeting 27Jun2023.pdf](#)  
[Letter of Objection.pdf](#)

---

Jimmy

Please find attached residents comments on the noted file. Please place this in the file.

Rino

---

**From:** [REDACTED]  
**Sent:** Tuesday, July 11, 2023 2:29 PM  
**To:** Robichaud, Steve <Steve.Robichaud@hamilton.ca>; Fabac, Anita <Anita.Fabac@hamilton.ca>; Dal Bello, Rino <Rino.DalBello@hamilton.ca>; olt.general.inquiry@ontario.ca  
**Subject:** Fwd: Proposed Development at 1065 Paramount Drive in Stoney Creek

Hello,

This is regarding a proposed development at 1065 Paramount Drive by Mikmada (Paramount) Inc.

Our community is overwhelmingly opposed to the rezoning to High-Density as ours is a suburb and not an urban center for which this plan was designed.

File no. UHOPA-23-005 and File no. ZAC-23-006

Attached is a summary of our most recent community meeting with the developer's planner along with my initial objection back in February 2023.

Please let me know that you have received this and if there is anything more that you need from me.

Thank you,

[REDACTED]  
[REDACTED]

**From:** [REDACTED]  
**To:** [Clark, Brad: donna.skelly@pc.ola.org](mailto:Clark,Brad@donna.skelly@pc.ola.org); [Dan.Muys@parl.gc.ca](mailto:Dan.Muys@parl.gc.ca); [Office of the Mayor](#); [Van Rooi, James](#); [Agro, Louis](#); [Kathy Archer \[Trustee\]](#)  
**Subject:** Fwd: Proposed Development at 1065 Paramount Drive in Stoney Creek  
**Date:** Thursday, June 29, 2023 11:13:25 AM  
**Attachments:** [Second Public Meeting 27Jun2023.pdf](#)  
[Letter of Objection.pdf](#)

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Just an update to my previous email regarding the proposed development at 1065 Paramount Drive.

John Ariens of the IBI Group was quite adamant that the traffic & wind studies were all done and that we were more than welcome to have them the day following the meeting. In fact he practically chastised some in our community for even asking why we didn't have them before the meeting. Instead of receiving the studies the following day I received this email the day after the meeting from the IBI Group:

*You are receiving this email in response to your request to review the application materials.*

*As Mr. Ariens had advised at the Open House, that the Wind Study and Transportation Studies have been completed however, more refinements to the concept plan are being completed and the studies will now have to be updated to reflect the most up to date concept plan and building massing. Therefore, once the concept plan and studies have been coordinated, we will be happy to distribute them to you through this mailing list. In the meantime, we have attached the presentation from last night so that you can review the information provided to you in more detail.*

*Please stay tuned for our update regarding this application.*

*Carmen Jandu*

It's really quite hard to believe that that much can change overnight.

Regards,

[REDACTED]

----- Forwarded message -----

**From:** [REDACTED]  
**Date:** Wed, Jun 28, 2023 at 2:48 PM  
**Subject:** Proposed Development at 1065 Paramount Drive in Stoney Creek  
**To:** Clark, Brad <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)>, <[Dan.Muys@parl.gc.ca](mailto:Dan.Muys@parl.gc.ca)>, <[donna.skelly@pc.ola.org](mailto:donna.skelly@pc.ola.org)>, Van Rooi, James <[james.vanrooi@hamilton.ca](mailto:james.vanrooi@hamilton.ca)>, Agro, Louis <[AgroL@hwcdsb.ca](mailto:AgroL@hwcdsb.ca)>, Kathy Archer [Trustee] <[KAArcher@hwdsb.on.ca](mailto:KAArcher@hwdsb.on.ca)>

Hello,

Attached is a summary of last night's meeting regarding this development along with my initial objection back in February in case you don't have it.

Please let me know that you have received this and if there is anything more that you need from me.

Thank you,

A large black rectangular redaction box covering the signature area.



**From:** [REDACTED]  
**To:** [doug.fordco@pc.ola.org](mailto:doug.fordco@pc.ola.org); [premier@ontario.ca](mailto:premier@ontario.ca); [Office of the Mayor](#); [dan.muys@parl.gc.ca](mailto:dan.muys@parl.gc.ca); [MacLean, Grant](#); [Kathy Archer \(Trustee\)](#); [Agro, Louis](#); [Clark, Brad](#); [Rob.Ribaric@hamilton.ca](mailto:Rob.Ribaric@hamilton.ca); [Van Rooi, James](#); [OLT.General.Inquiry@ontario.ca](mailto:OLT.General.Inquiry@ontario.ca); [Robichaud, Steve](#); [Fabac, Anita](#); [Dal Bello, Rino](#)  
**Subject:** Online Petition against Proposed Development at 1065 Paramount Drive, Stoney Creek  
**Date:** Wednesday, September 20, 2023 9:56:30 AM

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Please take a minute to review the petition our community has started to prevent the proposed High-Density development at 1065 Paramount Drive in Stoney Creek. It is an absurd proposal given that it is in the middle of a low-density, very mature neighbourhood that is adjacent to two elementary schools and across the street from a daycare facility. Our community is a suburb that does not lend itself to urban planning and will only create safety and transportation concerns for our area. The Red Hill Parkway, Lincoln Alexander, Mud street and Centennial Street are already severely overwhelmed and adding another 800 - 1000 cars to an area just under 4 acres in the middle of this community will definitely create serious safety concerns.

<https://chng.it/Orh5ytpPC2>

Thank you very much for your time and consideration.

[REDACTED]

**From:** [REDACTED]  
**To:** [Office of the Mayor](#)  
**Subject:** Re-Proposed Rezoning of 1065 Paramount Drive Stoney Creek from Institutional to High Density  
**Date:** Saturday, August 26, 2023 10:11:18 PM

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Dear Sir/Ms.

I am voicing my opposition to changing the zoning from institutional to high density that would include an 8-storey condo/apartment building beside Billy Green Public Elementary School and 123, 3 and 4-storey stacked townhouses backing onto St. Paul Elementary School on less than 4 acres of land.

(approximately 304 new residences and an extra 600 or more cars).

No where in the city of Hamilton or Toronto is there an apartment building beside a school.

These are my concerns

1. **Safety for the Children.** This is already a busy street with parents dropping off and picking up their children from school not to mention children crossing Paramount to go home. Speeding and non compliance with regards to Stop signs has always been an issue throughout the survey.
2. **Traffic.** The majority of people living in the community commute to work taking either the Lincoln Alexander Parkway or the Redhill Valley Expressway. These roads are already plugged in the morning and afternoon with commuters. Getting out and into the survey will add extra time to the commute. There a very few amenities nearby thus requiring residents, especially seniors, to drive their cars.
3. **Parking.** Most families have 2 cars. Where will they park? It's my understanding that the townhomes with garages will have them below their house with no driveway.
4. **School Accommodation.** Both schools have portable classrooms. More will be needed to meet the needs of the children.

In closing I do not oppose a development on this parcel of land as I realize more living accommodations are needed throughout the city. I think this can be accomplished by providing low density townhomes that reflect the character of the neighbourhood.



**From:** [REDACTED]  
**Subject:** Re: Re-Proposed Rezoning of 1065 Paramount Drive Stoney Creek from Institutional to High Density  
**Date:** Monday, August 28, 2023 2:58:54 PM

---

Thank you for responding to my email. My address is

[REDACTED]

Sincerely

[REDACTED]

Sent from my iPhone

On Aug 28, 2023, at 10:09 AM, Van Rooi, James  
<James.VanRooi@hamilton.ca> wrote:

Good morning Joanne, thank you for providing these comments regarding applications ZAC-23-006 and UHOPA-23-005 (1065 Paramount Drive).

Your comments will be included and discussed in our staff report presented to the Planning Committee as part of the required public hearing. Please note, that at this time a public hearing has not been scheduled for Planning Committee. When we do have a Planning Committee date, you will be notified and will receive a copy of the staff report in advance.

Please note I will be forwarding your concerns to the applicant for their information with your personal information removed.

I kindly request that you provide me your mailing address so that I may forward future staff reports and information regarding this development.

Thank you.

James Van Rooi, *MCIP, RPP*  
Senior Planner (Rural Team)

Development Planning,  
Planning & Economic Development Department  
City of Hamilton  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton ON L8P 4Y5  
p. 905.546.2424 ext. 4283

f. 905.546.4202  
e. [James.VanRooi@hamilton.ca](mailto:James.VanRooi@hamilton.ca)

---

**From:** [REDACTED]  
**Sent:** Saturday, August 26, 2023 10:11 PM  
**To:** Office of the Mayor <Officeofthe.Mayor@hamilton.ca>  
**Subject:** Re-Proposed Rezoning of 1065 Paramount Drive Stoney Creek from Institutional to High Density

Dear Sir/Ms.

I am voicing my opposition to changing the zoning from institutional to high density that would include an 8-storey condo/apartment building beside Billy Green Public Elementary School and 123, 3 and 4-storey stacked townhouses backing onto St. Paul Elementary School on less than 4 acres of land. (approximately 304 new residences and an extra 600 or more cars).

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2. **Traffic.** The majority of people living in the community commute to work taking either the Lincoln Alexander Parkway or the Redhill Valley Expressway. These roads are already plugged in the morning and afternoon with commuters. Getting out and into the survey will add extra time to the commute. There a very few amenities nearby thus requiring residents, especially seniors, to drive their cars.
3. **Parking.** Most families have 2 cars. Where will they park? It's my understanding that the townhomes with garages will have

them below their house with no driveway.

4. **School Accommodation.** Both schools have portable classrooms. More will be needed to meet the needs of the children.

In closing I do not oppose a development on this parcel of land as I realize more living accommodations are needed throughout the city. I think this can be accomplished by providing low density townhomes that reflect the character of the neighbourhood.



- 6.

**From:** [REDACTED]  
**To:** [Van Rooi, James](mailto:Van.Rooi.James@ibigroup.com); [john.ariens@ibigroup.com](mailto:john.ariens@ibigroup.com); [Clark, Brad](mailto:Clark.Brad@hamilton.ca)  
**Cc:** [Robichaud, Steve](mailto:Robichaud.Steve@hamilton.ca); [Fabac, Anita](mailto:Fabac.Anita@hamilton.ca); [Dal Bello, Rino](mailto:DalBello.Rino@hamilton.ca); [Ribaric, Robert](mailto:Ribaric.Robert@hamilton.ca)  
**Subject:** RE: Question re: the Development within 25 feet of Billy Green School  
**Date:** Friday, June 30, 2023 7:37:54 PM  
**Attachments:** [image002.jpg](#)

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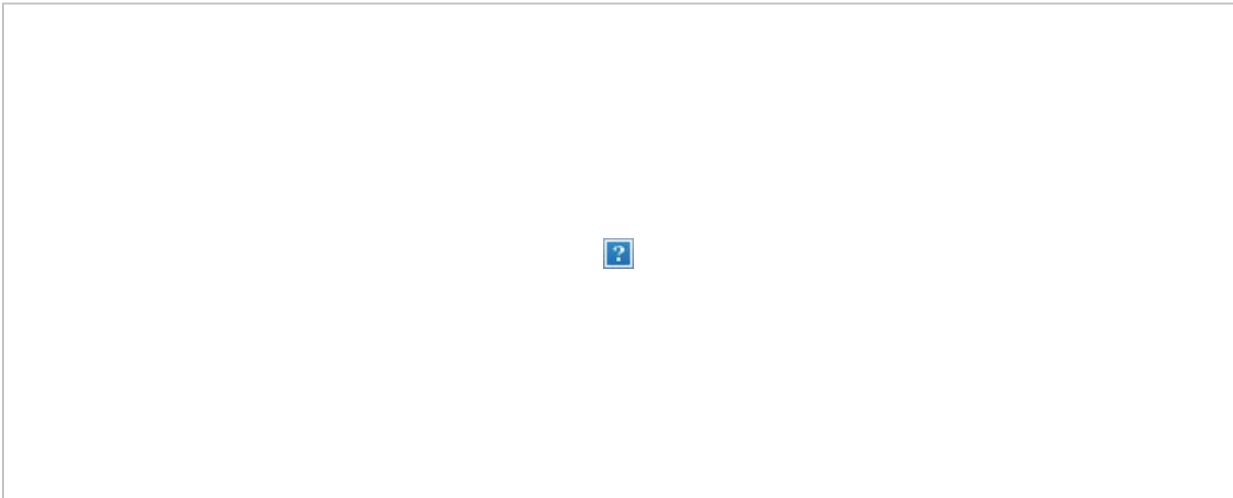
Thank you. Please will you add this to the file as well. Thanks Laurie

---

**From:** Van Rooi, James [mailto:James.VanRooi@hamilton.ca]  
**Sent:** June 30, 2023 2:44 PM  
**To** [REDACTED] john.ariens@ibigroup.com; Clark, Brad <Brad.Clark@hamilton.ca>  
**Cc:** Robichaud, Steve <Steve.Robichaud@hamilton.ca>; Fabac, Anita <Anita.Fabac@hamilton.ca>; Dal Bello, Rino <Rino.DalBello@hamilton.ca>; Ribaric, Robert <Robert.Ribaric@hamilton.ca>  
**Subject:** RE: Question re: the Development within 25 feet of Billy Green School

Thanks [REDACTED], the distance measured from building face to building face is roughly 33.1 metres according to our GIS system.

See below.



Thank you.

James Van Rooi, *MCIP, RPP*  
Senior Planner (Rural Team)

Development Planning,  
Planning & Economic Development Department  
City of Hamilton  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton ON L8P 4Y5  
p. 905.546.2424 ext. 4283  
f. 905.546.4202  
e. [James.VanRooi@hamilton.ca](mailto:James.VanRooi@hamilton.ca)

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**From:** [REDACTED]  
**Sent:** Friday, June 30, 2023 2:15 PM  
**To:** Van Rooi, James <[James.VanRooi@hamilton.ca](mailto:James.VanRooi@hamilton.ca)>; [john.ariens@ibigroup.com](mailto:john.ariens@ibigroup.com); Clark, Brad <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)>  
**Cc:** Robichaud, Steve <[Steve.Robichaud@hamilton.ca](mailto:Steve.Robichaud@hamilton.ca)>; Fabac, Anita <[Anita.Fabac@hamilton.ca](mailto:Anita.Fabac@hamilton.ca)>; Dal Bello, Rino <[Rino.DalBello@hamilton.ca](mailto:Rino.DalBello@hamilton.ca)>; Ribaric, Robert <[Robert.Ribaric@hamilton.ca](mailto:Robert.Ribaric@hamilton.ca)>  
**Subject:** RE: Question re: the Development within 25 feet of Billy Green School

Hi James:

Checking on Google Maps, the school is a city block, you have to walk across the street to get to the apartment building.

Therefore not at all similar to Billy Green School.

Maybe you would be able to tell us the distance between the school building (Queen Victoria) and the apartment building across the street?

Thank you. [REDACTED]

---

**From:** Van Rooi, James [<mailto:James.VanRooi@hamilton.ca>]  
**Sent:** June 30, 2023 1:35 PM  
**To:** [REDACTED] [john.ariens@ibigroup.com](mailto:john.ariens@ibigroup.com); Clark, Brad <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)>  
**Cc:** Robichaud, Steve <[Steve.Robichaud@hamilton.ca](mailto:Steve.Robichaud@hamilton.ca)>; Fabac, Anita <[Anita.Fabac@hamilton.ca](mailto:Anita.Fabac@hamilton.ca)>; Dal Bello, Rino <[Rino.DalBello@hamilton.ca](mailto:Rino.DalBello@hamilton.ca)>; Ribaric, Robert <[Robert.Ribaric@hamilton.ca](mailto:Robert.Ribaric@hamilton.ca)>  
**Subject:** RE: Question re: the Development within 25 feet of Billy Green School

Good afternoon [REDACTED], thank you for your previous email, this will be filed and added to the report.

Just off the top of my head the only site I can think of where towers are close to an elementary school is Queen Victoria Elementary school in the Corktown neighbourhood.

The applicants may have other examples or sites that they know of.

Kind regards,

James Van Rooi, *MCIP, RPP*  
Senior Planner (Rural Team)

Development Planning,  
Planning & Economic Development Department  
City of Hamilton  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton ON L8P 4Y5  
p. 905.546.2424 ext. 4283  
f. 905.546.4202



e. [James.VanRooi@hamilton.ca](mailto:James.VanRooi@hamilton.ca)

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**From:** [REDACTED]  
**Sent:** Friday, June 30, 2023 11:36 AM  
**To:** Van Rooi, James <[James.VanRooi@hamilton.ca](mailto:James.VanRooi@hamilton.ca)>; [john.ariens@ibigroup.com](mailto:john.ariens@ibigroup.com); Clark, Brad <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)>  
**Cc:** Robichaud, Steve <[Steve.Robichaud@hamilton.ca](mailto:Steve.Robichaud@hamilton.ca)>; Fabac, Anita <[Anita.Fabac@hamilton.ca](mailto:Anita.Fabac@hamilton.ca)>; Dal Bello, Rino <[Rino.DalBello@hamilton.ca](mailto:Rino.DalBello@hamilton.ca)>; Ribaric, Robert <[Robert.Ribaric@hamilton.ca](mailto:Robert.Ribaric@hamilton.ca)>  
**Subject:** RE: Question re: the Development within 25 feet of Billy Green School

Good Morning:

I have had no response to this email.  
My apologies Rob that I did not copy you on this.

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** June 28, 2023 9:55 PM  
**To:** 'Van Rooi, James' <[James.VanRooi@hamilton.ca](mailto:James.VanRooi@hamilton.ca)>; 'john.ariens@ibigroup.com' <[john.ariens@ibigroup.com](mailto:john.ariens@ibigroup.com)>; 'Clark, Brad' <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)>  
**Cc:** 'Robichaud, Steve' <[Steve.Robichaud@hamilton.ca](mailto:Steve.Robichaud@hamilton.ca)>; 'Fabac, Anita' <[Anita.Fabac@hamilton.ca](mailto:Anita.Fabac@hamilton.ca)>; 'Dal Bello, Rino' <[Rino.DalBello@hamilton.ca](mailto:Rino.DalBello@hamilton.ca)>  
**Subject:** Question re: the Development within 25 feet of Billy Green School  
**Importance:** High

Dear James, Brad and John:

Please can you tell me how many 8 storey apartments buildings are there in Hamilton that are built within 25 feet of an elementary school?

I have searched, and cannot find any? I check the Ontario Building Code and I do not see anything?

I then also checked Toronto and I cannot see any 8 storey apartment building in Toronto that has been built within 25 feet of an elementary school?

How is it then, that this has even been suggested?

[REDACTED]

---

**From:** Van Rooi, James [<mailto:James.VanRooi@hamilton.ca>]  
**Sent:** June 28, 2023 9:14 AM  
**To:** [REDACTED] [john.ariens@ibigroup.com](mailto:john.ariens@ibigroup.com)  
**Cc:** Clark, Brad <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)>; Robichaud, Steve <[Steve.Robichaud@hamilton.ca](mailto:Steve.Robichaud@hamilton.ca)>; Fabac, Anita <[Anita.Fabac@hamilton.ca](mailto:Anita.Fabac@hamilton.ca)>; Dal Bello, Rino <[Rino.DalBello@hamilton.ca](mailto:Rino.DalBello@hamilton.ca)>

**Subject:** RE: Walkway Billy Green School

Good morning [REDACTED], nice to formally meet you last night and thank you for the photos, your comments/photos have been added to the file and will be included in a staff report.

Thank you.

James Van Rooi, *MCIP, RPP*  
Senior Planner (Rural Team)

Development Planning,  
Planning & Economic Development Department  
City of Hamilton  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton ON L8P 4Y5  
p. 905.546.2424 ext. 4283  
f. 905.546.4202  
e. [James.VanRooi@hamilton.ca](mailto:James.VanRooi@hamilton.ca)

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**From:** [REDACTED]  
**Sent:** Tuesday, June 27, 2023 9:44 PM  
**To:** [john.ariens@ibigroup.com](mailto:john.ariens@ibigroup.com)  
**Cc:** Clark, Brad <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)>; Van Rooi, James <[James.VanRooi@hamilton.ca](mailto:James.VanRooi@hamilton.ca)>  
**Subject:** Walkway Billy Green School  
**Importance:** High

Hello Mr. Ariens:

In the revised plan to the City, as the City/Developer is developing a proper walkway to and from St. Paul School which will be maintained by the City, believe that the City/Developer should also do the same for Billy Green Elementary School as that is the School that will be most impacted from any type of development (considerably moreso than St. Paul School). This walkway is used by the Kindergarten to get to and from class as well as by many students to get out to the Basketball courts, Playground and Play area.

Thank you so much. [REDACTED]

**From:** [REDACTED]  
**To:** [Clark, Brad](#); [Van Rooi, James](#)  
**Cc:** [Ribaric, Robert](#); "Joanne Ross"  
**Subject:** Planning Committee Meeting for 1065 Paramount Drive, Stoney Creek, Ontario, Canada  
**Date:** Sunday, October 1, 2023 4:25:49 PM

---

Good Evening Brad and James:

Whenever the Planning Meeting is scheduled for the proposed rezoning of the above mentioned property, we would like to formally request that someone from our Group (Patriots of Paramount) be able to present at this meeting.

We understand, that the scheduled time that we have to present is 5 minutes. Please will you confirm.

Kind regards,  
Sincerely,

[REDACTED]

Wednesday, October 11, 2023

Mr. James Van Rooi, (Senior Planner), City of Hamilton  
Mr. Steve Robichaud, (Planning Committee), City of Hamilton  
Ms. Anita Fabac, (Planning Committee), City of Hamilton  
Mr. Rino DalBello, (Planning Committee), City of Hamilton  
Mr. Mike Stone, Hamilton Conservation Authority  
Mr. Brad Clark, Councillor Ward 9, City of Hamilton

Re: 1065 Paramount Drive, Stoney Creek, Ontario, Canada  
Discrepancies regarding Proposal Submitted to the City Planning Department on  
September 12, 2023, by Arcadis Inc. on behalf of Mikmada Homes

---

1. **Watermain Hydraulic Analysis** – Results taken on May 9 @ 11:00 am (not peak hours).
2. **Visual Impact Assessment** – Not done but with have further response in future about this Assessment.
3. **Geotechnical Investigation** was done on 27 April 2022 (needs to be reinvestigated) see Page 2 of their report reported below:
  - Page 2 of report “This report is based on the above summarized project description, and on the assumption that the design and construction will be performed in accordance with applicable codes and standards. Any significant deviations from the proposed project design may void the recommendations given in this report. If significant changes are made to the proposed design, this office must be consulted to review the new design with respect to the results of this investigation. It is noted that the information contained in this report does not reflect upon the environmental aspects of the site.”
  - Note: The design has been altered and updated twice since this report!!
  - Note: We believe that an environmental impact assessment report should also be completed.
4. **Transportation** – Traffic assessment not done properly as only included Paramount Drive and Mud Street not Winterberry and Old Mud Street or the Lincoln Alexander Parkway. This is one of only two access points to the subdivision.
5. **Blasting versus Jack Hammering** (guarantees needed?) Absolute ban on blasting due to proximity of neighbouring structures Schools/housing/commercial properties.
6. No report noted from the **Fire Department** regarding impact and response times on an Emergency Call to area.
7. No report noted from the **Police Department** regarding impact and response times on an Emergency Call to area.
8. No report noted from the **Emergency Medical Services** regarding impact and response times on an Emergency Call to area.

9. **Sun/Shadow Study** demonstrated that the proposed development continues to meet and exceed the City's guideline in terms of continuous sun on the school yard, we can totally rebuke that response as false with the following evidence:

Note: The Objective of the Shadow Study as per KNYMH Inc. (text box below):-  
Shadow study conducted from March 21 to Sept 21 not during the school year.  
Study hours are 10 am to 4 pm.

The objective of this report is to analyse the impact of a proposed development upon the adjacent properties, streets, and public spaces at the above noted location. We will discuss and comment upon the impact associated with the architectural form and massing of the proposed development upon the adjacent properties.

The main goals of the design impact analysis are:

- 1) Assess and quantify the potential impacts on the surrounding environment and stakeholders, such as residents, businesses, and public spaces.
- 2) Identify potential conflicts or concerns and inform design strategies to mitigate the impact effectively.

Our response:

***While the study quotes "residents" it does not include the effects on students who will be impacted 5 days out of 7 days (approx. 7 hrs per day) every week from September to June.***

***Note: No shadow study during school year and the corresponding winter solstice when the shadow will be the greatest over Billy Green School. There is no statement indicating at what time of year maximum shadow coverage will occur and the extent of shadow during this period.***

***Note: Study does not consider the health and well-being of the students/teachers/administrative personnel (see below).***

SUN / SHADOW STUDY: (FIGURE A1.1 - SHADOW IMPACT GRAPHICS MARCH 21)

**Study Area (3) Impact** : Peak shadow coverage to St.Paul's school yard is 12.0% and peak parkland coverage 23.4% during start of test period and decreases as time progresses. Shadow clear of parkland and St.Paul's elementary by 12:26pm test time.

**Study Area (2) Impact** : Peak shadow coverage to Billy Green school yard is 24.5% during start of test period and decreases as time progresses. Shadow clear of Billy Green elementary by 4:26pm test time.

SUN / SHADOW STUDY: (FIGURE A1.2 - SHADOW IMPACT GRAPHICS SEPTEMBER 21)

**Study Area (3) Impact :** Peak shadow coverage to St.Paul's school yard is 11.7% and peak parkland coverage 22.7% during start of test period and decreases as time progresses. Shadow clear of parkland and St.Paul's elementary by 12:12pm test time.

**Study Area (2) Impact :** Peak shadow coverage to Billy Green school yard is 23.6% during start of test period and decreases as time progresses. Shadow clear of Billy Green elementary by 4:12pm test time.

**Our question for the City of Hamilton, Planning Committee: -**

Who came up with the following criteria for a Shadow Study on School Playgrounds?

'Terms of Reference: Development Application Guidelines : Sun Shadow Study developed by the City of Hamilton. [October 2022]'

**Impact Criteria (Public Realm – plazas, parks, open spaces, school yards & playgrounds):**

Shadows from the proposed development shall allow for a minimum of 50% sun coverage at all times of the day as measured from March 21st to September 21st.

School Yards from March 21st to Sept 21<sup>st</sup>????

10. **Pedestrian Wind Assessment** – No wind evaluation reported between the Apartment/Condo Building and Billy Green School where the children walk to get to and from class or to and from their activities or where the kindergarten children play. It has one of the highest elements of wind per Arcadis drawing Figures 8b and 9b, but RESULTS are minimal about this area indicating only "on site" or "comfortable for sitting or standing throughout the year" but children will be walking/playing/riding their bicycles/scooters, this is not a sitting area.

Based on our review and our identified discrepancies, the impact studies are incomplete.

Therefore, we strongly feel that without a complete due diligence being done, the City Planning Committee and Council should not proceed further with this rezoning application.

Sincerely,

██████████ in collaboration with Stoney Creek Residents

cc:Premier Doug Ford  
Mayor Andrea Horvath  
Mr. Dan Muys (MP)  
Ms. Donna Skelly (MPP)  
Ms. Kathy Archer (School Trustee, HWDSB)  
Mr. Louis Agro (School Trustee, HWCDSB)  
Mr. Robert Ribaric (Assistant to Brad Clark)  
Ontario Land Tribunal  
Gordon R. Costie (Director of Conservation Area Services), Hamilton Conservation Authority

**From:** [lwhitely](#)  
**To:** [john.ariens@ibigroup.com](mailto:john.ariens@ibigroup.com)  
**Cc:** [Clark, Brad](#); [Van Rooi, James](#)  
**Subject:** Walkway Billy Green School  
**Date:** Wednesday, June 28, 2023 5:43:46 AM  
**Attachments:** [BillyGreenSchoolWalkway-Three.jpg](#)  
[BillyGreenSchoolWalkway-Two.jpg](#)  
[BillyGreenSchoolWalkway-One.jpg](#)  
**Importance:** High

---

Hello Mr. Ariens:

In the revised plan to the City, as the City/Developer is developing a proper walkway to and from St. Paul School which will be maintained by the City, believe that the City/Developer should also do the same for Billy Green Elementary School as that is the School that will be most impacted from any type of development (considerably moreso than St. Paul School). This walkway is used by the Kindergarten to get to and from class as well as by many students to get out to the Basketball courts, Playground and Play area.

Thank you so much. Laurie Whitely

**From:** [REDACTED]  
**To:** [john.ariens@ibigroup.com](mailto:john.ariens@ibigroup.com)  
**Cc:** [Clark, Brad](#); [Van Rooi, James](#)  
**Subject:** Walkway Billy Green School  
**Date:** Wednesday, June 28, 2023 5:43:46 AM  
**Attachments:** [BillyGreenSchoolWalkway-Three.jpg](#)  
[BillyGreenSchoolWalkway-Two.jpg](#)  
[BillyGreenSchoolWalkway-One.jpg](#)  
**Importance:** High

---

Hello Mr. Ariens:

In the revised plan to the City, as the City/Developer is developing a proper walkway to and from St. Paul School which will be maintained by the City, believe that the City/Developer should also do the same for Billy Green Elementary School as that is the School that will be most impacted from any type of development (considerably moreso than St. Paul School). This walkway is used by the Kindergarten to get to and from class as well as by many students to get out to the Basketball courts, Playground and Play area.

Thank you so much. [REDACTED]



**From:** [REDACTED]  
**To:** [Van Rooi, James](#)  
**Subject:** 1065 Paramount Drive to HIGH-DENSITY  
**Date:** Friday, July 28, 2023 2:20:39 PM

---

Please do not approve.

Please prevent a developer from re-zoning the vacant lot at 1065 Paramount Drive to HIGH-DENSITY. This is the empty lot across from the daycare center and adjacent to Billy Green and St. Paul elementary schools.

Everyone in our community will be adversely affected by this development, especially the children going to and from Billy Green and St. Paul schools.

The developer is looking to build an 8 story apartment containing 181 dwelling units along with 123 stacked town houses. This is a total of 304 new dwellings on a lot that isn't even 4 acres in size.

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

ARCADIS 1065 Paramount Drive

Stoney Creek, Ontario

NEIGHBOURHOOD OPEN HOUSE NO.2 COMMENT SHEET

- 1) You mentioned that holding these two meetings was not a requirement and that you claim to want the residents' input even though you know that everyone and I mean everyone is opposed to and 8 story building.
- 2) The revised proposal which you presented to us at the second meeting on June 27<sup>th</sup> indicates there will now be 441 parking spots.
- 3) Your assessment of 1.4 cars per household does not work in this community. If you did an accurate study you will find in this area the ratio is closer to 2.1 cars per household
- 4) This is a bedroom community with the majority of the residence travelling by automobile to get to work from 16 to 70 km and chose this area because of the proximity to the expressway/ highway access.
- 5) Your assumption that the residents of this proposed development will opt to take mass transit to work is foolish and flawed at best. If you did an accurate traffic study you know that it takes over an hour and a quarter just to get to the downtown core using mass transit.
- 6) This development is realistically adding anywhere from 500 to 650 cars to a roadway already taxed at certain times of the day.
- 7) What safety precautions will be in place to protect the children going to and returning from the two elementary schools situated between this development? Traffic lights, four way stop signs, crossing guards paid for by the developer.
- 8) During the construction phase, we all know children are very curious. Will there be 24 hour in person surveillance on the property?
- 9) Why did you limit the notice to residents living within 200m of the development? This proposal is going to impact everyone well beyond that distance and especially the parents of children living beyond 200m but having children attending one of the two schools.
- 10) I would like to receive the traffic study for the periods of 6:00 am to 9:00 am, 10:00 am to 3:00 pm, and 4:00 pm to 8:00 pm. When will the City get copies of these studies?
- 11) I am told that to be accurate wind studies are done over a period of time. I would like to see the wind study for Spring, Summer, Fall and Winter. When will the City get copies of these studies?
- 12) What is the detrimental impact on the property values of the homes within the 200m of this site? Has the City of Hamilton done a study and will our taxes be adjusted?
- 13) Your motive for holding these meetings concerns me since you claim they are not a requirement. When this goes to the OMB are these meetings going to be used as an argument that you tried to appease the residents?



**From:** [REDACTED]  
**To:** [Van Rooi, James](#)  
**Subject:** New petition to you: STOP RE-ZONING AMENDMENTS - 1065 PARAMOUNT DRIVE  
**Date:** Wednesday, August 23, 2023 10:09:00 AM

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## James Van Rooi: you've been listed as a decision maker

[REDACTED] started a petition on Change.org and listed you as a decision maker. Learn more about [REDACTED] petition and how you can respond:



[REDACTED] is petitioning James Van Rooi (Hamilton City Planner)

### STOP RE-ZONING AMENDMENTS - 1065 PARAMOUNT DRIVE

The goal of this petition is to prevent a developer from re-zoning the vacant lot at 1065 Paramount Drive to HIGH-DENSITY. This is the empty lot across from the daycare center and adjacent to Billy Green and St. Paul elementary...

[View the petition](#)

WHAT YOU CAN DO

**1. View the petition:** [Learn about the petition and its supporters.](#)

You will receive updates as new supporters sign the petition so you can see who is signing and why.

**2. Respond to the petition:** [Post a response](#) to let the petition supporters know you're listening, say whether you agree with their call to action, or ask them for more information.

**3. Continue the dialogue:** Read the comments posted by petition supporters and continue the dialogue so that others can see you're an engaged leader who is willing to participate in open discussion.

#### CHANGE.ORG FOR DECISION MAKERS

On Change.org, decision makers like you connect directly with people around the world to resolve issues. [Learn more.](#)

---

This notification was sent to James.VanRooi@hamilton.ca, the address listed as a decision maker.

---

This is a one-time notification to the email address listed above. You will not receive any further notifications regarding this petition from us.

[Privacy policy](#)

We'd love to hear from you! [Contact us](#) through our help centre.

Change.org · 548 Market St #29993, San Francisco, CA 94104-5401, USA

From: [Clark, Brad](#)  
To: [REDACTED]  
Subject: RE: [\*\*\*\*POSSIBLE SPAM]Stoney Creek Residents Against Paramount Drive Rezoning  
Date: Thursday, August 24, 2023 11:27:01 AM

---

Thank you [REDACTED]

Your letter is excellent. James will include in the public feedback files.

Gratefully yours,

Brad

**Councillor Brad Clark**  
**Ward 9 - Upper Stoney Creek**  
**Room 262, 71 Main Street West**  
**[Hamilton, ON L8P 4Y5](#)**

Office: [905 546-2703](tel:9055462703)  
Cell: [905 977-0679](tel:9059770679)  
[brad.clark@hamilton.ca](mailto:brad.clark@hamilton.ca)  
[www.bradclarkreport.ca](http://www.bradclarkreport.ca)



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**From:** [REDACTED]  
**Sent:** Wednesday, August 23, 2023 12:04 PM  
**To:** dougfordco@pc.ola.org; premier@ontario.ca; Office of the Mayor <Officeofthe.Mayor@hamilton.ca>; dan.muys@parl.gc.ca; kelli.aquino@pc.ola.org; kaarcher@hwdsb.on.ca; agrol@hwcdsb.ca; Clark, Brad <Brad.Clark@hamilton.ca>; rob.ribaric@hamilton.ca; Van Rooi, James <James.VanRooi@hamilton.ca>; Robichaud, Steve <Steve.Robichaud@hamilton.ca>; Fabac, Anita <Anita.Fabac@hamilton.ca>; Dal Bello, Rino

<Rino.DalBello@hamilton.ca>; mstone@conservationhamilton.ca; olt.general.inquiry@ontario.ca

**Subject:** [\*\*\*\*POSSIBLE SPAM]Stoney Creek Residents Against Paramount Drive Rezoning

Dear Premier, Mayor Horvath, Mr. Dan Muys, Ms. Donna Skelly, Ms. Kathy Archer, Mr. Louis Agro, Councillor Clark, Mr. Rob Ribaric, Mr. James Van Rooi, Mr. Steve Robichaud, Ms. Anita Fabac, Mr. Rino DalBello, Mr. Mike Stone, Members of the Ontario Land Tribunal

Please note this letter is in regard to the Mikmada (Paramount) Inc. developers' application to rezone the empty lot located at 1065 Paramount Drive, Stoney Creek (Ward 9) adjacent to Billy Green School. (In reference to the Notice of Complete Applications by Mikmada (Paramount) Inc for an Urban Hamilton Official Plan and Zoning By-Law Amendment Application for Lands - Files UHOPA-23-005 & ZAC-23-006). As residents of this neighbourhood, we are not against development but strongly object to this degree of high-density residential for an 8 storey apartment building and 123 stacked townhouses on this 4 acre lot.

Our concerns with this application for rezoning and the high density proposal are as follows:

1. The significant increase in traffic (with 800+ cars) and 1200+ people along with the associated disregard by drivers for traffic calming measures and speed limits presents a major safety risk to school children and all residents in the area.
2. A heightened concern by residents for nefarious activities occurring in and around the public areas, trails and nearby commercial plazas eroding the sense of safety and security in the neighborhood.
3. The developer's plan is completely out of sync with the existing residential landscape. This coupled with the anticipated parking overflow problems and lack of pride in property maintenance will ultimately impact the unique appeal and value of the Albion Estates neighborhood.

Respectfully, we are asking you to please strongly consider these and all concerns brought forward by the residents and to in turn reject the application to rezone this property to high-density.

Yours sincerely,

[Redacted signature block]

My take on the Second Public Meeting held on June 27, 2023.

If I've missed some points or misinterpreted some points please feel free to add comments.

IBI group intentionally withheld Traffic, Noise and Shadow studies from the residents prior to the meeting as they didn't want us to be prepared for this meeting. They could have shared these with us prior to the meeting but decided not to. Therefore they intentionally withheld them.

The new proposal added a lot of new parking spots, most of which are in garages that are too small to park cars. This will displace the cars from the unused garages out onto the street for parking and will create even more congestion on our streets (problems for snow plows; safety). However this change alone indicates that the IBI Group admits that High-Density is not appropriate for this area and that more parking spaces were needed. If this area was truly suitable for High-Density as John Ariens suggests then he would have stuck by his previous claim that less parking is needed, which is congruent with High-Density. However he has abandoned that claim and increased the number of parking spots considerably. Still not nearly enough, but an admission of residents needing cars to commute. Our community polls indicate that 98% of the residents drive to work; 92% of residents in this community do NOT use Public Transportation; only 3% of residents work in our community; 25% of local residents are already parking on the street. This suburb is not suitable for High-Density!

John continues to argue that households do not have on average 2 cars. His 'perception' of our reality is much different from what is actually going on in the real world we live in. Our poll indicates that most people in this community have more than 2 cars per household. In fact our one neighbor has nine, yes 9 cars in their driveway. John wants to believe that this is downtown Toronto where residents do walk and take transit to work. It isn't. The large majority of residents in this neighbourhood use the Lincoln Alexander and Red Hill Parkway to commute to work.

With regard to our community's concern from the first meeting, it was pointed out that the IBI Group completely missed the mark. John is being forced by Mikmada to argue that the 8 storey apartment is in character with the rest of the community. As was pointed out there isn't a building over 3 storey's within a 10 -20 km radius. It is painfully obvious that this proposal is completely out of character with the rest of our neighbourhood.

Underground parking is not suitable for this area because as several people pointed out that in order to do this blasting will be required. Blasting for the 4 storey townhomes will affect adjacent homes on Canfield Court. The Apartment is a no go anyway but blasting for that would definitely affect Billy Green School and houses along Paramount.

Parking is such a problem right now that teacher's are getting tickets for parking on the street. The new boulevards along Paramount have made it much narrower and more difficult picking up and dropping off children at Billy Green. Paramount is no longer the main artery it was initially designed to be. The boulevards are beautiful but they definitely restrict the flow of traffic along Paramount.

The construction safety, noise, pollution is a great concern. With the proposal trying to jam so much into such a small area it is developing right up to the property lines. This leaves no room for controlling the amount of dust that will be created and puts the danger area for children right up against the path to St. Paul as well as Billy Green school. A smaller development could be contained within a smaller perimeter, thereby safeguarding the children walking to and from school over the next 2-4 years of development.

Concern was also expressed about the 8 storey apartment setting a precedent for possible future expansion across the street where the strip plaza is. What is preventing the strip plaza from rebuilding upwards in the future to match this proposal's height and density? This is an unacceptable precedent to set in our community. As was pointed out, some people have recently moved here, specifically because it wasn't high-density. We invested our life's savings 37 years ago in this community and some of our neighbours prior to that because of that same reason; it wasn't high-density. For Mikmada who has no vested interest in our community to come in and have priority over everyone else living here is totally unacceptable. If Mikmada made a bad investment and paid too much for the property the City shouldn't make that our problem. It's his. Our City Planners and Council need to shut this down and let developers know under no uncertain terms that the City of Hamilton is not going to be abused for profit.

A comparative development in the area is 3 times the area and has only 104 townhouses (15 Ridgeview I believe). That developer/planner had the common decency to consider the surrounding community and decided to "fit-in" rather than to be so extremely greedy. Mikmada is trying to force a High-Density development into a Low-Density, established neighbourhood primarily because it made a bad investment decision when it bought the over-priced land. High-Density is not suitable in this community which is supported by recent comparable developments. Why should Mikmada be given preferential treatment?

To build in such close proximity to Billy Green school is totally irresponsible and inconsiderate. Billy Green Kindergarten will be in the shade all school day long. For the Public School Board not to object to this is unconscionable. Any new structure should give much more clearance between itself and Billy Green. This property should be re-zoned to low density, which will provide more green space between all adjacent properties, thereby helping ensure the safety and well-being of all school children.

The fact that the planner is proposing a High-Density development in the middle of a mature neighbourhood goes directly against the Professional Planner's Guidelines, but John is being forced to argue it to satisfy the developer.

John once again tried to explain his analogy of a Kleenex box to us. If, as John states, the box upright or laying flat has the same density (which it does) then we would like to see it laying flat. Oh, but this would take up the rest of the real estate and there would be no room for townhouses. For some reason John doesn't go on to explain that part of it.

The complete absence of green-space is very concerning. John said it hasn't been incorporated yet, however the fact of the matter is that there isn't room for the inclusion of any green space in the proposal they have presented. All of the land is consumed by parking and townhouses.



The addition of roof-top patios is completely unacceptable. Not only will the noise from the townhouse residents carry over most of the neighbourhood, from that vantage point they will be able to see every inch of my backyard, bedroom windows and family room. Complete invasion of privacy and disregard of nearby residences.

I thought it was unrealistic for John Ariens to come back with a higher-density proposal after stating during our first meeting that they want to work with the community and will listen to our concerns. After all, he is a Professional Planner and appears to have a solid planning history. Instead he did the complete opposite of what we asked --- total disregard for the existing residents --- which is directly against Professional Planner's Guidelines. Also, this is in complete opposition of the IBI Group's mission statement as stated on their website:

"committed to improving the quality of life for our clients, people and partners **and the communities** we all serve."

Unfortunately the IBI Group is an URBAN design group trying to force an URBAN design in a Suburban neighbourhood. The IBI Group would do well to disassociate itself with Mikmada as Mikmada's operating principals are not at all in line with the IBI Group's. Mikmada will definitely tarnish IBI Group's reputation.

To add insult to injury Mikmada sent a farmer to spray Round Up and Eragon on the field on Father's day. Driving nearby residents indoors and subjecting them to direct spray. No signs were posted afterwards so the children walking to school the next morning were probably subjected to it as well. Pedestrians were directly subjected to the spray as well as no signs were posted warning of what was taking place. This demonstrates the lack of integrity Mikmada operates under. The \$6 million class action lawsuit against Mikmada from a development in Guelph should be of concern to the City. Mikmada should have its building license revoked given the manner in which it operates.

Guelph Today – April 11, 2022

"The defendant has sought to terminate the agreements solely in order to allow it to market and sell the same development project at a later date at prices which will significantly increase Mikmada's profits as compared to its anticipated profit on original sales with the Royal Valley project."

As others have indicated in the group, we must also ensure we only vote for those in our riding who support us. Kathy Archer doesn't oppose the development so she has lost our votes. I haven't heard back yet from Louis Agro, Dan Muys or Donna Skelly. Brad Clark is behind us so we'll have to see how hard he is willing to fight for us. So far so good.

If we keep voting in people who don't have our back then we have no one to blame but ourselves.

Let's keep in touch and start to formalize our polls, surveys and whatever else needs documenting.

From: [REDACTED]  
To: [Clark, Brad](#)  
Cc: [Van Rooi, James](#); [Ribaric, Robert](#)  
Subject: Re: 1065 ParamountDrive  
Date: Monday, July 24, 2023 6:00:09 PM

---

Received, thank you.

[Sent from Yahoo Mail for iPad](#)

On Monday, July 24, 2023, 2:27 PM, Clark, Brad <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)> wrote:

Hi [REDACTED]

Thank you for your email. I do not support this density either. I will speak on behalf of residents at the Planning Committee when it comes before them.

Please note that I have copied James Van Rooi as he is the city planner on the file. James will document your email for our planning records.

Respectfully yours,

Brad

**Councillor Brad Clark**  
**Ward 9 - Upper Stoney Creek**  
**Room 262, 71 Main Street West**  
**Hamilton, ON L8P 4Y5**

Office: [905 546-2703](tel:9055462703)  
Cell: [905 977-0679](tel:9059770679)  
[brad.clark@hamilton.ca](mailto:brad.clark@hamilton.ca)  
[www.bradclarkreport.ca](http://www.bradclarkreport.ca)



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the **Personal Health Information Protection Act**. If you have received this communication in error, please return this communication to the sender and permanently delete the original and any copy of it from your computer system. Thank you for your co-operation and assistance.

---

**From:** [REDACTED]

**Sent:** Monday, July 24, 2023 10:14 AM

**To:** Clark, Brad <Brad.Clark@hamilton.ca>

**Subject:** 1065 ParamountDrive

I live at [REDACTED]

We do not want this high density put in. This will only cause more congestion for all of our area.

Again we don't want this

[REDACTED]

[Sent from Yahoo Mail for iPad](#)

**From:** [REDACTED]  
**To:** [Van Rooi, James](#); [Mike Stone](#)  
**Subject:** 1065 Paramount Drive  
**Date:** Friday, August 11, 2023 7:52:04 PM

---

It has been brought to the community's attention when investigating guidelines that the HCA has in place prohibiting high density development so close to Felker's Falls and Bruce Trail that the HCA Planning committee(Mike Stone) has been working with yourself regarding a project re: development so close to Felker's Falls and Bruce Trail. Not sure what this project entails but does it have anything to do with changing the rules allowing proposed high density zone change. It now appears that Felker's falls and Mt Albion Falls are now no longer listed on the website as Conservation Areas. This is creating more questions regarding the proposed rezoning of the above address. Can you please explain to me what all this means.

[REDACTED]

Sent from [Mail](#) for Windows

From: [REDACTED]  
To: [Clark, Brad](#); [Toman, Charlie](#); [Office of the Mayor](#); [donna.skelly@pc.ola.org](mailto:donna.skelly@pc.ola.org); [Van Rooi, James](#)  
Subject: 1065 Paramount Drive  
Date: Thursday, June 29, 2023 6:54:15 PM

---

June 29, 2023

Re: Second Public meeting held on June 27, 2023 regarding rezoning of 1065 Paramount Drive

Let me begin by stating that the residents of this community are against the property being zoned "High Density" I can't speak for everyone but reading the room at the meeting **high density** is the issue. Yes sometimes emotions got in the way of what we were really objecting to but that is what happens when you are not being heard. The project went from **299** dwellings to **304**. Although the apartment building got changed to a 4/6/8 stories a block of back to back 4 stories stack houses have been added , providing in theory another small building. So their revised plan which was to be based on concerns aired at the first meeting did nothing to address those concerns. The so called new proposed parking still did not address the parking concerns. Just because it was increased from the original parking spaces the new proposed parking is still below the Canadian average of 1.7 cars per family of 3 or more. But I will not continue to highlight all the concerns that they pretended to address since I am sure that you have been made aware of each and every one of them by other concerned "STONEY CREEK RESIDENTS AGAINST PARAMOUNT DRIVE REZONING" The approach the builder has taken regarding this development clearly shows the builder has no intention of working with the community.

John Ariens had said the traffic and wind studies would be available at this meeting however they were not. When asked why they were not he was quite adamant that the studies were all done and we were welcome to have them the day following the meeting all we had to do was ask, however when asked the reply email was as follows: As Mr. Ariens had advised at the Open House, the Wind Study and Transportation Studies have been completed , however more refinements to the concept plan are being completed and studies now have to be updated to reflect the most up to date concept plan and building massing. So we were being sold on a concept that did not actually have studies to back it up

This development should not be given the green light in this established community. It doesn't mean that the property can't be rezoned to something that is more conducive to the existing established mature neighbourhood. I can't stress enough that there is **no room for a "high density"** development on a two lane well established neighbourhood road, between two schools. I hope the city has enough foresight to come to the same conclusion.

Yours Truly

Stoney Creek Resident Against High Density Rezoning of Paramount Drive

[REDACTED]

Sent from [Mail](#) for Windows

## 1065 Paramount Drive, City of Hamilton – Second Submission Response Matrix

File No: ZAC-23-006, UHOPA-23-005  
 Submitted by: Arcadis Inc. on behalf of Mikmada Homes  
 Agent: Arcadis  
 Date: September 12<sup>th</sup>, 2023

The submission response matrix addresses the following commenting letters and emails received for the first submission made on November 18<sup>th</sup>, 2022 and deemed complete on December 13<sup>th</sup>, 2022:

Development Planning (Letter from James Van Rooi) .....	3
Urban Design (Letter from Edward Winter) .....	6
Engineering Review – Letter from Matt Bigness .....	9
Growth Management (Letter from Danielle Fama).....	12
Natural Heritage (Letter from Jessica Abrahamse) .....	13
Sustainable Communities (Letter from Melanie Pham).....	14
Transportation Review (Letter from Bart Brosseau).....	15
Waste Review (Letter from Diane Butterworth).....	18
Cultural Heritage (Letter from Chloe Richer).....	28
Public comments #1 from February 2023 .....	29
Public Comments #2 Received in June 2023.....	42

The following studies will be included with most recent submission:

Technical Report/Drawing	Prepared by:
Traffic Impact Study and Transport Demand Study	Paradigm
Geotechnical Study (April 27, 2022)	Soil-Mat Engineers and Consultants
Pedestrian Level Wind Study	SLR
Rendering	KNYMH
Conceptual Site Plan	Arcadis
Architectural Design Site - Site Plan (turning plan) - Underground Parking Plan - Elevation Drawings	KNYMH Architects
Functional Servicing/Storm Water Management Report	Arcadis Inc.
Watermain Hydraulic Analysis	Arcadis Inc./Aquacom
Hydrogeological brief	Within Geotechnical--
Archeological Study Approval	The Archaeologists Inc.
Tree Protection Plan (November 17, 2022)	Adesso
Draft Plan of Condominium	To be provided at Site Plan Application
Open House Response Summary No. 1	Arcadis
Open House Response Summary No. 2	Arcadis

The following departments have no comments and therefore will not be included within the comment matrix:

- Built Heritage/Cultural Heritage Landscapes
- CDSB



#	Development Planning (Letter from James Van Rooi)	Consultant Response
1	<p>Staff request further justification indicating how the proposal promotes and supports design which enhances and respects the character of existing neighbourhoods refer to the Neighbourhood goals above with specific focus on policies E.3.1.4 and E.3.1.5.</p> <p>There are existing dwellings along Paramount Drive that have 4-5 metre setbacks from the shared property line/street line, staff request that the two townhouse blocks at the northern end (currently setback at 3.53 and 3.94 metres) of the site be pulled away from the street line to allow for a 4-5 metre setback.</p>	<p>Please refer to Section 4 of the Planning Justification Addendum Report ("PJA") for further justification of why the subject lands are an opportune location for residential intensification conforming to policies E.3.1.4 and E.3.1.5. The layout of the proposed development with the higher density residential building situated in the north-west corner, surrounded by stacked townhouse blocks ensure compatibility with the neighbouring built form, while intensifying the lands at an appropriate scale.</p> <p>There are no residential dwellings along the western side of Paramount Drive, therefore there are no setbacks to maintain along the streetscape. The two townhouse blocks at the northern end of the subject lands are currently setback at 3.0 &amp; 3.5 metres, from the stairs to the townhouse buildings. The actual building is setback approximately 5.3 and 6.9 metres from the property line.</p>
2	<p>Staff do have comments with respect to the Function and Scale policies noted above. With regards to Design, the multiple dwelling is not above 12 storeys, however, staff recommend Policy E.3.6.7. b) be implemented by reducing the height of the multiple dwelling or through the use step backs to improve transition and scale from Paramount Drive. Staff also request a <b>Visual Impact Assessment</b> to assess the views from different sections of Paramount Drive and from Albion Estates Park.</p>	<p>As recommended The proposed apartment building has been revised to provide step backs above the third, fifth, sixth and seventh storeys, which will improve the transition and scale along Paramount Drive in line with Policy E.3.6.7.</p> <p>A Visual Impact Assessment may be required in support of a development application to demonstrate that the location, massing and height of a proposed building will not have a significant impact on <b>important public views and vistas of urban and natural landscapes</b> (emphasis added) The UHOP notes that examples of significant vistas include the panorama of the Niagara Escarpment, Hamilton Harbour and the Downtown skyline, while examples of views include significant historic buildings,</p>

		<p>established streetscapes, and natural heritage features.</p> <p>As such, we are of the opinion that a Visual Impact Assessment is not required as the proposed apartment building is less than 12 storeys, there are no significant historical or public buildings in the area nor is the subject lands in visual proximity to the Niagara Escarpment etc. The subject lands are a pocket of vacant lands that are adjacent to existing schools and residential areas and represents an excellent location for infill development which minimizes impact to the surrounding community.</p> <p>However, to illustrate character or adjacent or contextual streetscape as viewed by the public at eye level, renderings have been included as part of the submission that illustrate the different viewpoints along Paramount Drive.</p>
3	<p>In reviewing against UHOP policy E.3.6.7 f), staff note that the definition of 'sensitive land use' includes institutional uses. Staff have concerns with the height/massing of the proposed 8 storey building adjacent to Billy Green Elementary School, in particular, the kindergarten outdoor play area of Billy Green Elementary School. Staff recommend a reduction in building height and/or step backs to reduce shadowing on this area.</p>	<p>As recommended by staff, the updated Architectural Set now proposes building step backs at the to the apartment building to improve the transition to the Billy Green Elementary School. Additionally, the interior side yard setback and landscaped area has been increased by 1.5m. The proposed interior setback is now 7.5m which is greater than the required setback for dwelling groups under the RM3 zone of the Stoney Creek Zoning By-law 3692-92.</p> <p>The updated Sun/Shadow Study demonstrated that the proposed development continues to meet and exceed the City's guideline in terms of continuous sun on the school yard, especially during the times when school is in session (September to June). However, cognizant of the community's discussions, Arcadis has engaged in discussions with the Hamilton Wentworth District School Board if they would entertain an alternate area for the kindergarten play area north of the existing play area,</p>

		while the current play area would be created into a butterfly garden or similar.
4	Staff also request a <b>Wind Study</b> to assess and recommend any necessary mitigation measures for potential impacts of this proposed development on wind conditions in pedestrian areas.	An updated Wind Study has been included within the most recent submission and discussed in section 6.5 of the PJA.
5	Development Planning staff are supportive of maintaining the access/walkway from Paramount Drive to St. Paul's Elementary School. The draft Zoning By-law needs to be updated to zone this strip of land to reflect the intended use. Development Planning staff suggest the Conservation/Hazard Land (P4) Zone under Zoning By-law No. 05-200. Furthermore, Development Planning staff suggest additional discussions with Public Works at the UHOPA/ZBA stage to determine ownership/design requirements for this pathway prior to finalizing the width of this pathway.	As requested, the walkway will be dedicated to the City of Hamilton as a part of this application.  We are of the opinion that the existing "Institutional" zone is appropriate as the walkway is neither conservation lands nor hazard lands.
6	Staff request a Traffic Impact Study with a parking review to confirm that adequate parking is provided for the proposed development.	A revised Traffic Impact Study and Parking Justification has been included with the submission and is discussed in section 6.3 of the PJA.

#	Urban Design (Letter from Edward Winter)	Consultant Response
1	<p>Improve transition around 8-storey building with stepping back the top portion and improve the site setback along the north &amp; west property lines to better address shadow, landscaping, and pedestrian amenity space.</p>	<p>As recommended by staff, the updated Architectural Set now proposes an increased north side yard setback and building stepbacks for the apartment building. The side yard setback along the northern boundary of the subject lands have been increased from 6.0 metres to 7.5 metres, providing an increased distance and a wider landscaping strip from Billy Green Elementary School and the proposed 8-storey building. The apartment building will include stepbacks above third, fifth, sixth and seventh storeys, which will result in improved shadowing conditions onto Billy Green Elementary School.</p> <p>Currently, the Sun/Shadow Study has demonstrated that the proposed development meets and exceeds the City's guideline in terms of continuous sun on the school yard, especially during the times when school is in session (September to June). However, cognizant of the community's discussions, Arcadis has engaged in ongoing discussions with the Hamilton Wentworth District School Board to provide an alternate fenced in area for the kindergarten classes north of the existing building, while the current playground would be cleared and replanted with a butterfly garden.</p>
2	<p>Improve site layout south side of 8-storey building to permit landscaping and a more comfortable pedestrian area / sidewalk adjacent to the north vehicle entrance</p>	<p>As recommended by staff, the landscaped area south of the building has been revised to include a ground floor terrace facing Paramount Drive and a landscaped area and walkway north of the driveway creating a comfortable pedestrian area. Further design of this area will be part of the detailed design during the site plan approval stage.</p>

3	Improve end elevations of the town houses so they offer more visibility, and visual interest especially at ground level	Please refer to the proposed renderings which display the visual interest from ground level. Elevations have been updated in line with revisions to built form.
4	The site plan drawing does not include the footprint of neighboring dwellings or the adjacent school	Please refer to updated site plan that include neighboring footprints of dwellings existing city owned lands and the Billy Green Elementary School.
5	The setback from the 8-storey building to the school yard/park appears undersized and may not provide adequate space for landscape/amenity space and accommodations for shadow impacts.	<p>As discussed earlier, the side yard setback along the northern boundary of the subject lands have been increased from 6.0 metres to 7.5 metres, providing an increased distance and a wider landscaping strip between Billy Green Elementary School and the proposed 8-storey building. Please refer to the Landscape Concept Plan. A cross section of the interface between the proposed apartment building and Billy Green Elementary School has been included as <b>Figure 4-2</b> of the PJA.</p> <p>An updated Sun/Shadow Impact Study has been included as part of this submission.</p>
6	The northern-most private road placement and townhome configuration do not afford a yard between the 8-storey building and sidewalk – it is recommended to revise in order to provide greater separation from building to road providing a comfortable pedestrian environment and permit landscaping.	A 2.0 metre sidewalk and a landscaped area is now shown in front of the apartment building. The wider walkway will provide a comfortable pedestrian walking environment allowing for two-way movement on the walkway.
7	Confirm if the garbage staging area is for both the 8-storey building as well as for the town houses.	The waste staging area is proposed for the building and the 4 storey stacked townhouses. It is anticipated that the 3.5 storey townhomes will have individual waste collection. Further details for waste collection will be detailed during the Site Plan approval process.
8	Confirm what the object is on the north end of the 4-stall parking island.	It is a mechanical louvre for underground parking. Typically, they are 200mm above grade
9	The 8-storey building does not provide a meaningful transition to the street, or adjacent school neighbor. Stepping-back the top section would create a better transition at the street and improve	As recommended by staff, building step backs is now proposed for the north side of the apartment building adjacent to Billy Green Elementary School, and on the east face of the apartment building adjacent to Paramount

	sunlight access to pedestrian areas.	Drive.  Please see discussion addressing Urban Design comment 1, 2 and 5 above.
10	The side elevations of the town home buildings are largely blank faces and should receive additional architectural features to provide scale and rhythm, especially at the ground floor level	Noted, to be refined at SPA
11	Prime areas of consideration should be the planting and trees at the street, and the treatment along the park to the west, and the central pedestrian space created between the stacked town houses	The landscape concept plan proposes a double row of trees along Paramount Drive, which will enhance the pedestrian realm and provide a better transition in scale. Large to medium canopy deciduous trees are proposed along the park to the west, this will increase the canopy cover between the development and the park, while maintaining visual permeability and foster informal surveillance. The landscape treatment of the central pedestrian space between the stacked town houses includes upgraded decorative paving, ornamental deciduous trees, open lawn and seating to provide residents with an informal amenity space which promotes outdoor use.
12	Mid-block connections and the treatment of the existing pedestrian path should be integrated to the overall landscape concept design	The landscape plan shows enhanced landscape planting and incorporates landscape furniture such as seating and bike racks along pedestrian paths to create a cohesive environment which fosters pedestrian activities.

#	Engineering Review – Letter from Matt Bigness	Consultant Response
<b>Water Servicing – Information Provided by Public Works – Hamilton Water</b>		
1	The maximum day domestic water usage for the development, based on the population-based approach, has been calculated as 7.56 L/s for the multiple dwelling building and 42 stacked townhouse units, and 1.96 L/s for 60 stacked townhouse units. These calculations are acceptable	The water demand has been revised using the City's updated guidelines and provided in the Watermain Hydraulic Analysis (WHA).
2	The required fire flow (RFF) has been calculated as 9000 L/min (150 L/s) for the multiple dwelling building and 6300 L/min (105 L/s) for the largest townhouse building, using the Ontario Building Code (OBC) Fire Protection Water Supply Guideline.	The required fire flows for the proposed development using the OBC Fire Protection Water Supply Guideline have been updated and provided in the Watermain Hydraulic Analysis (WHA).
3	These calculations were based on a building footprint of 1380 m <sup>2</sup> , a building height of 28.5 m, a water supply coefficient of 23, and a spatial coefficient of 1.1 for the multiple dwelling building, and a building footprint of 640.5 m <sup>2</sup> a building height of 9.5 m, a water supply coefficient of 23, and a spatial coefficient of 1.4 for the townhouse building	The RFF calculations have been revised and provided in the WHA.
4	Please note that the building floor area, building height, building materials, occupancy and exposure distances should be checked to be compliant with the RFF calculations at the site plan approval and building permit stages.	The revised RFF calculations have been reviewed together with the updated site plan and provided in the WHA.
5	The City's target available fire flow (AFF) for multi-residential land uses is 150 L/s.	Noted.
6	To determine the approximate static pressure of the watermain, and collect calibration data for hydraulic modelling, a two-hydrant	A hydrant test was conducted by Aquacom on May 22, 2022. The test results were used for the model calibration

	flow test(s) should be conducted at the closest municipal hydrants by the proponent through a licensed private contractor	and provided in the WHA.
7	A watermain hydraulic analysis (WHA), identifying the modelled system pressures at pressure district level under various boundary conditions and demand scenarios, will be required to support the zoning bylaw/official plan amendment application and future site plan approval applications	A Watermain Hydraulic Analysis (WHA) has been prepared and provided. The system pressures under various boundary conditions and demand scenarios were identified in the report.
8	Please contact Winston Wang (winston.wang@hamilton.ca) for access to the City's current water model. Please contact Udo Ehrenberg (udo.ehrenberg@hamilton.ca) to confirm the required boundary conditions prior to commencing the hydraulic analysis. Please copy the development coordinator on all correspondence.	A hydraulic model was provided by Udo Ehrenberg of the City on March 1, 2023 and the model was used for the hydraulic analysis.
<b>Sanitary Servicing</b>		
1	FSR/SWM Report, Section 2.3. 2.7 pp/unit for the townhouse- 2 bedrooms. Please provide the source of the data.	The population densities have been updated to follow the City of Hamilton population densities by land use (pp/unit).
2	The FSR does not provide the requested design sheet update (refer to the attached FC comments), and it is understood that the development will result in at least 17 L/s of the flow increase, which account for 40% of the downstream sewer. Therefore, HW cannot support the development unless a downstream sewer capacity analysis is provided for review.	Based on the updated population densities and site statistics the development will result in a 12.16L/s increase to the sanitary sewer. The downstream sanitary analysis has been attached to the FSR/SWM package in Appendix C. .
<b>Minor Storm Servicing</b>		
1	Per the FSR/SWM Report, the stormwater will be controlled within site to the 5-year design storm of pre-development condition. It is understood that the flow will be less than planned, and the downstream municipal sewer will benefit from the on-site control. Therefore, HW does not have comments on this development regarding the minor stormwater servicing. HW will defer the review of the on-site control facility to the Engineering Service.	Noted.



<b>Source Water Protection</b>		
1	As a condition of approval to the satisfaction of Director, Hamilton Water, Source Water Protection would require a <b>Hydrogeological Brief</b> conducted by a qualified professional (P.Eng, P.Geo) that discusses soil/groundwater conditions to properly characterize potential dewatering needs. This brief should discuss seasonal high groundwater levels, excavation depths, dewatering calculations (on a L/s and L/day basis), and if dewatering is required, groundwater quality sampling to compare against Sewer Use Bylaw criteria. <b>The majority of these information requests can be provided if the applicant requires a geotechnical report to support the development without duplication of effort</b>	Noted.
2	As information, in order to comply with City of Hamilton Sewer Use Bylaw standards and Temporary Sewer Discharge Permit requirements, discharge location (manhole ID), peak dewatering rate (L/s), and representative water quality will be required. It is recommended to consult with the Superintendent of Environmental Monitoring and Enforcement Group within Hamilton Water as early as possible in the approval process, given that additional review may be required by Hamilton Water to verify the wastewater system could accept the quantity and/or quality of the discharge. Email sewerusebylaw@hamilton.ca to better understand water discharges to City infrastructure. <b>If dewatering is expected to exceed 50,000 L/day, registration with the Environmental Activity Sector Registry or a Permit to Take Water from the Ministry of Environment, Conservation, and Parks may be required.</b>	Noted.
3	Due to limited capacity in the sewer system among other factors, the applicant shall demonstrate that no long term dewatering (due to groundwater) will be conveyed to municipal sewer infrastructure. Foundations/subsurface structures shall be	Noted.

	designed/waterproofed accordingly.	
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#	Growth Management (Letter from Danielle Fama)	Consultant Response
1	It should be determined if there are any implications arising from Registered Plan of Subdivision, 62M-181. Staff defer to Development Planning and / or Development Engineering Approvals for further comment;	Noted.
2	It should be determined if rear yard and / or side yard easements are required for access and maintenance purposes. Staff defer to Development Planning and / or Engineering Approvals for further comment;	
3	According to information provided with the application, the intent for tenure is a Condominium. It should be confirmed if there will be one corporation or multiple corporations. Please note a <b>PIN Abstract will be required with the submission of a future Draft Plan of Condominium application</b> . Staff defer to Development Planning for further comment.	Noted.
4	The Owner and Agent should be made aware that the addresses / unit numbering for this proposal will be determined after conditional Site Plan approval is granted. At that time, and address will be assigned based on the location of the main residential entrance	Noted.

#	Natural Heritage (Letter from Jessica Abrahamse)	Consultant Response
1	It is important to note that the tree protection plan is not approved at this time, further information and clarification is required.	Noted. The existing walkway will be maintained, we recommend that the TPP be revisited as a part of the Site Plan Approval process.
2	Please note that written signed permission is required for the removal of tree 19. Please submit this information at your earliest convenience.	Noted. The existing walkway will be maintained, we recommend that the TPP be revisited as a part of the Site Plan Approval process.
3	Please provide further rationale as to why there is a reduction in the TPZ for the tree protection fencing for trees 35-47 and 20-32. Note that permissions are required if there is any injury proposed within the root zone of trees 35-47 and 20-32 as they are on the neighboring property	The tree protection zone along the south property boundary has been reduced in order to accommodate a pathway to maintain the access/walkway from Paramount Drive to St. Paul's Elementary School. Maintaining this pedestrian route was identified as desirable by the City and neighbourhood residents, and it's supported by the City's development planning department.
4	Based on the tree inventory list, 5 trees are required for compensation. This information is required when the landscape plan is submitted.	Noted. A detailed Landscape plan will be included during the site plan approval application.
5	It does not appear that the Tree Protection fee of \$635.00 has been submitted. Please do so at your earliest convenience.	The required Tree Protection Fee of \$635.00 has been included with this submission, under a separate cover letter.

#	Sustainable Communities (Letter from Melanie Pham)	Consultant Response
<b>General Policies</b>		
1	7.6.1.1 Residential development shall be permitted only when full urban services are available.	Noted. Full urban services are available for this proposal.
<b>Residential Designation</b>		
2	7.6.2.4 Section E.3.6 – High Density Residential of Volume 1 shall apply to lands designated High Density Residential 1 on Map B.7.6-1 – West Mountain (Heritage Green) – Land Use Plan. (OPA 85)	Noted.
<b>Institutional Designation</b>		
3	7.6.6.1 Sections B.3.5 – Community Facilities/Services Policies, E.3.10 – Community Facilities/Services, and E.6.0 – Institutional Designation shall apply to the lands designated Institutional on Map B.7.1-1 – West Mountain (Heritage Green) – Land Use Plan.	Noted. The walkway being dedicated to the City will remain in an “Institutional” designation.
<b>Transportation Policies</b>		
4	<p>7.6.8.3 A bikeway and pedestrian system to provide for the use of and safe access to open space areas and other community facilities is identified on Map B.7.6-1 - West Mountain Area (Heritage Green) - Land Use Plan. The following policies shall guide the development of the bikeway and pedestrian system:</p> <p>a) On-Street Bikeway - A bikeway shall be located within arterial and collector rights-of-way and shall be spatially separated from motorized traffic and pedestrians and paved with an approximate width of 2 metres. Any addition or deletion to this system will require an Official Plan Amendment. However, minor alterations necessary to improve the efficiency of the system will not require an amendment to the Plan.</p>	Noted. There are no alterations to the existing bikeway proposed as a part of this application.

#	Transportation Review (Letter from Bart Brosseau)	Consultant Response
<b>Transportation – Official Plan Amendment</b>		
1	Transportation Planning can support the Official Plan Amendment UHOPA-23- 005 as the proposed development can be supported by the surrounding road network without concerns.	Noted.
<b>Transportation – Zoning By-law Amendment</b>		
2	Transportation Planning can support the Zoning By-law Amendment ZAC-23-006 as the proposed development can be supported by the surrounding road network without concerns	Noted. The surrounding road network is capable of supporting the proposed development
<b>Transportation Impact Study Requirements</b>		
3	<p>A Transportation Impact Study (TIS) is to be submitted to the satisfaction and approval of the Manager, Transportation Planning. The Transportation Consultant is to provide a proposed scope for review and approval by Transportation Planning prior to commencement of the study.</p> <p>a. All email correspondence is to have the City development application number (UHOPA-23-005 &amp; ZAC-23-006) and municipal address (1065 Paramount Drive)</p> <p>b. Full guidelines can be found at <a href="https://www.hamilton.ca/developproperty/policies-guidelines/traffic-impact-study-guidelines">https://www.hamilton.ca/developproperty/policies-guidelines/traffic-impact-study-guidelines</a></p>	A TIS dated September 2023 is provided for review and comment with the application in keeping with the approved Terms of Reference approved by the City in March 2023.

	<p>c. The Transportation Consultant is to contact the planner on file, to obtain the approved developments in the study area.</p> <p>d. The Transportation Consultant is permitted to use other TIS reports for background developments. They are to calculate their own trip generation and use no other data from the reports.</p> <p>e. The City may have useable traffic volume counts available for purchase. The traffic consultant is to contact <a href="mailto:trafficops@hamilton.ca">trafficops@hamilton.ca</a>.</p> <p>f. Any analysis within the TIS must use the existing signal timings. Optimized signal timings are permissible only when existing timing analysis is also provided in the review. For information on existing traffic signal timings contact <a href="mailto:trafficops@hamilton.ca">trafficops@hamilton.ca</a>.</p>	
<b>Transportation Demand Study Management &amp; Transit Oriented Design – Measures Required</b>		
4	<p>The following TDM and TOD measures are required:</p> <p>a. Provide short-term bicycle parking within the property limits as per the City of Hamilton Zoning By-Law 05-200 for the proposed land use type. Residential Multiple Dwelling five (5) short-term bicycle parking spaces.</p> <p>b. Provide long-term bicycle parking that is secure and shielded from the elements as per the City of Hamilton Zoning By-Law 05-200 for the proposed land use type. Residential Multiple Dwelling 0.5 per dwelling unit x 197 dwelling units = 98.5 round down 98 long-term bicycle parking spaces are required</p>	<p>Bicycle parking is detailed on site plan.</p> <p>Adjustments to the site's bicycle parking supply (location and quantity) can be made at SPA.</p>
<b>Special Conditions of Future Site Plan Approval</b>		

5	As a Special Condition of Site Plan Approval, prior to the application for any building permits, a letter certifying the design of the parking garage ramps shall be required, to be provided and signed by a Licensed Architect or Engineer, to the satisfaction of the Manager, Transportation Planning.	Noted. This will be determined at Site Plan Approval.
6	As a Special Condition of Site Plan Approval, prior to the application for any building permits, the Applicant/Owner must certify that the path/sidewalk to the school is to remain accessible to the school, to the satisfaction of the Manager, Transportation Planning.	Noted. Pathway is detailed on the site plan and is to be dedicated to the City of Hamilton.
<b>Site Plan – Future Requirements</b>		
7	The Applicant/Owner must maintain the path to the school along the south portion of the property.	Noted. Pathway is detailed on the site plan and is to be dedicated to the City of Hamilton.
8	5.0 metres x 5.0 metres visibility triangles must be provided for each driveway access. They must be illustrated, dimensioned and identified on the site plan. Visibility triangles are between the driveway limits and the ultimate property line (right-of-way limit). No object or mature vegetation can exceed a height of 0.6 metres above the corresponding perpendicular centreline elevation of the adjacent street.	Visibility triangles are detailed on the site plan.
9	The underground garage ramp shall have a maximum grade of 10%, with transitions at the top and bottom of the ramp. The transitions shall be for a minimum of 7.5 metres at a maximum of 5% grade.	Noted. Ramp design to be certified by a Licensed Architect or Engineer
10	As per City standards, the driveway accesses must be 7.5 metres wide at the property line. The internal road can be reduced to 6.0 metres on private property.	Driveway width a property line is dimensioned at 7.5 m at the property line. All internal drive aisles measure at least 6.00 m in width.

11	A turning plan must be illustrated on the site plan, demonstrating how large trucks will maneuver in and out of the site without any limitations.	This will be confirmed at the Site Plan stage.
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#	Waste Review (Letter from Diane Butterworth)	Consultant Response
1	A multi-residential building which will require front-end bin service for collection of garbage, recyclable containers, recyclable papers, and organic waste.	Waste Pick up Staging allows for Front End loading on surface
2	The stacked townhouses will require front-end garbage bin service and cart collection for recycling and organic material.	Waste Pick up Staging allows for Front End loading on surface
3	<p>The development is not serviceable as currently designed. Additional information is required to determine the proposed waste collection method for the development.</p> <p><b>Multi-Residential Building (197 units, 8 storey)</b></p> <ul style="list-style-type: none"> <li>The site plan does illustrate a waste chute system for the building. Large multi-residential buildings are required to have a waste separation system that includes three separate chutes, one for the separate collection of recyclable containers, recyclable papers, organic waste, and garbage. The chute for recyclable material must be equipped with a bi-sorter to divide material into fibres and containers. Additional information shall be provided on the proposed method to collect the four waste streams. The chute system will require appropriate safety measures and shall be restricted from public access.</li> </ul>	Building Floor Plans indicate three chute system, can be revised to two chute (bi-sorters) at SPA.
4	<p>A development with 197 residential units will require sufficient waste containers to service all units as follows:</p> <ul style="list-style-type: none"> <li>8 front-end bin containers (3 cubic yard size) for recycling collection. Separate front-end bin containers shall be</li> </ul>	<p>Garbage Storage is provided per the following;</p> <p>2x 3-Yrd Organic Bins                      5x 3-Yrd Garbage Bins                      9x 3-Yrd Recycling Bins                      10s.m Bulk Storage</p>



	<p>provided for the collection of recyclable paper materials and recyclable container materials.</p> <ul style="list-style-type: none"> <li>• 2 front-end bin containers (2 cubic yard size) for organic waste collection.</li> <li>• 5 front-end bin containers (3 cubic yard size) for compacted garbage.</li> </ul>	
5	<p>The site plan does not indicate the location or dimensions of the internal waste storage area for the building. The internal waste storage area for the building must be sufficiently sized to store the required waste containers based on the number of dwelling units in the building. A building with 197 residential units will require an internal waste storage room that is 85 m<sup>2</sup>, which includes the space required to store the waste containers and 10 m<sup>2</sup> of space to store bulk waste and cardboard.</p>	<p>90S.M provided in underground inclusive of 10s.m for bulk storage</p>
6	<p>The site plan illustrates a waste staging area but does not provide the dimensions of the staging area to temporarily store the front-end bins on the waste collection day. The staging area for the building requires at least 5 m<sup>2</sup> of space for each front-end bin container</p>	<p>44s.m staging area provided per site plan</p>
<p><b>Waste Loading Area</b></p>		
7	<p>The proposed waste loading area for the building requires a vertical clearance of 7.0 metres</p>	<p>Waste area is outdoors</p>
8	<p>The site plan indicates the size of the waste loading area is 3.5 metres wide by 13 metres long, which meets the City's requirements.</p>	<p>Noted</p>
9	<p>The loading area for each building must permit one of the following options for waste collection vehicle(s):</p> <ul style="list-style-type: none"> <li>• A turnaround area allowing for a maximum three-point turn of not more than one truck length;</li> <li>• An area which the waste collection vehicle may drive through in a continuous forward motion.</li> </ul>	<p>.3 point turn method is proposed.</p>

	<p>Information is missing concerning the proposed travel route for the waste collection vehicles. The proposed travel route for the waste collection vehicles must allow the vehicles to move in a continuous forward motion. The travel route requires the following information:</p> <ul style="list-style-type: none"> <li>• The size of the waste vehicle shall be illustrated;</li> <li>• The plan illustrates a 13-metre turning radii from the centre line for all internal roads which meets the City's requirements.</li> <li>• The site plan illustrates a 6-metre route access width from the centre line for all internal roads which meets the City's requirements.</li> <li>• Access routes shall have a minimum overhead clearance of 4.4 metres</li> </ul>	<p>Please refer to drawings prepared by Paradigm.</p>
<p><b>Site Plan Waste Collections Comments</b></p>		
<p>10</p>	<p>An internal storage room that is ventilated, rodent-proof and separate from the living space with adequate space to hold the waste containers required for the building. The storage room must comply with the Ontario Building Code. Waste containers for collection of recyclable materials, organic waste and garbage must be placed near one another in a clean and well-lit location.</p>	<p>Noted.</p>
<p>11</p>	<p>Chutes will have lock-out and washing mechanisms.</p>	<p>Noted</p>
<p>12</p>	<p>If a garbage compactor is proposed, it will be inaccessible to residents</p>	<p>Noted</p>
<p>13</p>	<p>If an external garbage enclosure is proposed, it shall include the following requirements:</p> <ul style="list-style-type: none"> <li>• Enclosure for a single front-end garbage bin – clearance width of 4.25 metres</li> <li>• Enclosure with two gates for two front-end garbage bins – clearance width of 8.5 metres</li> <li>• The outside gates of the garbage enclosure shall swing open 135 degrees</li> </ul>	<p>No external enclosure is proposed</p>

	<ul style="list-style-type: none"> <li>The garbage enclosure shall have free and clear overhead access with a minimum of 7.0 metres of overhead clearance.</li> </ul>	
14	<p>Loading and staging area shall meet the following requirements:</p> <ul style="list-style-type: none"> <li>Minimum loading area size requirements is 3.5 metres wide by 13 metres long</li> <li>The loading area must have a vertical clearance of at least 7 metres throughout</li> <li>The staging area requires at least 5 m<sup>2</sup> of space for each front-end bin container</li> <li>The staging pad shall be at grade or not more than 1.0 metres above the loading area</li> <li>The loading and staging area shall be in an area which avoids potential conflicts with pedestrian or vehicle traffic</li> </ul>	Noted
15	<p>Access roads shall meet the following requirements:</p> <ul style="list-style-type: none"> <li>Internal roads must have a minimum width of 6.0 metres for two-way traffic or 3.0 metres for one-way traffic</li> <li>Internal roads must have a 13 metre turning radii from the centre line.</li> <li>Access routes have a maximum grade of 8%</li> <li>Access routes have a minimum overhead clearance of 4.4 metres</li> </ul>	Noted
16	The road base over a supported structure must support of minimum of 35,000 kilograms and 6,000 kilograms point load.	Noted
17	The loading area shall be constructed with a minimum of 0.02 metres of reinforced concrete.	Noted
18	Road layout must be designed to allow continuous forward movement of the collection vehicles exclusive of parking spaces and/or stored snow. The anticipated movement of the waste collection vehicle must be shown on the site plan using AutoTURN or other similar software.	Please refer to drawings prepared by Paradigm.
19	The collection area must be designed to allow a waste collection	Noted

	vehicle to drive forward onto the site, collect the waste, and exit without the need to back up onto a municipal road. The internal roadway towards the collection area must be level (i.e. +/-2%), and the same width as the collection area at minimum.	
20	No parking and other required traffic safety signage must be posted along the access route.	Noted.
<b>Stacked Townhouse Buildings – Waste Specifics</b>		
21	<p>Information is not provided on the proposed method to collect waste materials from the development. A development with 102 residential units will require waste containers to service all units as follows:</p> <ul style="list-style-type: none"> <li>• At least 24 recycling carts. Each recycling cart requires a minimum storage space of 1.1 m<sup>2</sup></li> <li>• At least 13 organic waste carts. Each green cart requires a minimum storage space of 0.53 m<sup>2</sup></li> <li>• 12 front-end bin containers (3 cubic yard size) for uncompacted garbage collection. Each front-end bin requires a minimum storage space of 5.0 m<sup>2</sup>.</li> </ul>	Noted. Please refer to the underground plan for the waste storage area for the proposed apartment building and stacked townhouses. The 3.5 storey townhouse will be curbside pick-up.
22	The Stacked Townhouse Buildings will require a fully enclosed shared waste storage area which can be a dedicated room attached to the building, a dedicated room within a parking structure, or a fully enclosed accessory structure. The site plan is missing information regarding the shared waste storage area. The shared waste storage area must be sufficiently sized to store the required waste containers based on the number of residential units.	Please refer to the underground plan for waste storage area
23	Access to the shared storage area must be convenient for all dwelling units with no occupant having to travel more than 100 metres on a round trip.	Please refer to the underground plan and Site Plan, which shows the dimensions of the shared water collection area.
24	The site plan does not include information concerning the location or size of the external waste storage area which is	Please refer to the proposed Site Plan, prepared by Arcadis.

	<p>required to determine if the enclosure is sufficiently sized to contain the required front-end bin containers, recycling carts and organic waste carts for all Stacked Townhouse Buildings.</p>	
25	<p>The site plan must show how front-end bins for the Stacked Townhouse Buildings will be moved to the loading area for collection.</p>	<p>Bin will be moved using tractor same as 8 storey building</p>
26	<p>The site plan does not illustrate a separate waste loading area and staging pad for the Stacked Townhouse Buildings. The Applicant is required to clarify if the intent for the Stacked Townhouse Buildings is to share the loading area and staging pad illustrated for the Multi-Residential Building to receive front-end bin collection services. The sharing of facilities will be contingent on the following:</p> <p>The site plan must clearly indicate that the Stacked Townhouse Buildings will be using the Multi-Residential Building's loading area and staging pad.</p> <p>That the staging pad is large enough to accommodate the front-end containers for all buildings being proposed to use it at the same time.</p> <p>The waste loading area must be 3.5 metres wide by 13 metres long.</p> <p>The waste loading area requires a vertical clearance of 7.0 metres.</p> <p>The loading area must permit one of the following options for waste collection vehicle(s):</p> <p>A turnaround area allowing for a maximum three-point turn of not more than one truck length;</p> <p>An area which the waste collection vehicle may drive through in a continuous forward motion.</p>	<p>Waste Staging and Loading Area is shared between the Apartment and 4 storey stacked townhouses.</p>

27	<p>Information is missing concerning the proposed travel route for the waste collection vehicles. The proposed travel route for the waste collection vehicles must allow the vehicles to move in a continuous forward motion. The travel route requires the following information:</p> <ul style="list-style-type: none"> <li>• The size of the waste vehicle shall be illustrated;</li> <li>• The plan illustrates a 13-metre turning radii from the centre line for all internal roads which meets the City's requirements.</li> <li>• The site plan illustrates a 6-metre route access width from the centre line for all internal roads which meets the City's requirements.</li> <li>• Access routes shall have a minimum overhead clearance of 4.4 metres</li> </ul>	Overhead clearances are not required as staging areas are located outside.
28	<p>The site plan must include a location adjacent to the road for the curbside collection of recycling carts and organic waste carts which meets the space requirements set out in this Memorandum.</p>	Please refer to the Site Plan, prepared by Arcadis.
29	<p>Common piles for waste collection are not permitted in new developments.</p>	Noted
<p><b>Stacked Townhouse Site Plan Specifics – Waste Collection</b></p>		
30	<p>An internal storage room that is ventilated, rodent-proof and separate from the living space with adequate space to hold a front-end bin container for garbage and the appropriate number of carts. The storage room must comply with the Ontario Building Code. Recycling carts, green carts, and garbage containers must be placed near one another in a clean and well-lit location which is accessible for residents.</p>	Please refer to the underground plan
31	<p>A curbside set out area within the property line for recycling carts and green carts with adequate space to hold all carts on the waste collection day. Carts must not be set out on sidewalks</p>	Please refer to the underground plan for the waste storage area for the proposed apartment building and stacked townhouses. The 3.5 storey townhouse will be curb-side pick-up.

32	<p>If an external garbage enclosure is proposed, it shall include the following requirements:                  Enclosure for a single front-end garbage bin – clearance width of 4.25 metres                  Enclosure with two gates for two front-end garbage bins – clearance width of 8.5 metres                  The outside gates of the garbage enclosure shall swing open 135 degrees                  The garbage enclosure shall have free and clear overhead access with a minimum of 7.0 metres of overhead clearance.</p>	An open outdoor waste staging area is proposed.
33	<p>Loading and staging area shall meet the following requirements:                  Minimum loading area size requirements is 3.5 metres wide by 13 metres long                  The loading area must have a vertical clearance of at least 7 metres throughout                  The staging area requires at least 5 m<sup>2</sup> of space for each front-end bin container                  The staging pad shall be at grade or not more than 1.0 metres above the loading area                  The loading and staging area shall be in an area which avoids potential conflicts with pedestrian or vehicle traffic</p>	This will provided at detailed Site Plan Stage.
34	<p>Access roads shall meet the following requirements:                   Internal roads must have a minimum width of 6.0 metres for two-way traffic or 3.0 metres for one-way traffic                   Internal roads must have a 13 metre turning radii from the centre line.                  Access routes have a maximum grade of 8%.                  Access routes have a minimum overhead clearance of 4.4 metres</p>	Please refer to the Site Plan, prepared by Arcadis.
35	The road base over a supported structure must support of minimum of 35,000 kilograms and 6,000 kilograms point load.	Noted.
36	The loading area shall be constructed with a minimum of 0.02 metres of reinforced concrete.	Noted.

37	Road layout must be designed to allow continuous forward movement of the collection vehicles exclusive of parking spaces and/or stored snow. The anticipated movement of the waste collection vehicle must be shown on the site plan using AutoTURN or other similar software.	Noted.
38	The collection area must be designed to allow a waste collection vehicle to drive forward onto the site, collect the waste, and exit without the need to back up onto a municipal road. The internal roadway towards the collection area must be level (i.e. +/-2%), and the same width as the collection area at minimum	Noted.
39	No parking and other required traffic safety signage must be posted along the access route.	
40	Information concerning the City's requirements for waste management services for new developments is available in the "City of Hamilton Solid Waste Requirements for Design of New Developments and Collection". Each user of this document is responsible for ensuring they are referencing the current version. This document is available as Appendix 20 at the following link: <a href="https://www.hamilton.ca/develop-property/policies-guidelines/site-plan-guidelines">https://www.hamilton.ca/develop-property/policies-guidelines/site-plan-guidelines</a>	Noted.
41	Change of Service Notice: On June 3, 2021, the Ontario Ministry of Environment, Conservation and Parks approved the regulation under the Resource Recovery and Circular Economy Act, 2016 that will make producers responsible for blue box programs as part of the Province's full producer responsibility framework. The Province is also proposing to make amendments to Regulation 101/94: Recycling and Composting of Municipal Waste to sunset municipal obligations to run blue box systems after transition to full producer responsibility (ERO #019-2579). Subject to the potential changes in the future Blue Box Program as directed by the Province, the City of Hamilton cannot confirm that it will be the recycling service provider for this development upon the completion of City of Hamilton's Blue Box program transition, which is anticipated to occur in 2025.	Noted.



	Please contact the undersigned if further information regarding City waste management service is required.	
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#	Cultural Heritage (Letter from Chloe Richer)	Consultant Response
<b>Archaeology</b>		
1	<p>The subject property meets two (2) of the ten criteria used by the City of Hamilton and Ministry of Heritage, Sport, Tourism and Culture Industries for determining archaeological potential:</p> <p>1) In the vicinity of distinctive or unusual landforms; and,                      2) In areas of pioneer EuroCanadian settlement.</p> <p>These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the Planning Act and Section 2.6.2 of the Provincial Policy Statement apply to the subject application.</p> <p>A Stage 1 and 2 archaeological assessment report (P124-0179-2022) has been submitted to the City of Hamilton and the Ministry of Citizenship and Multiculturalism. While the Provincial interest has yet to be signed off by the Ministry, Staff concur with the recommendations made in the report, and the archaeology condition for the subject application has been met to the satisfaction of municipal heritage planning staff. Staff request a copy of the letter from the Ministry when available</p>	<p>A letter from the Ministry of Citizenship and Multiculturalism (formerly Ministry of Heritage, Sport, Tourism and Culture Industries) dated March 30, 2023 received confirming that the Stage1/2 Archaeological report has been entered in the Ontario Public Register of Archaeological Reports.</p> <p>A copy of their letter is included for the City's records as part of the resubmission.</p>

#	Public comments #1 from February 2023	Consultant Response
	<p>The public comments received in February of 2023 have been consolidated below. Individual topics and themes have been identified to outline and address main concerns. Main concerns include but are not limited to a loss of character (i.e., in regard to density and height), increased traffic congestion, safety (i.e. from construction, increased population, and traffic), and servicing and infrastructure capacity. Detailed comments can be found apart of the Open House Summary 1 as part of the submission.</p>	
Character		
1	<p>The proposal is unprecedented and does not respect the existing character nor is consistent with the surrounding environment. As the character of the neighbourhood is described as a “small community” and a “mature and established community”, the residents believe that the high-density urban proposal does not apply to the suburban nature and there is nothing similar in Stoney Creek.</p>	<p>The Urban Hamilton Official Plan (UHOP) Section B-Communities provides specific design guidelines for the urban area of the City including lands within the West Mountain Area Secondary Plan. Being within an urban area, urban design goals contained within Section B3.3.1 are referenced which promote creating unique spaces that are in areas supported by transit and are pedestrian oriented. The Citys’ Urban Design Goals promote intensification that “<i>makes appropriate and innovative use of sites and is compatible in form and function to the character of the existing neighbourhood</i>”. The existing neighbourhood is largely residential. The application proposes to provide residential intensification within a vacant parcel of land that is located on a designated Collector Road within 350m (4-5 min walk) to Mud St., a designated Major Arterial Road. Built forms within the proposed concept site plan are located and organized on the site to minimize impacts on neighbouring buildings and sensitive spaces.</p> <p>As recommended by City Planning Staff, modifications to the proposed apartment building have been made to incorporate step backs on the north and east elevations to soften massing, improve transition and improve sun/shadow impacts.</p>

		<p>An updated Urban Design Brief has been submitted with this application that speaks to urban design policy direction found within the UHOP. Please refer to the Urban Design Brief for further discussion regarding built form, streetscape, massing and height and landscape design.</p>
2	<p>A comment was made in regard to Policy 1.1.3.4 of the PPS that it is extremely inappropriate to put the proposed building types in the centre of a mature neighbourhood and that it is "completely unacceptable" to put 3 storey stacked townhouses adjacent to single family homes. Specifically, a comment was made that the PJR contradicts Section 3.3.1 of the UHOP stating that "High Density housing is to be on the outskirts of the community, not on the Interior which is exactly where it is being proposed".</p>	<p>Section 1.1.3.4 of the PPS, 2020 states that, "<i>Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.</i>"</p> <p>The proposed application is tested to avoid risks to public health and safety, the application is supported by technical reports as required by the City through the planning process. The subject property is not located on lands subject to any natural hazards or man-made hazards that would pose a risk to public health. A construction management plan will be required as a part of the site plan approval process which will address appropriate traffic and construction safety measures that will mitigate construction conflicts with the existing neighbourhood and vehicle and pedestrian traffic.</p> <p>Section 3.3.1 of the UHOP provides flexibility for the locations of low density and higher density dwelling forms noting that land uses should <b>generally</b> follow this direction, however the policy does not prohibit higher density forms being located more interior in a neighbourhood, rather the UHOP provides additional criteria to ensure that high density residential uses are "<i>located in safe and convenient walking distance of existing and planned community facilities/services including public transit, schools and active or passive recreational facilities</i>" (Chapter E, Section 3.6.4 of the</p>

		<p>UHOP)</p> <p>The proposed development is located on a designated collector road that is serviced by transit (Route 11, and 43), is across the street from commercial services and adjacent to 2 elementary schools, and the Albion Estates Park. Several community services are located within a 6 min (750m) walk including Hamilton Fire Station No. 17, Heritage Green Sports Park, Paramount Park and Felker Falls Conservation Area. A regional commercial centre located west of Winterberry Drive is within a 1.5 km drive from the proposed development. As such, the proposal for high density development on the subject lands conform to policies contained within Sections 3.3 – Residential Policies and Section 3.6 High Density Residential of the UHOP.</p> <p>Traffic is expected to increase by approximately 129 new AM peak hour and 144 new PM peak hour trips.</p> <p>As noted by City Staff, the surrounding road network is capable of supporting the proposed development.</p> <p>A Traffic Management Plan should be developed by the School board to address the existing operational issues and concerns with school traffic generated by the Billy Green Elementary School.</p> <p>To discourage drivers from stopping in the on-street bike lane, the city should consider adding additional protection for cyclists by buffering the bike lanes across the site's frontage.</p>
Intensification		
3	A high rise in an established neighbourhood is unreasonable as the urban boundary has been expanded by 2200 hectares. As	OPA 167 to the UHOP was approved by Council on June 8, 2022 and approved by the Minister on November 20,

	<p>“80,000 new homes are already slated for development (and currently underway) in Elfrida, which is in addition to the very large new developments adjacent the Eramosa Karst and along Rymal Road”, there are concerns that the area cannot support increase the proposed development.</p>	<p>2022.</p>
<p>4</p>	<p>A comment was made that Policy 1.1.2 of the PPS is “inadmissible as it is based on intensification targets “which shall be established through a future Amendment to the UHOP”.</p>	<p>The Ministers Modification 6 revised the policy to provide that residential intensification targets be established through future Amendment to this plan as a part of the current municipal comprehensive review and further identified that the residential intensification target is a minimum percentage.</p> <p>The modification of the policy was to permit the City to revisit the original aggressive intensification target given the expansion of the urban boundary however, the modification does not conclude that intensification is no longer desirable.</p> <p>Ministers Modification 9, 12 continue to speak to planned growth being directed through intensification throughout the Urban Area with at least 30% of the residential intensification target anticipated to occur within Neighbourhoods as illustrated on Schedule E of the UHOP.</p> <p>The PPS, 2020 supports improved land use planning and management, which contributes to a more effective and efficient land use planning system. Review of the PPS, 2020 is done in its entirety. City and Province together through the approval of OPA 167 has ensured that sufficient land to accommodate the projected growth identified in Amendment 1 of the Growth Plan has been made available. Further Policy 1.1.2 of the PPS, 2020 requires that sufficient land shall be made available through intensification and redevelopment.</p> <p>The proposed intensification of the subject lands meets the overarching policy direction within the PPS, 2020 and Growth Plan, 2019 which promotes compact</p>

		development within built up areas, that is transit supportive, creates efficiencies in existing infrastructure and provides a range and mix of housing to assist with the current provincial housing crisis.
Urban Design		
5	The development “will affect the aesthetic of the entire area” and is an “eyesore”. The building would dominate the skyline of the community.	An updated Urban Design Brief has been included in the submission that speaks to policy direction contained within the UHOP with regard to built form, streetscape, massing and height and landscape design.
6	A comment was made in reference to the UDR that “the transition between a 3 storey stacked townhouse and a single family home is not a “comfortable” transition at all”.	
7	Stacked townhouses are not in alignment with the existing street. The style and height of single family homes and townhouses that are already on Paramount Drive would be aligned properly.	
Traffic		
8	There will be increased traffic congestion (e.g. gridlock at most of the intersections at Paramount Drive) especially during rush hour, as there are only two ways to enter or exit the area. The drop off and pick up times of the schools already result in traffic concerns (i.e. school busses) and there is also high traffic volume from the plaza across the street. Traffic calming measures, speed, and safety are disregarded.	As required to support the application, a Traffic Impact Study and Parking Justification assessment has been completed as part of the application. The conclusions of the updated TIS are discussed in Section 6.3 of the PJA.  Additionally, the City of Hamilton requires the submission and approval of a Construction Management Plan which will mitigate conflicts with vehicular and pedestrian traffic, dust and noise. These reports will be required as a part of a future site plan approval application.
9	The flow of traffic will be exacerbated as there is only one entrance and exit on Paramount.	
10	Traffic on the Red Hill Valley Parkway and the Lincoln Alexander Parkway will increase.	
11	What are additional safety precautions for students? How will the City protect children on their walks to school, on residential roads that do not support such traffic influx?	
12	How will truck traffic move along a single lane during construction without restricting or endangering normal car traffic?	
13	The medians planted with perennials on Paramount Drive restrict the view and direction of traffic.	
14	A resident is seeking comments from the HCA regarding the use of Bruce Trail as a means to ease traffic.	
Parking		

15	The proposal does not accommodate enough parking spaces as “most people commute to and from work” and “have at least 2 cars per household, townhouses included” as “there are very few employers in the area”. Parking calculations were made by residents based on the Canadian average, and it was determined that the development would be 200 spaces short which does not take into account visitor parking.	The required Traffic Impact Study includes a Parking Justification Study to address concerns regarding the proposal to provide reduced parking. Please see the recommendations of this report for further detail
16	There concerns as to where the 200 plus cars will park (i.e. on nearby streets, the school parking lots, or the strip plaza as there is no parking on Paramount Drive, Amberwood, and Canfield). There are also parking issues due to overflow on the streets from people visiting Felker’s Falls and Paramount Park. Furthermore, there are already problems with parked cars during snow removal and concerns about garbage trucks.	However, the revised concept plan has increased the overall parking allocation for the site. Please see Section 3 of the PJA for the revisions to the concept plan.  As required by the Stoney Creek Zoning By-law, 1% of the total parking stalls are to be barrier free spaces. The proposed concept plan provides the required number of barrier free spaces. A future site plan approval application will provide required detailed design for the parking areas.
17	A comment was made in reference to Policy 1.1.1 f) of the PPS that there is an insufficient number of Physically Challenged Parking spots as 37 are required but only 6 are provided, which will impact future residents as the proposal is “targeting seniors to retire there”.	
Public Transit		
18	The available public transit (HSR) on Paramount Drive is not sufficient to support the increased population as it is lengthy, the routes are extremely limited, and most people drive. The community is also not close to major job markets.	Transportation Planning has been circulated with the proposed application and their comments dated January 27, 2023 support the proposed OPA and ZBLA provided a Traffic Impact Study is completed as per their direction, and transportation demand measures providing bike parking for both short term and long term are provided as part of the development.  A Traffic Impact Study is included as part of the application and short term and long term bike parking spaces proposed on the concept site plan exceed the recommendations of the City.  Future site plan approval requirements have been identified and will be addressed in a future site plan approval application.



Safety		
19	The location between two elementary schools will create safety and security issues for the students. For example, “children will be in close proximity to heavy machinery and hazardous materials”. There is no way to “avoid debris falling into the adjoining kindergarten playground”. How will the City ensure nails and harmful objects are not entering children's school yards and surrounding walkways?	<p>The Hamilton Wentworth Catholic District School Board and the Hamilton District School Board has been circulated with the application and are in support. The HWCDSB has requested the retention of the 1.5m walkway to remain in place to provide continued access from Paramount Drive. As discussed in the PJA, the walkway is proposed to be dedicated to the City to ensure continued access in perpetuity.</p> <p>The construction site is located approximately 14.0m from Billy Green Elementary School and will be contained within construction fencing. The aforementioned submission and approval of a Construction Management Plan will detail the precautionary measures to ensure the safety of the both the construction site and the adjoining land uses is addressed.</p>
20	The traffic will pose a safety issue for the students, specifically during drop off and pick up times. Who will be liable when children are harmed?	A Traffic Impact Study has been submitted that includes a Site Visit in March 2023 to examine the traffic conditions around the school bell times.
21	There are safety concerns for pedestrians and cyclists.	<p>Paramount Drive includes sidewalks on both sides of the road, and is part of the designated on-street bikeway as shown on Map B.7.6.1-West Mountain/Heritage Green-Land Use Plan.</p> <p>Liability for road accidents will fall under the jurisdiction of the Criminal Code of Canada, RSC, 1985.</p>
22	Underground parking will create safety issues and structural damage. For example, blasting will be required as the area is rock based. Clarification regarding the material of the rock (i.e. limestone).	A Geotechnical Study prepared by Soil-Mat Engineers and Consultants has been submitted as part of this application which will be reviewed by Development Engineering.
23	There are questions as to whether existing houses and structures will be damaged during construction and who will be responsible for the damage.	The geotechnical report identifies that the area is considered very competent in terms of the excavation and

		<p>foundation requirements and provides recommendations for foundation considerations. The report notes that all excavations must comply to the Occupational Health and Safety Act and Regulations for Construction Projects.</p> <p>It is also recommended in the report that a pre-construction condition survey of the adjacent structures be conducted by the developer prior to the start of excavations.</p>
24	<p>Additional dwellings and people will result in an unsafe neighbourhood (home invasions, vehicle break-ins, and store robberies). For example, the increased population will “likely attract more criminal activity than a less populated area would” and the park will require additional security. There is a “high potential for nefarious activity and congregation of violent people / groups in the public areas, trails and nearby commercial plazas”.</p>	<p>The application proposes infilling an underutilized parcel within an area that is well serviced by emergency services.</p> <p>Additionally design strategies using the core principals of CEPTED-Crime Prevention through Environmental Design have been used to create safer spaces by strategically designing condominium owned units to face the back of the Albion Estates Park maximizing observation. Blank walls and closed spaces with no natural surveillance has been minimized throughout the proposed development thereby lessening opportunities for criminal activity.</p>
Servicing/Infrastructure		
25	<p>There are concerns whether the existing water and sewer systems would be able to support the increased density as the systems were constructed for single dwelling units (e.g. where would stormwater go). It was asked if physical testing, line pressure drops, and condition based inspections were completed. Moreover, there is an understanding from some individuals that the servicing studies have not been completed.</p>	Please refer to the revised Functional Servicing Report.
26	<p>The proposed development would possibly lead to water and sewer issues as the City already deals with them. Will the City be held accountable?</p>	
27	<p>Who will pay once the sewer, hydro, and water lines are installed?</p>	
28	<p>There are also concerns that the road infrastructure would not be</p>	A Traffic Impact Study has been submitted alongside

	able to support the addition traffic.	this re-submission.
29	Will the project cover all costs and the City assume no costs to any road rework?	
30	There are questions regarding the impact on the electrical distribution as the neighbourhood already experiences power interruptions.	The application was circulated to Alectra Utilities, who did not have any concerns.
Cultural Heritage		
31	The proposal does not recognize or protect the cultural history nor conserve or respect the existing built heritage features.	<p>The application has been circulated to the City's Cultural Heritage division. The comments received require a Stage 1 and Stage 2 Archeological Assessment report to be submitted to the City and to the Ministry of Citizenship and Multiculturalism.</p> <p>The City did not have any further comments regarding Built Heritage/Cultural Heritage Landscape.</p> <p>The required reports have been completed and have recommended that no further study is required. A letter was received from the Ministry of Citizenship and Multiculturalism dated March 30, 2023 confirming that the reports have been entered into the registry. The letter is included in this submission.</p>
Green Space		
32	There will be a loss of green space and conservation areas.	The subject lands are currently designated Institutional in the West Mountain/Heritage Green Secondary plan contains no conservation or natural heritage areas.
33	Negative consequences on Felker's Falls and the existing natural park.	
34	"There is already an influx of mountain bikes racing through sensitive nature areas and there will be even more destruction of bird and insect habitats with the amount of units being suggested"	
Landscaping		
35	In response to a comment from the UDB regarding the "south boundary being defined by residential single dwellings screened by a densely planted landscape buffer", the following comment was made, "The trees on the SW corner of the development are tall enough to provide privacy to a 3 level townhouse. However	The walkway to St. Pauls Catholic Elementary School will be dedicated to the City. Planting along the southern site boundary is not viable in order to maintain the access/walkway from Paramount Drive to St. Paul's Elementary School. Maintaining this pedestrian route was

	<p>the other 3 houses in Canfield Court that back on to the South side of the lot offer no privacy to any structure over 2 stories. Nor is there any privacy for the homes on Paramount Drive from the street facing Apartments and Stacked Townhouses. The townhouses will be looking directly into the bedrooms on Canfield Court and both the apartments and townhouses will be looking directly into the living rooms on Paramount Drive. In time, these trees will one day die and/or be removed and then there would be absolutely no privacy for any of the existing residents mentioned above”.</p>	<p>identified as desirable by the City and neighbourhood residents. Where possible, the landscape concept plan proposes trees within the foundation planting along the town house southern facades in order to increase privacy between the development and rear residential yards in Canfield Court. In addition, the proposed townhouse side onto the existing rear yard to minimize the number of windows that overlook the south.</p> <p>In addition to street trees along Paramount Drive, a row of trees is being proposed within the proposed development which will increase the landscape buffer while providing adequate visual permeability to foster eyes on the street and pedestrian safety.</p>
<p>Wind</p>		
<p>36</p>	<p>The prevailing winds will blow the pollution from the construction and traffic towards the school which will result in future health concerns.</p>	<p>The prevailing winds blow mainly from the southwesterly and northeasterly directions and so, yes, winds from the latter directions have the potential to direct any construction-borne particulates toward St. Paul Catholic Elementary School. However, winds can blow from any direction and with varying intensities depending on the time of day, the day of the year, and the time of year.</p> <p>Dust, noise and construction traffic mitigation will be detailed in a Construction Management plan to mitigate these concerns.</p>
<p>Sun and Shadow</p>		
<p>37</p>	<p>The development will cast a large shadow over the school grounds.</p>	<p>As seen in the updated Architectural Set, an increased side yard setback and building step backs have been incorporated to improve the transition to surrounding context. The apartment building will include step backs above the third, fifth, sixth and seventh stories, which will result in improved shadowing conditions onto Billy Green Elementary School.</p> <p>Currently, the Sun/Shadow Study has demonstrated that</p>

		<p>the proposed development meets and exceeds the City's guideline in terms of continuous sun on the school yard, especially during the times when school is in session (September to June). However, cognizant of the community's discussions, Arcadis has engaged in ongoing discussions with the Hamilton Wentworth District School Board to provide an alternate fenced in area for the kindergarten classes north of the existing building, while the current playground would be cleared and replanted with a butterfly garden.</p>
<p>Pollution</p>		
38	<p>Noise and air pollution will result as construction will take several years.</p>	<p>The subject lands are underutilized lands that have been planned for development. Dust, noise and construction traffic mitigation will be detailed in a Construction Management plan to mitigate these concerns.</p> <p>OPA 167 also provides 10 directives that are consistent to the PPS, 2020 policy foundation to the efficient use and management and land to reduce greenhouse gas emissions. The directives to guide development is included in Chapter A of the UHOP. Direction #2 notes encouraging a compatible mix of uses in neighbourhoods including a range of housing types and affordability that provide opportunities. Direction #3 notes that new development should be concentrated within existing built-up areas within the urban boundary through intensification and adaptive re-use.</p> <p>The proposed development is in keeping with several directives to manage and mitigate climate change which is consistent with OPA 167 and the PPS, 2020 directives.</p> <p>Signage within the municipal ROW is the responsibility of the City. Signage is placed according to local and Provincial standards and/or requirements.</p>
39	<p>Idling cars from the traffic will contribute to pollution.</p>	
40	<p>"Sign pollution"</p>	
41	<p>Nothing in the proposal will reduce greenhouse emissions or protect/enhance the natural urban environment.</p>	
<p>Social, Health, and Economic Wellbeing</p>		

42	The proposal will reduce property values for current and future residents. "As many of the homeowners in the area are seniors or approaching retirement age, this would impact the significant investment and nest egg these citizens made and threaten the potential loss of hundreds of thousands of dollars from the market worth of these homes".	The subject lands are designated for development and a proposal to redesignate underutilized lands within a built up urban area is in keeping with Provincial directives and directives contained within the UHOP.
43	The proposed development is creating mental health issues and "will get progressively worse with developments like this". How will the City prevent an impact on the mental health of students and teachers due to constant noise disruption? How will the City prevent unheard fire drills, unheard lock-down protocols, or on a less severe level, simply unheard recess bells?	
44	How will the City ensure children's education will not be affected?	The application has been circulated to the respective School Boards and both boards have no additional comments. As noted in an earlier statement, the Catholic School Board has requested that the 1.5m walkway to St. Paul's Elementary School be dedicated to the City so that pedestrian access to the school can be maintained in perpetuity. The developer has agreed to dedicating the walkway to the City.
Other		
45	The schools cannot accommodate the influx of new students (i.e. strain on infrastructure and teaching staff) which will lead to a "poorer quality of life and education for students". The "overhaul of existing structures" will disrupt students and "there is a solid case to be made that the mental health and wellbeing of students will be greatly impacted by this proposal". The schools are already overflowing with portable structures to accommodate the current population. It is possible that students will have to attend other schools outside of the neighbourhood which further exacerbates traffic.	Please see the note above regarding circulation the required School Boards.
46	Residents from the adjacent community were not notified.	Notification was provided that exceeds the requirements under the Planning Act, RSO 1990.
47	There are no amenity features.	Amenity areas are now shown on the revised site concept plan and will be further detailed during the site plan approval stages.

48	Children could no longer watch how the fields grow.	Noted.
49	Are the town houses freehold or condos?	Please see the site details on the revised site concept plan that is part of the resubmission of the application.
50	Is the eight storey building rental or condo? How many units will it contain?	
51	How many actual stacked townhouses are there? How many multiple residence are there in each stacked house?	
52	Will each residence have their own parking space?	
53	What is the estimated population of this development?	
54	What is the total square footage of said property?	
55	<p>Suggestions</p> <ul style="list-style-type: none"> <li>• 3 storey apartment building that is similar in design to the building for seniors on the corner of Paramount Drive and Mistywood</li> <li>• Hotel</li> <li>• Nursing home</li> <li>• Retirement centre</li> </ul>	Noted.
56	<p>Recent Precedents and Comparisons</p> <ul style="list-style-type: none"> <li>• 15 Ridgeway is 5 hectares and provides a total of 105 residential units (25 single family homes and 80 three-level townhouses), which is 21 residential units per hectare of land. This development is located 6km away from Eastgate, the nearest elementary school</li> </ul>	Noted.

	Public Comments #2 Received in June 2023	Consultant Response
	<p>The public comments received in June of 2023 have been consolidated below. Individual topics and themes have been identified to outline and address main concerns. Main concerns include but are not limited to a loss of character (i.e. in regard to density and height), increased traffic congestion, safety (i.e. from construction, increased population, and traffic), and servicing and infrastructure capacity. Detailed comments can be found apart of the Open House Summary 2 as part of the submission.</p>	
Character		
1	<p>The area is suburban, therefore, the proposed density is not accurate.</p>	<p>Schedule A of The Urban Hamilton Official Plan (UHOP) designations these lands to be a part of the 'Urban Area'. On Schedule E, the subject lands are designated as 'Neighbourhoods', while on Schedule E-1, the subject lands are designated as 'Institutional'. The proposed OPA seeks to re-designate the subject lands to the 'Neighbourhoods' designation on Schedule E-1.</p> <p>The Neighbourhood's designation includes prescribed densities for High-Density Residential, which is a maximum of 200 units per hectare. The proposed development complies with the maximum density for High Density Residential.</p>
2	<p>How many 8 storey apartments buildings are there in Hamilton that are built within 25 feet of an elementary school? I have searched, and cannot find any? I check the Ontario Building Code and I do not see anything? I then also checked Toronto and I cannot see any 8 storey apartment building in Toronto that has been built within 25 feet of an elementary school? How is it then, that this has even been suggested?</p>	<p>As seen in <b>Figure 4-2 of the PJA</b>, Billy Green Elementary School is located approximately 21.3 metres (69 feet) from the proposed face of the apartment building.</p> <p>The proposed eight-storey apartment building has been revised to include a ground floor terrace and building step-backs above the third, fifth, sixth and seventh storeys to provide an appropriate height transition,</p>



		establish a pedestrian scaled streetscape and reduce the sense of overlook. The updated Sun/Shadow Study shows that the increased side setback and building steps backs further minimizes the anticipated shadows to the Community Park and the Billy Green Elementary School, especially during the times when school is in session (September to June).
<b>Intensification</b>		
3	How many children will be a part of the development? How will the school accommodate? The playground is already busy and may be overused.	The application has been circulated to the respective School Boards and both boards have no additional comments. As noted in an earlier statement, the Catholic School Board has requested that the 1.5m walkway to St. Paul's Elementary School be dedicated to the City so that pedestrian access to the school can be maintained in perpetuity. The developer has agreed to dedicating the walkway to the City.
<b>Urban Design</b>		
4	Why can't it be a mix of single-family homes?	The application proposes an appropriate form of intensification that meets the directives from the Province and in the UHOP to provide a range and mix of housing types to meet the needs of a wide variety of households.
<b>Traffic</b>		
5	This development is realistically adding anywhere from 500 to 650 cars to a roadway already taxed at certain times of the day.	Please refer to the Traffic Impact Study, which indicates the site generated Traffic, and the traffic during school bell times.
6	There is already heavy traffic during school drop off and pick up times, how will more traffic be accommodated? A traffic study should address these time frames and the commute to work.	
7	There are no left turn lanes	
8	How will the snowplow be accommodated in the neighborhood with the additional vehicles on the street?	
9	I would like to receive the traffic study for the periods of 6:00 am to 9:00 am, 10:00 am to 3:00 pm, and 4:00 pm to 8:00 pm. When will the City get copies of these studies?	
10	Request for the traffic study to show more than just the results.	

Parking		
11	The apartment building does not provide enough parking spaces based on the Canadian average of 2 cars per household. This is a bedroom community with the majority of the residence travelling by automobile to get to work from 16 to 70 km and chose this area because of the proximity to the expressway/highway access. Surrounding houses are multigenerational and have many cars including for the kids. Do the houses with garage also have driveways?	<p>A traffic study has been prepared and is part of the complete application. The study will be reviewed by City Staff.</p> <p>Refer to Section 6 in the traffic impact and parking study for details on the site's parking supply vs the forecast parking demand.</p>
Public Transit		
12	People within the community do not use public transportation and there is limited access to rest of Hamilton within a reasonable timeframe. The assumption that the residents of this proposed development will opt to take mass transit to work is "foolish and flawed at best". An accurate traffic study would show that it takes over an hour and a quarter just to get to the downtown core using mass transit.	A traffic study has been prepared and is part of the complete application. The study will be reviewed by City Staff.
Safety		
13	There are concerns with damages to nearby homes during construction, specifically if the blasting of bed rock is required for the underground parking.	A Geotechnical Study prepared by Soil-Mat Engineers and Consultants has been submitted as part of this application which will be reviewed by Development Engineering.
14	During the construction phase, will there be 24 hour in person surveillance on the property? Furthermore, what safety precautions will be in place to protect the children going to and returning from the two elementary schools? Traffic lights, four way stop signs, crossing guards paid for by the developer?	<p>The geotechnical report identifies that the area is considered very competent in terms of the excavation and foundation requirements and provides recommendations for foundation considerations. The report notes that all excavations must comply to the Occupational Health and Safety Act and Regulations for Construction Projects.</p> <p>It is also recommended in the report that a pre-construction condition survey of the adjacent structures be conducted by the developer prior to the start of excavations.</p>

		As part of a Condition of Site Plan Approval, a Construction Plan may be requested that will inform construction truck routes, phasing, street cleaning, maintenance and minimizing building debris
15	Privacy concerns due to the height of the buildings	<p>Where possible, the landscape concept plan proposes trees within the foundation planting along the town house southern facades in order to increase privacy between the development and rear residential yards in Canfield Court. In addition, the proposed townhouse side onto the existing rear yard to minimize the number of windows that overlook the south.</p> <p>As recommended by City Staff, the proposed apartment building has been revised to provide step backs above the third, fifth, sixth and seventh storeys, which will improve the transition and scale along Paramount Drive in line with Policy E.3.6.7.</p>
Servicing/Infrastructure		
16	Why are the homes so close to the road along Paramount Drive?	The two townhouse blocks at the northern end of the subject lands are currently setback at 3.0 & 3.5 metres, from the stairs to the townhouse buildings. The actual building is setback approximately 5.3 and 6.9 metres from the property line. Bringing the homes closer to the road along Paramount Drive is to maintain the streetscape and create an active pedestrian realm.
17	In the revised plan to the City, as the City/Developer is developing a proper walkway to and from St. Paul School which will be maintained by the City, believe that the City/Developer should also do the same for Billy Green Elementary School as that is the School that will be most impacted from any type of development (considerably more so than St. Paul School). This walkway is used by the kindergarten to get to and from class as well as by many students to get out to the Basketball courts, Playground and Play area. Who upkeepes the dedicated pathway?	The walkway between Billy Green Elementary School and the subject lands are owned by the City.

Green Space		
18	Where is the provided green space?	All stacked townhouses have roof-top amenitiy areas. In addition, there is abundance of green space in the surrounding area to service the proposed residents.
Wind		
19	I am told that to be accurate, wind studies are done over a period of time. I would like to see the wind study for Spring, Summer, Fall and Winter. When will the City get copies of these studies?	<p>The wind study was conducted per the City of Hamilton Development Application Guidelines Wind Study document, which calls for the results to be presented for the "Summer" (May through October) and "Winter" (November through April) seasons. The spring and fall seasons are notably encompassed within those two seasonal definitions.</p> <p>Furthermore, the study was conducted using 30 years of meteorological wind data from John C. Munroe International Airport and so it is expected that the wind conditions presented in the report will be reasonable representations of the real-world wind conditions in the near future. For further information please refer to section 6.5 of the accompanying addendum.</p>
Sun and Shadow		
20	The mental wellbeing of the children in the school will be impacted by the ongoing and distracting construction as well as the shadows on the school grounds.	As seen in <b>Figure 4-2 of the PJA</b> , Billy Green Elementary School is located approximately 21.3 metres (69 feet) from the proposed face of the apartment building.
21	The shadow study does not show development over neighbouring houses, just the school. Concerns with impacts to gardens.	The proposed eight-storey apartment building has been revised to include a ground floor terrace and building step-backs above the third, fifth, sixth and seventh storeys to provide an appropriate height transition, establish a pedestrian scaled streetscape and reduce the sense of overlook. The updated Sun/Shadow Study shows that the increased side setback and building steps backs further minimizes the anticipated shadows to the Community Park and the Billy Green Elementary School,

		especially during the times when school is in session (September to June).
Pollution		
22	Is there a noise study for the construction and can it be accessed?	A Noise Study was completed as part of the first submission.
23	The noise will disrupt the students	
24	Industrial chemicals have been used on the meadow without warning which resulted in children requiring medical care.	
Social, Health, and Economic Wellbeing		
25	What is the detrimental impact on the property values of the homes within the 200m of this site? Has the City of Hamilton done a study and will our taxes be adjusted?	The subject lands are designated for development and a proposal to redesignate underutilized lands within a built up urban area is in keeping with Provincial directives and directives contained within the UHOP.
26	Construction will impact the mental health of the children.	
Other		
27	Your motive for holding these meetings concerns me since you claim they are not a requirement. When this goes to the OMB are these meetings going to be used as an argument that you tried to appease the residents?	Under the Planning Act, RSO 1990 any materials submitted as part of a planning application will be considered public information and is available to be reviewed by any interested parties.
28	Why did you limit the notice to residents living within 200m of the development? This proposal is going to impact everyone well beyond that distance and especially the parents of children living beyond 200m but having children attending one of the two schools	Notification requirements within Ontario are determined by the Planning Act. Guidelines require direct notification for residents in this case within 120 meters of the development site. The notification boundary was exceeded at 200m for this application.
29	The process has not been collaborative	
30	Suggestions <ul style="list-style-type: none"> <li>• Removal of the 8-storey building</li> <li>• Replacement of townhouses (consider R3 Zone)</li> <li>• A playground should be added on site and/or other greenspace areas</li> <li>• Add a playground on site</li> <li>• Development should have a more traditional look</li> </ul>	Noted.

<p>31</p>	<p>The degree of noise alone will be traumatic, never-mind how noise will impact learning and compromise focus. The construction of this project exposes children to not only noise pollution, inhalation of air-borne debris and dust, but also places children in close proximity to heavy machinery and hazardous materials. How will the city ensure nails and harmful objects are not entering our children's school yards and surrounding walkways? How will the city ensure our children's education will not be effected? How will the city prevent impact on the mental health of students and teachers due to constant noise disruption? How will the city prevent unheard fire drills, unheard lock-down protocols, or on a less severe level, simply unheard recess bells? Who will be liable when our children are harmed?</p> <p>Following proposed construction, our children's view outside classroom windows will no longer be sky and nature. Their view will be obstructed by brick and peering eyes. When constructing high-rise buildings, privacy of the neighboring yards are protected, yet the protection of our children's privacy is not considered.</p> <p>I heard a statement of 'increased eyes brings increased safety', yet sex trafficking is an epidemic in Ontario. How will the city prevent the access to our children? How will the city ensure our children, our most vulnerable population, is not placed at-risk due to greed of monetary gain. Which in turn ironically, is the incentive that perpetuates the sexual exploitation of children.</p> <p>The moral questions I've raised are the more disturbing to me. Is the city prepared to take ownership and accountability for the risk-of-harm posed to such young lives? How will a society respond to the lack of regard of our children's safety? Who, within the board of city decision-makers, will be legally liable when a child's life or</p>	<p>A Noise Study was submitted in November 2022, which concluded that there were no significant impacts as a result of the proposed development.</p> <p>Appropriate building permits will be applied for to permit the construction of the building.</p> <p>The application has been circulated to the respective School Boards and both boards have no additional comments. As noted in an earlier statement, the Catholic School Board has requested that the 1.5m walkway to St. Paul's Elementary School be dedicated to the City so that pedestrian access to the school can be maintained in perpetuity. The developer has agreed to dedicating the walkway to the City.</p> <p>Refer to city representative for further guidance on respective matters.</p>
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	<p>a child's innocence is stolen due to greed? Should negligence of the city prevail and a child suffer at the hands of such neglect, the concerns are here, they are documented and they will be pursued.</p>	
<p>32</p>	<p>Lack of inclusiveness - why did the city do the bare minimum until the meeting was held to inform the community? As taxpayers, when an oversized building is being proposed and the majority of the community is not informed the optics are very bad and it showed by the sentiment in the meeting.</p> <p>What city commitments were provided to the project owners and consultants prior to spending capital on survey and geo studies etc? I ask this as there appears to be a lot that went on before the community knew anything about this. This type of process is not inclusive and goes against the morals we expect as tax payers. We are taxpayers and deserve respect from our local government. Secretly informing only the minimum amount of people is not what we expect at all. We expect better than the minimum.</p> <p>Where is the timeline of events and milestones to the rezoning application and project plan? Did not see anything on that during the meeting just guesses</p>	<p>Notification requirements within Ontario are determined by the Planning Act. Guidelines require direct notification for residents in this case within 120 meters of the development site. The notification boundary was exceeded at 200m for this application.</p>

From: Candace Piva  
Sent: January 27, 2024 5:17 PM  
To: [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
Subject: Re: 1065 Paramount Drive

I attended the last two meetings with my neighbours and residents of our surrounding area, regarding the rezoning. All are concerned about the proposed apartment building with underground parking, 25 meters from the Kindergarten playground and schoolyard. This is a well established community with no high rise apartment buildings, and we hope to keep it that way. A retirement living apartment with 3 or 4 floors would be more suitable. Insufficient parking was also a huge concern. We are asking, less condos, less cars, less traffic.

Thank you  
Candace and Mike Piva



From: Nino Statti  
Sent: January 26, 2024 1:17 PM  
To: [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
Subject: 1065 Paramount Dr.

As nearby citizens at, we are very concerned about the preposed Acts & town houses at 65 Paramount Dr.

Firstly on Thursdays and Fridays I cannot get a parking spot at Plaza parking lot and have to walk there from my house!

The project is short about 60 parking spaces, those 60 cars will have to park on nearby streets, in front of our houses, the

street is narrow enough, without having to deal with more cars!

Some of those cars will park overnight in the Plaza parking lot as well, I'm sure the owner and store operators won't like it!

Some of those cars will park at the school parking lot as well!

With our Street jammed up with cars on both sides, the snow plow will not be able to get by. The plows in our area usually come by at night when most cars will be there all night!

An other concern is when parents come to pick up there kids, its bedlam on Paramount Dr. Now add the additional cars and it will be worse!

Also when turning left from Mud St. To Paramount Dr. Only 3 or 4 cars get through the left turn light, with 5 or 6 cars stuck there waiting for the next light, I know I'm there 2 or 3 times a day. Now add the additional cars from the project and see what happens to those left turning situation!

The OLT usually approves these projects from afar, I hope the City will put a concerted effort into explaining our complaints and get this project cancelled.

Wendy & Nino Statti

Concerned Citizens

**From:** richard rick\_fay henry  
**Sent:** January 28, 2024 9:59 AM  
**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**Cc:** Clark, Brad <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)>  
**Subject:** RE: 1065 Paramount Dr.

To Whom It May Concern:

As we will be unable to attend the meeting, I am writing to let you know of our concerns for the plans for 1065 Paramount Dr.

Whereas we do not totally disagree with homes/townhomes being built in this area, we strongly oppose an 8 storey apartment building. If you take a look around this small area, you will not see anything higher than one 3 storey apartment building. Eight stories does NOT fit in with the landscape of this area especially next to two elementary school. Traffic is another huge issue during morning school drop off times and pick up times.

Please take into consideration the already established community when allowing builders to submit their plans!

Once again, we strenuously object to the plan for 1065 Paramount Drive as it stands.

Respectfully,

Richard and Fay Henry

**From:** Chris Gervan

**Sent:** January 26, 2024 10:40 AM

**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca); brian alexander; Audrey ; Cindy Charters; Clark, Brad <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)>

**Subject:** 1065 Paramount Dr.

As a resident of the city of Hamilton I am aware of the housing crisis in our community and understand the need to build more homes for present and future citizens. I also understand that the property at 1065 Paramount Dr. Is an ideal location for development. It is on a bus route and close to many amenities that are in place.

My concern is that too many housing units are being built in this small space. The sheer volume of traffic entering and exiting from this development is a danger to the two schools located adjacent to the proposed development and the lack of parking. And no, parking does not take care of itself. The surrounding residential streets will have to bear the brunt of the extra hundreds if not thousand vehicles. To claim that the new local residents will take public transit is a pipe dream. To take a bus to work, or even to the grocery store is not something the vast majority of people are willing to do. Since the residences planned are not geared to income housing, the residents will not give up the convenience of cars to live here.

Respectfully

Chris Gervan

**From:** Cathy Biggs  
**Sent:** January 31, 2024 7:46 AM  
**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**Cc:** Clark, Brad <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)>  
**Subject:** Non-statutory Public Meeting 1065 Paramount Drive, UHOPA-23-005 & ZAC-23-006

## **STOP THE HIGH DENSITY REZONING**

**Meeting to take place February 6th.  
Please present this email at the meeting.**

We have been residents of "Albion Estates" for over 40 years. We've watched the survey transform with single family homes, town homes, churches, schools, a low rise 3 story apartment building and retail space.

This is the final property left to develop. Its proximity (sandwiched between) TWO schools and TWO daycares has always been worrisome. The request to rezone the land to high density in order to cram an 8 story building and over 100 town homes is outrageous.

The traffic congestion on Mud Street and Paramount is already very heavy, not to mention the congestion daily on the Redhill, especially at the top in the morning. Currently there are 2 high rise condo buildings under construction at the top of the Redhill and another on Rymal Road and Fletcher Road which will put the traffic congestion over the top on the LINC and Redhill.

The picture presented to the community included a 4 lane road in the front with plenty of room for cars and parking. This is definitely not the actual site view and situation. Our survey is a two lane road with 5' flower beds that run down the center of the road to slow traffic, again over concern for the children.

"Parking will take care of itself" was stated by the planner during his presentation to the community. The community knows this to be another falsehood. Whether the builder/planner likes it or not, most units will have 2 cars. The plans don't have sufficient parking for all the units so all the overflow will be on the side streets clogging up the roads and adding to unsafe areas as the children head to and from school.

Underground parking in that close proximity to the schools is a recipe for disaster not to mention the blasting needed to accommodate the depth. We already have cracks in our foundations from the blasting that happened during the construction of the Redhill, we don't need any more.

Since the land is already zoned for institutional, why doesn't the city buy it for the purposes of another school. Perhaps Billy Green could be a K-5 and use the new facility for a collective 6-8 from Billy Green and Janet Lee and Gatestone, which I'm sure are busting at the seams, not to mention the additional students all this new construction will bring.

Just because the provincial government is pushing and rewarding developers for building more available units, please don't allow this property to be rezoned to HIGH density. This will ruin the community that has been established for over 40 years. There have been petitions signed by community residents that exceed 4000 signatures. This alone should speak volumes to the council. The proposed apartment/condo is not appropriate for our neighborhood.

Thanks  
The Biggs Family



**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Planning Division**

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	February 6, 2024
<b>SUBJECT/REPORT NO:</b>	Application for Zoning By-law Amendment for Lands Located at 459 and 465 Rymal Road West, Hamilton (PED24020) (Ward 14)
<b>WARD(S) AFFECTED:</b>	Ward 14
<b>PREPARED BY:</b>	Tricia Collingwood (905) 549-2424 ext. 5995
<b>SUBMITTED BY:</b>	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

### RECOMMENDATION

That **Zoning By-law Amendment Application ZAC-23-048, by MHBC Planning Ltd. (c/o Dave Aston and Stephanie Mirtitisch), on behalf of T. Valery Construction Ltd. (c/o Ted Valeri and Amber Lindsay), Owner**, for a change in zoning from the "AA" (Agricultural) District to a site specific "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, to permit the construction of an eight storey multiple dwelling with 57 units and 158 parking spaces in a structured parking facility, for lands located at 459 and 465 Rymal Road West, as shown on Appendix "A" attached to Report PED24020, be **DENIED**, on the following basis:

- (a) The proposal is premature as implementation of the proposal requires the removal of required parking and a portion of the planting strip on the adjacent lands located at 445 Rymal Road West and 1670 Garth Street which did not form part of this application;
- (b) The unresolved technical issues to implement the proposal cannot be addressed within the *Planning Act* timeline of 90 days for the Zoning By-law Amendment application.

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**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 459 and 465 Rymal Road West, Hamilton (PED24020) (Ward 14) - Page 2 of 10**

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## **EXECUTIVE SUMMARY**

The subject lands are municipally known as 459 and 465 Rymal Road West and are located on the south side of Rymal Road West and west of Garth Street. The property known as 465 Rymal Road West currently contains a single detached dwelling and an accessory structure on the property which will be demolished to facilitate the proposed development.

The subject lands are designated “Neighbourhoods” on Schedule “E-1” – Urban Land Use Designations in the Urban Hamilton Official Plan and designated “Medium Density Residential”. The subject lands are currently zoned “AA” (Agricultural) District in Zoning By-law No. 6593.

The applicant has applied for a Zoning By-law Amendment for the lands located at 459 and 465 Rymal Road West, Hamilton, to permit the construction of an eight storey multiple dwelling with the western portion of the building stepping down to four storeys in height. The proposed building includes 57 units and 158 parking spaces within three levels of podium parking. The podium parking will be accessed through an existing driveway on the adjacent lands located at 445 Rymal Road West and 1670 Garth Street and will require removal of existing parking spaces and a portion of the planting strip on the neighbouring property in order to facilitate the proposal. The development concept also proposes to locate a loading space on the neighbouring property, whereas the proposed loading space is required to be located on the lands subject to the Zoning By-law Amendment application.

It is the opinion of staff that the proposal is considered to be premature as implementation of the proposal requires the removal of required parking and a portion of the planting strip on the adjacent lands located at 445 Rymal Road West and 1670 Garth Street which did not form part of this application and not comprehensively assessed. As a result of the *Planning Act* timelines, the unresolved technical issues to implement the proposal could not be addressed within the 90 day timeframe. Therefore, staff recommend the application be denied.

## **Alternatives for Consideration – See Page 9**

## **FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 459 and 465 Rymal Road West, Hamilton (PED24020) (Ward 14) - Page 3 of 10**

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**Legal:** As required by the *Planning Act*, Council shall hold a Public Meeting to consider an application for a Zoning By-law Amendment. In accordance with Section 34(10.12), if the City makes a decision on a joint Zoning By-law Amendment within 90 days after the receipt of the application, the City shall not refund the fee.

## HISTORICAL BACKGROUND

<b>Application Details</b>	
Owner:	T. Valery Construction Ltd. (c/o Ted Valeri and Amber Lindsay).
Applicant/Agent:	MHBC Planning Ltd. (c/o Dave Aston and Stephanie Mirtitsch).
File Number:	ZAC-23-048.
Type of Application:	Zoning By-law Amendment.
Proposal:	<p>To permit an eight storey multiple dwelling with 57 residential units. The proposal includes 158 parking spaces within a parking structure requiring the shared use of the existing access located on 445 Rymal Road West and 1670 Garth Street. The dwelling unit breakdown includes five three-bedroom units (8%), 47 two-bedroom units (84%) and five one-bedroom units (8%). The proposed redevelopment of the lands requires the existing single detached dwelling to be demolished.</p> <p>The applicant advised that the subject lands and adjacent property, known as 445 Rymal Road West and 1670 Garth Street, will merge on title in the future (see conceptual plans attached as Appendix 'B' to Report PED24020).</p>
<b>Property Details</b>	
Municipal Address:	459 and 465 Rymal Road West, Hamilton.
Lot Area:	± 0.25 ha.
Servicing:	Full municipal services.
Existing Use:	Single detached dwelling and vacant land.
<b>Documents</b>	
Provincial Policy Statement (PPS):	The proposal is consistent with the Provincial Policy Statement (2020).

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**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 459 and 465 Rymal Road West, Hamilton (PED24020) (Ward 14) - Page 4 of 10**

<b>Documents</b>	
A Place to Grow:	The proposal conforms to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).
Official Plan Existing:	"Neighbourhoods" on Schedule E-1 – Urban Land Use Designations.
Official Plan Proposed:	No amendment proposed.
Zoning Existing:	"AA" (Agricultural) District.
Zoning Proposed:	Site specific "E" (Multiple Dwellings, Lodges, Clubs, etc.) District.
Modifications Proposed:	<p>The applicant proposes to modify the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to:</p> <ul style="list-style-type: none"> <li>• Permit a maximum of 950 square metres of Commercial Uses permitted in Section 13. (1) of Zoning By-law No. 6593 on the ground floor of a Multiple Dwelling and further notwithstanding Section 13.(1) of Zoning By-law No. 6593, a Commercial School shall also be permitted;</li> <li>• A front yard setback shall not apply on the subject lands;</li> <li>• No building or structure shall exceed ten storeys or 30.0 metres in height;</li> <li>• A northerly side yard width of 1.2 metres shall be provided and maintained;</li> <li>• An easterly side yard width of 0 metres shall be provided and maintained;</li> <li>• A minimum southerly side yard width of 4.2 metres shall be provided and maintained;</li> <li>• A minimum rear yard depth of 5.5 metres shall be provided and maintained;</li> <li>• No building or structure shall have a gross floor area greater than the area within the district of the lot on which it is situate, multiplied by the floor area ratio of 2.0; and,</li> <li>• There shall be provided and maintained on the same lot within the district an amount not less than 15% of the area of the lot on which the building or structure is situate, as landscaped area.</li> </ul>

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**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 459 and 465 Rymal Road West, Hamilton (PED24020) (Ward 14) - Page 5 of 10**

<b>Documents</b>	
Modifications Proposed <b>(Continued):</b>	<ul style="list-style-type: none"> <li>• For a multiple dwelling, a minimum of 1.20 parking spaces per Class A dwelling unit shall be provided, inclusive of visitor parking;</li> <li>• One loading space shall have a minimum length of 9.0 metres, a minimum width of 3.7 metres, and a minimum height of 4.3 metres shall be provided and maintained;</li> <li>• Every required parking space, except for parallel parking, shall have dimensions of not less than 2.6 metres in width and 5.5 metres in length; and,</li> <li>• Remove the ability to reduce the amount of required parking spaces for a lot where there is a residential use and commercial use on the same property.</li> </ul>
<b>Processing Details</b>	
Received:	September 22, 2023.
Deemed Incomplete:	October 18, 2023.
Resubmission Received:	November 17, 2023.
Deemed Complete:	November 20, 2023.
Public Notice Sign:	Posted on November 23, 2023, and updated on January 8, 2024 to include the Public Meeting date of February 6, 2024.
Notice of Public Meeting:	Sent to 32 property owners within 120 metres of the subject property on November 28, 2023.
Zoning Existing:	"AA" (Agricultural) District.
Staff and Agency Comments:	Staff and agency comments have been summarized in Appendix "D" attached to Report PED24020.
Public Consultation:	A Virtual Public Consultation meeting was held on March 22, 2023. Based on the summary provided by the Applicant there were 15 individuals who attended the virtual meeting.
Public Comments:	Staff have not received any comments from the public regarding the Zoning By-law Amendment application.
Processing Time:	81 days from date of receipt of the application.

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**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 459 and 465 Rymal Road West, Hamilton (PED24020) (Ward 14) - Page 6 of 10**

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### Existing Land Use and Zoning

	Existing Land Use	Existing Zoning
<b>Subject Lands:</b>	Single Detached dwelling and vacant land.	Agricultural “AA” District.
<b>Surrounding Land Uses:</b>		
North	Retirement Home (Chartwell Deerview Crossing), Single Detached dwellings.	Major Institutional (I3) Zone.
South	Elementary School (St Therese of Lisieux Catholic School).	Neighbourhood Institutional (I1) Zone.
East	Multiple dwelling.	“E/S-1701” (Multiple Dwellings, Lodges and Clubs, etc.) District, Modified.
West	Single Detached dwelling Uses.	“AA” (Agricultural) District.

## POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

### Provincial Planning Policy Framework

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the Provincial Policy Statement (2020). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the Provincial Policy Statement (2020) and conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (A Place to Grow, 2019, as amended).

The mechanism for the implementation of the Provincial plans and policies is through the Official Plan. Through the preparation, adoption and subsequent approval by the Ontario Land Tribunal, the City of Hamilton has established the Urban Hamilton Official Plan which contains local policies for the implementation of the Provincial planning

**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 459 and 465 Rymal Road West, Hamilton (PED24020) (Ward 14) - Page 7 of 10**

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policy framework. As such, matters of provincial interest (i.e., efficiency of land use) are discussed in the Official Plan analysis below.

It is staff's opinion that the application is:

- Consistent with Section 3 of the *Planning Act*;
- Consistent with the Provincial Policy Statement (2020); and,
- Conforms to A Place to Grow: Growth Plan for the Greater Holden Horseshoe, (2019, as amended).

### **Urban Hamilton Official Plan**

The subject lands are designated "Neighbourhoods" on Schedule "E-1" – Urban Land Use Designations in the Urban Hamilton Official Plan. Based on a detailed analysis of the applicable Urban Hamilton Official Plan (Volume 1) policies, attached as Appendix "C" attached to Report PED24020, the proposed development is designated "Medium Density Residential".

As outlined in Appendix "C" attached to Report PED24020, the proposed land use complies with the policies of the Urban Hamilton Official Plan "Neighbourhoods" policies, which permits the proposed residential use on the subject lands, considers buildings up to a maximum of 12 storeys as long as certain criteria is met, is located near a transit stop and is located within close proximity to schools and parks. In addition, the site is on the edge of a low density residential neighbourhood, meets the characteristics of the Rymal Road West streetscape and is located near a community node. The applicants are providing a range of unit sizes including five, one bedroom units, 47, two bedroom units, and five, three bedroom units.

As per policy C.2.11.1, the City recognizes the importance regarding the protection of trees. The application is proposing the removal of the majority of the trees on the site and staff recommend looking at opportunities to preserve more trees on the subject lands. This may affect the design of the proposal and an additional review would be required.

As per policies B.3.3.2.2 to B.3.3.2.10, a Wind Study was requested by Urban Design staff in order to confirm that the pedestrian realm is not negatively impacted by the proposed development. This may affect the design of the proposal and an additional review would be required.

As per policy C.4.5.12, a scoped Transportation (Trip Generation Letter) Assessment was not submitted in order to demonstrate that the proposed location of the access for the underground parking is acceptable or that the existing infrastructure (including the

**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 459 and 465 Rymal Road West, Hamilton (PED24020) (Ward 14) - Page 8 of 10**

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driveway access onto Rymal Road West) can handle the additional volume from the proposed development. As well, the existing access on Rymal Road West is on lands not currently subject to this application. The results of the scoped Transportation (Trip Generation Letter) Assessment could impact the proposed development if the findings conclude that the proposed shared access cannot accommodate vehicle trips attributed to the existing and proposed buildings.

It is the opinion of staff that the proposal is considered to be premature as implementation of the proposal requires the removal of required parking and a portion of the planting strip on the adjacent lands located at 445 Rymal Road West and 1670 Garth Street which did not form part of this application and, therefore, was not comprehensively assessed through the review of this application.

### **Neighbourhood Plan**

The subject lands are located in the Carpenter Neighbourhood Plan. The lands are identified as “Single and Double” in the Neighbourhood Plan. The Neighbourhood Plan permits a range of housing types with a higher density, including multiple dwellings, being on the periphery of the neighbourhood and located in close proximity to open space, parklands and school sites. The proposed site is located adjacent to an existing elementary school (Saint Therese of Lisieux Elementary) and within proximity to Carpenter Neighbourhood Park.

The proposed development generally implements the vision of the Carpenter Neighbourhood Plan. Should the application be approved, the Neighbourhood Plan designation will need to be amended to reflect the proposed development.

### **City of Hamilton Zoning By-law No. 6593**

The proposed Zoning By-law Amendment is for a change in zoning from "AA" (Agricultural) District to a site specific “E” (Multiple Dwellings, Lodges and Clubs, etc.) District, in the former City of Hamilton Zoning By-law No. 6593 to permit an eight storey multiple dwelling with 57 units. As part of the review of the Planning Justification Report and Draft Zoning By-law, staff note that some of the requested modifications requested by the applicants are not required to facilitate the proposed development.

### **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

1. The proposal cannot be supported for the following reasons:
  - (i) The proposal is premature as implementation of the proposal requires the removal of required parking and a portion of the planting strip on the

**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 459 and 465 Rymal Road West, Hamilton (PED24020) (Ward 14) - Page 9 of 10**

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adjacent lands located at 445 Rymal Road West and 1670 Garth Street which did not form part of this application.

- (ii) The unresolved technical issues to implement the proposal cannot be addressed within the *Planning Act* timeline of 90 days for the Zoning By-law Amendment application.

## 2. Zoning By-law Amendment

The subject lands are zoned "AA" (Agricultural) District in Former City of Hamilton Zoning By-law No. 6593. The Zoning By-law Amendment proposes to change the zoning to a site specific "E" (Multiple Dwellings, Lodges and Clubs, etc.) District as outlined in the table on Page 3 of Report PED24020.

It is the opinion of staff that the proposal is considered to be premature as implementation of the proposal requires the removal of required parking and a portion of the planting strip on the adjacent lands located at 445 Rymal Road West and 1670 Garth Street which did not form part of this application and was not comprehensively assessed. The development concept also proposes to locate a loading space on the neighbouring property, whereas the proposed loading space is required to be located on the lands subject to the Zoning By-law Amendment application. As a result of the *Planning Act* timelines, the unresolved technical issues to implement the proposal could not be addressed within the 90 day timeframe.

To address the unresolved technical issues, the applicant would need to amend the application to include the lands located at 445 Rymal Road West and 1670 Garth Street and update the public notice sign with the added lands. City staff would need to issue a revised Notice of Complete application and mail-out, undertake a new internal circulation for comments and work with the applicant to address any outstanding issues.

As the unresolved technical issues cannot be addressed within the *Planning Act* timelines, staff consider the application to be premature and recommend the application be denied.

## ALTERNATIVES FOR CONSIDERATION

- 1) Council could direct staff to prepare an amending Zoning By-law consistent with the submitted concept plans, attached as Appendix "B" to Report PED24020.
- 2) Council could direct staff to prepare an amending Zoning By-law consistent with the submitted concept plans attached as Appendix "B" to Report PED24020 with

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**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 459 and 465 Rymal Road West, Hamilton (PED24020) (Ward 14) - Page 10 of 10**

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the inclusion of Holding Provisions to address the technical matters, including, but not limited to, an updated Tree Preservation Plan and Arborist Study, Wind Study, scoped Transportation Assessment (Trip Generation Letter), updated Functional Servicing Study, owner acknowledgement that they will enter into an external works agreement as part of a future Site Plan Control application, a joint access agreement, and any other necessary Holding Provisions.

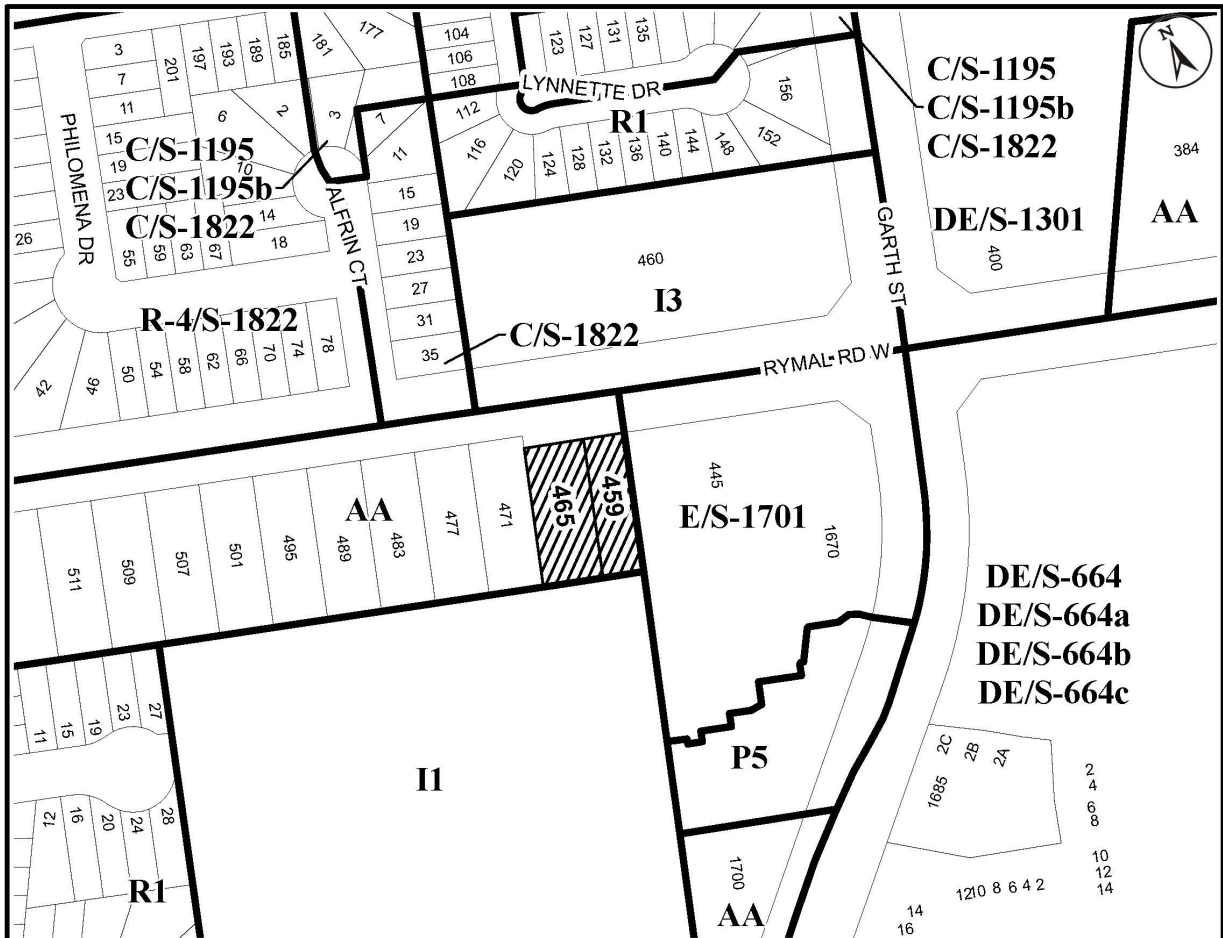
- 3) Council could direct Staff to negotiate revisions to the proposal with the applicant to resolve the outstanding issues which would require a minimum refund of 50% of the application fees, up to 100% of the application fees, to be funded using the Tax Stabilization Reserve 110046.

**APPENDICES AND SCHEDULES ATTACHED**

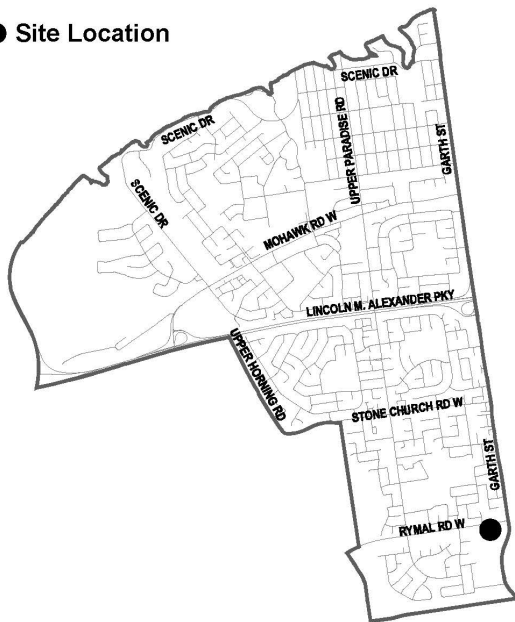
Appendix "A" to Report PED24020 – Location Map  
Appendix "B" to Report PED24020 – Concept Plan  
Appendix "C" to Report PED24020 – Policy Review  
Appendix "D" to Report PED24020 – Staff and Agency Comments

TC/sd

Appendix "A" to Report PED24020  
Page 1 of 1



● Site Location



Key Map - Ward 14

## Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
ZAC-23-048

Date:  
January 11, 2024

Appendix "A"

Scale:  
N.T.S

Planner/Technician:  
AB/AL

### Subject Property

 459 & 465 Rymal Road West





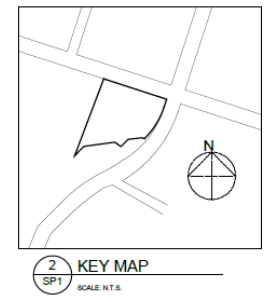
**PHASE 1 AMENITY**

1ST FLOOR	1,035 SM
2ND FLOOR	1,035 SM
3RD FLOOR	1,035 SM
4TH FLOOR	1,035 SM
TOTAL	4,140 SM

**PHASE 2 AMENITY**

1ST FLOOR	33,458 SM
2ND FLOOR	33,458 SM
3RD FLOOR	33,458 SM
4TH FLOOR	33,458 SM
5TH FLOOR	33,458 SM
6TH FLOOR	33,458 SM
7TH FLOOR	33,458 SM
8TH FLOOR	33,458 SM
TOTAL	267,664 SM



CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND JOB CONDITIONS BEFORE PROCEEDING WITH WORK.  
 ALL DRAWINGS MAY BE SUBJECT TO CHANGE DUE TO COMMENTS FROM MUNICIPAL DEPARTMENTS AND OTHER AGENCIES WITH AUTHORITY.  
 ALL DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECT AND MUST BE RETURNED AT THE COMPLETION OF THE WORK.  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FOR CONSTRUCTION AND SHALL ASSUME FULL RESPONSIBILITY AND RISK FOR ANY CONDITIONS OR DAMAGES RESULTING FROM SUCH WORK.

KEY TO DETAIL LOCATION

No.	DETAIL NUMBER
No.	DRAWING SHEET NUMBER

DRAWING SETS ISSUED

NO.	DATE (D/M/YY)
1	2024.05.02
2	2024.05.02
3	2024.05.02
4	2024.05.02
5	2024.05.02
6	2024.05.02
7	2024.05.02
8	2024.05.02
9	2024.05.02
10	2024.05.02

REVISIONS TO DRAWING

NO.	DATE (D/M/YY)

PRESENT ZONING: AA ZONING BY-LAW 58(2)

REGULATION	PARENT ZONE	EXISTING SITE SPECIFIC	PROPOSED (COMBINED WITH PHASES)
ZONING	AA	AA	AA
HEIGHT (M) (11.3)	8 STOREYS (24 METRES)	10 STOREYS (30 METRES)	10 STOREYS (30 METRES)
MAXIMUM FRONT YARD SETBACK (11.3)	33 METRES	N/A	1.8 METRES (GARTH STREET - EXISTING)
MAXIMUM FRONT SIDE YARD SETBACK (11.3)	7.5 METRES	N/A	8.8 METRES (GARTH STREET - EXISTING)
MINIMUM SOUTHERLY SIDE YARD SETBACK (11.3)	4.5 METRES	4.2 METRES	4.5 METRES (AMENDMENT REQUIRED)
MAXIMUM SOUTHERLY SIDE YARD SETBACK (11.3)	13.5 METRES	4.2 METRES	11.7 METRES (GARTH STREET - EXISTING)
MINIMUM REAR YARD SETBACK (11.3)	3.0 METRES	5.0 METRES	5.0 METRES
MAXIMUM REAR YARD SETBACK (11.3)	13.5 METRES	5.0 METRES	10.7 METRES (GARTH STREET - EXISTING)
MINIMUM LOT AREA (11.3)	400 SQ M	400 SQ M	1092 SQ M
MINIMUM LOT WIDTH (11.3)	15 METRES	N/A	8.8 METRES (GARTH STREET)
FLOOR AREA RATIO (11.3)	1.7	2.0	1.87
LANDSCAPED AREA (11.3)	25%	15%	18.5%
PARKING (11.3)	1.5 SPACES PER CLASS A DWELLING UNIT (183 SPACES)	1.2 SPACES PER CLASS A DWELLING UNIT (216 SPACES)	300 SPACES
VISITOR PARKING (11.3)	1.0 SPACES PER CLASS A DWELLING UNIT (183 SPACES)	0.5 SPACES PER CLASS A DWELLING UNIT (108 SPACES)	45 SPACES
LOADING SPACE REQUIREMENT	MIN 1 SPACE REQUIRED	1 SPACE	1 SPACE
TOTAL UNITS	N/A	N/A	340 UNITS
TOTAL GROUND FLOOR AREA	PHASE 1: 2,206 SQ M PHASE 2: 4,140 SQ M	PHASE 1: N/A PHASE 2: N/A	PHASE 1: 2,206 SQ M PHASE 2: 4,140 SQ M TOTAL: 6,346 SQ M
VEHICULAR PARKING SPACE DIMENSIONS	PHASE 1: N/A PHASE 2: 3.0M X 5.5M	PHASE 1: N/A PHASE 2: N/A	PHASE 1: 1.75M X 5.5M PHASE 2: 3.0M X 5.5M TOTAL: 25,008 SQ M
BARREN FREE PARKING SPACE DIMENSIONS	PHASE 1: N/A PHASE 2: 4.0M X 5.5M	PHASE 1: N/A PHASE 2: N/A	PHASE 1: 4.0M X 5.5M PER PREVIOUS APPROVAL PHASE 2: 4.0M X 5.5M
LONG TERM ONE PARKING	PHASE 1: N/A PHASE 2: 0.5 PER UNIT	PHASE 1: N/A PHASE 2: N/A	PHASE 1: 0.5 SPACES PER PREVIOUS APPROVAL PHASE 2: 0.5 SPACES PER UNIT
SHORT TERM ONE PARKING	PHASE 1: N/A PHASE 2: 2 SPACES	PHASE 1: N/A PHASE 2: N/A	PHASE 1: 15 SPACES PER PREVIOUS APPROVAL PHASE 2: 2 SPACES
ACCESSIBLE PARKING SPACES	PHASE 1: N/A PHASE 2: N/A	PHASE 1: N/A PHASE 2: N/A	PHASE 1: 4 SPACES PER PREVIOUS APPROVAL PHASE 2: 4 SPACES
AMENITY AREA	PHASE 1: N/A PHASE 2: N/A	PHASE 1: N/A PHASE 2: N/A	PHASE 1: 211 SQ M PER PREVIOUS APPROVAL PHASE 2: 108 SQ M

PARKING REQUIRED

PHASE 1: 183 UNITS	274 SPACES
PHASE 2: 57 UNITS	85 SPACES
TOTAL: 240 UNITS	359 SPACES

PARKING PROPOSED

PHASE 1: PREVIOUS PARKING	128 SPACES
PHASE 1: PARKING REMOVED	8 SPACES
PHASE 1: PARKING REMAINING	120 SPACES
PHASE 2: PARKING PROPOSED	158 SPACES
TOTAL PARKING PROPOSED	278 SPACES

BUILDING PERMIT WAIVER  
 NOT FOR CONSTRUCTION WITHOUT PERMIT



KNYMH INC.  
 1006 DAVENPORT DRIVE - SUITE 101  
 BURLINGTON, ONTARIO L7R 6W1  
 T 905.638.6896  
 F 905.638.0298  
 www.knymh.com info@knymh.com



RESIDENTIAL DEVELOPMENT  
 459.465 RYMAL ROAD WEST  
 HAMILTON, ONTARIO

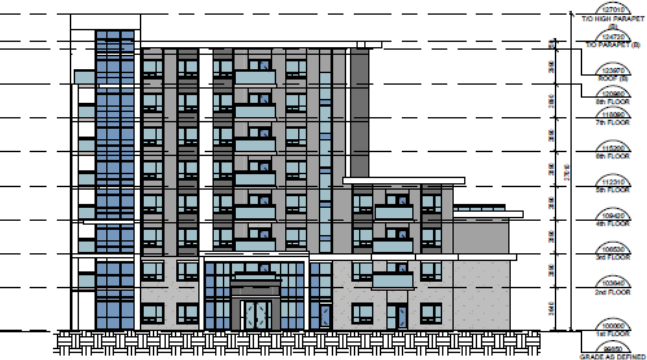
DRAWING SHEET TITLE  
 CONCEPTUAL OVERALL SITE PLAN

DRAWING SCALE: 1:500  
 PROJECT NUMBER: 22450  
 DRAWING VERSION: SP  
 PLOT DATE: August 30, 2023

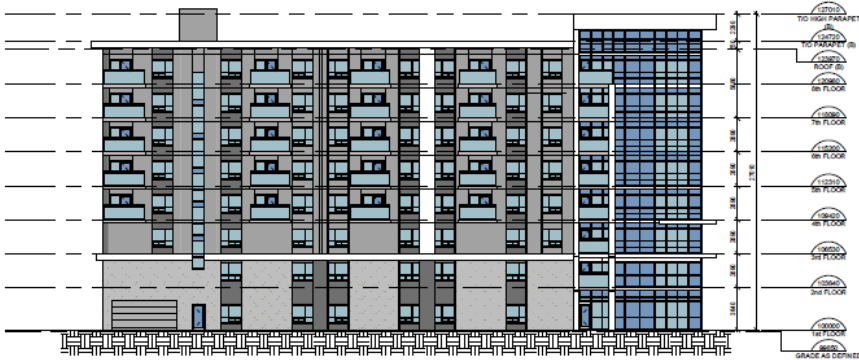
1 SITE PLAN  
 SP1 PHASE 2  
 SCALE: 1:500



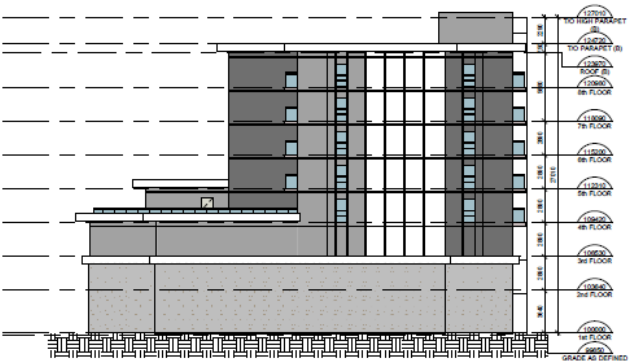
Appendix "B" to Report PED24020  
Page 3 of 3



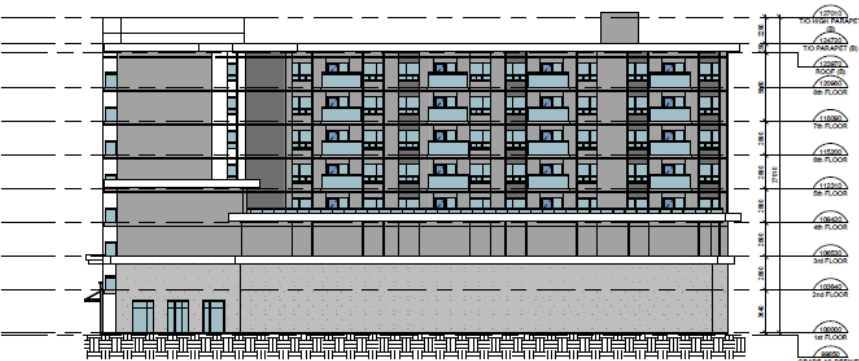
4 NORTH ELEVATION - BUILDING B  
A403 1:200



2 EAST ELEVATION - BUILDING B  
A403 1:200



3 SOUTH ELEVATION - BUILDING B  
A403 1:200



1 WEST ELEVATION - BUILDING B  
A403 1:200

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND JOB CONDITIONS BEFORE PROCEEDING WITH WORK.  
ALL DIMENSIONS MUST BE TO FACE UNLESS OTHERWISE NOTED.  
FROM MUNICIPAL DEPARTMENTS AND OTHER AGENCIES WITH AUTHORITY.  
ALL DIMENSIONS AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECT AND MUST BE REFERRED TO THE CONTRACTOR OF THE WORK.  
THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FOR CONSTRUCTION OF THIS PROJECT.

KEY TO DETAIL LOCATION

No.	DETAIL NUMBER

DRAWING SETS ISSUED

No.	DATE (DD/MM/YY)	BY
01	08/07/16	JP
02	12/04/17	JP
03	16/05/17	JP
04	18/07/17	JP
05	18/07/17	JP
06	21/07/17	JP
07	17/08/17	JP

ALL PREVIOUS EDITIONS OF THIS DRAWING SET SUPERSEDED

REVISIONS TO DRAWING

No.	DATE (DD/MM/YY)	BY

BUILDING PERMIT NUMBER  
NOT FOR CONSTRUCTION WITHOUT PERMIT

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**PINNACLE**  
445 RYMAL RD W & 1670 GARTH ST  
HAMILTON, ONTARIO  
SPA DA-17-004

DRAWING SHEET  
TITLE  
**ELEVATIONS - BUILDING B**

DRAWING SCALE: 1:200	PROJECT NUMBER: 15101
DRAWN BY: J. P.	CHECKED BY: C. J.
DRAWING REVISIONS:	DRAWING SHEET NUMBER: A403
PLP DATE: 08/14/16	

**Appendix “C” to Report PED24020**  
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## SUMMARY OF POLICY REVIEW

The following policies, amongst others, apply to the proposal.

<b>Urban Hamilton Official Plan (As per amended Official Plan Amendment 167 Approval)</b>		
<b>Theme and Policy</b>	<b>Summary of Policy or Issue</b>	<b>Staff Response</b>
<b>Residential Intensification</b>  Policy B.2.4.1.1	Residential Intensification is encouraged throughout the entire built-up area.	The proposal complies with this policy as the subject lands are located within the built-up area.
<b>Residential Intensification Criteria</b>  Policy: B.2.4.1.4 and B.2.4.2.2	Residential intensification in the built-up area shall be evaluated on: the relationship with existing neighbourhood character, contribution towards achieving a range of dwelling types, compatible integration with the surrounding area, contribution towards achieving the planned urban structure, existing infrastructure capacity, incorporation of sustainable design elements, contribution towards supporting active transportation, contribution towards supporting transit, availability of public community facilities and services, ability to retain natural attributes of the site, and compliance with all other applicable policies.	<p>The proposal complies with these policies.</p> <p>The proposed development represents a compatible form of infill development. It will contribute to the range of housing types within the neighbourhood and achieve the planned urban structure. The increased density will support the existing transit and commercial uses. It will also support active transportation as existing multi-use trail on the south side of Rymal Road West.</p> <p>Staff have reviewed the concept plan and elevations submitted as part of the application. Staff are satisfied that the proposed development does not create a privacy concern since balconies are stepped back from the existing single detached dwelling to the west of the subject lands. The proposed parking is located within the podium of the existing building and, therefore, is screened from public view. In addition, in order to make sure there are active frontages along Rymal Road West, the applicants have wrapped the parking with active uses (amenity spaces on the first floor and residential units on the second and third floor).</p>

**Appendix “C” to Report PED24020  
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Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Residential Intensification Criteria</b></p> <p>Policy: B.2.4.1.4 and B.2.4.2.2 <b>(Continued)</b></p>		<p>The proposed multiple dwelling steps down to four storeys on the west side of the subject lands (which is adjacent to an existing single detached dwelling). In addition, the proposal includes a 5.5 metre setback from the property line abutting the single detached dwelling which will provide an opportunity to add a visual barrier. Therefore, staff are satisfied that the multiple dwelling provides an appropriate transition to the low density residential use adjacent to the subject lands.</p> <p>Staff are satisfied that the proposed amenity space is appropriate for the proposed development. The proposal includes indoor amenity area totalling 185 square metres and 682 square metres of outdoor amenity space. The total amount of amenity space (including both internal and external amenity space) is 15 square metres of amenity space per unit.</p> <p>The development application was submitted for 459 and 465 Rymal Road West, Hamilton and does not include 445 Rymal Road West and 1670 Garth Street. Based on the current design, the proposed location for the parking garage entrance requires modifications to the parking lot and planting strip for 445 Rymal Road West and 1670 Garth Street which was not reviewed comprehensively as the adjacent lands did not form part of this application. As a result, the Zoning By-law Amendment application is considered premature.</p>

## Appendix “C” to Report PED24020

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Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Urban Design Policies – General Policies and Principles</b></p> <p>Policy: B.3.3.2.2 - B.3.3.2.10</p>	<p>The principles in Policies B.3.3.2.3 through B.3.3.2.10 inclusive, shall apply to all development and redevelopment, where applicable. These principles include:</p> <ul style="list-style-type: none"> <li>• Fostering a sense of community pride and identity;</li> <li>• Creating quality spaces;</li> <li>• Creating places that are safe, accessible, connected and easy to navigate;</li> <li>• Enhancing the character of the existing environment;</li> <li>• Creating places that are adaptable to future changes;</li> <li>• Promoting the reduction of greenhouse gas emissions and protecting and enhancing the natural environment;</li> <li>• Enhancing physical and mental health; and,</li> <li>• Designing streets as a transportation network and as a public space.</li> </ul>	<p>There is additional information required in order to confirm that the proposed development complies with these policies.</p> <p>Urban Design provided comments advising that they are satisfied with the Landscape Plan and Sun / Shadow Study submitted by the applicants. The design was revised from the original Formal Consultation application and at that time a Wind Study was not required as part of the application. In order to confirm that the current proposal does not adversely impact the pedestrian realm (including any roof-top amenity), a Wind Study has been requested.</p> <p>Urban Design staff recommends that the first floor include ground floor residential units in order to improve the active street frontage along Rymal Road West. In addition, they advised that all barrier free parking spaces should be located as close to building entrances and elevators as possible.</p> <p>If the application was to be approved, the Wind Study should be added as a Holding Provision through the Draft Zoning By-law.</p>
<p><b>Tree Management</b></p> <p>Policy: C.2.11.1</p>	<p>The City recognizes the importance of trees and woodlands to the health and quality of life in our community. The City shall encourage sustainable forestry practices and the protection and restoration of trees and forests.</p>	<p>There is additional information required in order to confirm that the proposed development meets the applicable policy.</p> <p>A Tree Protection Plan prepared by Adesso Design Inc. dated March 08, 2023 was submitted in support of the development.</p>

## Appendix "C" to Report PED24020

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Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Tree Management</b></p> <p>Policy: C.2.11.1 <b>(Continued)</b></p>		<p>A total of 17 trees have been inventoried and 15 trees are proposed to be removed as a result of conflicts with the proposed building and excavation for the site development. The proposed trees to be removed are a combination of private and public assets.</p> <p>Staff are requesting that opportunities to save more trees be considered. As a result, if the proposed development is approved, a Holding Provision should be added requiring a revised Tree Protection Plan to be submitted and approved.</p>
<p><b>Transportation</b></p> <p>Policy: C.4.5.12</p>	<p>A Transportation Impact Study shall be required for an Official Plan Amendment and/or a major Zoning By-law Amendment.</p>	<p>Additional information is required in order to confirm the proposal complies with this policy.</p> <p>The proposed development has not demonstrated that the proposed location of the access for the underground parking is acceptable or that the existing infrastructure (including the driveway access onto Rymal Road West) can handle the additional volume from the proposed development. As well, the existing access on Rymal Road West is located on lands not currently subject to this application. Therefore, a scoped Transportation Assessment (Trip Generation Letter) was requested by Transportation Planning in order to determine if the proposal was acceptable.</p> <p>Should the application be approved, a Holding Provision should be added requiring that a scoped Transportation Assessment (Trip Generation Letter) be submitted and approved.</p>

## Appendix “C” to Report PED24020

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Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Infrastructure</b></p> <p>Policy: C.5.3.6, C.5.3.13, C.5.3.17, and C.5.4</p>	<p>All redevelopment within the urban area shall be connected to the City’s water and wastewater system.</p> <p>The City shall ensure that any change in density can be accommodated within the municipal water and wastewater system.</p> <p>The City shall be satisfied that adequate infrastructure services can be provided prior to any development or intensification proceeding.</p> <p>The City shall ensure that appropriate storm water management facilities are built and maintained to provide a safe and secure system for storm water.</p>	<p>Additional information was required in order to confirm the proposal complies with these policies.</p> <p>The proposed development has not demonstrated that the increased wastewater generated from the proposed development will not adversely impact the hydraulic performance. An updated Functional Servicing Report is required. In addition, the owner must enter into an External Works Agreement with the City to complete upgrades to the municipal infrastructure at 100% of the owner’s cost (see Appendix “C” attached to Report PED24020).</p> <p>Should the proposed development be approved, a Holding ‘H’ Provision should be added to require an updated Functional Servicing Report and that the owner agree to enter into an external works agreement at the Site Plan Control stage.</p>
<p><b>Noise</b></p> <p>Policy: B.3.6.3.1</p>	<p>Development of noise sensitive land uses, in the vicinity of provincial highways, parkways, minor or major arterial roads, collector roads, truck routes, railway lines, railway yards, airports, or other uses considered to be noise generators shall comply with all applicable provincial and municipal guidelines and standards.</p>	<p>The proposal complies with this policy.</p> <p>The subject lands front onto Rymal Road West, which is identified as a major arterial road on Schedule “C” – Functional Road Classification and Garth Street, which is identified as a Collector on Schedule “C” – Functional Road Classification.</p> <p>A Noise Impact Study, prepared by SLR dated May 12, 2023, was submitted. The purpose of the study was to measure transportation sound levels from Rymal Road West and Garth Street, and the implications on the proposed living space and outdoor amenity area associated with the proposed development.</p>



## Appendix “C” to Report PED24020

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Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Noise</b></p> <p>Policy: B.3.6.3.1 <b>(Continued)</b></p>		<p>The study recommended that a warning clause be added to all purchase of sale agreements or lease agreements. Staff are generally satisfied with the Noise Study for the Zoning By-law Amendment and are requesting an addendum be provided at the Site Plan Control stage when the design of the building is confirmed to include upgraded glazing and confirm if components of the building (garage doors, HVAC, etc.) are considered stationary noise sources.</p>
<p><b>Neighbourhoods Designation – General Policies: Function</b></p> <p>Policy: E.3.2.1</p>	<p>Areas designated “Neighbourhood” shall include a full range of residential dwelling types and densities.</p>	<p>The proposal complies with this policy.</p> <p>The proposed development is a residential use in a multiple dwelling built form. The proposed development includes a combination of one bedroom (five units), two bedroom (47 units) and three bedroom units (five units). The development will include podium parking within the proposed building and proposes to make use of the driveway entrance on the adjacent property at 445 Rymal Road West and 1670 Garth Street.</p>
<p><b>Medium Density Residential – Function</b></p> <p>Policy: E.3.5.1, E.3.5.5 and E.3.5.6</p>	<p>Medium Density Residential designated areas are characterized by <i>multiple dwelling</i> forms on the periphery of neighbourhoods in proximity to major or minor arterial roads, or within the interior of neighbourhoods fronting on collector roads.</p>	<p>The proposal complies with these policies.</p> <p>The proposed development is a multiple dwelling located adjacent to Rymal Road West which is identified as a major arterial road on Schedule “C” – Functional Road Classification and within close proximity to Garth Street which is identified as a collector road on Schedule “C” – Functional Road Classification.</p>

## Appendix "C" to Report PED24020

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Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Medium Density Residential – Function</b></p> <p>Policy: E.3.5.1, E.3.5.5 and E.3.5.6 (Continued)</p>	<p>Medium Density Residential uses shall be located within safe and convenient walking distance of existing or planned community facilities, public transit, schools, active or passive recreational facilities, and local or district commercial uses. Medium Density Residential Built Forms function as transitions between high and low density uses.</p>	<p>The proposed development is located within a safe and convenient walking distance of a number of services to support the proposed density including recreational facilities (Carpenter Neighbourhood Park and William Schwenger Park) and Institutional Uses (Saint Therese of Lisieux Elementary and St. Thomas More Secondary). Hamilton Street Railway operated bus routes are located along Rymal Road West and Garth Street.</p>
<p><b>Medium Density Residential – Scale</b></p> <p>Policy: E.3.5.8 and E.3.5.9</p>	<p>In Medium Density Residential Uses, a maximum height shall be six storeys, but the height may be increased to 12 storeys without an amendment to this Plan, provided the following is demonstrated:</p> <ol style="list-style-type: none"> <li>a) The development shall provide for a mix of unit sizes to accommodate a range of household sizes and income levels; and,</li> <li>b) The development shall incorporate sustainable building and design principles including but not limited to the use of locally sourced and/or recycled materials, water conservation, energy efficiency techniques, and low impact development approaches.</li> </ol>	<p>Additional information is required in order to confirm the proposal complies with these policies.</p> <p>The proposal meets the intent of the designation by adding to the range of residential dwelling types within the existing building stock while proposing minimal exterior modifications to the street façade of the existing building. Therefore, the proposed building will remain consistent with the neighbouring properties in terms of height, massing and setbacks.</p> <p>The Urban Hamilton Official Plan identifies Medium Density Residential as multiple dwellings on the periphery of neighbourhoods. Lands designated Medium Density Residential are located in close proximity to major or minor arterial roads and are within a safe and convenient walking distance of existing or planned community facilities and services. The community facilities and services can include, but are not limited to, public transit, schools, and active or passive recreational facilities while being in close proximity to a Local Commercial or District Commercial area.</p>

**Appendix “C” to Report PED24020**  
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Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Medium Density Residential – Scale</b></p> <p>Policy: E.3.5.8 and E.3.5.9  <b>(Continued)</b></p>	<p>c) The development shall not unduly overshadow or block light on adjacent sensitive land uses the public realm and outdoor private amenity area, buildings are progressively stepped back from adjacent areas designated neighbourhoods and the buildings are stepped back from the street to minimize the height appearance from the street (where necessary).</p> <p>Development within the Medium Density Residential category shall be evaluated on the basis of the following criteria:</p> <p>Developments have direct access to a collector or major or minor arterial road, development shall be integrated with other lands in the neighbourhoods designation with respect to density, design, and physical and functional considerations, development shall be comprised of sites of suitable size and provide adequate landscaping, amenity features, on-site parking, and buffering if required, access to the property shall be</p>	<p>The subject lands are within 100 metres of existing Hamilton Street Railway Bus Route Nos. 44 and 35G (Policy E.3.6.7 i) and is located on the Blast Network (which is the City’s LRT and Bus Rapid Transit Network). The site is located adjacent to Saint Therese of Liseux Catholic Elementary School and within a safe and convenient walking distance to St. Thomas More Secondary School and William Schwenger Park. The proposed residential development is in proximity to Rymal Road West and Upper James Street which is identified as a Community Node in the Urban Hamilton Official Plan.</p>

## Appendix "C" to Report PED24020

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Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Medium Density Residential – Scale</b></p> <p>Policy: E.3.5.8 and E.3.5.9 <b>(Continued)</b></p>	<p>designed to minimize conflicts between traffic and pedestrians both on-site and on surrounding streets, the height, orientation, design, and massing of a building or structure shall not unduly overshadow, block light, or result in the loss of privacy, and the orientation, design, massing of a building or structure higher than six stories shall take into account the impact on public view corridors and general public views through the submission of a Visual Impact Assessment.</p>	<p>The streetscape has a range of building types including an existing multiple dwelling (at the intersection of Garth Street and Rymal Road West) and low density residential on the north side of Garth Street. Staff are satisfied that the proposed multiple dwelling is in character with the existing streetscape on Rymal Road West. In addition, the proposed multiple dwelling steps down from eight stories to four stories when adjacent to the existing single detached dwelling to the west. Staff are satisfied that the building proposed provides the appropriate transition to the single detached dwelling on the west side of the subject lands.</p>

**Appendix “D” to Report PED24020**  
**Page 1 of 4**

**CONSULTATION – DEPARTMENTS AND AGENCIES**

<b>Department/Agency</b>	<b>Comment</b>	<b>Staff Response</b>
<ul style="list-style-type: none"> <li>• Transit Planning and Infrastructure, Transit Division, Public Works Department;</li> <li>• Commercial District and Small Business, Economic Development Division, Planning and Economic Development Department; and,</li> <li>• Canada Post.</li> </ul>	No Comment.	Noted.
Development Engineering Section, Growth Management Division, Planning and Economic Development Department.	<p>Development Engineering does not have any objections to the approval of the application subject to the addition of a Holding Provision.</p> <p>The applicant needs to demonstrate through a Functional Servicing Report that the increased wastewater generated from the proposed development will not adversely impact the hydraulic performance of the City’s Sanitary Sewer System. In addition, the owner needs to enter into an external works agreement in order to complete upgrades to the municipal services at 100% the applicants cost.</p>	The proposed development has not demonstrated that the increased wastewater generated from the proposed development will not adversely impact the hydraulic performance. An updated Functional Servicing Report is required. In addition, the owner must enter into an External Works Agreement with the City to complete upgrades to the municipal infrastructure at 100% the owner’s cost (see Appendix “C” attached to Report PED24020).

## Appendix “D” to Report PED24020

## Page 2 of 4

Department/Agency	Comment	Staff Response
Development Engineering Section, Growth Management Division, Planning and Economic Development Department <b>(Continued)</b>		Should the application be approved, a Holding ‘H’ Provision should be added to require an updated Functional Servicing Report and that the owner would agree to enter into an external works agreement at the Site Plan Control stage.
Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department	Transportation Planning support the proposed Zoning By-law Amendment as it has been shown that the existing surrounding road network and infrastructure can support the use. A Holding Provision would be needed to require a scoped Transportation Assessment (Trip Generation Letter) to be submitted by a qualified Transportation Consultant. The applicant is required to verify the current right-of-way on Rymal Road East, which appears to be 30 metres. Approximately 6 metres are to be dedicated along Rymal Road East, as per the Council Approved Urban Official Plan: Schedule C-2 - Future Right-of-Way Dedications. Rymal Road East is to be 36.576 metres from Glanaster Road to Upper Centennial Parkway.	The proposed development has not demonstrated that the proposed location of the access for the underground parking is acceptable or that the existing infrastructure (including the driveway access onto Rymal Road West) can handle the additional volume from the proposed development. As well, the existing access on Rymal Road West is on lands not currently subject to this application.  Should the application be approved, a Holding Provision should be added requiring that a scoped Transportation Assessment (Trip Generation Letter) be submitted and approved.

**Appendix “D” to Report PED24020**  
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<b>Department/Agency</b>	<b>Comment</b>	<b>Staff Response</b>
Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department <b>(Continued)</b>	Transportation Planning did provide additional site plan comments related to the location of loading spaces, parking garage markers and minimum number of bicycle parking spaces that would be required.	
Waste Policy and Planning Section, Waste Management Division, Public Works Department	<p>Waste Policy attempts to have all residential developments receive municipal waste collection unless there are extenuating circumstances and/or specific site constraints. The proposed multiple dwelling will require front end bin service for collection of garbage, recyclable containers, recyclable papers, and organic waste.</p> <p>Additional details have been provided in the comments to ensure the municipal requirements are met, which include the specifics regarding the size of the waste room, the number of bins, chute design for the building layout and the road base design along the access route.</p>	Should the application be approved, specific design details will be addressed at the Site Plan Control stage.
Forestry and Horticulture Section, Environmental Services Division, Public Works Department	Forestry has requested a Landscape Plan prepared by a registered Landscape Architect, showing the placement of trees on internal and external city property be provided.	Should the application be approved, a Landscape Plan would be required to be submitted, reviewed and approved by Forestry staff at the Site Plan Control stage.

**Appendix “D” to Report PED24020**  
**Page 4 of 4**

<b>Department/Agency</b>	<b>Comment</b>	<b>Staff Response</b>
Forestry and Horticulture Section, Environmental Services Division, Public Works Department <b>(Continued)</b>	As per Tree By-law No. 15-125 new developments are to provide a one time payment for each new tree proposed within the City Right-of-Way.	
Growth Planning Section, Growth Management Division, Planning and Economic Development Department	<p>It should be determined if a Draft Plan of Condominium application will be required.</p> <p>Municipal addressing will be determined at a future Site Plan Control stage.</p>	<p>At the time of the Zoning By-law Amendment application, Staff were advised that the proposal is intended to provide rental units. Should the subject application be approved, a Draft Plan of Condominium application is not required.</p> <p>Should the application be approved, municipal addressing will be determined at the Site Plan Control stage.</p>





**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Planning Division**

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	February 6, 2024
<b>SUBJECT/REPORT NO:</b>	Application for Zoning By-law Amendment for Lands Located at 164, 168 and 176 Rymal Road East, Hamilton (PED24021) (Ward 8)
<b>WARD(S) AFFECTED:</b>	Ward 8
<b>PREPARED BY:</b>	Daniel Barnett (905) 546-2424 Ext. 4445
<b>SUBMITTED BY:</b>	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

## RECOMMENDATION

That **Revised Zoning By-law Amendment Application ZAC-23-050 by Metropolitan Consulting Inc. c/o Peter De Iulio on behalf of 2826749 Ontario Inc. and Andrew Barber c/o Saddique Khan, owners**, for a change in zoning from “B” (Suburban Agriculture and Residential, Etc.) District and “AA” (Agricultural) District to Transit Oriented Corridor Multiple Residential (TOC3, 887, H165) Zone, to retain the existing building at 164 Rymal Road East to be adaptively reused for dwelling units, and to permit two storey and three storey multiple dwellings containing a maximum of 50 dwelling units, for lands located at 164, 168 and 176 Rymal Road East, as shown on Appendix “A” attached to Report PED24021, be **APPROVED** on the following basis:

- (a) That the draft By-law, attached as Appendix “B” to Report PED24021, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the amending By-law apply the Holding Provisions of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject property by including the Holding symbol ‘H’ to the proposed Transit Oriented Corridor Multiple Residential (TOC3, 887, H165) Zone;

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**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 164, 168, and 176 Rymal Road East, Hamilton (PED24021) (Ward 8) - Page 2 of 14**

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The Holding Provision 'H' is to be removed, conditional upon:

- (i) That the properties municipally known as 164, 168 and 176 Rymal Road East be merged in title, to the satisfaction of the Director of Development Planning;
  - (ii) The Owner submitting and receiving approval of a revised Functional Servicing Report demonstrating that the increased wastewater generated from the proposed development will not adversely impact the hydraulic performance of the City's sanitary sewer system by completing a sanitary sewer analysis from the proposed junction to the existing manhole at the intersection of Upper Wellington Street and Byng Street to demonstrate that there is residual capacity in the system to support the proposed development, to the satisfaction of the Director of Development Engineering;
  - (iii) The Owner submitting and receiving approval of a revised Functional Servicing Report providing additional storm water management details to demonstrate the feasibility of accommodating the required storm water storage within the site, to the satisfaction of the Director of Development Engineering;
  - (iv) The Owner submitting and receiving approval of a revised Tree Protection Plan (and applicable review fee) to evaluate the retention of additional trees, to the satisfaction of the Director of Heritage and Urban Design;
- (c) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place of Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and complies with the Urban Hamilton Official Plan;
  - (d) That upon finalization of the amending By-law, the subject lands be re-designated from "Single & Double" to "Attached Housing" in the Allison Neighbourhood Plan.

## **EXECUTIVE SUMMARY**

The subject lands are municipally known as 164, 168, and 176 Rymal Road East, Hamilton and are located on the south side of Rymal Road East, east of Upper James Street. The owner has applied for a Zoning By-law Amendment to rezone the lands from "B" (Suburban Agriculture and Residential, Etc.) District and "AA" (Agricultural) District to Transit Oriented Corridor Multiple Residential (TOC3, 887, H165) Zone in City of

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**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 164, 168, and 176 Rymal Road East, Hamilton (PED24021) (Ward 8) - Page 3 of 14**

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Hamilton Zoning By-law No. 05-200. Through the review process, Staff identified that the building at 164 Rymal Road East should be retained and adaptively reused due to its cultural heritage value which results in a revision to the concept plan submitted with the application. The applicant has agreed to retaining the building at 164 Rymal Road East and incorporate it into the development concept and the retention of 164 Rymal Road East is included into the amending By-law.

The proposed Zoning By-law Amendment will retain the building at 164 Rymal Road East as well as permit two storey and three storey multiple dwellings containing a maximum of 50 dwelling units with access from Rymal Road East via a private condominium road. Site specific modifications to the Transit Oriented Corridor Multiple Residential (TOC3) Zone are required to accommodate the proposed development, which are discussed in detail in Appendix “C” attached to Report PED24021.

The proposed Zoning By-law Amendment has merit and can be supported for the following reasons:

- It is consistent with the Provincial Policy Statement (2020);
- It conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
- It complies with the Urban Hamilton Official Plan, in particular, the function, scale and design of the “Neighbourhoods” designation; and,
- The development is compatible with the existing land uses in the immediate area and represents good planning by, among other things, increasing the supply of housing units, protecting an existing building which has been identified as having potential cultural heritage value, making efficient use of existing infrastructure within the urban boundary, and supporting public transit.

**Alternatives for Consideration – See Page 13**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

Legal: As required by the *Planning Act*, Council shall hold a Public Meeting to consider an application for an amendment to the Zoning By-law. In accordance with Section 34(10.12), if the City makes a decision on a Zoning By-law Amendment within 90 days after the receipt of the application, the City shall not refund the fee.

**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 164, 168, and 176 Rymal Road East, Hamilton (PED24021) (Ward 8) - Page 4 of 14**

**HISTORICAL BACKGROUND**

<b>Application Details</b>	
Owner:	2826749 Ontario Inc. and Andrew Barber c/o Saddique Khan.
Applicant:	Metropolitan Consulting Inc. c/o Peter De Iulio.
File Number:	ZAC-23-050.
Type of Application:	Zoning By-law Amendment.
Proposal:	<p>The Staff revised proposal is to retain the building at 164 Rymal Road East to be adaptively reused as a multiple dwelling and to permit two storey and three storey multiple dwellings containing a maximum of 50 dwelling units. The originally submitted Concept Plans are attached as Appendix "C" to Report PED24021. The dwelling unit breakdown includes 11, two bedroom units (23%) and 36, three bedroom units (77%). The applicant has agreed to investigate how retaining the existing building could be incorporated into the development concept.</p> <p>The development is proposed to include approximately 69 parking spaces in the following layout:</p> <ul style="list-style-type: none"> <li>• 25 parking spaces within individual garages;</li> <li>• 25 parking spaces within individual driveways;</li> <li>• Nine parking spaces at the rear of the multiple dwellings along Rymal Road East; and,</li> <li>• 10 parking spaces on the condominium road, including five parallel parking spaces and five perpendicular parking spaces of which one is to be a barrier free parking space.</li> </ul> <p>Staff anticipate that minor modifications to the parking layout will occur through the Site Plan Control process as a result of retaining the building at 164 Rymal Road East.</p>
<b>Property Details</b>	
Municipal Address:	164, 168 and 176 Rymal Road East.
Lot Area:	Approximately 7,700 square metres (0.77 hectares).
Servicing:	Full municipal services.
Existing Use:	Three single detached dwellings.

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**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 164, 168, and 176 Rymal Road East, Hamilton (PED24021) (Ward 8) - Page 5 of 14**

<b>Documents</b>	
Provincial Policy Statement:	The proposal is consistent with the Provincial Policy Statement (2020).
A Place to Grow:	The proposal conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).
Official Plan Existing:	"Neighbourhoods" on Schedule "E-1" – Land Use Designations.
Official Plan Proposed:	No amendment proposed.
Zoning Existing:	"AA" (Agriculture) District; and, "B" (Suburban Agriculture and Residential, etc.) District.
Zoning Proposed:	Transit Oriented Corridor Multiple Residential (TOC3, 887, H165) Zone.
Modifications Proposed:	<p>The following modifications have been requested by the applicant:</p> <ul style="list-style-type: none"> <li>• To permit tandem parking for a multiple dwelling whereas tandem parking is not permitted;</li> <li>• To increase the maximum number of parking spaces from 58 parking spaces (1.25 spaces per dwelling unit) to 69 parking spaces (1.47 spaces per dwelling unit);</li> <li>• To increase the minimum number of short term bicycle parking spaces from five short term bicycle parking spaces to 25 short term bicycle parking spaces;</li> <li>• To remove the requirement for long term bicycle parking spaces, whereas 23 long term bicycle parking spaces (0.5 parking spaces per unit) are required;</li> <li>• To reduce the minimum rear yard setback from 7.5 metres to 1.5 metres;</li> <li>• To reduce the minimum interior side yard setback from 7.5 metres to 3.0 metres for lots abutting a single detached dwelling, semi-detached dwelling or street townhouse dwelling, for the lands included in Block 1 of Figure No. 38; and,</li> <li>• To reduce the minimum building height from 11.0 metres to 6.5 metres.</li> </ul>

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**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 164, 168, and 176 Rymal Road East, Hamilton (PED24021) (Ward 8) - Page 6 of 14**

<b>Documents</b>	
<b>Modifications Proposed (Continued)</b>	<p>The following modifications have been included by staff:</p> <ul style="list-style-type: none"> <li>• To retain the existing building at 164 Rymal Road East;</li> <li>• To not apply the minimum 0.9 metre finished floor elevation above grade, for the lands included in Block 2 of Figure No. 38;</li> <li>• To reduce the minimum interior side yard setback from 7.5 metres to 6.0 metres for lots abutting a single detached dwelling, semi-detached dwelling or street townhouse dwelling, for the lands included in Block 2 of Figure No. 38;</li> <li>• To reduce the maximum building height from 22.0 metres to 11.0 metres; and,</li> <li>• To permit a parking ratio of 1.47 parking spaces per unit.</li> </ul> <p>Staff are not supportive of the applicant proposed modification to remove the requirement to provide long term bicycle parking spaces and therefore have not included this modification in the site specific by-law attached as Appendix “B” to Report PED24021.</p> <p>A complete analysis of the proposed modifications is attached as Appendix “D” to Report PED24021.</p>
<b>Processing Details</b>	
Received:	November 22, 2023.
Deemed Complete:	November 23, 2023.
Notice of Complete Application:	Sent to 173 property owners within 120 metres of the subject property on December 7, 2023.
Public Notice Sign:	Posted on December 4, 2023, and includes the Public Meeting date of February 6, 2024.
Notice of Public Meeting:	Sent to 173 property owners within 120 metres of the subject property on January 19, 2024.
Staff and Agency Comments:	Staff and agency comments have been summarized in Appendix “F” attached to Report PED24021.

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**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 164, 168, and 176 Rymal Road East, Hamilton (PED24021) (Ward 8) - Page 7 of 14**

<b>Processing Details</b>	
Public Consultation:	In addition to the <i>Planning Act</i> requirements, the Applicant held a virtual Public Open House meeting on January 12, 2023, with invitations sent to 221 properties within the area. The applicant advised that a total of 22 individuals registered for the Public Consultation meeting and 13 attended.
Public Comments:	Staff received one written submission expressing concern with anticipated increased traffic volumes and congestion resulting from the proposed development (attached as Appendix "G" to Report PED24021).
Processing Time:	84 days.

**Existing Land Use and Zoning:**

	<b>Existing Land Use</b>	<b>Existing Zoning</b>
<b>Subject Property:</b>	Single detached dwellings.	"B" (Suburban Agriculture and Residential, etc.) District and "AA" (Agricultural) District.
<b>Surrounding Land Uses:</b>		
North	Single detached dwellings and townhouse dwellings.	"R-4/S-1379" and "R-4/S-1822" (Small Lot Single Family Dwelling) District, Modified.
South	Single detached dwellings.	"B-2/S-1303", "B-2/S-1303a" and "B-2/S-1822" (Suburban Residential) District, Modified.
East	Single detached dwellings.	"R-4/S-1358" and "R-4/S-1822" (Small Lot Single Family Dwelling) District, Modified.
West	Single detached dwelling.	"B" (Suburban Agriculture and Residential, etc.) District.

**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 164, 168, and 176 Rymal Road East, Hamilton (PED24021) (Ward 8) - Page 8 of 14**

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## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

### **Provincial Planning Policy Framework**

The Provincial Planning Policy Framework is established through the *Planning Act* (Section 3) and the Provincial Policy Statement (2020). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the Provincial Policy Statement (2020) and conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).

The mechanism for the implementation of the Provincial plans and policies is through the Official Plan. Through the preparation, adoption and subsequent Ontario Land Tribunal approval of the City of Hamilton Official Plans, the City of Hamilton has established the local policy framework for the implementation of the Provincial planning policy framework. Matters of provincial interest (e.g., efficiency of land use) are reviewed and discussed in the Official Plan analysis that follows.

As the application for a Zoning By-law Amendment complies with the Urban Hamilton Official Plan, it is staff's opinion that the application has merit and can be supported for the following reasons:

- It is consistent with Section 3 of the *Planning Act*;
- It is consistent with the Provincial Policy Statement (2020); and,
- It conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).

### **Urban Hamilton Official Plan**

The subject properties are designated "Neighbourhoods" on Schedule "E-1" – Urban Land Use Designations in the Urban Hamilton Official Plan.

The intent of the "Neighbourhoods" designation in the Urban Hamilton Official Plan is to develop neighbourhoods as complete communities. The "Neighbourhoods" designation primarily consists of residential uses with complementary facilities to serve residents. The development proposal, as revised by staff is to retain the building at 164 Rymal Road East to be adaptively reused as a multiple dwelling and to permit two storey and three storey multiple dwellings containing a maximum of 50 dwelling units along a private condominium road. Based on a policy review attached as Appendix "E" to Report PED24021 and the definition of multiple dwelling, the proposed development is determined to be Medium Density Residential as the form of block and stacked townhouse dwellings are considered multiple dwellings. As part of a complete community, a full range of housing forms, types and tenures shall be encouraged for



**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 164, 168, and 176 Rymal Road East, Hamilton (PED24021) (Ward 8) - Page 9 of 14**

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residential uses, and all new development within the “Neighbourhoods” designation should be compatible with the character of the existing neighbourhood. The proposed use complies with the applicable Medium Density Residential policies in the Urban Hamilton Official Plan.

The proposed multiple dwellings comply with the planned function, scale, and design policies for Medium Density Residential developments in terms of location of the use on the periphery of the neighbourhood, abutting a major arterial road, and within walking distance of transit, schools, parks, and commercial uses. The buildings do not exceed the maximum height restriction of six storeys and are compatible with the existing character of the area, and do not create adverse impacts on the adjacent lands.

164 and 176 Rymal Road East are listed on the City of Hamilton’s Built Heritage Inventory. As part of the Formal Consultation application (FC-23-055) Cultural Heritage staff advised that a Cultural Heritage Impact Assessment would be required and should contemplate the retention of the dwelling located at 164 Rymal Road East and explore its incorporation into the proposed development.

A Cultural Heritage Impact Assessment for the subject property was completed by Parslow Heritage Consultants Inc. and submitted in support of the application. The Cultural Heritage Impact Assessment evaluated the criteria for determining the Cultural Heritage Value or Interest of a property as prescribed by O. Reg 569/22 of the *Ontario Heritage Act* and determined that 164 Rymal Road East satisfied three of the 10 criteria, including that the property is an example of the Edwardian Classicism style, the structure displays fine examples of period craftsmanship and the structure has a visual connection to the building owned by a member of the Bethune family. Section 29 of the *Ontario Heritage Act* notes that a property must meet “two or more” of the criteria to be considered a candidate for designation. While the Cultural Heritage Impact Assessment is not complete in the opinion of staff, there is no intention to move forward with designating the property under Part V of the *Ontario Heritage Act*, however staff identify value in retaining the existing building in the proposed development.

A provision has been incorporated into the proposed Zoning By-law Amendment that requires the existing single detached dwelling located at 164 Rymal Road East, not including accessory structures, be retained and adaptively reused. Retaining the building at 164 Rymal Road East to be adaptively reused will provide an opportunity for an alternative housing option to be provided in the area and will preserve the neighbourhood character. Furthermore, the overall design as illustrated on the Concept Plans attached as Appendix “C” to Report PED24021 can proceed with minor modifications at 164 Rymal Road East. Based on a high level review of the proposal, it appears that the condominium road can remain as designed and modifications to the parking will be required.

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**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 164, 168, and 176 Rymal Road East, Hamilton (PED24021) (Ward 8) - Page 10 of 14**

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Revisions to the Cultural Heritage Impact Assessment may be required as part of a future Site Plan Control application.

An Arborist Report prepared by Summit SKS Limited, dated August 12, 2022, and revised March 9, 2022, and June 12, 2023, identifies 42 trees on the subject site and recommends that 33 of those trees be removed to accommodate the proposed development. The trees proposed to be removed include a variety of species including, Sugar Maples, Blue Spruces, Norway Maples, Black Walnuts, Honey Locust, Apple trees, common Pear trees, Austrian Pine, Red Maples, Pin Cherry and Silver Maples. The conditions of the trees range from fair to good. The report recommends retaining nine trees. Therefore, by retaining the building at 164 Rymal Road East, three additional existing trees along the western property line of the subject lands may also be retained. Staff are recommending that a Holding 'H' Provision be applied to require the submission and approval of a revised Tree Protection Plan that would re-evaluate the retention of trees.

Finally, the policies of the Urban Hamilton Official Plan require that services be available to serve the proposed development. There are existing municipal services in the area, and a Holding 'H' Provision has been applied to ensure that there is adequate sanitary sewer system capacity and adequate storm water management to accommodate the proposed development.

Therefore, it is the opinion of staff that the proposed development complies with the policies of the Urban Hamilton Official Plan.

### **Neighbourhood Plan**

The subject lands are located in the Allison Neighbourhood Plan which is bound by Upper James Street to the west, Rymal Road East to the north and Upper Wellington Street to the east. The subject lands are identified as "Single and Double" residential. The Allison Neighbourhood Plan outlines three major goals, which include achieving a self-sufficient neighbourhood, efficient and attractive design, and a viable commercial area at the intersection of Upper James Street and Rymal Road East. The Neighbourhood Plan contemplates attached housing at the corner of Rymal Road and Upper Wellington Street and encourages residential developments that are compatible with adjacent developments in terms of height and density.

In addition, the Neighbourhood Plan encourages the inclusion of a variety of housing sizes and types. Existing vegetation will be retained where possible, including borders of mature trees within the neighbourhood and along arterial roads. Furthermore, the Neighbourhood Plan encourages that heritage resources be preserved where possible.

**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 164, 168, and 176 Rymal Road East, Hamilton (PED24021) (Ward 8) - Page 11 of 14**

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The proposed development generally implements the vision of the Allison Neighbourhood Plan. Staff have included a recommendation in the report that the Allison Neighbourhood Plan designation be amended from “Single and Double” to “Attached Housing” to reflect the proposed development.

**City of Hamilton Zoning By-law No. 6593**

The Zoning By-law Amendment proposes a change in zoning from the “AA” (Agricultural) District of the easterly portion of the subject lands (part of 176 Rymal Road East), and “B” (Suburban Agriculture and Residential, etc.) District for the balance of the lands, in the former City of Hamilton Zoning By-law No. 6593. The current zoning permits single detached dwellings but does not permit multiple dwellings. Therefore, a Zoning By-law Amendment is required.

**City of Hamilton Zoning By-law No. 05-200**

To facilitate the redevelopment of the subject lands and adaptively reuse the building at 164 Rymal Road East, staff have proposed modifications to the Zoning By-law Amendment application submitted by the applicant to rezone the subject lands to the Transit Oriented Corridor Multiple Residential (TOC3, 887, H165) Zone. The development proposal, as revised by staff is to retain the building at 164 Rymal Road East to be adaptively reused as a multiple dwelling and to permit two storey and three storey multiple dwellings containing a maximum of 50 dwelling units along a private condominium road.

The Transit Oriented Corridor Multiple Residential (TOC3) Zone implements the “Neighbourhoods” policies as the intent of the area is to development at a density to support transit along Rymal Road East and to support the commercial uses located along Upper James Street, which are within walking distance to the subject site. The site specific modifications required to accommodate the proposal are outlined in Appendix “D” attached to Report PED24021.

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

1. The proposal has merit and can be supported for the following reasons:
  - (i) It is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended);
  - (ii) It complies with the Urban Hamilton Official Plan, in particular, the function, scale and design of the “Neighbourhoods” designation; and,

**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 164, 168, and 176 Rymal Road East, Hamilton (PED24021) (Ward 8) - Page 12 of 14**

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- (iii) The development is compatible with the existing land uses in the immediate area and represents good planning by, among other things, increasing the supply of housing units by adding multiple dwelling units in the form of townhouses, making efficient use of existing infrastructure within the urban boundary, and supporting public transit.

2. Zoning By-law Amendment

The Zoning By-law Amendment proposes to rezone the lands to the Transit Oriented Corridor - Multiple Residential (TOC3, 887, H165) Zone, in the City of Hamilton Zoning By-law No. 05-200 to retain the building at 164 Rymal Road East to be adaptively reused as a multiple dwelling and to permit two storey and three storey multiple dwellings containing a maximum of 50 dwelling units along a private condominium road. The proposed amendment contains modifications to the Transit Oriented Corridor - Multiple Residential (TOC3) Zone to facilitate the development. An analysis of the modifications is provided in Appendix "D" attached to Report PED24021.

Staff are satisfied that the proposal meets the intent of the "Neighbourhoods" designation policies as outlined in Appendix "E" to Report PED24021. The proposed Transit Oriented Corridor – Multiple Residential (TOC3, 887, H165) Zone will permit the uses and scale of the development which is compatible with the existing scale in the area and complies with the policies of the Urban Hamilton Official Plan. A provision has been incorporated into the proposed Zoning By-law Amendment to ensure that the existing single detached dwelling located at 164 Rymal Road East, not including accessory structures, be retained, and adaptively reused. Noise mitigation measures and Tree Protection Plan will be addressed through the future Site Plan Control process.

Staff have reviewed the proposed modifications to the Zoning By-law and are satisfied that the tandem parking provision provides sufficient flexibility to ensure that parking is provided in a functional manner as a result of the proposed design and unit typology. Staff have also recommended that a parking ratio of 1.47 parking spaces per unit be included in the Zoning By-law Amendment. The proposed ratio is consistent with the submitted amendment, however, provides some flexibility depending on the overall number of dwelling units developed on the site.

Site specific exceptions regarding the finished floor elevation, rear yard setback, interior side yard and reduction in maximum building height have also been reviewed. The proposed development, as a result of the proposed modifications,

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**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 164, 168, and 176 Rymal Road East, Hamilton (PED24021) (Ward 8) - Page 13 of 14**

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is not anticipated to impact the adjacent residential uses and is a size and scale that is compatible with the existing neighbourhood.

In addition, the modification to remove the requirement for long term bicycle parking spaces is not supported by Staff and has not been included. The existing requirement can be accommodated within the existing design as the Zoning By-law only requires that the spaces are located within a secured and enclosed area.

Therefore, staff support the proposed amendment to the Zoning By-law as described above, subject to the proposed Holding 'H' Provision.

3. Holding Provision

A Holding 'H' Provision is proposed to be added to the subject lands to ensure that the Owner submit and receive approval of a revised Functional Servicing Report (FSR) demonstrating that the increased wastewater generated from the proposed development will not adversely impact sanitary sewer system and that the required storm water management can be accommodated within the site.

As a result of deficiencies in the submitted Tree Protection Plan, staff are recommending that a Holding 'H' Provision be applied to require the submission and approval of a revised Tree Protection Plan.

## **ALTERNATIVES FOR CONSIDERATION**

Should the application be denied, the subject property can be used in accordance with the "AA" (Agricultural) District and "B" (Suburban Agriculture and Residential, etc.) District, in the City of Hamilton Zoning By-law No. 6593.

Council could direct staff to implement the original development concept submitted with the application through the preparation of a revised Zoning By-law Amendment, which would include a Holding 'H' Provision requiring that a Documentation and Salvage Report for 164 Rymal Road East be completed prior to conditional Site Plan Control approval.

## **APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report PED24021 – Location Map  
 Appendix "B" to Report PED24021 – Draft Zoning By-law Amendment  
 Appendix "C" to Report PED24021 – Concept Plan  
 Appendix "D" to Report PED24021 – Zoning Modification Chart

**SUBJECT: Application for Zoning By-law Amendment for Lands Located at 164, 168, and 176 Rymal Road East, Hamilton (PED24021) (Ward 8) - Page 14 of 14**

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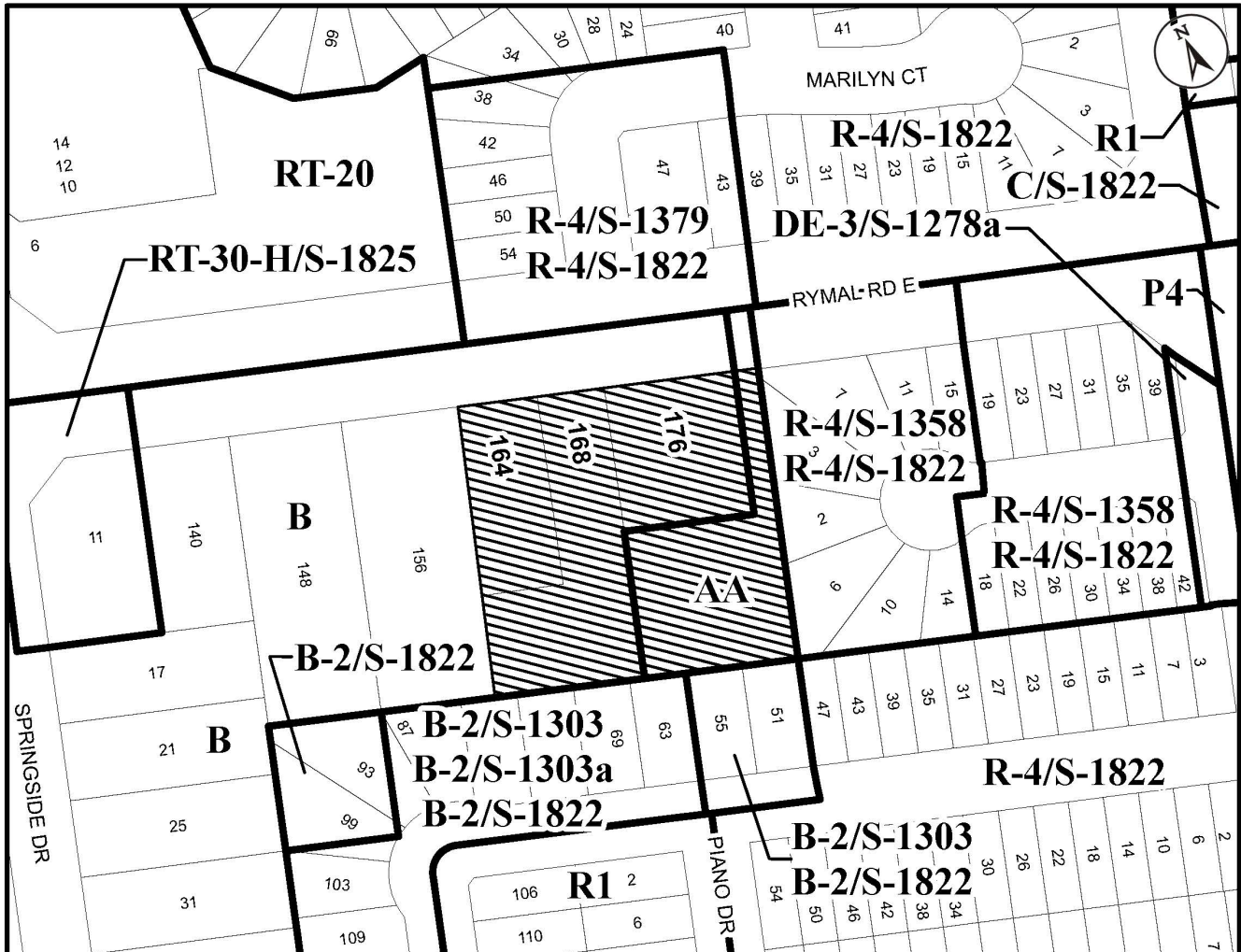
Appendix "E" to Report PED24021 – Summary of Policy Review

Appendix "F" to Report PED24021 – Department and Agency Comments

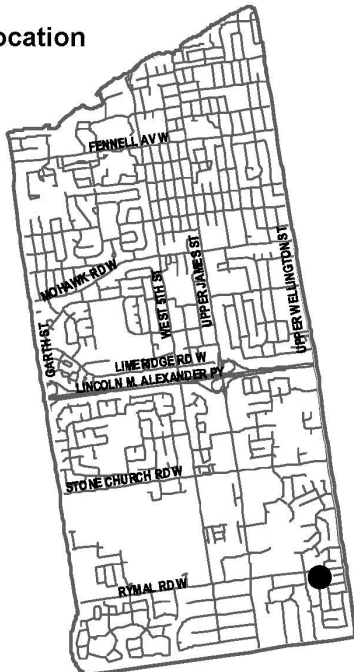
Appendix "G" to Report PED24021 – Public Comments

DB/sd

Appendix "A" to Report PED24021  
Page 1 of 1



● Site Location



Key Map - Ward 8



## Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
ZAC-23-050

Date:  
January 10, 2024


Appendix "A"


Scale:  
N.T.S

Planner/Technician:  
DB/NB

### Subject Property

164-176 Rymal Road East, Hamilton (Ward 8)

 Change in Zoning from the "B" (Suburban Agriculture and Residential, Etc.) District in Zoning By-law No. 6593 to Transit Oriented Corridor Multiple Residential (TOC3, 887, H165) Zone in Zoning By-law No. 05-200

 Change in Zoning from Zoning from the "AA" (Agricultural) District in Zoning By-law No. 6593 to Transit Oriented Corridor Multiple Residential (TOC3, 887, H165) Zone in Zoning By-law No. 05-200

**Appendix “B” to Report PED24021****Page 1 of 5**

**Authority:** Item,  
Report (PED )  
CM:  
Ward: X

**Bill No.****CITY OF HAMILTON****BY-LAW NO.**

**To amend Zoning By-law No. 05-200 with respect to lands located at 164, 168 and 176 Rymal Road East, Hamilton**

**WHEREAS** Council approved Item \_\_\_ of Report \_\_\_\_\_ of the Planning Committee, at its meeting held on **DATE**;

**AND WHEREAS** this By-law conforms to the Urban Hamilton Official Plan;

**NOW THEREFORE** Council amends Zoning By-law No. 05-200 as follows:

1. That Schedule “A” – Zoning Maps, Map Nos. 1395 and 1446 are amended by adding the Transit Oriented Corridor Multiple Residential (TOC3, 887, H165) Zone, for the lands known as 164, 168 and 176 Rymal Road East, the extent and boundaries of which are shown on Schedule “A” to this By-law.
2. That Schedule “C”: Special Exceptions is amended by adding the following new Special Exception:
  - “887. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3) Zone, identified on Map Nos. 1395 and 1446 of Schedule “A” – Zoning Maps and described as 164, 168 and 176 Rymal Road East, Hamilton, the following special provisions shall apply:
    - a) The building existing on the date of the passing of this By-law located at 164 Rymal Road East, not including accessory structures, shall be retained and adaptively reused in accordance with Sections 11.3.1, 11.3.1.1, 11.3.2 and Sections b) and c) below.
    - b) Notwithstanding Section 5.2 c) i), 5.6 c) i), 5.7 c), and 5.7 e), as it relates to a Multiple Dwelling, the following regulations shall apply:
      - i) Tandem parking shall be permitted.



**Appendix “B” to Report PED24021****Page 2 of 5**

- ii) That tandem parking outlined in a) i) above, shall only apply to providing additional parking, supplementary to any required parking.
  - iii) A parking ratio of 1.47 parking spaces per unit shall be permitted.
  - iv) 25 short term bicycle parking spaces shall be required.
- c) Notwithstanding Section 11.3.1.1 i) 1., 11.3.2 b), 11.3.2 c) and 11.3.2 e) i) and ii), the following regulations shall apply:
- i) Restriction of Uses within a building      Section 11.3.1.1 i), shall not apply for the lands included in Block 2 of Figure No. 38 of Schedule “F” – Special Figures.
  - ii) Minimum Rear Yard      1.5 metres
  - iii) Minimum Interior Side Yard      A) 3.0 metres for lots abutting a single detached dwelling, semi-detached dwelling or street townhouse dwelling, for the lands included in Block 1 of Figure No. 38 of Schedule “F” – Special Figures.  
  
B) 6.0 metres for lots abutting a single detached dwelling, semi-detached dwelling or street townhouse dwelling for the lands included in Block 2 of Figure No. 38 of Schedule “F” – Special Figures.
  - iv) Minimum Building Height      6.5 metres
  - v) Maximum Building Height      11.0 metres
3. That Schedule “D” – Holding Provision, of By-law No. 05-200, be amended by adding the following Holding Provision:
- “165. Notwithstanding Section 11.3 of this By-law, within lands zoned Transit Oriented Corridor Multiple Residential (TOC3, 887) Zone on Map Nos. 1395 and 1446 on Schedule “A” – Zoning Maps, and described as 164,

**Appendix “B” to Report PED24021**  
**Page 3 of 5**

168 and 176 Rymal Road East, Hamilton, no development or demolition shall be permitted until such time as:

- i) That the properties municipally known as 164, 168 and 176 Rymal Road East be merged in title, to the satisfaction of the Director of Development Planning;
  - ii) The Owner submitting and receiving approval of a revised Functional Servicing Report demonstrating that the increased wastewater generated from the proposed development will not adversely impact the hydraulic performance of the City’s sanitary sewer system by completing a sanitary sewer analysis from the proposed junction to the existing manhole at the intersection of Upper Wellington Street and Byng Street to demonstrate that there is residual capacity in the system to support the proposed development, to the satisfaction of the Director of Development Engineering;
  - iii) The Owner submitting and receiving approval of a revised Functional Servicing Report providing additional storm water management details to demonstrate the feasibility of accommodating the required storm water storage within the site, to the satisfaction of the Director of Development Engineering;
  - iv) The Owner submitting and receiving approval of a revised Tree Protection Plan (and applicable review fee) to evaluate the retention of additional trees, to the satisfaction of the Director of Heritage and Urban Design;
4. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the provisions of the Transit Oriented Corridor Multiple Residential (TOC3, 887, H165) Zone, subject to the special requirements referred to in Section No. 2 and 3 of this By-law.
5. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

**PASSED** this \_\_\_\_\_, 2024

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A. Horwath  
Mayor

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J. Pilon  
Acting City Clerk

ZAC-23-050

**Appendix "B" to Report PED24021**  
**Page 4 of 5**



<p>This is Schedule "A" to By-law No. 24-</p> <p>Passed the ..... day of ....., 2024</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
--	---

<p><b>Schedule "A"</b></p> <p><b>Map forming Part of</b></p> <p><b>By-law No. 24- _____</b></p> <p><b>to Amend By-law No. 05-200</b></p>	<p><b>Subject Property</b></p> <p>164 - 176 Rymal Road East</p> <p> Lands to be added as Transit Oriented Corridor Multiple Residential (TOC3, 887, H165) Zone</p>
--	--

<p>Scale: N.T.S</p>	<p>File Name/Number: ZAC-23-050</p>	
<p>Date: December 19, 2023</p>	<p>Planner/Technician: JC/AL</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		



Appendix "B" to Report PED24021  
Page 5 of 5



Special Figure 38: 164 - 176 Rymal Road East

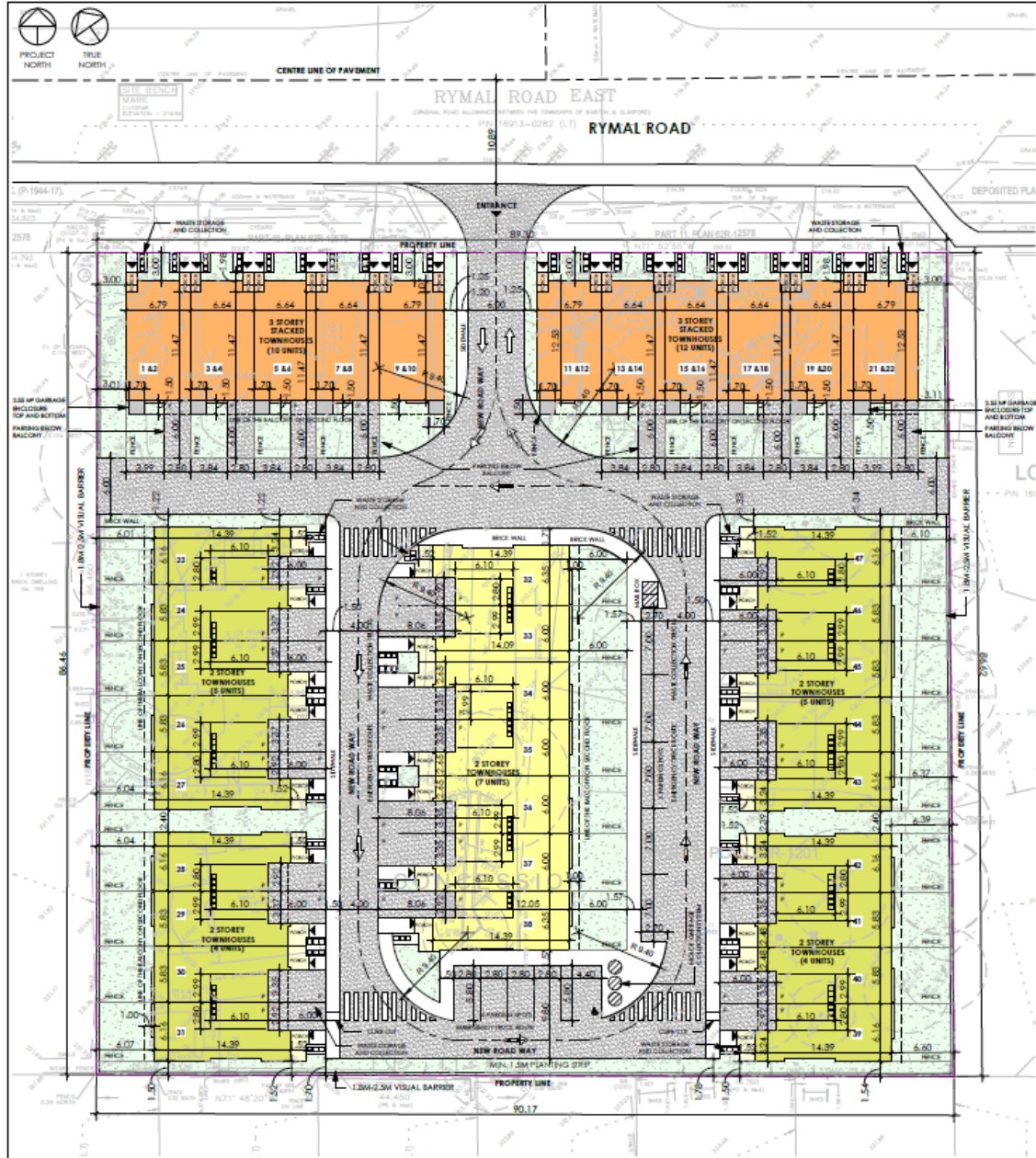
Date:  
January 11, 2024

Legend

-  Block 1
-  Block 2



ARCH-18' X 24'



1 SITE PLAN  
4:10 1:300



STATISTICS

ITEM	UNIT	VALUE
LOT AREA	AREA	7,744.86M <sup>2</sup>
TOTAL UNITS	UNIT	47
Townhouse	UNIT	47
Stacked townhouse	UNIT	22
TOTAL GROSS FLOOR AREA	AREA	6,072.29M <sup>2</sup>
FRONT SETBACK	FEET	3.00M
REAR SETBACK	FEET	1.50M
SIDE SETBACK	FEET	3.00M
TOWNHOUSE HEIGHT	FEET	6.63M
STACKED TOWNHOUSES HEIGHT	FEET	9.55M
AMENITY AREA	AREA	1,397.36M <sup>2</sup>
Balcony total: 231.87M <sup>2</sup>		
Backyard total: 1,165.49M <sup>2</sup>		
LANDSCAPED AREA	AREA	1,708.56M <sup>2</sup>
BUILDING GROUND COVERAGE	AREA	2,848.69M <sup>2</sup>

PARKING STATISTICS

VEHICULAR PARKING DIMENSIONS	2.80M X 5.80M
PARALLEL PARKING DIMENSIONS	2.70M X 7.00M
ACCESSIBLE PARKING DIMENSIONS	4.60M X 5.80M
TOTAL PARKING SPACES	67
On street: 19 spaces	
Driveway: 28 spaces	
Garage: 20 spaces	
TOTAL ACCESSIBLE PARK. SPACES	1
BICYCLE PARKING SPACES	0

SITE PLAN LEGEND

2 STOREY TOWNHOUSES (TYPE A)	[Color swatch]
2 STOREY TOWNHOUSES (TYPE B)	[Color swatch]
3 STOREY STACKED TOWNHOUSES	[Color swatch]
TOWNHOUSE PORCH	[Color swatch]
STACKED TOWNHOUSES PORCH	[Color swatch]
LANDSCAPE	[Color swatch]
SIDEWALK	[Color swatch]
ROADWAY	[Color swatch]
SNOW STORAGE	[Color swatch]
PROPERTY LINE	[Color swatch]
VISUAL BARRIER	[Color swatch]
FIRE ROUTE NO PARKING SIGN LOCATION	[Symbol]
GARAGE ENCLOSURE	[Symbol]
WASTE STORAGE	[Symbol]
PARKING SPACE	[Symbol]

ALL WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH THE LATEST ONTARIO BUILDING CODE.

USE ONLY LATEST REVISED DRAWINGS MARKED AS ISSUED FOR CONSTRUCTION.  
CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SCALED.  
CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANTS AND SHALL NOT BE USED OR REPRODUCED WITHOUT AUTHORIZATION. DOCUMENTS ARE TO BE RETURNED UPON COMPLETION OF THE PROJECT.

REVISIONS		
#	DATE	REMARKS
07	2023 10 16	ISSUED FOR REVIEW
06	2023 09 27	ISSUED FOR REVIEW
05	2023 08 08	RE ISSUED FOR COORDINATION
04	2023 05 31	ISSUED FOR COORDINATION
03	2023 05 30	STATISTICS REVIEW
02	2023 05 07	STATISTICS REVIEW
01	2022 11 02	ISSUED FOR COORDINATION

ARCHITECT

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SEALS

PRELIMINARY

PROJECT TITLE

**TOWNHOUSE DEVELOPMENT**

164-168-176 Rymal Road East  
Hamilton, Ontario

DRAWING TITLE

SITE PLAN

DRAWN BY

MB-TM-DS

SCALE

1 : 300

DATE

MAY 09 2023

CHECKED BY

FL

PROJECT NUMBER

22-554

DRAWING NUMBER

A-1.0

ARCHIC - 18' X 24'



1 TOWNHOUSES - VIEW 01  
A-0.1



2 TOWNHOUSES - VIEW 02  
A-0.1

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#	DATE	REMARKS
06	2023 10 30	ISSUED FOR REVIEW
07	2023 10 18	ISSUED FOR REVIEW
08	2023 06 27	ISSUED FOR REVIEW
09	2023 06 06	RE ISSUED FOR COORDINATION
04	2023 05 31	ISSUED FOR COORDINATION
03	2023 05 30	STATISTICS REVIEW
02	2023 03 07	STATISTICS REVIEW
01	2022 11 02	ISSUED FOR COORDINATION

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SEALS

PROJECT TITLE

TOWNHOUSE DEVELOPMENT

164-168-176 Rymal Road East  
Hamilton, Ontario

DRAWING TITLE

TOWNHOUSE - 3D VIEWS

DRAWN BY

TM

SCALE

DATE

MAY 09 2023

CHECKED BY

FL

PROJECT NUMBER

22-554

DRAWING NUMBER

A-0.1

30 NORTH 111118

ARCH-C-18' X 24'



1  
A-0.2 STACKED TOWNHOUSES - VIEW 01



2  
A-0.2 STACKED TOWNHOUSES - VIEW 02

ALL WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH THE LATEST ONTARIO BUILDING CODE.

USE ONLY LATEST REVISED DRAWINGS MARKED AS 'ISSUED FOR CONSTRUCTION'

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#	DATE	REMARKS
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07	2023 10 18	ISSUED FOR REVIEW
06	2023 08 27	ISSUED FOR REVIEW
05	2023 06 06	RE ISSUED FOR COORDINATION
04	2023 05 31	ISSUED FOR COORDINATION
03	2023 05 30	STATISTICS REVIEW
02	2023 03 07	STATISTICS REVIEW
01	2023 11 02	ISSUED FOR COORDINATION

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SEALS

PROJECT TITLE

TOWNHOUSE DEVELOPMENT

164-168-176 Rymal Road East  
Hamilton, Ontario

DRAWING TITLE

STACKED TOWNHOUSE - 3D VIEWS

DRAWN BY

TM

SCALE

DATE

MAY 09 2023

CHECKED BY

FL

PROJECT NUMBER

22-554

DRAWING NUMBER

A-0.2

SCALE: 1/8" = 1'-0"

## Appendix “D” to Report PED24021

## Page 1 of 6

## Zoning By-law Site Specific Modifications – Transit Oriented Corridor Multiple Residential (TOC3, 887) Zone

Section 5: Parking Regulations			
Provision	Required	Requested Amendment	Analysis
<p>5.2 c) i) – Tandem Parking</p> <p>** Applicant Requested Modification</p> <p>** Staff Recommended Modification</p>	<p>All required parking spaces shall be provided with adequate means of ingress and egress to and from the street or laneway without the necessity of moving any other motor vehicle, except that the accessibility to a maximum of one of the required parking spaces for a single detached dwelling may be obstructed by another motor vehicle.</p>	<p>To permit tandem parking for a multiple dwelling, limited to additional parking that is supplemental to the parking required in the Zoning By-law.</p>	<p>The proposed development includes two parking spaces for each dwelling unit, one within the proposed garage and the other within the driveway located in front of the garage. The parking space within the garage is the required parking space. The Zoning By-law requires that parking be unobstructed regardless of whether the parking space is required or additional parking. The proposed modification allows the tandem parking spaces for dwelling units to be provided for a multiple dwelling for the second parking space.</p> <p>The additional language proposed by staff to only allow non-required parking to be tandem parking will ensure that required parking spaces are not being obstructed, as that would not constitute an acceptable parking arrangement.</p> <p>Therefore, the proposed modification can be supported.</p>
<p>5.6 c) i) – Maximum Parking</p> <p>** Applicant Requested Modification, modified by staff.</p>	<p>Maximum parking space of 1.25 per unit.</p>	<p>A parking ratio of 1.47 parking spaces per unit shall be permitted.</p>	<p>The submitted development concept proposed 69 parking spaces on-site, which included one parking space in the garage and one within the driveway. The final parking for the revised concept that includes retaining the existing building at 164 Rymal Road East needs to be confirmed through the future Site Plan Control application. Staff recommend that a parking ratio of 1.47 parking spaces per unit be provided for the proposed development.</p>



## Appendix “D” to Report PED24021

## Page 2 of 6

Provision	Required	Requested Amendment	Analysis
5.6 c) i) – Maximum Parking  ** Applicant Requested Modification, modified by staff. <b>(Continued)</b>			<p>The modification provides flexibility for the development to provide on-site resident parking while allowing for some visitor parking.</p> <p>Therefore, the proposed modification can be supported.</p>
5.7 c) – Short Term Bicycle Parking  ** Applicant Requested Modification	A minimum of five short term bicycle parking spaces are required	A minimum of 25 short term bicycle parking spaces shall be provided.	<p>The proposed modification constitutes an increase beyond the minimum required short term bicycle parking. The increase represents an improvement toward providing active transportation and complies with the policies of the Urban Hamilton Official Plan relating to providing active transportation and cycling infrastructure.</p> <p>Therefore, the proposed modification can be supported.</p>
5.7 e) – Long Term Bicycle Parking  ** Applicant Requested Modification	A minimum of 0.5 bicycle parking spaces per dwelling unit.	To not require any required long term bicycle parking spaces.	<p>The applicant proposed to remove the requirement for long term bicycle parking spaces. However, as the development proposal consists of multiple dwellings, most having individual garages, it is Staff’s opinion that this requirement can be accommodated in the garages or within individual units. The Zoning By-law regulation is satisfied as long as the bicycle is located within a secure, enclosed area.</p> <p>Staff do not support the proposed modification to remove the long term bicycle parking requirement and it will remain as a required zoning provision.</p>

## Appendix “D” to Report PED24021

Section 11.3: Transit Oriented Corridor Multiple Residential (TOC3, 887) Zone			
Provision	Required	Requested Amendment	Analysis
<p>11.3.1.1 i) 1. – Finished Floor Elevation</p> <p>** Applicant Requested Modification</p>	<p>The finished floor elevation of any dwelling unit shall be a minimum of 0.9 metres above grade.</p>	<p>Shall not apply for the lands included in Block 2 – Special Figure No. 38.</p>	<p>The intent of the finished floor elevation of 0.9 metres is to provide a separation between the public realm and the dwelling unit to protect the privacy and enjoyment of the residents of the unit.</p> <p>The multiple dwellings located interior to the site will contain one storey units catering to seniors or others with mobility issues, therefore a raised finished floor elevation has not been proposed by the applicant. These dwelling units will be separated from the public realm by other units located closer to Rymal Road East, therefore a 0.0 metre finished floor elevation height above grade is not needed to protect the privacy and enjoyment of the residents of the units and will allow for accessible units. The multiple dwellings fronting Rymal Road East require a raised finished floor elevation to ensure privacy based on the level of pedestrian activity along the arterial road.</p> <p>Therefore, the proposed modification can be supported for Block 2.</p>
<p>11.3.2 b) – Minimum Rear Yard Setback</p> <p>** Applicant Requested Modification</p>	<p>7.5 metres</p>	<p>1.5 metres</p>	<p>For the purposes of zoning, the rear yard is measured from the southerly property line, however this area will function as the side yard of two of the multiple dwellings. The proposed 1.5 metres represents an appropriate side yard to rear yard interface between the proposed development and the existing single detached dwellings to the rear as staff have introduced a maximum height requirement of 11 metres. The proposed dwellings are not anticipated to have a sun shadow impact on the adjacent lands.</p>

## Appendix “D” to Report PED24021

## Page 4 of 6

Provision	Required	Requested Amendment	Analysis
<p>11.3.2 b) – Minimum Rear Yard Setback <b>(Continued)</b></p> <p>** Applicant Requested Modification</p>			<p>Therefore, the reduced rear yard setback will not cause shadow impacts.</p> <p>The southern façade of the units will have limited window openings, and the proposed development will include a visual barrier that is 1.8 to 2.5 metres in height. These elements along with the two storey building height will limit privacy overlook from the townhouse building into the rear yard of the lands to the south.</p> <p>Therefore, the proposed modification can be supported.</p>
<p>11.3.2 c) – Minimum Interior Side Yard</p> <p>** Applicant Requested Modification</p>	<p>A minimum 7.5 metre interior side yard for lots abutting a Single Detached Dwelling, Semi Detached Dwelling and Street Townhouse.</p>	<p>A minimum 3.0 metre interior side yard for lots abutting a Single Detached Dwelling, Semi Detached Dwelling and Street Townhouse, for the lands included in Block 1 of Figure No. 38 of Schedule “F” – Special Figures.</p>	<p>The requirement for a 7.5 metre interior side yard for lots abutting a Single Detached, Semi Detached Dwelling and Street Townhouse is intended to provide separation and buffering between low density residential uses and a 22.0 metre mid-rise development that is permitted in the TOC3 Zone. The site specific amending Zoning By-law will include a modification to reduce the maximum building height from 22.0 metres to 11.0 metres.</p> <p>The proposed 3.0 metre side yard setback is with respect to the proposed multiple dwellings fronting Rymal Road East. The two storey multiple dwellings at the rear of the development will be required to maintain a setback of 6.0 metres from the easterly and westerly lot lines.</p> <p>The easterly and westerly facades of the multiple dwellings fronting Rymal Road East will include no window openings.</p>

## Appendix “D” to Report PED24021

## Page 5 of 6

Provision	Required	Requested Amendment	Analysis
<p>11.3.2 c) – Minimum Interior Side Yard <b>(Continued)</b></p> <p>** Applicant Requested Modification</p>		<p>A minimum 6.0 metre interior side yard for lots abutting a Single Detached Dwelling, Semi Detached Dwelling and Street, for the lands included in Block 2 of Figure No. 38 of Schedule “F” – Special Figures.</p>	<p>A 1.8 to 2.5 metre visual barrier will also be provided along the easterly and westerly lot lines.</p> <p>The above noted elements as well as the limitations in building height will limit privacy overlook impacts and shadow impacts of the proposed development on the adjacent lands to the east and west. Therefore, the proposed 3.0 metre side yard setback will provide adequate separation and buffering between the proposed development and the existing low density residential dwellings to the east and the west.</p> <p>The proposed modification can be supported.</p>
<p>11.3.2 e) i) – Minimum Building Height</p> <p>** Applicant Requested Modification</p>	<p>11.0 metres.</p>	<p>6.5 metres.</p>	<p>The intent of requiring a minimum 11.0 metre building height is to provide an appropriate scale of development. The proposed development consists of two storey multiple dwellings that will have a height of approximately 6.6 metres and the proposed three storey multiple dwellings will have a height of approximately 9.6 metres. Therefore, the proposed building heights will meet the minimum 11.0 metre height.</p> <p>The proposed building heights are consistent with the existing scale and character of the low rise built form with heights of one to two storeys of the area.</p> <p>Therefore, the proposed modification can be supported.</p>

## Appendix “D” to Report PED24021

## Page 6 of 6

Provision	Required	Requested Amendment	Analysis
<p>11.3.2 e) ii) – Maximum Building Height</p> <p>** Staff Recommended Modification</p>	22.0 metres.	11.0 metres.	<p>The proposed TOC3 Zone would permit a maximum building height of 22.0 metres. The development was reviewed based on a lower building scale and several of the proposed modifications, including the reduction in rear yard setback and side yard setback, are premised upon a lower building height and would not be appropriate in the context of a 22.0 metre building height.</p> <p>Additionally, a building height of 22.0 metres would require the submission and evaluation of a Sun Shadow Study, Wind Study and possible Visual Impact Assessment. Based on the height of the proposed development these documents were not required. Therefore, as shadowing, wind and visual impacts were not reviewed it would not be appropriate to establish zoning permissions for a 22.0 metre building height.</p> <p>Therefore, a modification to reduce the maximum building height to 11.0 metres is required to ensure that a compatible scale of development is established based upon the building heights proposed.</p> <p>Therefore, the proposed modification can be supported.</p>

**Appendix “E” to Report PED24021**  
**Page 1 of 12**

## SUMMARY OF POLICY REVIEW

The following policies, amongst others, apply to the proposal.

Theme and Policy	Summary of Policy or Issue	Staff Response
<b>Official Plan:</b>	<b>Urban Hamilton Official Plan</b>	
<p><b>Cultural Heritage Resources</b></p> <p>Policy: B.2.4.2 j), B.2.4.3, B.3.4, B.3.4.2.1 g), B.3.4.2.8, B. 3.4.2.11, B.3.4.2.12, B.3.4.2.13, B.3.4.2.14</p>	<p>Residential intensification involving cultural heritage resources shall ensure that all new development, site alterations, building alterations, and additions are contextually appropriate and maintain the integrity of all on-site or adjacent cultural heritage resources. The policies intend to ensure the conservation and protection of cultural heritage resources either through appropriate planning and design measures or as conditions of development approvals.</p> <p>A cultural heritage impact assessment shall be required when a proposed development has the potential to adversely affect a cultural heritage resource including properties included in the City’s Inventory of Buildings of Architectural or Historical Interest.</p>	<p>The proposal complies with these policies.</p> <p>A Cultural Heritage Impact Assessment for the subject property was completed by Parslow Heritage Consultants Inc. on June 6, 2023. The report assessed the impact of the proposed development on the existing built heritage resource at 164 Rymal Road East. Staff have reviewed the Cultural Heritage Impact Assessment submitted with the subject application and found it to be incomplete and not prepared to staff’s satisfaction.</p> <p>The report submitted does not adequately assess the alternatives to demolition of 164 Rymal Road East, which was identified in the report as having sufficient cultural heritage value or interest to be worthy of designation under the <i>Ontario Heritage Act</i>. Section 29 of the <i>Ontario Heritage Act</i> notes that a property must meet “two or more” of the criteria to be considered a candidate for designation. 164 Rymal Road East satisfied three of the 10 criteria, including that the property is an example of the Edwardian Classicism style, the structure displays fine examples of period craftsmanship, and the structure has a visual connection to the building owned by a member of the Bethune family.</p>

**Appendix “E” to Report PED24021**  
**Page 2 of 12**

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Cultural Heritage Resources (Continued)</b></p> <p>Policy: B.2.4.2 j), B.2.4.3, B.3.4, B.3.4.2.1 g), B.3.4.2.8, B. 3.4.2.11, B.3.4.2.12, B.3.4.2.13, B.3.4.2.14</p>	<p>Where cultural heritage resources are to be affected, the City may impose conditions of approval on any <i>Planning Act</i> application, to protect the resource, and may require that affected resources be documented.</p> <p>Prior to any site alterations any required cultural heritage impact assessment must be approved.</p>	<p>Recent changes to the <i>Ontario Heritage Act</i> introduced timeline requirements for designation once a prescribed event occurs, such as a <i>Planning Act</i> application. Due to the timing of the Zoning By-law Amendment application being submitted, Staff were unable to complete the process to proceed with a designation. As a result, staff are not seeking a heritage designation for 164 Rymal Road East.</p> <p>Staff are of the opinion that the building should be retained and adaptively reused within the proposed development and have recommended the existing dwelling at 164 Rymal Road East be retained and adaptively reused in the development. A provision has been included in the site specific Zoning By-law Amendment attached as Appendix “B” to Report PED24021 which requires the building be retained and used in the proposed development.</p>
<p><b>Archaeological Assessment</b></p> <p>Policy: B.3.4.4.3 b)</p>	<p>In areas of archaeological potential an archaeological assessment shall be required as part of a Zoning By-law Amendment application.</p>	<p>The proposal complies with this policy.</p> <p>A Stage 1 and 2 Archaeological Assessment of 164, 168 and 176 Rymal Road East (P1056-0161-2022) was submitted to the City and the Ministry of Citizenship and Multiculturalism. The Province signed off on the report for compliance with licensing requirements in a letter dated June 15, 2022. Staff are of the opinion that the municipal interest in the archaeology of this portion of the site has been satisfied.</p>

**Appendix “E” to Report PED24021**  
**Page 3 of 12**

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Neighbourhoods – General Policies</b></p> <p>Policies: E.3.2.1, E.3.2.3, E.3.2.4, and E.3.3.2</p>	<p>Areas designated “Neighbourhoods” shall function as complete communities including a full range of residential dwelling types.</p> <p>The existing character of established areas designated “Neighbourhoods” shall be maintained. Residential intensification shall be compatible to the scale and character of the surrounding neighbourhood.</p>	<p>The proposal complies with these policies.</p> <p>The proposed development seeks to establish residential development in the form of multiple dwellings and includes larger units with three bedrooms which is consistent with the envisioned uses for lands designated “Neighbourhoods”, as per policies E.3.2.1 and E.3.2.3. The Concept Plan, attached as Appendix “C” to Report PED24021 includes a unit breakdown of 11, two-bedroom units (23%) and 36, three bedroom units (77%).</p> <p>The proposed two storey and three storey multiple dwellings will be consistent with the existing low rise built forms of predominately single detached dwellings that exist in the area. Therefore, the proposed development will maintain the existing character of the established neighbourhood, as per policy E.3.2.4.</p> <p>The scale of development being proposed will ensure that the height, massing and building arrangement will be compatible with the existing uses in the surrounding area.</p>
<p><b>Neighbourhoods – Residential Uses – General Policies</b></p> <p>Policies E.3.3, E.3.3.1 and E.3.2</p>	<p>Lower density residential uses and built forms shall generally be located in the interior of neighbourhood areas with higher density dwelling forms located along the periphery of neighbourhoods on or in close proximity to major or minor arterial roads.</p> <p>Development adjacent to areas of lower density shall ensure compatibility with existing and future uses.</p>	<p>The proposal complies with these policies.</p> <p>The Urban Hamilton Official Plan defines a multiple dwelling as a building with five or more dwelling units and can include block townhouse and stacked townhouse dwellings.</p> <p>The proposed development constitutes a low-rise form of intensification and will therefore have a height and massing that is compatible with the existing and future uses in the area, as per policy E.3.3.2.</p>



**Appendix “E” to Report PED24021**  
**Page 4 of 12**

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Neighbourhoods – Residential Uses – General Policies (Continued)</b></p> <p>Policies E.3.3, E.3.3.1 and E.3.2</p>	<p>Lower density residential uses and built forms shall generally be located in the interior of neighbourhood areas with higher density dwelling forms located along the periphery of neighbourhoods on or in close proximity to major or minor arterial roads.</p> <p>Development adjacent to areas of lower density shall ensure compatibility with existing and future uses.</p>	<p>The proposal complies with these policies.</p> <p>The Urban Hamilton Official Plan defines a multiple dwelling as a building with five or more dwelling units and can include block townhouse and stacked townhouse dwellings.</p> <p>The proposed development constitutes a low-rise form of intensification and will therefore have a height and massing that is compatible with the existing and future uses in the area, as per policy E.3.3.2.</p>
<p><b>Neighbourhoods – Medium Density Residential</b></p> <p>Policies E.3.5.1, E.3.5.2, E.3.5.5, E.3.5.7, E.3.5.8, and E.3.5.9</p>	<p>Medium density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods. Uses permitted in medium density residential areas shall include all forms of multiple dwellings and shall be located within a safe and convenient walking distance of existing or planned community facilities, public transit, schools, active or passive recreational facilities, as well as local or District Commercial uses.</p> <p>For medium density residential uses, the maximum height shall be six storeys.</p>	<p>The proposal complies with these policies.</p> <p>As noted above, the proposed development represents a Medium Density Residential form.</p> <p>The proposed multiple dwellings are setback from the lands to the interior of the neighbourhood at the rear of the site and are at the periphery of the neighbourhood in proximity to a major arterial road, as per policy E.3.5.1.</p> <p>The proposed development does not include any modifications to reduce minimum parking, landscaping, amenity, or planting strip requirements. Therefore, the site is of suitable size to provide adequate landscaping, amenity, on-site parking, and buffering. The proposed building height of two to three storeys and the massing of the proposed development will be compatible with the existing and future uses in the surrounding area, as per policy E.3.5.9 c).</p>

**Appendix “E” to Report PED24021**  
**Page 5 of 12**

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Neighbourhoods – Medium Density Residential (Continued)</b></p> <p>Policies E.3.5.1, E.3.5.2, E.3.5.5, E.3.5.7, E.3.5.8, and E.3.5.9</p>	<p>Development within the medium density residential category shall have direct access to a collector or arterial road, be integrated with other lands, minimize traffic and pedestrian conflicts, demonstrate that the building will not adversely impact adjacent residential uses, and that the building will not have a visual impact.</p>	<p>The proposed development includes a single access driveway from a major arterial road which will help to minimize traffic conflicts between the development and public right of way. Revisions with respect to the internal pedestrian connections are required in order to minimize internal traffic conflicts between vehicles and pedestrians, as per policy E.3.5.9 d).</p> <p>A special figure has been included to the proposed Zoning By-law Amendment to ensure that the side yard setbacks are implemented at 6 metres for the multiple dwellings located interior to the site. The interior side yard will function as rear yards for these units and provide a greater distance to the property line, reducing the impact to the adjacent residential uses.</p>
<p><b>Residential Intensification</b></p> <p>Policy B.2.4.1.4 and B.2.4.2.2</p>	<p>Residential intensification developments within the built-up area shall be evaluated based on a balanced evaluation of items, such as, but not limited to, compatibility with the adjacent land uses in terms of scale, form and character, building upon existing lot patterns, achieving a range of dwelling types, achieving the planned function of the urban structure, servicing capacity, provision of amenity space, conservation of cultural heritage resource, and transportation capacity.</p>	<p>The proposal complies with these policies.</p> <p>The proposed development provides for intensification of the subject lands while providing a built form that is consistent with the existing low-rise built form of the area. It builds upon the established patterns of the neighbourhood and successfully integrates with the surrounding area in terms of use, scale, form, and character.</p> <p>The proposed development contributes towards maintaining and achieving a range of dwelling types by introducing denser housing types and providing units for large households, as per policy B.2.4.1.4 c).</p>

**Appendix “E” to Report PED24021**  
**Page 6 of 12**

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Residential Intensification (Continued)</b></p> <p>Policy B.2.4.1.4 and B.2.4.2.2</p>		<p>The proposed development contributes to achieving the planned urban structure, as per policy B.2.4.1.4 e).</p> <p>There are existing municipal services in the area. In order to ensure that there is sufficient capacity in the municipal services, a Holding ‘H’ Provision will be included in the By-law to not permit development until it is adequately demonstrated that there is sufficient servicing capacity, as per policy B.2.4.1.4 f).</p> <p>The proposed development will be required to incorporate and utilize green infrastructure and sustainable design elements. The details respecting the green infrastructure and sustainable design elements that are to be implemented will be outlined as part of the detailed review of the Site Plan Control application.</p> <p>The proposed development will include short term bicycle parking, and long term bicycle parking can be provided within the proposed garages. The property is located within walking distance of community services including parks and schools, commercial uses along Upper James Street, and existing and planned transit routes.</p> <p>Therefore, the proposed development will support and facilitate active transportation.</p> <p>The proposed development is in proximity to existing transit routes along Rymal Road East and Upper Wellington Street, and planned BLAST future transit along Rymal Road East. Therefore, the proposed development is transit supportive.</p> <p>The proposed development is within walking distance of existing schools and parks and therefore is in proximity to existing public community facilities and services.</p>

**Appendix “E” to Report PED24021**  
**Page 7 of 12**

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Residential Intensification (Continued)</b></p> <p>Policy B.2.4.1.4 and B.2.4.2.2</p>		<p>The proposed development is not located within or adjacent to a core area or linkage and therefore will not negatively impact any key natural heritage feature.</p> <p>Based upon the low rise scale of the multiple dwellings, there are no anticipated shadowing or overlook impacts on adjacent properties. A detailed lighting plan will be required as part of the Site Plan Control application, and the inclusion of visual barriers and planting buffers will further protect adjacent land uses with respect to lighting impacts. Based on the proposed land use and the scale of the proposed land use the proposed development will not create noise or traffic impacts, as per policy B.2.4.2.2 b).</p> <p>The proposed multiple dwellings will have either individual rear yard amenity areas or rear balconies.</p> <p>A modification to reduce the minimum required amenity space is not proposed. Therefore, the proposed development will provide amenity space for the proposed dwellings, as per policy B.2.4.2.2 f).</p> <p>The multiple dwellings will have a building block length that will be greater than the existing single detached dwellings in the area but will include architectural elements, building separation, and setbacks that will be compatible with the streetscape pattern of the area, as per policy B.2.4.2.2 g).</p> <p>The proposed intensification complements the existing function of the area by providing additional housing in the neighbourhood that is compatible in scale and supported by transit, as per policy B.2.4.2.2 h).</p>

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Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Residential Intensification (Continued)</b></p> <p>Policy B.2.4.1.4 and B.2.4.2.2</p>		<p>A Holding ‘H’ Provision will be required to demonstrate that there is adequate sanitary sewer system capacity and adequate storm water management.</p> <p>The applicant submitted a Trip Generation Letter, and based on staff’s review the findings of the Letter are acceptable and it has been determined that the existing road network will be able to handle the trips generated by the proposed development, as per policy B.2.4.2.2 i).</p>
<p><b>Urban Design – Principles</b></p> <p>B.3.3.2.5</p>	<p>Places that are safe, accessible, connected, and easy to navigate shall be created by using the following design applications, by amongst others:</p> <ul style="list-style-type: none"> <li>• Connecting building and spaces through efficient, intuitive, and safe streets and sidewalks;</li> <li>• Providing connections and access to all buildings for all users;</li> <li>• Building entrances are visible from the street; and,</li> <li>• Integrating conveniently located public transit and cycling infrastructure.</li> </ul>	<p>The proposed development includes pedestrian walkways connecting the sidewalk along Rymal Road East to the front entrance of the multiple dwellings. There are proposed internal sidewalks for the multiple dwellings on the easterly and westerly sides of the development. The multiple dwellings located in the interior of the site will have individual walkways from the front door to the private road and do not directly connect to the balance of the internal sidewalk. This requires residents to walk across the internal private road to reach the internal sidewalk.</p> <p>In order to ensure compliance with Policy B.3.3.2.5 a) and b), revisions to the layout and design of the internal sidewalk are required. The revision to the layout and design of the sidewalks will be undertaken as part of a future Site Plan Control application.</p> <p>In respect to policy B.3.3.2.5 d), the property is located within close walking distance of existing transit routes. The proposed development will provide a minimum of 25 short term bicycle parking spaces. There are no dedicated long term bicycle parking spaces identified, however based on the proposed individual garages, there is potential opportunity to store bicycles within the respective dwelling unit.</p>

**Appendix “E” to Report PED24021**  
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Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Urban Design – Built Form</b></p> <p>B.3.3.3.2, B.3.3.3.3</p>	<p>New development shall be designed to minimize impact on neighbouring buildings and public spaces by:</p> <ul style="list-style-type: none"> <li>• Creating transitions in scale to neighbouring buildings;</li> <li>• Ensuring adequate privacy and sunlight to neighbouring properties; and,</li> <li>• Minimizing the impacts of shadows and wind conditions.</li> </ul> <p>New development shall be massed to respect existing and planned street proportions.</p>	<p>The proposal complies with these policies.</p> <p>The two storey multiple dwellings located in the interior of the site serve as a transition from the three storey multiple dwellings at the front of the property to the adjacent existing residential properties, as per policy B.3.3.3.2 a).</p> <p>The proposed two and three storey building heights represent a built form that would not create adverse shadowing impacts or wind impacts on abutting properties or the public realm.</p> <p>In respect to privacy and overlook, the proposed design of the end units of the multiple dwellings fronting onto Rymal Road East will not include windows or balconies along the easterly or westerly facades and therefore will not create overlook impacts, as per policy B.3.3.3.2 b) and c).</p> <p>The two storey multiple dwellings will have a building height comparable to what already exists in the area. The proposed buildings will be setback 6.0 metres from the lands to the east and west. For the lands to the south, the proposed development will have a side yard interface with limited windows and no balconies, as per policy B.3.3.3.2 b).</p> <p>The proposed multiple dwellings along the front of the property will have a height of three storeys which is consistent with the existing one to two storey built form and is consistent with the maximum height permitted in the zoning for the abutting lands. Therefore, the proposed development is massed to respect existing and planned street proportions, as per policy B.3.3.3.3.</p>

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Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Health and Public Safety – Noise</b></p> <p>B.3.6.3.7 and B.3.6.3.19</p>	<p>Development of noise sensitive land uses, in the vicinity of provincial highways, parkways, minor or major arterial roads, collector roads, truck routes, railway lines, railway yards, airports, or other uses considered to be noise generators shall comply with all applicable provincial and municipal guidelines and standards.</p>	<p>The proposal complies with these policies.</p> <p>The subject property is located along Rymal Road East, a major arterial road and potential noise source. The subject lands are also within 400 metres of vehicle repair garages located to the north-west, which is a potential stationary noise source.</p> <p>An Environmental Noise Impact Study was prepared by dBA Acoustical Consulting Inc. dated July 2023. The study evaluated the transportation noise impacts from Rymal Road East and Upper Wellington Street. The study identified that the property is located between NEF 25-28 with respect to aircraft noise. The study identified Bay King Motors dealership located approximately 200 metres from the subject property to the northwest and noted the BA Court Public Works Operation Yard and Les Charter YMCA facility located approximately 550 metres from the subject site.</p> <p>In respect to the transportation noise impacts, the study identified that the north façade of the multiple dwellings adjacent to Rymal Road East will have a noise level of 69 dBA in the daytime and 62 dBA in the nighttime and will exceed the maximum noise level of 55 dBA and 50 dBA sound levels, respectively, and will therefore require mitigation measures and warning clauses. The multiple dwellings to the rear of the development will not exceed the maximum noise level. The outdoor living areas at the rear of the multiple dwellings will not exceed the maximum permitted sound level of 55 dBA.</p> <p>As the lands have a worst-case scenario, noise contour level for aircraft noise of NEF-28 mitigation measures and warning clauses are required.</p>

**Appendix “E” to Report PED24021**  
**Page 11 of 12**

Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Health and Public Safety – Noise (Continued)</b></p> <p>B.3.6.3.7 and B.3.6.3.19</p>		<p>In respect to the stationary noise sources, the study identified the roof top HVAC units for the Bay King Motors dealership to the northwest and noted that the units are shielded with rooftop parapets and equipped with acoustical mitigation measures.</p> <p>These features, along with the separation distance, will result in the HVAC units not having an impact on the proposed development. The study did not provide any analysis with respect to the repair garage activity on-site; further evaluation on this matter will be required as part of the future Site Plan Control application.</p> <p>In respect to the BA Court Public Works Operation Yard and Les Charter YMCA facility, the study identified that due to the separation distance between the existing and future uses there will not be an acoustical impact on the proposed development.</p> <p>All required mitigation measures and warning clauses will need to be implemented as part of the Site Plan Control application and as part of any future Draft Plan of Condominium, if applicable.</p>
<p><b>Tree and Woodland Protection</b></p> <p>Policy C.2.11.1</p>	<p>The City recognizes the importance of trees and woodlands to the health and quality of life in our community. The City shall encourage sustainable forestry practices and the protection and restoration of trees and forests.</p>	<p>The proposal complies with this policy.</p> <p>An Arborist Report prepared by Summit Professional Consulting Arborists dated October 26, 2023, was submitted in support of the application. In addition, a Tree Protection Plan (drawings SP4.01 and SP4.02) prepared by Partridge Fine Landscapes dated October 26, 2023, has been provided. Through these reports, 42 trees have been inventoried, including one municipal tree. Of these trees, 34 have been proposed to be removed.</p>



## Appendix "E" to Report PED24021

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Theme and Policy	Summary of Policy or Issue	Staff Response
<p><b>Tree and Woodland Protection (Continued)</b></p> <p>Policy C.2.11.1</p>		<p>The trees proposed to be removed include a variety of species including, Sugar Maples, Blue Spruces, Norway Maples, Black Walnuts, Honey Locust, Apple trees, common Pear trees, Austrian Pine, Red Maples, Pin Cherry, and Silver Maples. The conditions of the trees range from fair to good. The report recommends retaining nine trees.</p> <p>Based on concerns with the submitted Arborist Report and Tree Protection Plan, the Tree Protection Plan has not been approved.</p> <p>Planning staff have recommended that a Holding 'H' Provision be applied to the subject site for the Owner to submit and receive approval of a Tree Protection Plan that addresses Natural Heritage staff's comments. A ratio of one to one tree compensation, as set out in the City's Tree Protection Guidelines (2010), will be implemented through the future Site Plan Control process.</p>

**Appendix “F” to Report PED24021**  
**Page 1 of 5**

**CONSULTATION – DEPARTMENTS AND AGENCIES**

<b>Department/Agency</b>	<b>Comment</b>	<b>Staff Response</b>
<ul style="list-style-type: none"> <li>• Engineering Services Division, Public Works Department;</li> <li>• Parks and Cemeteries Section, Environmental Services Division, Public Works Department;</li> <li>• Landscape Architectural Services, Strategic Planning Division, Public Works Department;</li> <li>• Hamilton Conservation Authority;</li> <li>• Enbridge Gas Inc., and,</li> <li>• Canada Post Corporation.</li> </ul>	No Comment.	Noted.
Development Engineering Approvals Section, Growth Management Division, Planning and Economic Development Department.	Development Engineering has no objection to the rezoning application moving forward subject to a Holding “H” Provision being applied to ensure that the Owner submit and receive approval of a revised Functional Servicing Report (FSR) demonstrating that the increased wastewater generated from the proposed development will not adversely impact the sanitary sewer system and that the required storm water management can be accommodated within the site.	Planning staff have recommended that a Holding ‘H’ Provision be applied to the subject site for the Owner to submit and receive approval of a revised Functional Servicing Report (FSR) addressing Development Engineering’s comments.

## Appendix “F” to Report PED24021

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Department/Agency	Comment	Staff Response
<p>Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department</p>	<p>Transportation Planning supports the proposed development. To protect the existing and future pedestrian realm, cycling infrastructure and road network, Transportation Planning shall require an updated Trip Generation Letter.</p> <p>Transportation Planning have reviewed the Trip Generation Letter prepared by J.H. Cohoon Engineering Limited dated June 14, 2023. Upon review, Transportation Planning accept the findings in the letter, the existing road network will be able to handle the trips generated by the proposed development.</p> <p>The City of Hamilton strongly encourages and recommends the inclusion of Transportation Demand Management and Transit Oriented Design initiatives into developments to foster vibrant and complete communities that facilitate multiple transportation modes.</p> <p>Provide short-term bicycle parking within the property limits as per the City of Hamilton Zoning By-Law No. 05-200.</p>	<p>Staff note that the proposed development is subject to a future Site Plan Control application and the updated Trip Generation Letter relating to the pedestrian realm, cycling infrastructure and the road network can be addressed as part of a complete Site Plan Control Application.</p> <p>Planning staff support the proposed zoning modification to require 25 short term bicycle parking spaces, however, do not support the requested modification to have zero long term bicycle parking spaces as indicated through the Zoning By-law attached as Appendix “B” to Report PED24021.</p>
<p>Waste Policy and Planning Section, Waste Management Division, Public Works Department</p>	<p>This application has been reviewed for municipal waste collection service.</p> <p>Units facing the public roadway will be serviced at the municipal curb. Units facing the private road will be serviced internally.</p>	<p>Specific design details will be addressed at the Site Plan Control stage.</p>

**Appendix “F” to Report PED24021**  
**Page 3 of 5**

<b>Department/Agency</b>	<b>Comment</b>	<b>Staff Response</b>
<p>Waste Policy and Planning Section, Waste Management Division, Public Works Department  <b>(Continued)</b></p>	<p>Continuous forward motion for waste collection vehicles is evidenced on the Site Plan. Requirements concerning road geometry have been met.</p> <p>Storage area requirements and set out areas are shown on the Site Plan. Please indicate dimensions of all the set-out areas and the dimensions of the internal storage areas for the two storey multiple dwellings. A 2.5 square metre area must be provided for each dwelling unit to store waste between collection days. Each unit must have a curb side set out area within the property line that is a minimum of 2.5 square metres to accommodate two recycling boxes, a green cart, a garbage container and leaf and yard waste. Waste containers must not be set out on sidewalks.</p>	
<p>Forestry and Horticulture Section, Environmental Services Division, Public Works Department</p>	<p>Forestry does not approve Tree Protection Plan revision #6, dated 2023.10.26, requiring amendments addressed below. Development of Units 1 and 2 is shown within the Tree Protection Fencing of M1, which is not permitted. For clarity on current and future tree ownership, proposed and existing property lines must be clearly labeled on plan.</p> <p>Forestry does not approve Landscape Plan revision #6, dated 2023.10.26, requiring amendments addressed below. Proposed street trees are required within the right of way at small species spacing allocation (4-7m), as per the Landscape Plan requirements.</p>	<p>Revisions to the Tree Protection Plan and Landscape Plan are required to address the preservation and protection of street trees through the future Site Plan Control application.</p>

**Appendix “F” to Report PED24021**  
**Page 4 of 5**

<b>Department/Agency</b>	<b>Comment</b>	<b>Staff Response</b>
<p>Legislative Approvals, Growth Planning Section, Growth Management Division, Planning and Economic Development Department</p>	<p>It should be determined if there are any implications arising from the adjacent Registered Plans of Subdivision, 62M-794 and 62M-830 (25T-91014), e.g., cost recoveries relating to the registered plan or any reserves to be lifted. The subject lands are within a defined area of cost recoveries.</p> <p>The submitted Summary Response sheet states, “No Draft Plan of Condominium is being submitted at this time” (Page 2) and yet the submitted Zoning By-law Amendment application states the subject proposal will be a Vacant Land Condominium (page 4), but also states a Draft Plan of Condominium (Common Element) will be submitted concurrently (page 16). This should be clarified. Please note a PIN Abstract would be required with the submission of any future Draft Plan of Condominium application.</p> <p>The Owner and Agent should be made aware that the municipal addressing for the proposed development will be determined after conditional Site Plan Approval is granted.</p>	<p>Noted. Development Engineering reviewed the application and did not indicate any implications regarding the adjacent Registered Plan of Subdivision.</p> <p>Staff anticipate a future Draft Plan of Condominium application to be submitted to establish the tenure of the units, however an application has not yet been received.</p>
<p>Transit Planning and Infrastructure, Transit Operations Division, Public Works Department (Hamilton Street Railway)</p>	<p>Though these properties are located on a current bus route and a future rapid transit route, the proposal does not directly impact our current stop location at Upper Wellington, nor do we foresee the need for an additional stop in front of this development.</p>	<p>Noted.</p>

**Appendix “F” to Report PED24021**  
**Page 5 of 5**

<b>Department/Agency</b>	<b>Comment</b>	<b>Staff Response</b>
Transit Planning and Infrastructure, Transit Operations Division, Public Works Department (Hamilton Street Railway) <b>(Continued)</b>	As a result, the HSR has no comment on this proposed development, other than we are supportive of such intensification projects along transit routes, particularly future rapid transit routes.	
Alectra Utilities	Alectra Utilities has reviewed the application and provided technical comments to be considered through the detailed design process including, but not limited to, providing a minimum 4 metre clearance from all existing hydro lines, access to hydro poles is maintained along Rymal Road West, any relocation, modification or removal of any existing hydro facilities shall be at the owner’s expense and the developer shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment. Alectra Utilities has no concerns with the proposed Zoning By-law Amendment to permit the multiple dwellings.	Noted.

**Appendix “G” to Report PED24021  
Page 1 of 3****SUMMARY OF PUBLIC COMMENTS RECEIVED**

<b>Comment Received</b>	<b>Staff Response</b>
The proposed development will result in increased traffic volumes and congestion along Rymal Road East.	Transportation Planning reviewed the Trip Generation Letter prepared by J.H. Cohoon Engineering Limited dated June 14, 2023, and accept the findings in the letter that the existing road network will be able to handle the trips generated by the proposed development. It should be noted that an updated Trip Generation Letter will be required at the Site Plan Control Stage to address the existing and future pedestrian realm, cycling infrastructure and road network.

**COPY OF PUBLIC COMMENTS RECEIVED**



**Appendix "G" to Report PED24021**  
**Page 3 of 3**

From: Pamela Cirino  
Sent: December 11, 2023 8:31 PM  
To: daniel.barnett@hamilton.ca <daniel.barnett@hamilton.ca>  
Subject: zoning for Rymal Road East - 164, 168, 176

Dear Daniel,

I live on Piano Drive and just received today the Notice from the city of hamilton regarding the planning and development for rymal road east 164, 168, 176. The due date for any feedback was Dec 7th but I did only just receive the letter to my home today.

I would like to share our concerns regarding this new development. We are already experiencing a huge increase in traffic in the area, and we strongly oppose this development. I have never written a letter like this to the city before...but I do need to mention the congestion has already increased exponentially the past few years and I do not want to live in an area with so much traffic to do even the most basic of things like going grocery shopping and going to doctor's appointments.

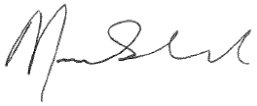
What i also didn't see in the letter were plans to accommodate all of this additional congestion if this does get built. What are they? Have you done any research on how this will impact the local neighbours and the community? How many new homes will be built in this area and how many additional cars?

I look forward to hearing from you and I hope you include this information in the report. Because as I said previously, I did only just receive this letter in my mailbox today. thank you.

Sincerely,  
Pamela Cirino - Piano Drive



**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Economic Development Division**

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	February 6, 2024
<b>SUBJECT/REPORT NO:</b>	Implementation of Canada Mortgage and Housing Corporation Housing Accelerator Fund Incentive Programs and Associated Updates to the Housing for Hamilton Community Improvement Plan (PED23143(c)) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Johnpaul Loiacono (905) 546-2424 Ext. 5134 Phil Caldwell (905) 546-2424 Ext. 2359
<b>SUBMITTED BY:</b>	Norm Schleeahn Director, Economic Development Planning and Economic Development Department
<b>SIGNATURE:</b>	

### RECOMMENDATION

- (a) That the Housing for Hamilton Community Improvement Project Area (2024) draft By-law, prepared in a form satisfactory to the City Solicitor and attached as Appendix "A" to Report PED23143(c), be enacted;
- (b) That the Housing for Hamilton Community Improvement Plan (2024), attached as Appendix "B" to Report PED23143(c) and implementing financial incentive program descriptions be approved, and that the Housing for Hamilton Community Improvement Plan (2024) Draft By-law, prepared in a form satisfactory to the City Solicitor and attached as Appendix "C" to Report PED23143(c), be enacted;
- (c) That existing By-law No. 18-300 originally establishing the Roxborough Community Improvement Project Area, be repealed on such day that the replacement By-law enacting the new Housing for Hamilton Community Improvement Project Area (2024) comes into effect in accordance with Subsection 28(4) of the *Planning Act*;

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**SUBJECT: Implementation of Canada Mortgage and Housing Corporation Housing Accelerator Fund Incentive Programs and Associated Updates to the Housing for Hamilton Community Improvement Plan (PED23143(c)) (City Wide) - Page 2 of 14**

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- (d) That existing By-law No. 19-285 being the Housing for Hamilton Community Improvement Plan, be repealed on such day that the Housing for Hamilton Community Improvement Plan (2024) By-law comes into effect;
- (e) That the following implementing financial incentive program descriptions and terms be approved and appended to the Housing for Hamilton Community Improvement Plan (2024):
  - (i) The Additional Dwelling Unit and Multi-Plex Housing Incentive Program Description attached as Appendix “D” to Report PED23143(c);
  - (ii) The Rapid Transit Multi-Residential Rental Housing Incentive Program attached as Appendix “E” to Report PED23143(c);
  - (iii) The Housing Acceleration Incentive Program attached as Appendix “F” to Report PED23143(c);
- (f) That the existing Council-approved Program Description and Terms for the Roxborough Access to Homeownership Grant Program and Roxborough Rental Housing Loan Program currently appended to the existing Housing for Hamilton Community Improvement Plan as appendices “A” and “B” respectively, be appended to the Housing for Hamilton Community Improvement Plan (2024) as Appendices D and E respectively on such day that the Housing for Hamilton Community Improvement Plan (2024) By-law comes into effect;
- (g) That staff be directed and authorized to undertake technical, non-substantive amendments to the existing Council-approved program descriptions and terms for the Roxborough Access to Homeownership Grant Program and Roxborough Rental Housing Loan Program required to reflect the amended Community Improvement Plan and Community Improvement Project Area by-laws under which these programs will continue to operate;
- (h) That the draft By-law to delegate approval and program amendment authority for certain incentive programs under the Housing for Hamilton Community Improvement Plan, prepared in a form satisfactory to the City Solicitor and attached as Appendix “G” to Report PED23143(c), be enacted and come into force on such day that the Housing for Hamilton Community Improvement Plan (2024) comes into effect.

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**SUBJECT: Implementation of Canada Mortgage and Housing Corporation Housing Accelerator Fund Incentive Programs and Associated Updates to the Housing for Hamilton Community Improvement Plan (PED23143(c)) (City Wide) - Page 3 of 14**

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**EXECUTIVE SUMMARY**

In response to Council's approval of the recommendations contained in HSC23017(b)/PED23143(b) on December 13, 2023, staff have finalized and are recommending for final approval the program descriptions and terms for the three new Housing Accelerator Fund supported incentive programs: the Additional Dwelling Unit and Multi-Plex Housing Incentive Program, Appendix "A" to Report PED23143(c) the Rapid Transit Multi-Residential Rental Housing Incentive Program, Appendix "E" to Report PED23143(c) and the Housing Acceleration Incentive Program, Appendix "F" to Report PED23143(c).

In addition, staff are also recommending for approval by-laws required to implement these programs under the *Planning Act* consisting of a new Housing for Hamilton Community Improvement Project Area that defines the geographic areas in which the programs will be made available as well as an updated Housing for Hamilton Community Improvement Plan that authorizes and establishes the parameters of the new programs being made available.

The three new incentive programs are being established as part of the Canada Mortgage and Housing Corporation's allocation of \$93.5 Million to the city through the Housing Accelerator Fund. This funding was granted to support the incentivization of 2,675 net new residential units above the city's five-year historical building permit average for housing units by December 2026.

The recommended programs will provide grants to support costs associated with market and affordable housing unit creation ranging from \$2,000 to \$50,000, depending on the nature of the development and the program being utilized. In addition, units planned as affordable, meaning units with rents not exceeding 100% of the Average Market Rent for the City of Hamilton as stated by the Canada Mortgage and Housing Corporation for a minimum of 15 years, will also be eligible for an additional forgivable loan of \$25,000 per unit to a maximum ranging between \$150,000 to \$2,500,000 depending on the program and number of affordable units being created on a site.

All financial incentives to be provided through the proposed programs, as well all new staffing required to administer the proposed programs, will be funded directly from the Canada Mortgage and Housing Corporation's Housing Accelerator Fund allocation to the city with no impact to the city levy. The administration of the programs will be through the Healthy and Safe Communities Department via the Housing Secretariat.

Staff are also recommending a delegated authority by-law to support staff-led program administration, approvals, and program amendments on a go-forward basis in order to

**SUBJECT: Implementation of Canada Mortgage and Housing Corporation Housing Accelerator Fund Incentive Programs and Associated Updates to the Housing for Hamilton Community Improvement Plan (PED23143(c)) (City Wide) - Page 4 of 14**

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support expeditious approvals and program administration to support meeting the housing unit creation goals.

**Alternatives for Consideration – See Page 13**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

**Financial:** The grants/forgivable loans to be provided under the programs recommended through Report PED23143(c) will be funded directly from the Canada Mortgage and Housing Corporation's Housing Accelerator Fund with no impact to the city levy.

**Staffing:** As approved by City Council on June 7, 2023, through Report HSC23017/FSC23062/PED23143, additional staff in the Healthy and Safe Communities, through the Housing Secretariat, will be required to administer the recommended Housing Accelerator Fund incentive programs. All new staff required in this respect will be funded directly from the Canada Mortgage and Housing Corporation's Housing Accelerator Fund with no impact to the city levy.

Through Council's approval of HSC23017/FSC23062/PED23143 the City Manager, or their designate, have been authorized to hire the required staff deemed necessary to support and administer the Housing Accelerator Fund initiatives, including the programs recommended through this Report.

The Housing Accelerator Fund supported incentive programs will be administered by the Healthy and Safe Communities Department, through the Housing Secretariat.

**Legal:** Under Section 28 of the *Planning Act*, municipalities with enabling policies in their official plans may adopt a Community Improvement Plan for the purposes of providing grants and/or loans within a Community Improvement Project Area that would otherwise be prohibited under Subsection 106(2) of the *Municipal Act*. These grants/loans may be provided to the registered owner(s), assessed owner(s) or tenant(s) (or their respective assignees) of lands within a Community Improvement Project Area.

Municipal authorization for the establishment of Community Improvement Plans are contained in Chapter F, Section 1.15 of the Urban Hamilton Official Plan and Rural Hamilton Official Plan and are further referenced in Section

**SUBJECT: Implementation of Canada Mortgage and Housing Corporation Housing Accelerator Fund Incentive Programs and Associated Updates to the Housing for Hamilton Community Improvement Plan (PED23143(c)) (City Wide) - Page 5 of 14**

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3.2 of Appendix “B” to Report PED23143(c) and Appendix “C” to Report PED23143(c).

The adoption of a Community Improvement Plan by a municipality must be conducted in accordance with the applicable policies under Sections 17 and 28 of the *Planning Act* as well as the city’s Public Participation and Notification Policies contained in Chapter F, Section 1.17 of the Urban Hamilton Official Plan and Rural Hamilton Official Plan. These policies include requirements for stakeholder engagement, public notice and a statutory public meeting.

In accordance with the above, public notice of the statutory public meeting at which the Housing for Hamilton Community Improvement Plan and Community Improvement Project Area are being considered by Planning Committee was published in The Hamilton Spectator on January 19, 2024.

The proposed Housing for Hamilton Community Improvement Plan (2024), proposed Housing for Hamilton Community Improvement Project Area (2024) and new program descriptions contained in Appendices “A” to Report PED23143(c) through to Appendix “F” to Report PED23143(c) have been reviewed by the Legal Services and Risk Management Division, with comments and feedback incorporated therein.

Subject to City Council’s approval of the recommendations in Report PED23143(c), Legal Services Division will be involved in developing agreements/letters of understanding and additional legal mechanisms required to implement the recommended incentive programs.

## **HISTORICAL BACKGROUND**

The Housing Accelerator Fund is a \$4 Billion Federal Government initiative administered through Canada Mortgage Housing Corporation. This investment is intended to support municipalities in the creation of new residential units at an accelerated pace, above and beyond those units anticipated to be constructed without this funding.

The Housing Accelerator Funding matter has been before the General Issues Committee and subsequently City Council on three occasions:

- On June 7, 2023, through Report HSC23017/FCS23062/PED23143, Council authorized staff to apply for the federal funding, which was completed on June

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**SUBJECT: Implementation of Canada Mortgage and Housing Corporation Housing Accelerator Fund Incentive Programs and Associated Updates to the Housing for Hamilton Community Improvement Plan (PED23143(c)) (City Wide) - Page 6 of 14**

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14, 2023. Through Report HSC23017/FCS23062/PED23143, Council also approved an investment strategy for the Housing Accelerator Fund funds;

- On October 5, 2023, the City of Hamilton was allocated \$93.5 Million from the Housing Accelerator Fund for the incentivization of 2,675 net new residential units. This subsequently led to Report HSC23017(a)/FCS23062(a)/PED23143(a) approved by Council on October 25, 2023, directing staff to execute the Housing Action Plan initiatives and bring forward the necessary policy process, programs and required authorities and delegations to implement the Housing Action Plan initiatives; and,
- On December 13, 2023, Council approved Report HSC23017(b)/PED23143(b) which presented draft amendments to the Housing for Hamilton Community Improvement Plan, a new Housing for Hamilton Community Improvement Project Area and three new incentive programs intended to support the following initiatives from the Housing Action Plan:
  - Initiative 1: Acceleration Program for Additional Dwelling Units and Multi-Plex Conversions;
  - Initiative 2: Rapid Transit Multi-Residential Rental Housing Grant Program;
  - Initiative 3: Housing Acceleration Zoning Reform Program;

Report HSC23017(b)/PED23143(b) directed staff to finalize and bring forward the programs terms and required implementing by-laws for final consideration through the Planning Committee as part of a statutory public meeting in a form as presented by staff.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

The Housing for Hamilton Community Improvement Project Area (2024) implementing By-law, as contained in Appendix “A” to Report PED23143(c), establishes the geographic areas within which the Housing for Hamilton Community Improvement Plan (2024) applies, and within which the associated financial incentive programs may be provided.

The Housing for Hamilton Community Improvement Plan (2024) and its associated draft implementing By-law, contained in Appendix “C” to Report PED23143(c), establishes the supporting policy framework under which the city may provide financial incentives that will support the accelerated development of new residential units.

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**SUBJECT: Implementation of Canada Mortgage and Housing Corporation Housing Accelerator Fund Incentive Programs and Associated Updates to the Housing for Hamilton Community Improvement Plan (PED23143(c)) (City Wide) - Page 7 of 14**

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Together, the draft By-laws contained in Appendices “A” to Report PED23143(c) and Appendix “C” to Report PED23143(c), fulfil legislated requirements under Section 28 of the *Planning Act* for the purposes of providing grants/forgivable loans to registered owner(s), assessed owner(s) or tenant(s) (or their respective assignees, where permitted).

Should Council ultimately adopt the Housing for Hamilton Community Improvement Plan (2024) and associated program descriptions, the programs will come in to effect after the expiration of the required 20-day appeal period under the *Planning Act* beginning from the date the city clerk issues notice of Council’s adoption of the by-law.

Under Section 28 of the *Planning Act*, municipalities with enabling policies in their Official Plans may adopt a Community Improvement Plan for the purposes of providing grants and/or loans to property owners or tenants to support physical improvements within specific geographic areas (areas referred to as Community Improvement Project Areas) that have been approved by City Council.

The adoption of a Community Improvement Plan and Community Improvement Project Area allows a municipality to provide financial incentives/assistance within those areas that would otherwise be prohibited under Subsection 106(2) of the *Municipal Act*.

Municipal authorization for the establishment of Community Improvement Plans are contained in Chapter F, Section 1.15 of the Urban Hamilton Official Plan and Rural Hamilton Official Plan.

The adoption or update to a Community Improvement Plan by a municipality must be conducted in accordance with the applicable policies under Sections 17 and 28 of the *Planning Act* as well as the city’s Public Participation and Notification Policies contained in Chapter F, Section 1.17 of the Urban Hamilton Official Plan and Rural Hamilton Official Plan. These policies include requirements for stakeholder engagement, public notice, and a statutory public meeting. Therefore, in accordance with the *Planning Act*, Staff have published a newspaper notice in The Hamilton Spectator on January 19, 2024, 18 days prior to the required statutory meeting (Planning Committee of February 6, 2024). No public comments and/or delegations have been received to date.

## RELEVANT CONSULTATION

In addition to the above statutory requirements of the *Planning Act*, staff engaged with the Legal and Risk Management Services Division and the Housing Secretariat staff and included any of the feedback and comments received into Report PED23143(c) and the attached Appendices “A” to Report PED23143(c) through to Appendix “G” to Report

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**SUBJECT: Implementation of Canada Mortgage and Housing Corporation Housing Accelerator Fund Incentive Programs and Associated Updates to the Housing for Hamilton Community Improvement Plan (PED23143(c)) (City Wide) - Page 8 of 14**

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PED23143(c). Additionally, the Housing Secretariat will develop a communication plan, which may include, among other actions, holding public information sessions to help inform property owners, homebuilders and the public about the new Housing Accelerator Fund supported programs.

As a requirement of the Housing Accelerator Fund, the city will also be required to develop a Housing Needs Assessment which will further prioritize the actions that the city should focus on to address the housing crisis that the city continues to face. The process of developing the Housing Needs Assessment will provide further opportunity for additional public consultation and engagement.

### **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

In response to Council's approval of the recommendations contained in HSC23017(b)/PED23143(b), staff have finalized the program terms for the three new Housing Accelerator Fund supported incentive programs: the Additional Dwelling Unit and Multi-Plex Housing Incentive Program, Appendix "D" to Report PED23143(c), the Rapid Transit Multi-Residential Rental Housing Incentive Program, Appendix "E" to Report PED23143(c) and the Housing Acceleration Incentive Program, Appendix "F" to Report PED23143(c). These incentive programs are intended to respond to the Housing Action Plan's initiatives one, two and three respectively.

All three new Housing Accelerator Fund supported programs will provide grants to support the creation of both market and/or affordable housing units in specific areas of city. Where these programs are utilized to assist with the creation of new affordable housing units, forgivable loans will also be provided where rents will not exceed 100% of the Average Market Rent for the City of Hamilton, as stated by the Canada Mortgage and Housing Corporation. Each program will require that this affordability threshold be maintained for a period of at least 15 years in order to receive loan forgiveness. Note that these programs are not stackable; meaning only one program can be utilized per site.

Staff have further finalized the Housing for Hamilton Community Improvement Plan By-law, attached as Appendix "C" to Report PED23143(c), and the new Housing for Hamilton Community Improvement Project Area By-laws, attached as Appendix "A" to Report PED23143(c), required to fulfil provincial requirements under the *Planning Act* to implement the new programs.

In addition, staff have prepared a delegated authority By-law in order to support staff's administration, approval of applications and potential future need to amend program terms on a go forward basis.

**SUBJECT: Implementation of Canada Mortgage and Housing Corporation Housing Accelerator Fund Incentive Programs and Associated Updates to the Housing for Hamilton Community Improvement Plan (PED23143(c)) (City Wide) - Page 9 of 14**

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Staff's proposed programs, terms and associated implementing by-laws will fulfil city commitments to the Canada Mortgage and Housing Corporation per the Housing Accelerator Fund contribution agreement signed between the two parties on October 5, 2023, respecting Housing Action Plan initiatives one through three.

A summary of each recommended program, updates and changes made to the Housing for Hamilton Community Improvement Plan and Community Improvement Project Area and the recommended delegated authority by-laws are provided below.

**Additional Dwelling Unit and Multi-Plex Housing Incentive Program (Appendix "D" to Report PED23143(c) (Housing Action Plan Initiative 1))**

This program is available to all properties located within the City of Hamilton's municipal boundary.

This program incentivizes the creation of Additional Dwelling Units or Garden Suites on new or existing low-density houses or incentivizes the creation of a six or less multi-plex development by providing grants towards the city application fee (excluding HST) for each building permit successfully issued to construct an individual eligible unit(s) to a maximum of \$2,000 per building permit. Additionally, the incentivization also comes in the form of a 15-year forgivable loan of \$25,000 per eligible unit(s) that meets the Program's affordability parameters, to a maximum of \$150,000 per site.

Successful applicants will receive the grant at the time of building permit issuance and the forgivable loan will be advanced upon the issuance of a Building Permit occupancy by the city in writing.

**Rapid Transit Multi-Residential Rental Housing Incentive Program (Appendix "E" to Report PED23143(c) (Housing Action Plan Initiative 2))**

This program is available to properties wholly located within approximately 1,500 metres of the city's A-Line and B-Line rapid transit corridors that form part of the proposed BLAST-E Re-envision Rapid Transit Network.

The program incentivizes the creation of seven or more net new residential rental and/or affordable residential rental units on sites in close proximity to strategic rapid transit corridors by providing \$50,000 grants per eligible site. Additionally, the incentivization also comes in the form of a 15-year forgivable loan of \$25,000 per eligible unit(s) intending to meet the program's affordability parameters, to a maximum of \$2,500,000 per site.

**SUBJECT: Implementation of Canada Mortgage and Housing Corporation Housing Accelerator Fund Incentive Programs and Associated Updates to the Housing for Hamilton Community Improvement Plan (PED23143(c)) (City Wide) - Page 10 of 14**

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Successful applicants will receive the grant at the time of building permit issuance and the forgivable loan will be advanced upon the issuance of a Building Permit occupancy by the city in writing.

Note that the 1,500-metre radius was defined by the Canada Mortgage and Housing Corporation as part of the Housing Accelerator Fund, however staff have refined the boundary to fit within the city's context to ensure housing development was not being promoted on lands not otherwise intended to support housing (e.g. employment lands, parks etc.) and to take into account natural geographic barriers (such as the escarpment). This boundary within which this program applies is defined as 'Sub Area 1 – Rapid Transit Housing Area' and forms part of the proposed Housing for Hamilton Community Improvement Project Area (2024) contained in Appendix "C" to Report PED23143(c) of this Report.

**Housing Acceleration Incentive Program (Appendix "F" to Report PED23143(c) (Housing Action Plan Initiative 3))**

This program is available to properties city-wide that are subject of a city-led land use planning initiative that has removed barriers in support of new housing creation, which was implemented after April 7, 2022. The determination of an eligible city-led land use planning initiative will be at the sole discretion of the city. A city-led initiative generally includes a city-initiated *Planning Act* applications, city-initiated changes to Zoning By-law regulations or Official Plan policies or city-initiated secondary plans but shall not include any privately initiated land use planning initiative or application, nor any action, decision or order by the Province of Ontario, a Provincial Minister or the Ontario Land Tribunal that has not also been supported by City Council.

The program incentivizes the creation of seven or more net new housing units and/or affordable rental housing units by providing a \$35,000 grant per site. Additionally, the incentivization also comes in the form of a 15-year forgivable loan of \$25,000 per eligible unit(s) intending to meet the program's affordability parameters, to a maximum of \$2,500,000 per site.

Successful applicants will receive the grant at the time of building permit issuance and the forgivable loan will be advanced upon the issuance of a Building Permit occupancy by the city in writing.

**SUBJECT: Implementation of Canada Mortgage and Housing Corporation Housing Accelerator Fund Incentive Programs and Associated Updates to the Housing for Hamilton Community Improvement Plan (PED23143(c)) (City Wide) - Page 11 of 14**

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**Implementation via the Housing for Hamilton Community Improvement Plan and Housing for Hamilton Community Improvement Project Area (Appendix “A” to Report PED23143(c), Appendix “B” to Report PED23143(c) and Appendix “C” to Report PED23143(c))**

To implement the new Housing Accelerator Fund supported incentive programs, modifications are needed to the existing Housing for Hamilton Community Improvement Plan as well as the establishment of a new Housing for Hamilton Community Improvement Project Area. The Housing for Hamilton Community Improvement Plan is the appropriate tool to implement the Housing Accelerator Fund programs to fulfil provincial legislated requirement under the *Planning Act* due to the availability of these programs to private property owners.

Therefore, staff are recommending to repeal and replace the existing Housing for Hamilton Community Improvement Plan and associated Roxborough Community Improvement Project Area By-laws to be replaced by updated Housing for Hamilton Community Improvement Plan (2024) Draft By-law and Housing for Hamilton Community Improvement Project Area (2024) by-laws contained in Appendix “A” to Report PED23143(c) and Appendix “C” to Report PED23143(c), respectively.

The changes incorporated into the draft Housing for Hamilton Community Improvement Plan (2024) By-law attached as Appendix “C” to Report PED23143(c) of this Report include:

- Updates to reflect changes to provincial and city plans and policies that have occurred since the Housing for Hamilton Community Improvement Plan was first introduced in 2019;
- The inclusion of the Additional Dwelling Unit and Multi-Plex Housing Incentive, Rapid Transit Multi-Residential Rental Housing Incentive and Housing Acceleration Incentive Programs as authorized incentive programs; and,
- Other technical and minor non-substantive amendments throughout.

The proposed Housing for Hamilton Community Improvement Project Area (2024) contained in Appendix “A” to Report PED23143(c) is intended to facilitate the implementation of staff’s proposed Housing Accelerator Fund supported programs by defining the whole of the City of Hamilton as being subject to the Housing for Hamilton Community Improvement Plan (2024). In addition, the proposed project area establishes sub areas in which specific programs may be provided including:

**SUBJECT: Implementation of Canada Mortgage and Housing Corporation Housing Accelerator Fund Incentive Programs and Associated Updates to the Housing for Hamilton Community Improvement Plan (PED23143(c)) (City Wide) - Page 12 of 14**

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- Sub Area 1 – Rapid Transit Housing Area, in which the proposed Rapid Transit Multi-Residential Rental Housing Incentive Program would be made available; and,
- Sub Area 2 – Roxborough, to allow for the continuation of the existing Roxborough Access to Homeownership Grant and Roxborough Rental Housing Loan Programs in the McQuesten neighbourhood not related to the Housing Accelerator Fund. This sub area incorporates and replaces the existing Roxborough Community Improvement Project Area By-law 18-300 in order to establish a single, consolidated Housing for Hamilton Community Improvement Project Area.

**Delegated Authority By-law (Appendix “G” to Report PED23143(c))**

This by-law is in response to Council direction approved through Report HSC23017(b)/PED23143(b) that the General Manager of Healthy and Safe Communities be authorized to approve applications for the Housing Accelerator Fund supported programs.

Through consultation with staff from Legal and Risk Management Services, Housing Services and the Housing Secretariat, staff’s recommended by-law has been developed to provide the following delegated authorities respecting the three new Housing Accelerator fund supported incentive programs:

- To the Executive Committee for the Housing Sustainability and Investment Roadmap comprising the City Manager and the General Managers of Healthy & Safe Communities, Planning & Economic Development and Corporate Services Departments:
  - Approval of program applications for grants/forgivable loans from \$250,000 up to the maximum program amount as stated in the applicable Program Description and terms;
  - Amend program terms, with the exception of maximum grant/forgivable loan amounts, provided such amendments do not conflict with the Housing for Hamilton Community Improvement Plan, the Housing for Hamilton Community Improvement Project Area, the Housing Action Plan, or the Housing Sustainability and Investment Roadmap; and,
- To the General Manager of Healthy and Safe Communities:

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**SUBJECT: Implementation of Canada Mortgage and Housing Corporation Housing Accelerator Fund Incentive Programs and Associated Updates to the Housing for Hamilton Community Improvement Plan (PED23143(c)) (City Wide) - Page 13 of 14**

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- Approval of program applications for grants/forgivable loans to a maximum of \$249,999;
- Powers to undertake all *acts* necessary to carry out all delegated authority approvals including entering into and executing any required agreements with program applicants and executing any required documents.

It should be noted that the delegated authority to approve program applications for both the General Manager and the Executive Committee is limited to only those grants/forgivable loans solely utilizing funding provided by the Canada Mortgage and Housing Corporation's Housing Accelerator Fund and will not involve any funds from the tax levy.

The incorporation of added delegated authority to amend the Housing Accelerator Fund supported programs was introduced out of recognition that, despite staff's best efforts, the program terms are unlikely to capture the multitude of different development scenarios which may occur throughout the city over the period that these programs will be in existence. As such, there may be a need from time-to-time to quickly adapt program terms to address emerging or site-specific circumstances so as to not delay developments and continue staff's efforts to expeditiously meet the 2,675 net new residential unit goal on which the Housing Accelerator Funding is predicated on.

### **ALTERNATIVES FOR CONSIDERATION**

Alternative to staff's recommendations, City Council may direct that the proposed programs be modified in a manner as City Council deems appropriate, while still maintaining compliance with the terms and conditions of the contribution agreement signed between the Canada Mortgage and Housing Corporation and the city.

Should City Council elect to explore alternatives to staff's proposals, Council may refer this Report and provide direction to staff to investigate any such alternative direction along with any potential legal, financial, and economic impacts from such direction as well as identify any potential impacts to the city's Housing Accelerator Fund allocation and city commitments made to the Canada Mortgage and Housing Corporation per the Housing Accelerator Fund contribution agreement.

### **APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report PED23143(c) – Housing for Hamilton Community Improvement Project Area (2024) Draft By-Law

**SUBJECT: Implementation of Canada Mortgage and Housing Corporation  
Housing Accelerator Fund Incentive Programs and Associated  
Updates to the Housing for Hamilton Community Improvement Plan  
(PED23143(c)) (City Wide) - Page 14 of 14**

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Appendix “B” to Report PED23143(c) – Housing for Hamilton Community Improvement Plan (2024)

Appendix “C” to Report PED23143(c) – Housing for Hamilton Community Improvement Plan (2024) Draft By-Law

Appendix “D” to Report PED23143(c) – Additional Dwelling Unit and Multi-Plex Housing Incentive Program Incentive Program

Appendix “E” to Report PED23143(c) – Rapid Transit Multi-Residential Rental Housing Incentive Program

Appendix “F” to Report PED23143(c) – Housing Acceleration Incentive Program

Appendix “G” to Report PED23143(c) – Delegated Authority Draft By-law

JL/rb

**Appendix “A” to Report PED23143(c)**  
**Page 1 of 6**

**Authority:** Item ,  
Report (PED23143(c))  
CM:  
Ward: City Wide

**Bill No.**

**CITY OF HAMILTON**

**BY-LAW NO. 24-\_\_\_**

**To Designate  
The Housing for Hamilton  
Community Improvement Project Area (2024)**

**WHEREAS** Section 28 of the *Planning Act* entitled “Community Improvement” provides in subsection (2) that “Where there is an official plan in effect in a local municipality or in a prescribed upper-tier municipality that contains provisions relating to community improvement in the municipality, the council may, by by-law, designate the whole or any part of an area covered by such an official plan as a community improvement project area”;

**WHEREAS** under Section 28(1) of the *Planning Act*, a “community improvement project area” is defined as “a municipality or an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason”;

**WHEREAS** Chapter F, Section 1.15 of the Urban Hamilton Official Plan and Rural Hamilton Official Plan contain provisions relating to community improvement;

**WHEREAS** Council approved By-law No. 18-300, the ‘Roxborough Community Improvement Project Area’, on September 26, 2018;

**WHEREAS** the Council of the City of Hamilton deems it appropriate to identify the entirety of the City of Hamilton, including Sub-Area 1 – Rapid Transit Housing Area and Sub-Area 2 – Roxborough, as the ‘Housing for Hamilton Community Improvement Project Area (2024)’, attached hereto and forming part of this By-law as Schedule ‘A’, dated December 12, 2023 and titled ‘Housing for Hamilton Community Improvement Project Area’.

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

1. In this By-law and Schedule “A” hereto:

- (a) “Housing for Hamilton CIPA (2024)” means the ‘Housing for Hamilton Community Improvement Project Area (2024)’; and,
- (b) “Housing for Hamilton CIP (2024)” means the ‘Housing for Hamilton Community Improvement Plan (2024)’.



## Appendix “A” to Report PED23143(c)

## Page 2 of 6

2. By-law No. 18-300 is repealed on such day that the ‘Housing for Hamilton CIP (2024)’, By-law 24-\_\_\_\_, comes into effect in accordance with Subsection 28(4) of the *Planning Act*;
3. The geographic area of the City of Hamilton, as defined in Schedule “A” and forming part of this By-law, is hereby designated as the ‘Housing for Hamilton CIPA (2024)’;
4. The Housing for Hamilton CIPA (2024) contains the following sub- areas which are identified on Schedule “A” hereto:
  - (a) Housing for Hamilton CIPA (2024) Sub-Area 1 - Rapid Transit Housing Area;  
and,
  - (b) Housing for Hamilton (CIPA) (2024) Sub-Area 2 - Roxborough.
5. With respect to Housing for Hamilton CIPA (2024) Sub-Area 1 – Rapid Transit Housing Area only, a property that is not otherwise included in Housing for Hamilton CIPA (2024) Sub-Area 1, as delineated in Schedule “A”, may, at the City’s discretion, be considered as forming part of Housing for Hamilton CIPA (2024) Sub-Area 1, provided the property is:
  - (a) adjacent to a property located in Housing for Hamilton CIPA (2024) Sub-Area 1; and,
  - (b) is forming part of a comprehensive development with a property located in Housing for Hamilton CIPA (2024) Sub-Area 1 with the determination of whether the property forms part of a comprehensive development being at the discretion of the City and will include consideration of physical elements which are required for the satisfactory functionality of both properties.

**PASSED** this \_\_\_\_ day of February, 2024

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A. Horwath  
Mayor

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J. Pilon  
Acting City Clerk

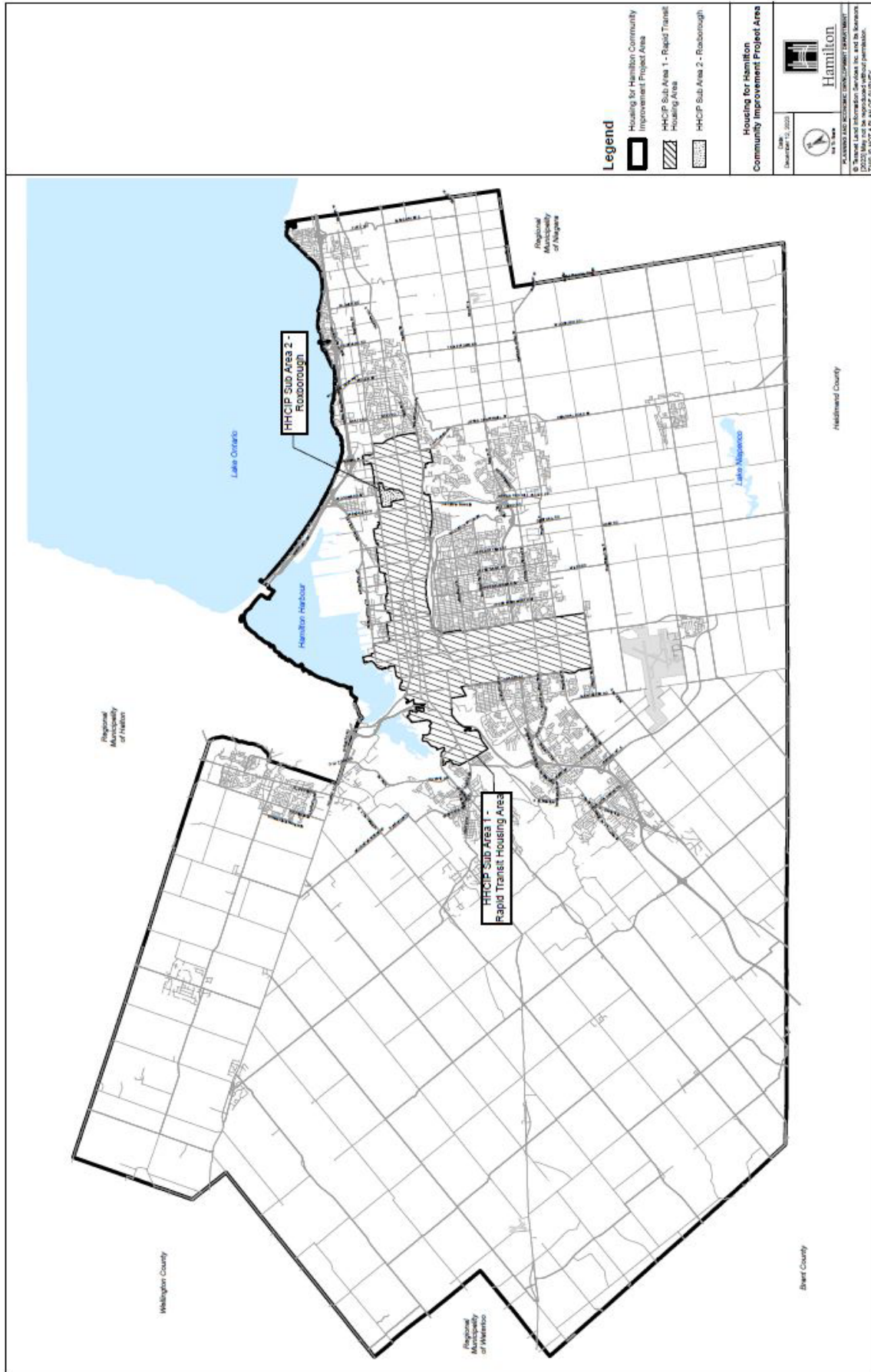
Schedule "A" to By-law No. 24-\_\_\_\_

**CITY OF HAMILTON**

**HOUSING FOR HAMILTON  
COMMUNITY IMPROVEMENT  
PROJECT AREA (2024)**

February 2024

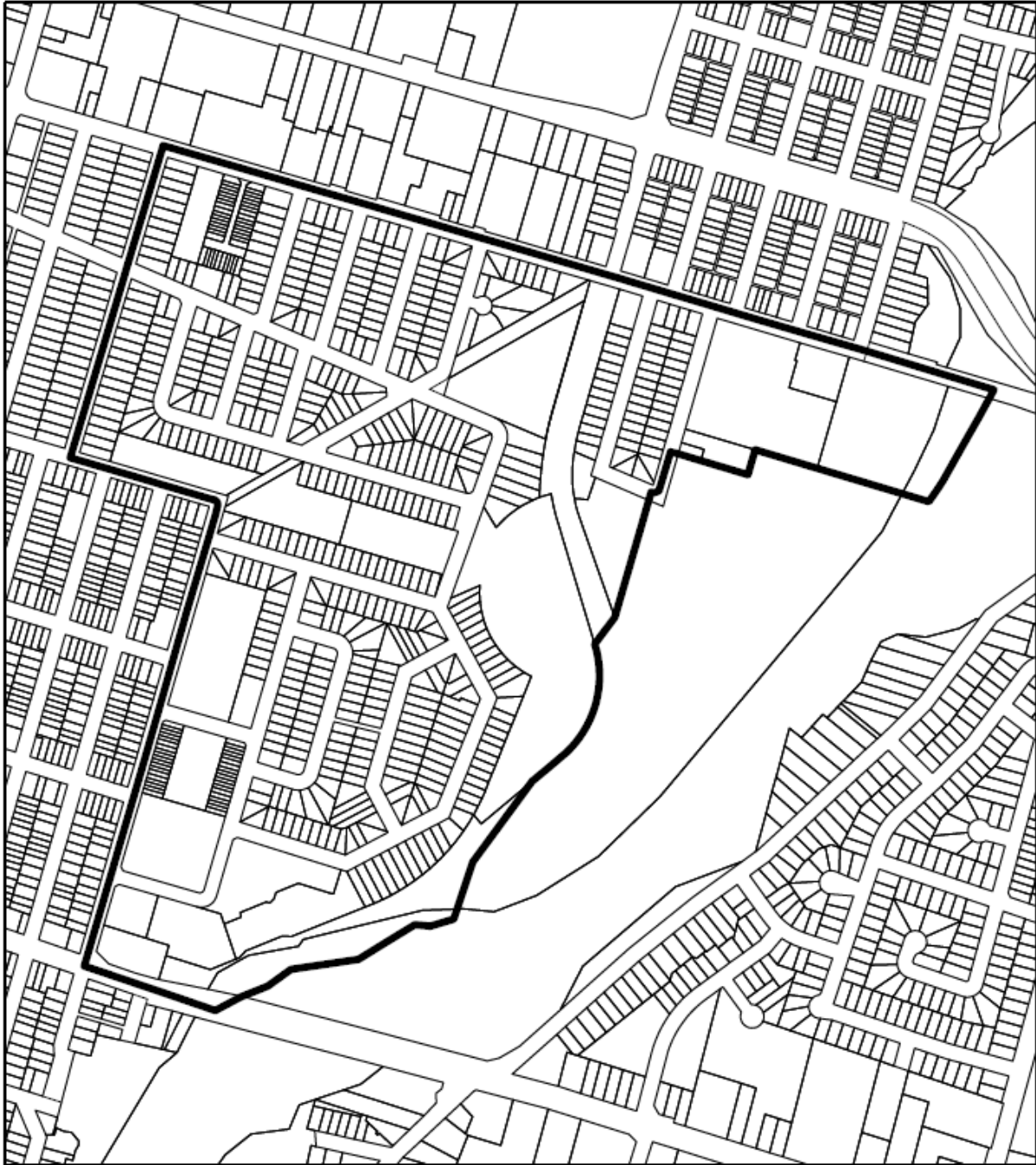
Appendix "A" to Report PED23143(c)



Appendix "A" to Report PED23143(c)  
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Appendix "A" to Report PED23143(c)  
Page 6 of 6



**Housing for Hamilton Community Improvement Project Area**

**Legend**

 Sub Area 2 – Roxborough

Date:  
October 27, 2023  
  
Not To Scale



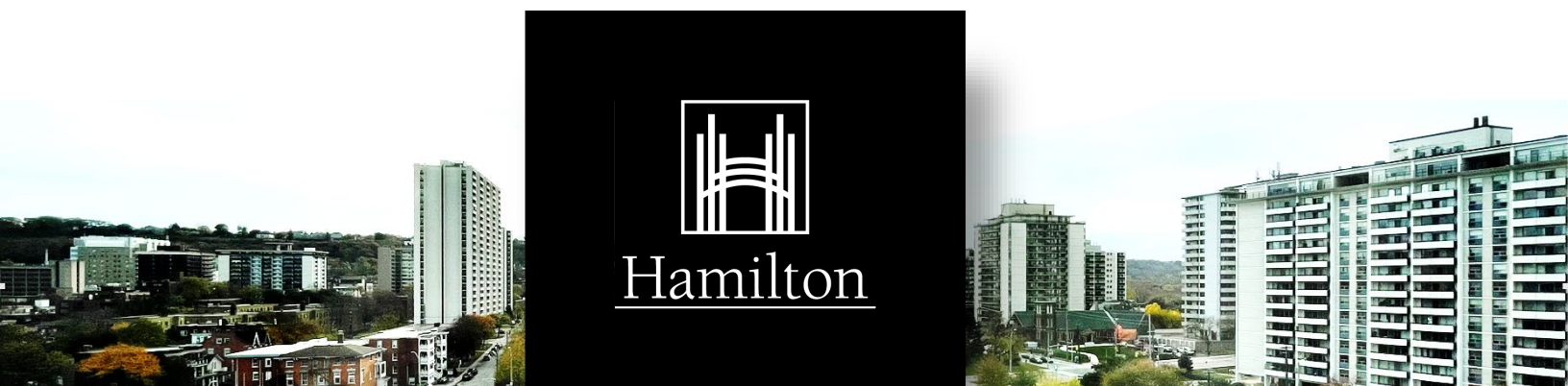
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT  
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THIS IS NOT A PLAN OF SURVEY.

# Housing for Hamilton Community Improvement Plan (2024)

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HEALTHY AND SAFE COMMUNITIES DEPARTMENT

FEBRUARY 2024



Hamilton

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## 1.0 INTRODUCTION

Across the Greater Toronto and Hamilton Area (GTHA), affordability of housing and limited opportunities for both rental housing and home ownership have become significant social and land use planning issues which are threatening the ability for municipalities to create and sustain complete communities which are home to all peoples.

Housing affordability is an issue which requires innovative solutions from all levels of governments in collaboration with private sector investment. Although there is no single tool or action which will address affordability, City Council is committed to identifying opportunities to reduce barriers to the creation of a wider range and choice of housing with the tools available to it. This Community Improvement Plan is one such opportunity.



## 2.0 PURPOSE OF THIS PLAN

This Housing for Hamilton Community Improvement Plan (the Plan) is intended to provide incentives which will minimize financial barriers to, and stimulate private sector investment in, the creation of a wider range and choice of housing to meet the needs of Hamilton’s residents. Incentives contained within this Plan are focused towards the development or redevelopment of targeted, under-utilized properties within the Hamilton Urban Area that are suitable for accommodating new mixed-income, mixed-tenure and affordable residential developments.

The expected outcome of this Plan is to provide new housing opportunities for persons with higher social and economic vulnerability; increase housing supply on under-utilized properties, provide new and/or revitalized affordable housing stock and generally support the integration of people from a variety of income groups into healthy, socially cohesive and financially sustainable communities.



### 3.0 LEGISLATIVE AUTHORITY

The provision of financial incentives or other undertakings by a municipality to facilitate or carry-out community improvement in Ontario are primarily governed by the *Planning Act* and *Municipal Act*. Together these acts identify the tools, and their parameters, which municipalities may authorize and utilize for community improvement.

#### 3.1 Provincial Legislation

Section 28 of the *Planning Act* permits a municipality to establish a Community Improvement Plan (CIP) for the purposes of facilitating the community improvement of an area through the provision of financial incentives or actions which would otherwise be prohibited under Sub-section 106(2) of the *Municipal Act*.

A CIP may be enacted by a municipality, by by-law, provided that:

- The municipalities Official Plan contains provisions relating to community improvement (*Planning Act*, Subsection 28 (2));
- The CIP identifies the geographic Community Improvement Project Area (CIPA) for which Council is of the opinion it is desirable to improve because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason (*Planning Act*, Subsection 28(2)) and which includes the provision of affordable housing (*Planning Act*, Subsection 28 (6)); and
- The total of all grants, loans and/or tax assistance provided with respect to lands or buildings within the CIPA do not exceed the eligible costs as described within the CIP (*Planning Act*, Subsection 28(7.3)).

Once a CIP has come into effect, a municipality may:

- Acquire, hold, clear, grade or otherwise prepare land for community improvement (*Planning Act*, Subsection 28(3));
- Construct, repair, rehabilitate or improve buildings on land acquired or held by it in the CIPA in conformity with the CIP, and sell, lease or otherwise dispose of any such buildings and the land appurtenant thereto (*Planning Act*, Subsection 28(6)(a));
- Sell, lease or otherwise dispose of any land acquired or held by it in the CIPA to any person or governmental authority for use in conformity with the CIP (*Planning Act*, Subsection 28(6)(b));

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- Provide grants and/or loans in conformity with the CIP, to registered owners, assessed owners and tenants of lands and buildings within the CIPA, and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan, to pay for the whole, or any part of the, eligible costs of the CIP (*Planning Act*, Subsection 28(7)); and
- Provide grants and/or loans for eligible costs identified within the CIP which may include costs related to environmental site assessment, environmental remediation, development, redevelopment, construction and reconstruction of land and buildings for rehabilitation purposes or for the provision of energy efficient uses, buildings, structures, works, improvements or facilities (*Planning Act*, Subsection 28(7.1)).

### 3.2 Municipal Authorization

Community improvement policies are contained in Section 1.15 of the Urban Hamilton Official Plan (UHOP). In particular, the UHOP states the following with respect to municipal authorization of CIPs:

- It is the intent of Council through Community Improvement to promote and maintain a high-quality living and working environment throughout the City. Community Improvement shall be accomplished through (1) the upgrading and ongoing maintenance of communities or areas as characterized by obsolete buildings, and/or conflicting land uses and/or inadequate physical infrastructure and community services, and, (2) the establishment of policies and programs to address identified economic, land development and housing supply issues or needs throughout the Urban Area.” (UHOP, Chapter F, Section 1.15); and
- Community Improvement shall be carried out through the designation, by Council, of Community Improvement Project Areas and through the preparation and implementation of Community Improvement Plans pursuant to the Planning Act, R.S.O., 1990 c. P.13. It is the intent of Council that the entire urban area or any part of the urban area as defined in this Plan, and as subsequently amended, may by by-law be designated as a Community Improvement Project Area. (UHOP, Chapter F, Section 1.15.1).

## 4.0 SUPPORTING POLICY FRAMEWORK

Existing Provincial and City policy frameworks contain policies that support the purpose and goals of this Plan as outlined in Sections 2.0 and 4.0 respectively as well as the associated incentive programs described in Section 7.0. The key policies from applicable policy documents are outlined below.

### 4.1 Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides policy direction for land use planning and development matters which are of Provincial interest including protecting resources, supporting public health and safety and creating high-quality natural and built environments. The PPS emphasizes the need for strong communities and identifies the need to provide sufficient housing which is affordable, and which will serve a broad range of needs within the community.

This Plan is consistent with the PPS and specifically addresses the following provincial interests identified within the PPS:

- Accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs (PPS, Section 1.1.1 (b));
- Establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate-income households (PPS, Section 1.4.3(a));
- Permitting and facilitating all forms of housing required to meet the social, health and well-being requirements of current and future residents, including those with special needs requirements (PPS, Section 1.4.3 (b));
- Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed (PPS, Section 1.4.3 (d)); and
- Establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety (PPS, Section 1.4.3 (f)).

#### 4.2 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (“Growth Plan”) provides a policy framework for implementing the Province’s vision for managing long-term growth within the Greater Golden Horseshoe (GGH), including Hamilton, while supporting economic prosperity, protecting the environment and helping communities to achieve a high quality of life. The Growth Plan envisions the GGH as an area with an increasing amount and variety of housing that is sufficient to reflect market demands and the needs of local communities in terms of income and household sizes.

This Plan is consistent with the Growth Plan and specifically addresses the following principles and policies as identified within the Growth Plan:

- Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households (Growth Plan, Section 1.2.1);
- Provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes (Growth Plan, Section 2.2.1 (4)(c));
- Support housing choice through the achievement of the minimum intensification and density targets of the Growth Plan and identifying a diverse range and mix of housing options and densities, including second units and affordable housing to meet projected needs of current and future residents (Growth Plan, Section 2.2.6 (1)(a)(i));
- Identifying mechanisms, including the use of land use planning and financial tools, to support housing choice (Growth Plan, Subsection 2.2.6 (1)(b));
- Supporting the achievement of complete communities by planning to diversify overall housing stock across a municipality (Growth Plan, Subsection 2.2.6 (2)(d); and
- Supporting the achievement of complete communities by municipalities through the use of available tools to require multi-unit residential developments to incorporate a mix of unit sizes that accommodate a diverse range of household sizes and incomes (Growth Plan, Subsection 2.2.6 (3)).

#### 4.3 2022-2026 Council Priorities

The 2022-2026 Council Priorities were developed by the City Council to support the City’s vision “to be the best place to raise a child and age successfully”. The three priorities are: Sustainable Economic and Ecological Development (Priority 1), Safe and Thriving Neighbourhoods (Priority 2), and Responsiveness and Transparency (Priority 3). Each of the priorities has a set of outcomes and measures of success. As it applies to the purpose of this Plan, Priority 2 particularly aligns with this Community Improvement Plan with an Outcome being to increase the supply of affordable and supportive housing.

#### 4.4 2016-2025 Strategic Plan (2016)

The City of Hamilton’s 2016-2025 Strategic Plan (Strategic Plan) establishes a 10-year vision for the City that provides the context within which City services are provided to achieve the Plan’s stated mission “to provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner”. To achieve this, the Strategic Plan establishes seven priorities which were identified through community engagement and resident conversations including those that occurred through the Our Future Hamilton: Communities in Conversation initiative. These priorities are:

- Community Engagement and Participation
- Economic Prosperity and Growth
- Healthy and Safe Communities
- Clean and Green
- Building Environment and Infrastructure
- Culture and Diversity
- Our People and Performance

This Plan contributes towards the achievement of the Strategic Plan’s vision and is in alignment with the priorities by providing programs that contribute to Economic Prosperity and Growth and Health and Safe Communities by contributing to the development of further housing choice and opportunity.

#### 4.5 2021-2025 Economic Development Action Plan

The 2021-2025 Economic Development Action Plan is a Council approved, city-wide, action-oriented document that identifies areas of focus and key industry sectors that the City will concentrate resources and identify actions for in support of the City’s economy. The Economic Development Action Plan identifies six key priority areas that are intended to build a stronger and more equitable economy for Hamilton’s future. Of

these, this Plan most directly supports the “Facilitating a Skilled and Adaptable Workforce” priority which, among other actions, are supported by incentivizing investment in housing to meet the needs of a diverse workforce.

#### 4.6 Urban and Rural Hamilton Official Plans (2013)

The Urban Hamilton Official Plan (UHOP) and Rural Hamilton Official Plan (RHOP) are the City’s long-term policy framework which establish the City’s vision for the future in terms of managing land use change and the physical development of the City as it is affected by environmental, social, and economic factors. The development of new mixed-income, mixed-tenure developments that increase the supply of affordable housing addresses the social and economic challenges facing the City.

This Plan is consistent with the UHOP and RHOP and specifically addresses the following goals and policies of these plans:

##### 4.6.1 Urban Hamilton Official Plan

###### Goals

- Increase Hamilton’s stock of affordable housing of all types, particularly in areas of the City with low levels of affordable housing (UHOP, Chapter B, Section 3.2.1.3);
- Increase Hamilton’s stock of housing for those whose needs are inadequately met by existing housing forms or tenure, affordability, or support options (UHOP, Chapter B, Section 3.2.1.4); and
- Increase the mix and range of housing types, forms, tenures, densities, affordability levels, and housing with supports throughout the urban area of the City (UHOP, Chapter B, Section 3.2.1.6).

###### Policies

- Many households in Hamilton cannot obtain housing that is affordable or appropriate to their needs. Households and individuals may be at risk of homelessness because of economic and/or personal circumstances where a level of support is required to live independently. Hamilton’s aging and diversifying population has new and unique housing needs that cannot solely be met through current housing options. The City recognizes the importance of affordable housing and housing with supports in meeting the housing needs of those without the resources to participate in the private housing market (UHOP, Chapter B, Section 3.2.3);





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- Where appropriate, assistance shall be provided, whether by the City and/or senior governments, to encourage the development of affordable housing, with priority given to projects in areas of the City that are lacking in affordable housing. City assistance may include selling or leasing of surplus City land or financial assistance (UHOP, Chapter B, Section 3.2.3.2); and
- Investment in new affordable housing shall be encouraged by a coordinated effort from all levels of government through implementation of a range of strategies, including effective taxation, regulatory and administrative policies, and incentives (UHOP, Chapter B, Section 3.2.3.6).

#### 4.6.2 Rural Hamilton Official Plan

##### Policies

- The City shall endeavour to provide a facilitative land use planning process for development applications for *affordable* housing and *housing with supports*. (RHOP, Chapter B, Section 3.2.1.1);
- Where appropriate, assistance shall be provided, whether by the City and/or senior governments, to encourage the development of affordable housing, with priority given to projects in areas of the City that are lacking in affordable housing. City assistance may include selling or leasing of surplus City land or financial assistance (RHOP, Chapter B, Section 3.2.1.2);
- In accordance with the City’s ‘Housing First’ policy, all City-owned land that is surplus to the City’s needs and appropriate for residential development shall be given priority for sale or lease for the *development* of *affordable* housing by CityHousing Hamilton Corporation, or coordinated by CityHousing Hamilton Corporation or the City of Hamilton Housing Services for *development* by other housing stakeholders (RHOP, Chapter B, Section 3.2.1.3); and
- Investment in new affordable housing shall be encouraged by a coordinated effort from all levels of government through implementation of a range of strategies, including effective taxation, regulatory and administrative policies and incentives (RHOP, Chapter B, Section 3.2.1.6).

#### 4.6.3 Secondary Plans

Within specific communities of the city, the Urban Hamilton Official Plan may be supplemented by detailed, area specific policies responding to the unique needs and considerations for how a specific area/community will develop over time. The following Secondary Plans contain policies that directly relate and support the purpose and goals of this Plan.



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Ainslie Wood Westdale Secondary Plan

This Secondary Plan includes the area bounded by the former boundaries between the former City of Hamilton and former Town of Dundas on the west, Cootes Paradise on the northwest, and Highway 403 on the east and the southeast.

This Secondary Plan contains the following policies:

- Provide a diversity of suitable housing choice for families, students, seniors and others (UHOP, Volume 2, Chapter B, 6.2.4 a));
- Maintain low density, single detached residential areas, in terms of both appearance and use (UHOP, Volume 2, Chapter B, 6.2.4 b));
- Provide a wide variety of housing forms for many types of households, including households of various sizes and age groups (UHOP, Volume 2, Chapter B, 6.2.5.2 a));
- Encourage the maintenance of the appearance of low density housing, especially single detached homes, where possible (UHOP, Volume 2, Chapter B, 6.2.5.2 b)); and
- A range of residential designations is provided to encourage a variety of housing types, forms and sizes. Rental housing is important in providing a range of housing types (UHOP, Volume 2, Chapter B, 6.2.5.3 a)).

Ancaster Wilson Street Secondary Plan

This Secondary Plan includes the area generally located along Wilson Street between Montgomery Drive and Meadowbrook Drive in Ancaster (The Secondary Plan area consists of a narrow corridor of properties oriented to, or near Wilson Street).

This Secondary Plan contains the following policies:

- Allowance for access to a variety of housing, employment, services, and recreation options in close proximity to each other (UHOP, Volume 2, Chapter B, 2.8.5 a)); and
- The Ancaster Community Node shall include a range of housing forms and tenures, and a mix of employment, institutional, recreational, and commercial uses subject to the land use designation policies of this Secondary Plan and Volume 1 of this Plan (UHOP, Volume 2, Chapter B, 2.8.6.1 b)).

Binbrook Village Secondary Plan

This Secondary Plan includes the area bounded by Fletcher Road to the west, the Ontario Hydro easement to the south, a pipeline easement to the north and lands east of Regional Road 56.

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This Secondary Plan contains the following policies:

- Create safe, efficient and attractive residential neighbourhoods consisting of a range and mix of housing types and densities (UHOP, Volume 2, Chapter B, 5.1.4.1 c));
- A range and mix of housing types shall be permitted, including single detached, semi-detached, duplexes, townhouses, quattroplexes, and apartment (multiple) dwellings, as well as housing with supports (UHOP, Volume 2, Chapter B, 5.1.4.3 c)); and
- Innovative and varied housing types and designs shall be encouraged (UHOP, Volume 2, Chapter B, 5.1.4.3 d)).

Centennial Neighbourhoods Secondary Plan

This Secondary Plan includes the generally bounded by the Red Hill Valley Parkway to the west, Lake Avenue to the east, the Queen Elizabeth Way (QEW) to the north, and by local streets and properties just south of Queenston Road to the south.

This Secondary Plan contains the following policies:

- Support the provision and maintenance of a mix of housing types and tenures that meet the housing needs of residents throughout their life cycle and provide opportunities for residents to remain within the community (UHOP, Volume 2, Chapter B, 6.7.3.1 c));
- The Centennial Neighbourhoods Secondary Plan area shall include a range of housing forms and tenures and a mix of employment, commercial, institutional and open space uses (UHOP, Volume 2, Chapter B, 6.7.4.1 a)); and
- Development shall provide a mix of housing opportunities in terms of built form, style and tenure that are suitable for residents of different age groups, income levels and household sizes (UHOP, Volume 2, Chapter B, 6.7.6.2 a)).

Chedmac Secondary Plan

This Secondary Plan includes the area generally bounded by Mohawk Road West to the south, Sanatorium Road to the east, San Pedro Drive to the North and Magnolia Drive to the west.

This Secondary Plan contains the following policies:

- Create residential areas consisting of a range of housing types and densities to satisfy a range of housing needs (UHOP, Volume 2, Chapter B, 6.3.1 a)); and

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- Provide a variety of housing at a range of prices including affordable residential units (UHOP, Volume 2, Chapter B, 6.3.1 b)).

#### Downtown Hamilton Secondary Plan

This Secondary Plan includes the area bounded by Cannon Street to the north, Victoria Avenue to the east, Hunter Street to the south and Queen Street to the west and includes the frontage properties along James Street North to Stuart Street and along James Street South to Charlton Avenue West.

This Secondary Plan contains the following policies:

- Create a diversified housing supply in the Downtown geared to the needs of various age groups, household size, and income levels with increased opportunities for affordable housing (UHOP, Volume 2, Chapter B, 6.1.3.3 b));
- Provide for a range of housing types, forms, and densities to meet the social, health, and well-being requirements of all current and future residents (UHOP, Volume 2, Chapter B, 6.1.3.7 a));
- Provide housing within complete communities (UHOP, Volume 2, Chapter B, 6.1.3.7 b));
- Increase Downtown’s stock of affordable housing of all types (UHOP, Volume 2, Chapter B, 6.1.3.7 c));
- Maintain a balance of primary rental and ownership housing stock as outlined in the Affordable Housing Strategy (UHOP, Volume 2, Chapter B, 6.1.3.7 d));
- The development of housing with a full range of tenure, affordability, and support services shall be provided for and promoted throughout the Downtown in a full range of built housing forms in accordance with the policies of Section B.3.2 – Housing Policies of Volume 1 (UHOP, Volume 2, Chapter B, 6.1.4.10); and
- Development proposals for tall buildings containing residential units shall be encouraged to provide a range of unit types and unit sizes, including those suitable for larger households, and those with children and seniors (UHOP, Volume 2, Chapter B, 6.1.4.24).

#### Fruitland-Winona Secondary Plan

This Secondary Plan includes the area that consists of the lands east of Fruitland Road, north of Highway No. 8, south of Barton Street (including Winona); and the lands east of Winona, north of Highway No. 8, south of the QEW, and west of the City limits.



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This Secondary Plan contains the following policies:

- Encourage a mix of uses and housing types that meet the housing needs of residents throughout their life cycles and allow them to remain within the community (UHOP, Volume 2, Chapter B, 7.4.2.6 b)); and
- Development within the Fruitland-Winona Secondary Plan area shall provide a mix of housing opportunities in terms of built form, style and tenure that are suitable for residents of different age groups, income levels and household sizes (UHOP, Volume 2, Chapter B, 7.4.3 c)).

Nash Neighbourhood Secondary Plan

This Secondary Plan includes the area bounded by Felker’s Creek to the west, the Niagara Escarpment to the north, Upper Centennial Parkway to the east and Mud Street to the south.

This Secondary Plan contains the following policies:

- Development within the Nash Neighbourhood shall provide a mix of housing opportunities in terms of lot size, unit size, style and tenure that are suitable for different age levels, income groups, lifestyles, and household structures (UHOP, Volume 2, Chapter B, 7.5.3.2).

North-West Glanbrook Secondary Plan

This Secondary Plan includes the area bounded by the utility corridor to the north, Twenty Road West to the south, and Glancaster Road to the west.

This Secondary Plan contains the following policies:

- A variety and mix of dwelling types shall be permitted, including but not limited to, single detached dwellings, semi-detached dwellings, townhouses, apartments, and housing with supports (UHOP, Volume 2, Chapter B, 5.3.2.2 b)).

Meadowlands Neighbourhood IV Secondary Plan

This Secondary Plan includes the area generally bounded by Stonehenge Drive to the north, Redeemer College to the west, Tiffany Creek Headwaters Core Area to the east and Garner Road to the south.

This Secondary Plan contains the following policies:

- Development within the Meadowlands Neighbourhood IV is intended to provide a mix and diversity of housing opportunities in terms of lot size, unit size, style and tenure that are suitable for different age levels, income

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groups, lifestyles, and household structures (UHOP, Volume 2, Chapter B, 2.6.1.3b)).

Rymal Road Secondary Plan

This Secondary Plan includes the area bounded by Hydro corridor to the south, Trinity Church Road to the west, Rymal Road to the north and Swayze Road to the east.

This Secondary Plan contains the following policies:

- Encourage a mix of dwelling types and densities, including the opportunity for lifestyle residential development and to encourage ‘aging in place’ where different housing forms accommodate life cycle changes (UHOP, Volume 2, Chapter B, 5.2.2 a)); and
- Mixing of unit types shall be encouraged, and the implementing Zoning By-law may contain provisions to allow for a mixing of units (UHOP, Volume 2, Chapter B, 5.2.2.3 b)ii)).

Shaver Neighbourhood Secondary Plan

This Secondary Plan includes the area generally bounded by Highway 403 to the north, Shaver Road to the west, Highway 53 to the south and Fiddler's Green Road to the east.

This Secondary Plan contains the following policies:

- The residential policies shall define the location and scale of each type of residential use, and shall help ensure that a variety of residential types are provided to meet the needs of all area residents (UHOP, Volume 2, Chapter B, 2.2.1).

Strathcona Secondary Plan

This Secondary Plan is located west of downtown Hamilton and is bounded by Highway 403 to the west, Queen Street North to the east, York Boulevard to the north and Main Street West to the south.

This Secondary Plan contains the following policies:

- Support the provision and maintenance of a mix of housing types and tenures that meets the housing needs of residents throughout their life cycles and provides opportunities for residents to remain within the community (Volume 2, Chapter B, 6.6.3 – Land Use c)); and
- Development within the Strathcona Secondary Plan area shall provide a mix of housing opportunities in terms of built form, style and tenure that are

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suitable for residents of different age groups, income levels and household sizes (UHOP, Volume 2, Chapter B, 6.6.5.2 c)).

Waterdown Community Node Secondary Plan

This Secondary Plan includes the area generally bounded by Grindstone Creek and First Street to the east, and extends north to Parkside Drive, west to Goldenview Court, and south to the southern end of Main Street.

This Secondary Plan contains the following policies:

- A high quality living environment includes the provision of appropriate housing for all residents as well as ensuring that the physical, social and emotional well-being of residents is supported (UHOP, Volume 2, Chapter B, 4.4.2 f), Principle 6);
- The Waterdown Community Node Secondary Plan area shall include a range of housing forms and tenures and a mix of commercial, institutional and open space uses (UHOP, Volume 2, Chapter B, 4.4.3.1 b));
- The development of affordable housing is encouraged within the Secondary Plan area to provide a full range of housing and meet the City’s affordable housing targets outlined in Policy B.3.2.2 of Volume 1 (UHOP, Volume 2, Chapter B, 4.4.3.1 e));
- To achieve affordable housing targets and meet affordable housing needs in the community, partnerships with non-profit organizations and any other available tools or resources may be considered (UHOP, Volume 2, Chapter B, 4.4.3.1 f)); and
- A mix of housing forms, styles and tenures suitable for residents of different age groups, abilities, income levels and household sizes shall be encouraged in the Secondary Plan area (UHOP, Volume 2, Chapter B, 4.4.5.2 a)).

Waterdown North Secondary Plan

This Secondary Plan includes the area generally bounded by the urban boundary to the north, Parkside Drive to the south, the pipeline easement to the west, lands north of the North Waterdown Drive and Centre Road to the east.

This Secondary Plan contains the following policies:

- Provision of a mix and range of housing, including housing affordable to a wide spectrum of households through a variety of building types and densities to provide housing choices for families, seniors, single person households and other residents (UHOP, Volume 2, Chapter B, 4.2.1 b));

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- Provide a wide variety and mix of housing types throughout the neighbourhoods (UHOP, Volume 2, Chapter B, 4.2.2.1 b));
- The Waterdown North community shall be primarily a residential area that includes a wide range of housing types and demonstrates a mix of housing (UHOP, Volume 2, Chapter B, 4.2.4);
- A broad range and mix of housing types are promoted between and within residential density categories. The City shall strive to achieve a variety of building types within each density category, such that no portion of the Secondary Plan area is dominated by one housing type (UHOP, Volume 2, Chapter B, 4.2.4.2 b)); and
- A mix of lot sizes and housing types shall be required throughout the Low Density Residential 2 designation such that there is not a large concentration of one type of lot size or housing unit in any one area. There shall be a variety of lot sizes and housing types along any given street (UHOP, Volume 2, Chapter B, 4.2.4.3 c)).

Waterdown South Secondary Plan

This Secondary Plan includes the area generally bounded by Dundas Street to the north and Mountain Brow Road to the south, the municipal boundary along Kerns Road to the east and the Renwood Park subdivision to the west.

This Secondary Plan contains the following policies:

- Encourage a mix of uses and housing types that meet the housing needs of residents throughout their life cycles and allows them to remain within the community (UHOP, Volume 2, Chapter B, 4.3.2.1 b));
- Promote a variety of housing forms with diverse architecture for individuals and families of all ages (UHOP, Volume 2, Chapter B, 4.3.2.6 k));
- A variety of housing opportunities suitable to a wide range of housing needs shall be encouraged through a variety of tenure options, housing prices and housing forms, including adult lifestyle housing and innovative housing ideas (UHOP, Volume 2, Chapter B, 4.3.3.3 a)); and
- A broad range and mix of housing types shall be promoted between and within residential designations. The City shall strive to achieve a variety of building types within each designation, such that no portion of the Secondary Plan Area is dominated by one housing type, and to provide an interesting streetscape (UHOP, Volume 2, Chapter B, 4.3.3.3 b)).

West Harbour (Setting Sail) Secondary Plan



This Secondary Plan includes the area bounded by Hamilton Harbour to the north, York Boulevard and Cannon Street West to the west and south and Wellington Street North to the east.

This Secondary Plan contains the following policies:

- To encourage a broad mix of household types at varying income levels, West Harbour shall accommodate a diversity of housing types, including detached and semi-detached dwellings, and multiple dwellings (UHOP, Volume 2, Chapter B, 6.5.3.4).

#### West Mountain Area (Heritage Green) Secondary Plan

This Secondary Plan includes the area generally bounded by Felkers Creek, Mud Street, Upper Centennial Parkway, Rymal Road, east of the Trinity West Secondary Plan Boundary, north of Highland Road, west of Upper Red Hill Valley Parkway to north of the interchange of Mud Street and the Redhill Expressway, west of the existing Upper Mount Albion Road, to the Niagara Escarpment.

This Secondary Plan contains the following policies:

- West Mountain Core Area shall be a mixed use area, providing a broad range of commercial uses including large-format retail stores, retail, entertainment, restaurants, office and service/commercial uses. A range of housing forms and types shall be developed at medium densities including low rise (2 to 3 storeys), mid-rise (3 to 9 storeys), commercial/residential uses and live/work housing options (UHOP, Volume 2, Chapter B, 7.6.9.2 c)).

#### 4.7 Housing and Homelessness Action Plan (2020)

The City’s 10-year Housing and Homelessness Action Plan (HHAP) is a strategic implementation plan to address affordable housing and homelessness in Hamilton. The development of the Action Plan was informed by extensive community engagement and a comprehensive needs analysis which provided the basis for the development of a framework to inform decisions about housing resource allocation in the city. This framework includes a series of fundamental strategies with a set of specific implementation actions that are designed to address the supply, affordability and quality of Hamilton’s affordable housing stock.

This Plan is consistent with the HHAP and specifically addresses the following strategies of the Plan:

- Use innovative approaches to create more affordable and market rental housing (Housing and Homelessness Action Plan, Outcome 1, Strategy 2);

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- Develop a strategy and implementation plan to increase the supply of secondary rental units (Housing and Homelessness Action Plan, Outcome 1, Strategy 4);
- Develop and implement innovative approaches to create more affordable ownership units (Housing and Homelessness Action Plan, Outcome 1, Strategy 6); and
- Increase the diversity of housing forms, types, tenures, and affordability in all urban areas of the city (Housing and Homelessness Action Plan, Outcome 2, Strategy 2).

#### 4.8 Housing Sustainability Investment Road Map (2023)

The City’s Housing Sustainability Investment Road Map is a response to the current housing crisis and takes a whole-of-city approach to respond to new and growing pressures along the housing continuum to deliver the best possible affordable housing outcomes for Hamiltonians across four pillars: new construction of affordable housing, maintaining and preservation of existing units, acquisition, and the provision of housing-based supports. It recognizes the collective need for prioritized action, integrated efforts and a change in how City government and community partners work together to identify and deliver on shared affordable housing goals.



## 5.0 COMMUNITY IMPROVEMENT PROJECT AREA

This Plan contains programs that apply to the entirety of the City of Hamilton and/or specific sub-areas that together have been geographically delineated within the companion Housing for Hamilton CIPA (2024) By-law. The Housing for Hamilton CIPA’s sub-areas where specific programs may or may not apply as further described in Section 7.0 and Appendices to this Plan include:

### 5.1 Housing for Hamilton CIPA (2024) Sub-Area 1 – Rapid Transit Housing Area

This area encompasses an approximately 1500 metres radius of the City’s A-Line and B-Line rapid transit corridors forming part of the proposed BLAST-E Re-envision Rapid Transit Network. The 1500 metre radius was defined by the Canada Mortgage and Housing Corporation as part of the Housing Accelerator Fund as an area of focus for the incentivization of transit supportive housing. The Housing for Hamilton CIPA (2024) Sub-Area 1 o Rapid Transit Housing Area boundary has been developed so as to respond to Hamilton’s unique context including ensuring that areas are excluded where housing development should not be promoted (e.g. employment lands, parks etc.) and to take into account natural geographic barriers (such as the escarpment),

### 5.2 Housing for Hamilton CIPA (2024) Sub Area 2 – Roxborough

This area is located within the McQueston Neighbourhood in East Hamilton. The area consists of the former Roxborough Park School as well as other existing residential properties including a townhouse complex owned and operated by CityHousing Hamilton.

This area was identified for its potential to accommodate a new mixed income, mixed tenure and affordable housing demonstration project based on the following attributes:

- The area contains a former school site which provides opportunities for new residential development within the existing neighbourhood;
- The area contains an existing townhouse complex owned and operated by CityHousing Hamilton which has been identified as being at the end of its intended life and in need of significant capital for repairs.
- The area is located within the McQueston Neighbourhood which was the subject of a study by the Social Planning and Research Council (SPRC, 2012)) which found that the social and economic vulnerability of this neighbourhood’s population is more significant than other neighbourhoods in the City, particularly with respect to young families and the elderly.

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- The area is serviced by a variety of significant modes of transportation including but not limited to, the Red Hill Parkway, the Confederation GO Station at Queen Elizabeth Way (QEW) and Centennial Parkway and is in proximity to a future stop on the planned Light Rail Transit (LRT) route.



## 6.0 GOALS OF THIS PLAN

The goals and objectives of this Plan are to foster developments which are consistent with Provincial and City policy frameworks as detailed in Section 3.0 and which build upon these policies by achieving the following specifically:

- Result in a net increase in the number of affordable and market housing provided;
- Create a spectrum of affordable housing options, including households with incomes below the 40th income percentile (i.e. deeper affordability);
- Maintain or exceed current service level standards for City Housing Hamilton where developments include a property currently or formerly owned and operated by CityHousing Hamilton;
- Create a mix of housing based on tenure including rental and ownership options;
- Achieve a high quality of urban design and deliver significant environmental improvements including through such means as, for example, Passive Housing standards;
- Developments must achieve a mix of unit sizes and bedrooms to ensure a range of housing needs are met within the community, including for larger households;
- Provide enhanced accessibility standards;
- Ensure affordability of housing is maintained over the long-term; and
- Explore opportunities for the inclusion of community support services through co-ordination with housing services and other external agencies.



## 7.0 INCENTIVE PROGRAMS

This section identifies the primary purpose and parameters of incentive programs the City may employ to achieve this Plans goals within areas identified in the companion Housing for Hamilton CIPA (2024) By-law. Additional detailed descriptions outlining the terms, eligibility criteria and administrative processes for each program described in this section, as adopted by City Council resolution, are contained in Section 10.0 Appendices of this Plan for reference

The applicable program descriptions shall be those that were approved by City Council and in effect on the date an application under any program in this section was approved by City Council or their delegate.

Notwithstanding any program descriptions approved by City Council, applications under any program authorized under this Plan can be rejected by City Council for any reason. Such a decision can take into account matters not set forth in the applicable program descriptions and are within City Council’s sole, absolute and unfettered discretion. Decisions and reasons for the City’s accepting or rejecting an application shall not act as a precedent for any other application.

### 7.1 Additional Dwelling Unit and Multi-Plex Housing Incentive (ADU-MHI) Program

The Additional Dwelling Unit and Multi-Plex Housing Incentive Program (the Program) is intended to provide financial incentives to support the creation of Additional Dwelling Units or Garden Suites within, or on the same property as, new or existing low-density houses or the creation of multi-plex developments with six (6) or less Dwelling Units.

This Program applies to sites located within the Housing for Hamilton CIPA (2024) with the exception of those within Housing for Hamilton CIPA (2024) Sub-Area 2 – Roxborough.

Detailed Program terms including, but not limited to, definitions, eligibility criteria, eligible studies/costs, grant criteria, grant maximums and calculations, application criteria and administrative procedures, as adopted by City Council resolution, are contained in Appendix A.

### 7.2 Rapid Transit Multi-Residential Rental Housing Incentive (RTMRHI) Program

The Rapid Transit Multi-Residential Rental Housing Incentive Program (the Program) is intended to provide financial incentives to support the creation of seven (7) or more net new residential rental and/or affordable residential rental

units on Sites with or without pre-existing development and located in close proximity to strategic rapid transit corridors.

This Program applies to sites wholly located within Housing for Hamilton CIPA (2024) Sub-Area 1 – Rapid Transit Housing Area of the Housing for Hamilton CIPA (2024).

Detailed Program terms including, but not limited to, definitions, eligibility criteria, eligible studies/costs, grant criteria, grant maximums and calculations, application criteria and administrative procedures, as adopted by City Council resolution, are contained in Appendix B.

### 7.3 Housing Acceleration Incentive (HAI) Program

The Housing Acceleration Incentive Program (the Program) is intended to provide financial incentives to support the creation of seven (7) or more net new housing units and/or affordable rental housing units on sites which have been the subject of a City-led land use planning initiative that occurred after April 7, 2022 and which removed barriers in order to support of new housing creation.

This Program applies to sites located within the Housing for Hamilton CIPA (2024) with the exception of those located in Housing for Hamilton CIPA (2024) Sub-Area 1 – Rapid Transit Housing Area and Housing for Hamilton CIPA (2024) Sub-Area 2 – Roxborough.

Detailed Program terms including, but not limited to, definitions, eligibility criteria, eligible studies/costs, grant criteria, grant maximums and calculations, application criteria and administrative procedures, as adopted by City Council resolution, are contained in Appendix C.

### 7.4 Roxborough Access to Homeownership Grant (RAHG) Program

The Roxborough Access to Homeownership Grant Program (the Program) is intended to provide grants equivalent to the value of municipal Development Charges for below-market homeownership units created within Housing for Hamilton CIPA (2024) Sub-Area 2 – Roxborough. Grants provided under this program are intended to support the provision of homeownership units at below-market prices to enable greater access to homeownership within the City and contribute to the broader spectrum of housing options within the Roxborough community specifically.

This Program applies only within Housing for Hamilton CIPA (2024) Sub-Area 2 – Roxborough as defined through the Housing for Hamilton CIPA (2024).



Detailed Program terms including, but not limited to, definitions, eligibility criteria, eligible studies/costs, grant criteria, grant maximums and calculations, application criteria and administrative procedures, as adopted by City Council resolution, are contained in Appendix D.

#### 7.5 Roxborough Rental Housing Loan (RRHL) Program

The Roxborough Rental Housing Loan Program (the Program) is intended to provide forgivable loans equivalent to the value of municipal Development Charges required for rental units created within Housing for Hamilton CIPA (2024) Sub-Area 2 – Roxborough. Forgivable loans provided under this program are intended to support the creation of new residential rental units which meet a specific rent threshold in the City and which will contribute to the broader spectrum of housing options within the Roxborough community specifically.

This Program applies only within Housing for Hamilton CIPA (2024) Sub-Area 2 – Roxborough as defined through the Housing for Hamilton CIPA (2024).

Detailed Program terms including, but not limited to, definitions, eligibility criteria, eligible studies/costs, grant criteria, grant maximums and calculations, application criteria and administrative procedures, as adopted by City Council resolution, are contained in Appendix E.



## 8.0 ADMINISTRATION AND MONITORING

This Plan and the programs contained therein, will be administered by the Healthy and Safe Communities Department, unless otherwise referenced within the applicable Program Description and terms contained in Section 10.

The Healthy and Safe Communities Department will monitor the use of incentive programs contained within this Plan and their effectiveness in terms of metrics which correspond to the stated purpose and goals of this Plan as contained in Sections 2.0 and 7.0 respectively. This monitoring will be on an individual project and aggregate basis and the subject periodic reporting to City Council.



## 9.0 AMENDMENTS AND TRANSITIONAL MATTERS

This Plan will be reviewed from time to time to ensure that it is adequately reflecting existing City policies and priorities, Provincial policies and community needs. Community and applicant feedback regarding this Plan and its associated incentive programs may also lead to amendments and / or minor revisions to the detailed incentive program descriptions, eligibility criteria and program administration terms contained in the Appendices to this Plan.

### 9.1 Formal Amendments

A formal amendment to this Plan is required in the following instances:

- To introduce any new financial incentive programs;
- To increase the amount of financial assistance that may be provided to registered owners, assessed owners, tenants and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan except where the maximum amount of assistance is not referenced in Section 7.0 or the conditions under which increased assistance under a program may be provided is already established within this same section; or
- To add, extend, remove or otherwise change the Community Improvement Project Area’s which are the subject of this Plan as contained in Section 5.0.

Formal amendments will require approval by City Council and shall be undertaken in accordance with Section 28 of the *Planning Act* and the City’s Public Participation and Notification Policies contained in Chapter F – Implementation, Section 1.17.2 of the Urban and Rural Hamilton Official Plans. Proposed amendments will be circulated to the Ministry of Municipal Affairs and Housing for information purposes. In addition, the City may undertake other communication methods to provide information and seek input, such as public information open houses, workshops, public meetings, the City’s web site and direct or electronic mail outs and surveys.

### 9.2 Other Amendments

Detailed program descriptions providing for the efficient administration of each program authorized through this Plan will be adopted, through resolution, by City Council. The program descriptions shall include, but not be limited to, program terms, eligibility criteria, maximum grant amounts, grant calculations, assignability, maximum loan amounts, repayment requirements and detailed administrative procedures terms and will form appendices to this Plan. Changes to the appendices will be adopted by City Council through resolution. In addition, City Council may discontinue any of the programs contained in this Plan, without amendment to this Plan. Formal amendments,



including public meetings under the *Planning Act*, shall not be required for updates or amendments to program descriptions attached to this Plan as appendices. Minor administrative amendments to this Plan such as format changes, typographical errors, grammatical errors and policy number changes shall not require a formal amendment.

### 9.3 Transitional Matters

Program applications will be processed under the terms of the program in effect at the time the application was submitted. When program terms are revised, applications submitted but not yet approved will be subject to and processed under the revised terms. Application already approved at the time revised program terms are in effect will continue to be subject to the program terms in effect at the time the application was approved.



## 10.0 APPENDICES

The following appendices are provided under separate cover and adopted by Council resolution:

Appendix A - Additional Dwelling Unit and Multi-Plex Housing Incentive (ADUMHI) Program Description

Appendix B - Rapid Transit Multi-Residential Rental Housing Incentive (RTMRHI) Program Description

Appendix C - Housing Acceleration Incentive (HAI) Program Description

Appendix D - Roxborough Access to Homeownership Grant (RAHG) Program Description

Appendix E - Roxborough Rental Housing Loan (RRHL) Program Description

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**Authority:** Item ,  
Report (PED23143(c))  
CM:  
Ward: City Wide

**Bill No.**

**CITY OF HAMILTON**

**BY-LAW NO.**

**To Adopt**  
**The Housing for Hamilton**  
**Community Improvement Plan (2024) Draft By-law**

**WHEREAS** By-law No. 24-\_\_\_\_ passed on the \_\_\_\_ day of February 2024, designated the 'Housing for Hamilton Community Improvement Project Area (2024)';

**WHEREAS** Section 28(4) of the *Planning Act* states that where a by-law has been passed to designate a community improvement project area, the Council may provide for the preparation of a plan suitable for adoption as a community improvement plan for the community improvement project area;

**WHEREAS** under Section 28(1) of the *Planning Act* “community improvement” means “the planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement of energy efficiency, or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, structures, works, improvements or facilities, or spaces therefor, as may be appropriate or necessary”;

**WHEREAS** Section F.1.15 of the Urban Hamilton Official Plan and Rural Hamilton Official Plan contains provisions relating to community improvement;

**WHEREAS** Council adopted By-law No. 19-285, the 'Housing for Hamilton Community Improvement Plan', on November 27, 2019;

**WHEREAS** Council, by its Planning Committee, held a public meeting on February 6, 2024 to discuss and receive public input regarding adoption of the Housing for Hamilton Community Improvement Plan (2024)', and has taken other required steps, prior to the enactment of this By-law, to adopt a community improvement plan for the 'Housing for Hamilton Community Improvement Project Area (2024)', as required by the *Planning Act* and Chapter F – Implementation, Section 1.17.2 of the Urban Hamilton Official Plan and Rural Hamilton Official Plan;

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**WHEREAS** the City has prepared a plan entitled 'Housing for Hamilton Community Improvement Plan (2024)' attached hereto as Schedule “A” and forming part of this By-law.

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

1. By-law No. 19-285, as amended, is repealed on the date that the 'Housing for Hamilton Community Improvement Plan (2024)' comes into effect; and,
2. The 'Housing for Hamilton Community Improvement Plan (2024)', attached hereto as Schedule “A” and forming part of this By-law, is hereby adopted as the Community Improvement Plan for the 'Housing for Hamilton Community Improvement Project Area (2024)' designated by By-law No. 24-\_\_\_\_.

**PASSED** this \_\_\_\_ day of February, 2024.

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A. Horwath  
Mayor

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J. Pilon  
Acting City Clerk

**Schedule “A” to By-law No.24-XXX****1.0 INTRODUCTION**

Across the Greater Toronto and Hamilton Area (GTHA), affordability of housing and limited opportunities for both rental housing and home ownership have become significant social and land use planning issues which are threatening the ability for municipalities to create and sustain complete communities which are home to all peoples.

Housing affordability is an issue which requires innovative solutions from all levels of governments in collaboration with private sector investment. Although there is no single tool or action which will address affordability, City Council is committed to identifying opportunities to reduce barriers to the creation of a wider range and choice of housing with the tools available to it. This Community Improvement Plan is one such opportunity.

**2.0 PURPOSE OF THIS PLAN**

This Housing for Hamilton Community Improvement Plan (the Plan) is intended to provide incentives which will minimize financial barriers to, and stimulate private sector investment in, the creation of a wider range and choice of housing to meet the needs of Hamilton’s residents. Incentives contained within this Plan are focused towards the development or redevelopment of targeted, under-utilized properties within the Hamilton Urban Area that are suitable for accommodating new mixed-income, mixed-tenure and affordable residential developments.

The expected outcome of this Plan is to provide new housing opportunities for persons with higher social and economic vulnerability; increase housing supply on under-utilized properties, provide new and/or revitalized affordable housing stock and generally support the integration of people from a variety of income groups into healthy, socially cohesive and financially sustainable communities.

**3.0 LEGISLATIVE AUTHORITY**

The provision of financial incentives or other undertakings by a municipality to facilitate or carry-out community improvement in Ontario are primarily governed by the Planning Act and Municipal Act. Together these acts identify the tools, and their parameters, which municipalities may authorize and utilize for community improvement.

**3.1 Provincial Legislation**

Section 28 of the Planning Act permits a municipality to establish a Community Improvement Plan (CIP) for the purposes of facilitating the community improvement of an area through the provision of financial incentives or actions which would otherwise be prohibited under Sub-section 106(2) of the Municipal Act.

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A CIP may be enacted by a municipality, by by-law, provided that:

- The municipalities Official Plan contains provisions relating to community improvement (Planning Act, Subsection 28 (2));
- The CIP identifies the geographic Community Improvement Project Area (CIPA) for which Council is of the opinion it is desirable to improve because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason (Planning Act, Subsection 28(2)) and which includes the provision of affordable housing (Planning Act, Subsection 28 (6)); and
- The total of all grants, loans and/or tax assistance provided with respect to lands or buildings within the CIPA do not exceed the eligible costs as described within the CIP (Planning Act, Subsection 28(7.3)).

Once a CIP has come into effect, a municipality may:

- Acquire, hold, clear, grade or otherwise prepare land for community improvement (Planning Act, Subsection 28(3));
- Construct, repair, rehabilitate or improve buildings on land acquired or held by it in the CIPA in conformity with the CIP, and sell, lease or otherwise dispose of any such buildings and the land appurtenant thereto (Planning Act, Subsection 28(6)(a));
- Sell, lease or otherwise dispose of any land acquired or held by it in the CIPA to any person or governmental authority for use in conformity with the CIP (Planning Act, Subsection 28(6)(b));
- Provide grants and/or loans in conformity with the CIP, to registered owners, assessed owners and tenants of lands and buildings within the CIPA, and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan, to pay for the whole, or any part of the, eligible costs of the CIP (Planning Act, Subsection 28(7)); and
- Provide grants and/or loans for eligible costs identified within the CIP which may include costs related to environmental site assessment, environmental remediation, development, redevelopment, construction and reconstruction of land and buildings for rehabilitation purposes or for the provision of energy efficient uses, buildings, structures, works, improvements or facilities (Planning Act, Subsection 28(7.1)).

### 3.2 Municipal Authorization

Community improvement policies are contained in Section 1.15 of the Urban Hamilton Official Plan (UHOP). In particular, the UHOP states the following with respect to municipal authorization of CIPs:

- It is the intent of Council through Community Improvement to promote and maintain a high-quality living and working environment throughout the City. Community Improvement shall be accomplished through (1) the upgrading and ongoing maintenance of communities or areas as characterized by obsolete buildings, and/or conflicting land uses and/or inadequate physical infrastructure



and community services, and, (2) the establishment of policies and programs to address identified economic, land development and housing supply issues or needs throughout the Urban Area.” (UHOP, Chapter F, Section 1.15); and

- Community Improvement shall be carried out through the designation, by Council, of Community Improvement Project Areas and through the preparation and implementation of Community Improvement Plans pursuant to the Planning Act, R.S.O., 1990 c. P.13. It is the intent of Council that the entire urban area or any part of the urban area as defined in this Plan, and as subsequently amended, may by by-law be designated as a Community Improvement Project Area. (UHOP, Chapter F, Section 1.15.1).

#### 4.0 SUPPORTING POLICY FRAMEWORK

Existing Provincial and City policy frameworks contain policies that support the purpose and goals of this Plan as outlined in Sections 2.0 and 4.0 respectively as well as the associated incentive programs described in Section 7.0. The key policies from applicable policy documents are outlined below.

##### 4.1 Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides policy direction for land use planning and development matters which are of Provincial interest including protecting resources, supporting public health and safety and creating high-quality natural and built environments. The PPS emphasizes the need for strong communities and identifies the need to provide sufficient housing which is affordable, and which will serve a broad range of needs within the community.

This Plan is consistent with the PPS and specifically addresses the following provincial interests identified within the PPS:

- Accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs (PPS, Section 1.1.1 (b));
- Establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate-income households (PPS, Section 1.4.3(a));
- Permitting and facilitating all forms of housing required to meet the social, health and well-being requirements of current and future residents, including those with special needs requirements (PPS, Section 1.4.3 (b));
- Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed (PPS, Section 1.4.3 (d)); and
- Establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and

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facilitate compact form, while maintaining appropriate levels of public health and safety (PPS, Section 1.4.3 (f)).

#### 4.2 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (“Growth Plan”) provides a policy framework for implementing the Province’s vision for managing long-term growth within the Greater Golden Horseshoe (GGH), including Hamilton, while supporting economic prosperity, protecting the environment and helping communities to achieve a high quality of life. The Growth Plan envisions the GGH as an area with an increasing amount and variety of housing that is sufficient to reflect market demands and the needs of local communities in terms of income and household sizes.

This Plan is consistent with the Growth Plan and specifically addresses the following principles and policies as identified within the Growth Plan:

- Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households (Growth Plan, Section 1.2.1);
- Provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes (Growth Plan, Section 2.2.1 (4)(c));
- Support housing choice through the achievement of the minimum intensification and density targets of the Growth Plan and identifying a diverse range and mix of housing options and densities, including second units and affordable housing to meet projected needs of current and future residents (Growth Plan, Section 2.2.6 (1)(a)(i));
- Identifying mechanisms, including the use of land use planning and financial tools, to support housing choice (Growth Plan, Subsection 2.2.6 (1)(b));
- Supporting the achievement of complete communities by planning to diversify overall housing stock across a municipality (Growth Plan, Subsection 2.2.6 (2)(d); and
- Supporting the achievement of complete communities by municipalities through the use of available tools to require multi-unit residential developments to incorporate a mix of unit sizes that accommodate a diverse range of household sizes and incomes (Growth Plan, Subsection 2.2.6 (3)).

#### 4.3 2022-2026 Council Priorities

The 2022-2026 Council Priorities were developed by the City Council to support the City’s vision “to be the best place to raise a child and age successfully”. The three priorities are: Sustainable Economic and Ecological Development (Priority 1), Safe and Thriving Neighbourhoods (Priority 2), and Responsiveness and Transparency (Priority 3). Each of the priorities has a set of outcomes and measures of success. As it applies to the purpose of this Plan, Priority 2 particularly aligns with this Community Improvement Plan with an Outcome being to increase the supply of affordable and supportive housing.

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#### 4.4 2016-2025 Strategic Plan (2016)

The City of Hamilton’s 2016-2025 Strategic Plan (Strategic Plan) establishes a 10-year vision for the City that provides the context within which City services are provided to achieve the Plan’s stated mission “to provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner”. To achieve this, the Strategic Plan establishes seven priorities which were identified through community engagement and resident conversations including those that occurred through the Our Future Hamilton: Communities in Conversation initiative.

These priorities are:

- Community Engagement and Participation
- Economic Prosperity and Growth
- Healthy and Safe Communities
- Clean and Green
- Building Environment and Infrastructure
- Culture and Diversity
- Our People and Performance

This Plan contributes towards the achievement of the Strategic Plan’s vision and is in alignment with the priorities by providing programs that contribute to Economic Prosperity and Growth and Health and Safe Communities by contributing to the development of further housing choice and opportunity.

#### 4.5 2021-2025 Economic Development Action Plan

The 2021-2025 Economic Development Action Plan is a Council approved, city-wide, action-oriented document that identifies areas of focus and key industry sectors that the City will concentrate resources and identify actions for in support of the City’s economy. The Economic Development Action Plan identifies six key priority areas that are intended to build a stronger and more equitable economy for Hamilton’s future. Of these, this Plan most directly supports the “Facilitating a Skilled and Adaptable Workforce” priority which, among other actions, are supported by incentivizing investment in housing to meet the needs of a diverse workforce.

#### 4.6 Urban and Rural Hamilton Official Plans (2013)

The Urban Hamilton Official Plan (UHOP) and Rural Hamilton Official Plan (RHOP) are the City’s long-term policy framework which establish the City’s vision for the future in terms of managing land use change and the physical development of the City as it is affected by environmental, social, and economic factors. The development of new mixed-income, mixed-tenure developments that increase the supply of affordable housing addresses the social and economic challenges facing the City.

This Plan is consistent with the UHOP and RHOP and specifically addresses the following goals and policies of these plans:

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#### 4.6.1 Urban Hamilton Official Plan

##### Goals

- Increase Hamilton’s stock of affordable housing of all types, particularly in areas of the City with low levels of affordable housing (UHOP, Chapter B, Section 3.2.1.3);
- Increase Hamilton’s stock of housing for those whose needs are inadequately met by existing housing forms or tenure, affordability, or support options (UHOP, Chapter B, Section 3.2.1.4); and
- Increase the mix and range of housing types, forms, tenures, densities, affordability levels, and housing with supports throughout the urban area of the City (UHOP, Chapter B, Section 3.2.1.6).

##### Policies

- Many households in Hamilton cannot obtain housing that is affordable or appropriate to their needs. Households and individuals may be at risk of homelessness because of economic and/or personal circumstances where a level of support is required to live independently. Hamilton’s aging and diversifying population has new and unique housing needs that cannot solely be met through current housing options. The City recognizes the importance of affordable housing and housing with supports in meeting the housing needs of those without the resources to participate in the private housing market (UHOP, Chapter B, Section 3.2.3);
- Where appropriate, assistance shall be provided, whether by the City and/or senior governments, to encourage the development of affordable housing, with priority given to projects in areas of the City that are lacking in affordable housing. City assistance may include selling or leasing of surplus City land or financial assistance (UHOP, Chapter B, Section 3.2.3.2); and,
- Investment in new affordable housing shall be encouraged by a coordinated effort from all levels of government through implementation of a range of strategies, including effective taxation, regulatory and administrative policies, and incentives (UHOP, Chapter B, Section 3.2.3.6).

#### 4.6.2 Rural Hamilton Official Plan

##### Policies

- The City shall endeavour to provide a facilitative land use planning process for development applications for affordable housing and housing with supports. (RHOP, Chapter B, Section 3.2.1.1);
- Where appropriate, assistance shall be provided, whether by the City and/or senior governments, to encourage the development of affordable housing, with priority given to projects in areas of the City that are lacking in affordable housing. City assistance may include selling or leasing of surplus City land or financial assistance (RHOP, Chapter B, Section 3.2.1.2);

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- In accordance with the City’s ‘Housing First’ policy, all City-owned land that is surplus to the City’s needs and appropriate for residential development shall be given priority for sale or lease for the development of affordable housing by CityHousing Hamilton Corporation, or coordinated by CityHousing Hamilton Corporation or the City of Hamilton Housing Services for development by other housing stakeholders (RHOP, Chapter B, Section 3.2.1.3); and,
- Investment in new affordable housing shall be encouraged by a coordinated effort from all levels of government through implementation of a range of strategies, including effective taxation, regulatory and administrative policies and incentives (RHOP, Chapter B, Section 3.2.1.6).

#### 4.6.3 Secondary Plans

Within specific communities of the city, the Urban Hamilton Official Plan may be supplemented by detailed, area specific policies responding to the unique needs and considerations for how a specific area/community will develop over time. The following Secondary Plans contain policies that directly relate and support the purpose and goals of this Plan.

##### Ainslie Wood Westdale Secondary Plan

This Secondary Plan includes the area bounded by the former boundaries between the former City of Hamilton and former Town of Dundas on the west, Cootes Paradise on the northwest, and Highway 403 on the east and the southeast.

This Secondary Plan contains the following policies:

- Provide a diversity of suitable housing choice for families, students, seniors and others (UHOP, Volume 2, Chapter B, 6.2.4 a));
- Maintain low density, single detached residential areas, in terms of both appearance and use (UHOP, Volume 2, Chapter B, 6.2.4 b));
- Provide a wide variety of housing forms for many types of households, including households of various sizes and age groups (UHOP, Volume 2, Chapter B, 6.2.5.2 a));
- Encourage the maintenance of the appearance of low density housing, especially single detached homes, where possible (UHOP, Volume 2, Chapter B, 6.2.5.2 b)); and,
- A range of residential designations is provided to encourage a variety of housing types, forms and sizes. Rental housing is important in providing a range of housing types (UHOP, Volume 2, Chapter B, 6.2.5.3 a)).

##### Ancaster Wilson Street Secondary Plan

This Secondary Plan includes the area generally located along Wilson Street between Montgomery Drive and Meadowbrook Drive in Ancaster (The Secondary Plan area consists of a narrow corridor of properties oriented to, or near Wilson Street).

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This Secondary Plan contains the following policies:

- Allowance for access to a variety of housing, employment, services, and recreation options in close proximity to each other (UHOP, Volume 2, Chapter B, 2.8.5 a)); and,
- The Ancaster Community Node shall include a range of housing forms and tenures, and a mix of employment, institutional, recreational, and commercial uses subject to the land use designation policies of this Secondary Plan and Volume 1 of this Plan (UHOP, Volume 2, Chapter B, 2.8.6.1 b)).

#### Binbrook Village Secondary Plan

This Secondary Plan includes the area bounded by Fletcher Road to the west, the Ontario Hydro easement to the south, a pipeline easement to the north and lands east of Regional Road 56.

This Secondary Plan contains the following policies:

- Create safe, efficient and attractive residential neighbourhoods consisting of a range and mix of housing types and densities (UHOP, Volume 2, Chapter B, 5.1.4.1 c));
- A range and mix of housing types shall be permitted, including single detached, semi-detached, duplexes, townhouses, quattroplexes, and apartment (multiple) dwellings, as well as housing with supports (UHOP, Volume 2, Chapter B, 5.1.4.3 c)); and,
- Innovative and varied housing types and designs shall be encouraged (UHOP, Volume 2, Chapter B, 5.1.4.3 d)).

#### Centennial Neighbourhoods Secondary Plan

This Secondary Plan includes the generally bounded by the Red Hill Valley Parkway to the west, Lake Avenue to the east, the Queen Elizabeth Way (QEW) to the north, and by local streets and properties just south of Queenston Road to the south.

This Secondary Plan contains the following policies:

- Support the provision and maintenance of a mix of housing types and tenures that meet the housing needs of residents throughout their life cycle and provide opportunities for residents to remain within the community (UHOP, Volume 2, Chapter B, 6.7.3.1 c));
- The Centennial Neighbourhoods Secondary Plan area shall include a range of housing forms and tenures and a mix of employment, commercial, institutional and open space uses (UHOP, Volume 2, Chapter B, 6.7.4.1 a)); and,
- Development shall provide a mix of housing opportunities in terms of built form, style and tenure that are suitable for residents of different age groups, income levels and household sizes (UHOP, Volume 2, Chapter B, 6.7.6.2 a)).

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**Page 11 of 22****Chedmac Secondary Plan**

This Secondary Plan includes the area generally bounded by Mohawk Road West to the south, Sanatorium Road to the east, San Pedro Drive to the North and Magnolia Drive to the west.

This Secondary Plan contains the following policies:

- Create residential areas consisting of a range of housing types and densities to satisfy a range of housing needs (UHOP, Volume 2, Chapter B, 6.3.1 a)); and,
- Provide a variety of housing at a range of prices including affordable residential units (UHOP, Volume 2, Chapter B, 6.3.1 b)).

**Downtown Hamilton Secondary Plan**

This Secondary Plan includes the area bounded by Cannon Street to the north, Victoria Avenue to the east, Hunter Street to the south and Queen Street to the west and includes the frontage properties along James Street North to Stuart Street and along James Street South to Charlton Avenue West.

This Secondary Plan contains the following policies:

- Create a diversified housing supply in the Downtown geared to the needs of various age groups, household size, and income levels with increased opportunities for affordable housing (UHOP, Volume 2, Chapter B, 6.1.3.3 b));
- Provide for a range of housing types, forms, and densities to meet the social, health, and well-being requirements of all current and future residents (UHOP, Volume 2, Chapter B, 6.1.3.7 a));
- Provide housing within complete communities (UHOP, Volume 2, Chapter B, 6.1.3.7 b));
- Increase Downtown’s stock of affordable housing of all types (UHOP, Volume 2, Chapter B, 6.1.3.7 c));
- Maintain a balance of primary rental and ownership housing stock as outlined in the Affordable Housing Strategy (UHOP, Volume 2, Chapter B, 6.1.3.7 d));
- The development of housing with a full range of tenure, affordability, and support services shall be provided for and promoted throughout the Downtown in a full range of built housing forms in accordance with the policies of Section B.3.2 – Housing Policies of Volume 1 (UHOP, Volume 2, Chapter B, 6.1.4.10); and,
- Development proposals for tall buildings containing residential units shall be encouraged to provide a range of unit types and unit sizes, including those suitable for larger households, and those with children and seniors (UHOP, Volume 2, Chapter B, 6.1.4.24).

**Fruitland-Winona Secondary Plan**

This Secondary Plan includes the area that consists of the lands east of Fruitland Road, north of Highway No. 8, south of Barton Street (including Winona); and the lands east of Winona, north of Highway No. 8, south of the QEW, and west of the City limits.

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This Secondary Plan contains the following policies:

- Encourage a mix of uses and housing types that meet the housing needs of residents throughout their life cycles and allow them to remain within the community (UHOP, Volume 2, Chapter B, 7.4.2.6 b)); and,
- Development within the Fruitland-Winona Secondary Plan area shall provide a mix of housing opportunities in terms of built form, style and tenure that are suitable for residents of different age groups, income levels and household sizes (UHOP, Volume 2, Chapter B, 7.4.3 c)).

#### Nash Neighbourhood Secondary Plan

This Secondary Plan includes the area bounded by Felker’s Creek to the west, the Niagara Escarpment to the north, Upper Centennial Parkway to the east and Mud Street to the south.

This Secondary Plan contains the following policies:

- Development within the Nash Neighbourhood shall provide a mix of housing opportunities in terms of lot size, unit size, style and tenure that are suitable for different age levels, income groups, lifestyles, and household structures (UHOP, Volume 2, Chapter B, 7.5.3.2).

#### North-West Glanbrook Secondary Plan

This Secondary Plan includes the area bounded by the utility corridor to the north, Twenty Road West to the south, and Glancaster Road to the west.

This Secondary Plan contains the following policies:

- A variety and mix of dwelling types shall be permitted, including but not limited to, single detached dwellings, semi-detached dwellings, townhouses, apartments, and housing with supports (UHOP, Volume 2, Chapter B, 5.3.2.2 b)).

#### Meadowlands Neighbourhood IV Secondary Plan

This Secondary Plan includes the area generally bounded by Stonehenge Drive to the north, Redeemer College to the west, Tiffany Creek Headwaters Core Area to the east and Garner Road to the south.

This Secondary Plan contains the following policies:

- Development within the Meadowlands Neighbourhood IV is intended to provide a mix and diversity of housing opportunities in terms of lot size, unit size, style and tenure that are suitable for different age levels, income groups, lifestyles, and household structures (UHOP, Volume 2, Chapter B, 2.6.1.3b)).



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### Rymal Road Secondary Plan

This Secondary Plan includes the area bounded by Hydro corridor to the south, Trinity Church Road to the west, Rymal Road to the north and Swayze Road to the east.

This Secondary Plan contains the following policies:

- Encourage a mix of dwelling types and densities, including the opportunity for lifestyle residential development and to encourage ‘aging in place’ where different housing forms accommodate life cycle changes (UHOP, Volume 2, Chapter B, 5.2.2 a)); and,
- Mixing of unit types shall be encouraged, and the implementing Zoning By-law may contain provisions to allow for a mixing of units (UHOP, Volume 2, Chapter B, 5.2.2.3 b)ii)).

### Shaver Neighbourhood Secondary Plan

This Secondary Plan includes the area generally bounded by Highway 403 to the north, Shaver Road to the west, Highway 53 to the south and Fiddler's Green Road to the east.

This Secondary Plan contains the following policies:

- The residential policies shall define the location and scale of each type of residential use, and shall help ensure that a variety of residential types are provided to meet the needs of all area residents (UHOP, Volume 2, Chapter B, 2.2.1).

### Strathcona Secondary Plan

This Secondary Plan is located west of downtown Hamilton and is bounded by Highway 403 to the west, Queen Street North to the east, York Boulevard to the north and Main Street West to the south.

This Secondary Plan contains the following policies:

- Support the provision and maintenance of a mix of housing types and tenures that meets the housing needs of residents throughout their life cycles and provides opportunities for residents to remain within the community (Volume 2, Chapter B, 6.6.3 – Land Use c)); and,
- Development within the Strathcona Secondary Plan area shall provide a mix of housing opportunities in terms of built form, style and tenure that are suitable for residents of different age groups, income levels and household sizes (UHOP, Volume 2, Chapter B, 6.6.5.2 c)).

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### Waterdown Community Node Secondary Plan

This Secondary Plan includes the area generally bounded by Grindstone Creek and First Street to the east, and extends north to Parkside Drive, west to Goldenview Court, and south to the southern end of Main Street.

This Secondary Plan contains the following policies:

- A high quality living environment includes the provision of appropriate housing for all residents as well as ensuring that the physical, social and emotional well-being of residents is supported (UHOP, Volume 2, Chapter B, 4.4.2 f), Principle 6);
- The Waterdown Community Node Secondary Plan area shall include a range of housing forms and tenures and a mix of commercial, institutional and open space uses (UHOP, Volume 2, Chapter B, 4.4.3.1 b));
- The development of affordable housing is encouraged within the Secondary Plan area to provide a full range of housing and meet the City’s affordable housing targets outlined in Policy B.3.2.2 of Volume 1 (UHOP, Volume 2, Chapter B, 4.4.3.1 e));
- To achieve affordable housing targets and meet affordable housing needs in the community, partnerships with non-profit organizations and any other available tools or resources may be considered (UHOP, Volume 2, Chapter B, 4.4.3.1 f)); and
- A mix of housing forms, styles and tenures suitable for residents of different age groups, abilities, income levels and household sizes shall be encouraged in the Secondary Plan area (UHOP, Volume 2, Chapter B, 4.4.5.2 a)).

### Waterdown North Secondary Plan

This Secondary Plan includes the area generally bounded by the urban boundary to the north, Parkside Drive to the south, the pipeline easement to the west, lands north of the North Waterdown Drive and Centre Road to the east.

This Secondary Plan contains the following policies:

- Provision of a mix and range of housing, including housing affordable to a wide spectrum of households through a variety of building types and densities to provide housing choices for families, seniors, single person households and other residents (UHOP, Volume 2, Chapter B, 4.2.1 b));
- Provide a wide variety and mix of housing types throughout the neighbourhoods (UHOP, Volume 2, Chapter B, 4.2.2.1 b));
- The Waterdown North community shall be primarily a residential area that includes a wide range of housing types and demonstrates a mix of housing (UHOP, Volume 2, Chapter B, 4.2.4);
- A broad range and mix of housing types are promoted between and within residential density categories. The City shall strive to achieve a variety of building types within each density category, such that no portion of the Secondary Plan

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area is dominated by one housing type (UHOP, Volume 2, Chapter B, 4.2.4.2 b)); and,

- A mix of lot sizes and housing types shall be required throughout the Low Density Residential 2 designation such that there is not a large concentration of one type of lot size or housing unit in any one area. There shall be a variety of lot sizes and housing types along any given street (UHOP, Volume 2, Chapter B, 4.2.4.3 c)).

#### Waterdown South Secondary Plan

This Secondary Plan includes the area generally bounded by Dundas Street to the north and Mountain Brow Road to the south, the municipal boundary along Kerns Road to the east and the Renwood Park subdivision to the west.

This Secondary Plan contains the following policies:

- Encourage a mix of uses and housing types that meet the housing needs of residents throughout their life cycles and allows them to remain within the community (UHOP, Volume 2, Chapter B, 4.3.2.1 b));
- Promote a variety of housing forms with diverse architecture for individuals and families of all ages (UHOP, Volume 2, Chapter B, 4.3.2.6 k));
- A variety of housing opportunities suitable to a wide range of housing needs shall be encouraged through a variety of tenure options, housing prices and housing forms, including adult lifestyle housing and innovative housing ideas (UHOP, Volume 2, Chapter B, 4.3.3.3 a)); and
- A broad range and mix of housing types shall be promoted between and within residential designations. The City shall strive to achieve a variety of building types within each designation, such that no portion of the Secondary Plan Area is dominated by one housing type, and to provide an interesting streetscape (UHOP, Volume 2, Chapter B, 4.3.3.3 b)).

#### West Harbour (Setting Sail) Secondary Plan

This Secondary Plan includes the area bounded by Hamilton Harbour to the north, York Boulevard and Cannon Street West to the west and south and Wellington Street North to the east.

This Secondary Plan contains the following policies:

- To encourage a broad mix of household types at varying income levels, West Harbour shall accommodate a diversity of housing types, including detached and semi-detached dwellings, and multiple dwellings (UHOP, Volume 2, Chapter B, 6.5.3.4).

#### West Mountain Area (Heritage Green) Secondary Plan

This Secondary Plan includes the area generally bounded by Felkers Creek, Mud Street, Upper Centennial Parkway, Rymal Road, east of the Trinity West Secondary

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Plan Boundary, north of Highland Road, west of Upper Red Hill Valley Parkway to north of the interchange of Mud Street and the Redhill Expressway, west of the existing Upper Mount Albion Road, to the Niagara Escarpment.

This Secondary Plan contains the following policies:

- West Mountain Core Area shall be a mixed use area, providing a broad range of commercial uses including large-format retail stores, retail, entertainment, restaurants, office and service/commercial uses. A range of housing forms and types shall be developed at medium densities including low rise (2 to 3 storeys), mid-rise (3 to 9 storeys), commercial/residential uses and live/work housing options (UHOP, Volume 2, Chapter B, 7.6.9.2 c)).

#### 4.7 Housing and Homelessness Action Plan (2020)

The City’s 10-year Housing and Homelessness Action Plan (HHAP) is a strategic implementation plan to address affordable housing and homelessness in Hamilton. The development of the Action Plan was informed by extensive community engagement and a comprehensive needs analysis which provided the basis for the development of a framework to inform decisions about housing resource allocation in the city. This framework includes a series of fundamental strategies with a set of specific implementation actions that are designed to address the supply, affordability and quality of Hamilton’s affordable housing stock.

This Plan is consistent with the HHAP and specifically addresses the following strategies of the Plan:

- Use innovative approaches to create more affordable and market rental housing (Housing and Homelessness Action Plan, Outcome 1, Strategy 2);
- Develop a strategy and implementation plan to increase the supply of secondary rental units (Housing and Homelessness Action Plan, Outcome 1, Strategy 4);
- Develop and implement innovative approaches to create more affordable ownership units (Housing and Homelessness Action Plan, Outcome 1, Strategy 6); and,
- Increase the diversity of housing forms, types, tenures, and affordability in all urban areas of the city (Housing and Homelessness Action Plan, Outcome 2, Strategy 2).

#### 4.8 Housing Sustainability and Investment Road Map (2023)

The City’s Housing Sustainability Investment Road Map is a response to the current housing crisis and takes a whole-of-city approach to respond to new and growing pressures along the housing continuum to deliver the best possible affordable housing outcomes for Hamiltonians across four pillars: new construction of affordable housing, maintaining and preservation of existing units, acquisition, and the provision of housing-based supports. It recognizes the collective need for prioritized action, integrated efforts and a change in how City government and community partners work together to identify and deliver on shared affordable housing goals.

## 5.0 COMMUNITY IMPROVEMENT PROJECT AREA

This Plan contains programs that apply to the entirety of the City of Hamilton and/or specific sub-areas that together have been geographically delineated within the companion Housing for Hamilton CIPA (2024) By-law No. 24-\_\_\_\_. The Housing for Hamilton CIPA (2024)’s sub-areas where specific programs may or may not apply as further described in Section 7.0 and Appendices to this Plan include:

### 5.1 Housing for Hamilton CIPA (2024) Sub-Area 1 – Rapid Transit Housing Area

This area encompasses an approximately 1500 metres radius of the City’s A-Line and B-Line rapid transit corridors forming part of the proposed BLAST-E Re-envision Rapid Transit Network. The 1500 metre radius was defined by the Canada Mortgage and Housing Corporation as part of the Housing Accelerator Fund as an area of focus for the incentivization of transit supportive housing. The Housing for Hamilton CIPA (2024)Sub-Area 1- Rapid Transit Housing Area boundary has been developed so as to respond to Hamilton’s unique context including ensuring that areas are excluded where housing development should not be promoted (e.g. employment lands, parks etc.) and to take into account natural geographic barriers (such as the escarpment).

### 5.2 Housing for Hamilton CIPA (2024) Sub-Area 2 – Roxborough

This area is located within the McQueston Neighbourhood in East Hamilton. The area consists of the former Roxborough Park School as well as other existing residential properties including a townhouse complex owned and operated by CityHousing Hamilton.

This area was identified for its potential to accommodate a new mixed income, mixed tenure and affordable housing demonstration project based on the following attributes:

- The area contains a former school site which provides opportunities for new residential development within the existing neighbourhood;
- The area contains an existing townhouse complex owned and operated by CityHousing Hamilton which has been identified as being at the end of its intended life and in need of significant capital for repairs;
- The area is located within the McQueston Neighbourhood which was the subject of a study by the Social Planning and Research Council (SPRC, 2012)) which found that the social and economic vulnerability of this neighbourhood’s population is more significant than other neighbourhoods in the City, particularly with respect to young families and the elderly; and,
- The area is serviced by a variety of significant modes of transportation including but not limited to, the Red Hill Parkway, the Confederation GO Station at Queen Elizabeth Way (QEW) and Centennial Parkway and is in proximity to a future stop on the planned Light Rail Transit (LRT) route.

## 6.0 GOALS OF THIS PLAN

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The goals and objectives of this Plan are to foster developments which are consistent with Provincial and City policy frameworks as detailed in Section 3.0 and which build upon these policies by achieving the following specifically:

- Result in a net increase in the number of affordable and market housing provided;
- Create a spectrum of affordable housing options, including households with incomes below the 40th income percentile (i.e. deeper affordability);
- Maintain or exceed current service level standards for City Housing Hamilton where developments include a property currently or formerly owned and operated by CityHousing Hamilton;
- Create a mix of housing based on tenure including rental and ownership options;
- Achieve a high quality of urban design and deliver significant environmental improvements including through such means as, for example, Passive Housing standards;
- Developments must achieve a mix of unit sizes and bedrooms to ensure a range of housing needs are met within the community, including for larger households;
- Provide enhanced accessibility standards;
- Ensure affordability of housing is maintained over the long-term; and,
- Explore opportunities for the inclusion of community support services through co-ordination with housing services and other external agencies.

## 7.0 INCENTIVE PROGRAMS

This section identifies the primary purpose and parameters of incentive programs the City may employ to achieve this Plans goals within areas identified in the companion Housing for Hamilton CIPA (2024) By-law No. 24-\_\_\_\_. Additional detailed descriptions outlining the terms, eligibility criteria and administrative processes for each program described in this section, as adopted by City Council resolution, are contained in Section 10.0 Appendices of this Plan for reference.

The applicable program descriptions shall be those that were approved by City Council and in effect on the date an application under any program in this section was approved by City Council or their delegate.

Notwithstanding any program descriptions approved by City Council, applications under any program authorized under this Plan can be rejected by City Council for any reason. Such a decision can take into account matters not set forth in the applicable program descriptions and are within City Council’s sole, absolute and unfettered discretion. Decisions and reasons for the City’s accepting or rejecting an application shall not act as a precedent for any other application.

### 7.1 Additional Dwelling Unit and Multi-Plex Housing Incentive (ADU-MHI) Program

The Additional Dwelling Unit and Multi-Plex Housing Incentive Program (the Program) is intended to provide financial incentives to support the creation of Additional Dwelling

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Units or Garden Suites within, or on the same property as, new or existing low-density houses or the creation of multi-plex developments with six (6) or less Dwelling Units.

This Program applies to sites located within the Housing for Hamilton CIPA (2024) with the exception of those within Housing for Hamilton CIPA (2024) Sub-Area 2 – Roxborough.

Detailed Program terms including, but not limited to, definitions, eligibility criteria, eligible studies/costs, grant criteria, grant maximums and calculations, application criteria and administrative procedures, as adopted by City Council resolution, are contained in Appendix A.

### 7.2 Rapid Transit Multi-Residential Rental Housing Incentive (RTMRHI) Program

The Rapid Transit Multi-Residential Rental Housing Incentive Program (the Program) is intended to provide financial incentives to support the creation of seven (7) or more net new residential rental and/or affordable residential rental units on Sites with or without pre-existing development and located in close proximity to strategic rapid transit corridors.

This Program applies to sites wholly located within Housing for Hamilton CIPA (2024) Sub-Area 1 – Rapid Transit Housing Area of the Housing for Hamilton CIPA (2024).

Detailed Program terms including, but not limited to, definitions, eligibility criteria, eligible studies/costs, grant criteria, grant maximums and calculations, application criteria and administrative procedures, as adopted by City Council resolution, are contained in Appendix B.

### 7.3 Housing Acceleration Incentive (HAI) Program

The Housing Acceleration Incentive Program (the Program) is intended to provide financial incentives to support the creation of seven (7) or more net new housing units and/or affordable rental housing units on sites which have been the subject of a City-led land use planning initiative that occurred after April 7, 2022 and which removed barriers in order to support of new housing creation.

This Program applies to sites located within the Housing for Hamilton CIPA (2024) with the exception of those located in Housing for Hamilton CIPA (2024) Sub-Area 1 – Rapid Transit Housing Area and Housing for Hamilton CIPA (2024) Sub- Area 2 – Roxborough.

Detailed Program terms including, but not limited to, definitions, eligibility criteria, eligible studies/costs, grant criteria, grant maximums and calculations, application criteria and administrative procedures, as adopted by City Council resolution, are contained in Appendix C.

### 7.4 Roxborough Access to Homeownership Grant (RAHG) Program

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The Roxborough Access to Homeownership Grant Program (the Program) is intended to provide grants equivalent to the value of municipal Development Charges for below-market homeownership units created within Housing for Hamilton CIPA (2024) Sub-Area 2 – Roxborough. Grants provided under this program are intended to support the provision of homeownership units at below-market prices to enable greater access to homeownership within the City and contribute to the broader spectrum of housing options within the Roxborough community specifically.

This Program applies only within Housing for Hamilton CIPA (2024) Sub-Area 2 – Roxborough as defined through the Housing for Hamilton CIPA (2024).

Detailed Program terms including, but not limited to, definitions, eligibility criteria, eligible studies/costs, grant criteria, grant maximums and calculations, application criteria and administrative procedures, as adopted by City Council resolution, are contained in Appendix D.

#### 7.5 Roxborough Rental Housing Loan (RRHL) Program

The Roxborough Rental Housing Loan Program (the Program) is intended to provide forgivable loans equivalent to the value of municipal Development Charges required for rental units created within Housing for Hamilton CIPA (2024) Sub-Area 2 – Roxborough. Forgivable loans provided under this program are intended to support the creation of new residential rental units which meet a specific rent threshold in the City and which will contribute to the broader spectrum of housing options within the Roxborough community specifically.

This Program applies only within Housing for Hamilton CIPA (2024) Sub-Area 2 – Roxborough as defined through the Housing for Hamilton CIPA (2024).

Detailed Program terms including, but not limited to, definitions, eligibility criteria, eligible studies/costs, grant criteria, grant maximums and calculations, application criteria and administrative procedures, as adopted by City Council resolution, are contained in Appendix E.

#### 8.0 ADMINISTRATION AND MONITORING

This Plan and the programs contained therein, will be administered by the Healthy and Safe Communities Department, unless otherwise referenced within the applicable Program Description and terms contained in Section 10.

The Healthy and Safe Communities Department will monitor the use of incentive programs contained within this Plan and their effectiveness in terms of metrics which correspond to the stated purpose and goals of this Plan as contained in Sections 2.0 and 7.0 respectively. This monitoring will be on an individual project and aggregate basis and the subject periodic reporting to City Council.

#### 9.0 AMENDMENTS AND TRANSITIONAL MATTERS



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This Plan will be reviewed from time to time to ensure that it is adequately reflecting existing City policies and priorities, Provincial policies and community needs. Community and applicant feedback regarding this Plan and its associated incentive programs may also lead to amendments and / or minor revisions to the detailed incentive program descriptions, eligibility criteria and program administration terms contained in the Appendices to this Plan.

### 9.1 Formal Amendments

A formal amendment to this Plan is required in the following instances:

- To introduce any new financial incentive programs;
- To increase the amount of financial assistance that may be provided to registered owners, assessed owners, tenants and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan except where the maximum amount of assistance is not referenced in Section 7.0 or the conditions under which increased assistance under a program may be provided is already established within this same section; or,
- To add, extend, remove or otherwise change the Community Improvement Project Area’s which are the subject of this Plan as contained in Section 5.0.

Formal amendments will require approval by City Council and shall be undertaken in accordance with Section 28 of the Planning Act and the City’s Public Participation and Notification Policies contained in Chapter F – Implementation, Section 1.17.2 of the Urban and Rural Hamilton Official Plans. Proposed amendments will be circulated to the Ministry of Municipal Affairs and Housing for information purposes. In addition, the City may undertake other communication methods to provide information and seek input, such as public information open houses, workshops, public meetings, the City’s web site and direct or electronic mail outs and surveys.

### 9.2 Other Amendments

Detailed program descriptions providing for the efficient administration of each program authorized through this Plan will be adopted, through resolution, by City Council. The program descriptions shall include, but not be limited to, program terms, eligibility criteria, maximum grant amounts, grant calculations, assignability, maximum loan amounts, repayment requirements and detailed administrative procedures terms and will form appendices to this Plan. Changes to the appendices will be adopted by City Council through resolution. In addition, City Council may discontinue any of the programs contained in this Plan, without amendment to this Plan. Formal amendments, including public meetings under the Planning Act, shall not be required for updates or amendments to program descriptions attached to this Plan as appendices. Minor administrative amendments to this Plan such as format changes, typographical errors, grammatical errors and policy number changes shall not require a formal amendment.

### 9.3 Transitional Matters

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Program applications will be processed under the terms of the program in effect at the time the application was submitted. When program terms are revised, applications submitted but not yet approved will be subject to and processed under the revised terms. Application already approved at the time revised program terms are in effect will continue to be subject to the program terms in effect at the time the application was approved.

## 10.0 APPENDICES

The following appendices are provided under separate cover and adopted by Council resolution:

Appendix A - Additional Dwelling Unit and Multi-Plex Housing Incentive (ADUMHI)  
Program Description

Appendix B - Rapid Transit Multi-Residential Rental Housing Incentive (RTMRHI)  
Program Description

Appendix C - Housing Acceleration Incentive (HAI) Program Description

Appendix D - Roxborough Access to Homeownership Grant (RAHG) Program  
Description

Appendix E - Roxborough Rental Housing Loan (RRHL) Program Description

# ADDITIONAL DWELLING UNIT AND MULTI- PLEX HOUSING INCENTIVE PROGRAM



## A. PROGRAM DESCRIPTION

The Additional Dwelling Unit and Multi-Plex Housing Incentive Program (the Program) is intended to provide financial incentives to support the creation of Additional Dwelling Units or Garden Suites within, or on the same property as, new or existing low-density houses or the creation of multi-plex developments with six (6) or less Dwelling Units. This Program is available as a result of the Canada Mortgage and Housing Corporation's (CMHC) Housing Accelerator Fund (HAF).

Under this Program, incentives are provided as:

- a Grant to rebate the City application fee (excluding HST) for each building permit successfully issued to construct an individual eligible unit or a building containing eligible units to a maximum of \$2,000 per building permit; and/or
- a 15-year Forgivable Loan of \$25,000 per Eligible Unit(s) intending to meet the affordability parameters of this Program, as further detailed in Section B herein, to a maximum of \$150,000 per Site.

This Program applies to Sites located within the Housing for Hamilton Community Improvement Project Area (HHCIPA) with the exception of those within Sub Area 2 – Roxborough.

Applications under this Program are subject to approval, and the availability of funds, at the absolute discretion of the General Manager of the Healthy and Safe Communities Department (GM).

Grants/Forgivable Loans provided under this Program shall be provided to the Applicant who is the registered owner of the Site that is the subject of the Program application.

All costs associated with the development and the requirements of this Program are to be borne by the Applicant including construction, design, community benefit charges, development charges, parkland dedication, administration fees, appraisals, inspections, legal, discharge and registration fees (plus applicable taxes), where applicable.

For the purposes of this Program:

- 'Site' shall mean all properties/parcels of land required for the planned development.

- 'Eligible Unit' shall mean any of the following, the construction of which has been the subject of a successful building permit issuance:
  - An 'Additional Dwelling Unit' or 'Additional Dwelling Unit – Detached' as defined under Hamilton Zoning By-law 05-200, as amended and which requires a building permit to create;
  - 'Garden Suite' as defined under the *Planning Act*, R.S.O. 1990, c. P.13, as amended; and
  - Residential or mixed use multi-plex developments of any form containing six (6) or less Dwelling Units within the same building, with 'Dwelling Unit' having the same meaning as defined in Hamilton Zoning By-law 05-200, as amended.
- 'Program Interest Rate' shall mean the prevailing interest rate established by City Council on tax arrears and charged per annum unless otherwise forgiven in accordance with the terms of this Program.

The Healthy and Safe Communities and Planning and Economic Development Departments, through the Housing Secretariat and Economic Development Divisions respectively, will periodically review the terms and availability of this Program and undertake updates from time to time subject to City Council approval and/or direction.

## B. PROGRAM ELIGIBILITY AND CRITERIA

1. Applications to this Program must meet the goals of the Housing for Hamilton Community Improvement Plan (HHCIP).
2. Eligible Unit(s) shall be located on a Site within the Housing for Hamilton Community Improvement Project Area (HHCIPA) but shall not be located within Sub Area 2 – Roxborough.
3. This Program shall not apply to a Site where a designated heritage building, or any designated part thereof, has been demolished in contravention of the *Ontario Heritage Act* or any applicable City by-law or Official Plan policy respecting designated heritage buildings, or parts thereof.
4. The maximum Grant provided under this Program shall be the City application fee paid (excluding HST) for each building permit successfully issued to construct an individual eligible unit or a building containing eligible units to a maximum of \$2,000 per building permit.
5. In addition to paragraph four above, an Applicant may be eligible for an additional Forgivable Loan of up to \$25,000 per Eligible Unit, to a maximum of \$150,000 per Site subject to paragraphs 20, 21, and 22 herein.

6. An Applicant to this Program must be the registered owner of the Site with the Grant/Forgivable Loan only being available to the successful Program Applicant. A Grant or Forgivable Loan under this Program cannot be assigned or directed to any other payee unless otherwise provided for herein.
7. An Applicant may apply to this Program for any Eligible Unit(s) where the date of issuance of a building permit for the construction of the Eligible Unit(s) occurred on or after the date this Program came into effect.
8. Prior to any application approval and the advance of any Grant or Forgivable Loan funds, confirmation of the following shall be required: all municipal property taxes are paid and current on the subject Site, the Site is in compliance with Zoning By-law regulations, that there are no outstanding property standards violations or orders, Building Code violations or orders or Fire Code violation or orders, any violations of law or any orders by any other judicial, governmental or regulatory authority, regarding the subject Site or the development on the subject Site and that the Applicant is not in litigation with the City.
9. Approval and the receiving of financial assistance under this Program shall not preclude eligibility, approval and the receiving of financial assistance under any other available municipal program, except for any other Program provided/authorized under the HHCIP which shall not be permitted.
10. Applications under this Program are subject to approval, and the availability of funds, at the absolute discretion of the GM.
11. Without limiting the discretion as set out in paragraph 10 herein, City Council, or its delegate, shall determine whether or not an Applicant satisfies the requirements of the Program, may in its sole discretion, reject any application received from an Applicant where, in the opinion of City Council, or its delegate, the commercial relationship between the City and the Applicant has been impaired by, but not limited to, the Applicant being involved in litigation with the City. Applicants shall include but not be limited to the following: The Applicant identified on the application form and, if a corporation, any person or entity with an interest in the corporation or any officer or director of the corporation, as determined by the GM in their sole, absolute and unfettered discretion.
12. Without limiting the discretion as set out in paragraph 10 herein, City Council, or its delegate, whether or not an Applicant satisfies the requirements of the Program, may in its sole discretion, reject any application without further consideration where due diligence undertaken by the City identifies municipal property tax arrears owed on the subject Site, mortgage payment are not update, non-existence of property insurance coverage, non-compliance with respect to Zoning By-law regulations or there exist outstanding property standards, Building Code or Fire Code orders in respect of the

subject Site or any other judicial, regulatory or governmental order in respect of the subject Site.

13. Without limiting the discretion as set out in paragraph 10 herein, City Council, or its delegate, whether or not an Applicant satisfies the requirements of the Program, may in its sole discretion, reject any application where the GM determines in their sole discretion that there is a financial risk to the City in terms of the financial capabilities of the Applicant to complete the development subject to the Program application.
14. Without limiting the discretion as set out in paragraph 10, herein, City Council, or its delegate, whether or not an Applicant satisfies the requirements of the Program, may in its sole discretion, reject any application received from an Applicant where there is credible information that the Applicant has been involved recently or repeatedly in illegal activity supporting the conclusion that they will not conduct themselves with honesty and integrity in undertaking the activity, operation or business for which a Grant/Loan under this Program is being sought. For corporate Applicants, the Applicant, for the purposes of this paragraph 14, will be the corporation, the officers and directors of the corporation and the shareholders and this paragraph 14 shall apply jointly and severally to each of them.
15. Buildings, uses and developments on the subject Site shall conform to the City's Official Plan(s), applicable Secondary Plan(s), Zoning By-Laws(s), Site Plan approval and any other applicable and approved municipal policies, by-laws or guidelines (e.g. urban design guidelines) and any other laws applicable to the subject Site and any development on it.
16. A Program application may be denied by City Council, or its delegate, if the development is not supported by City Council notwithstanding any approval of *Planning Act* applications by any other authority including but not limited to the Ontario Land Tribunal or the Minister of Municipal Affairs and Housing.
17. Approval, part approval or denial of a Program application shall not fetter City Council's discretion regarding any *Planning Act* applications regarding the subject Site or any other decisions by City Council regarding the subject Site.
18. Approval of a Program application by City Council, or its delegate, may provide for a reduced Grant/Loan amount such that no Grant/Loan is provided in respect of any portion of the development which City Council does not support notwithstanding any approval of *Planning Act* applications by any other authority including but not limited to the Ontario Land Tribunal or the Minister of Municipal Affairs and Housing, and that City Council's decision on the application will not fetter its discretion on *Planning Act* applications. In such cases, the Applicant shall be required to provide additional

supporting documentation, at the Applicant's own expense, to support the providing of financial assistance in accordance with City Council's approval/direction.

19. An approved Grant will be paid in one lump sum upon occupancy being approved by the City in writing for all Eligible Unit(s) required for eligibility under this Program as well as confirmation of compliance with all other Program conditions required for a Grant payment.
20. Applications for a Forgivable Loan under this Program shall also be subject to the following conditions together with any other conditions as deemed appropriate by the GM and contained in the Loan Agreement:
  - a. The Eligible Unit shall be available for rental tenure.
  - b. The Eligible Unit will be the subject of a 15-year affordability period beginning from the date on which occupancy has been approved by the City in writing for all Eligible Unit(s) on the Site and ending on the 15<sup>th</sup> anniversary of such same date. The applicable rent charged during this affordability period for each Eligible Unit subject to a Loan shall not exceed 100% of the Average Market Rent (AMR) for the City of Hamilton as surveyed annually by CMHC with any applicable rent increases having been in accordance with a rental protocol as determined by the GM in their sole discretion and forming part of the Loan Agreement. After the 15-year affordability period, the Applicant shall have no further affordability obligations under this Program to the City.
  - c. The Applicant shall be the owner of the Eligible Unit for the duration of the loan term unless otherwise permitted by the GM.
  - d. The Applicant shall be responsible for tenant selection.
  - e. If a tenant vacates a unit, voluntarily or otherwise, the Applicant must inform the City of Hamilton Housing Secretariat and the Applicant has a maximum of 60 days to fill the unit with another tenant. The Applicant shall be required to submit to the Housing Secretariat proof that a new tenant has taken occupancy and the rent being charged.
  - f. The Loan term, comprising the period between the Loan being advanced ("Commencement Date") through to the 15<sup>th</sup> anniversary of the date on which occupancy has been approved by the City in writing for all Eligible Unit(s) on the Site subject to a Loan under this Program. The Loan shall be a closed Loan. The Loan shall accrue interest and interest shall be payable unless forgiven in accordance with paragraph 21.

- g. Repayment of the Loan shall occur at the end of Loan term together with applicable interest in accordance with paragraph 20 f. unless:
  - i. forgiven in accordance with paragraph 21; or
  - ii. subject to prior termination on default of the Loan Agreement in which case the Program Interest Rate shall apply from the date the Loan was advanced.
- h. Such reporting requirements as may be required at the sole discretion of the GM.
- i. In the event of a default as defined herein and/or as further contained in the Loan Agreement, the Loan will be capped immediately at the advanced amount and, subject to the Program Interest Rate from the date the Loan was advanced in accordance with paragraph 20 f. together with the maximum penalty permitted under applicable law, shall become immediately payable to the City.
- j. If a request for the initial Loan advance is not made by December 31, 2026, the Loan Agreement shall be deemed to be terminated and, without limiting the generality of the foregoing, the City shall not be obligated to provide the Loan.
- k. An approved Loan under this Program will be provided to the Applicant in a single advance (less such hold back as determined by the GM or required under applicable law) upon confirmation of building permit issuance for construction of the last Eligible Unit on the Site that is subject to a Loan under this Program and subject to the conditions set out here in and such additional conditions as determined by the GM in their sole discretion.
- l. In the event of a Change of Corporate Control where the Applicant is a corporation, the Applicant covenants and agrees that in the event that:
  - i. The Applicant fails to supply to the Housing Secretariat, in a form satisfactory to the GM, such information relating to the ownership of its shares as the Housing Secretariat may require from time to time or;
  - ii. Without the written consent of the GM first had and obtained:
    - A. the Applicant issues or redeems any of its shares or transfers any of its shares;
    - B. there is a sale or sales of the shares of the Applicant which result in the transfer of the legal or beneficial interest of any of the shares of the Applicant; or



- C. the Applicant amalgamates, merges or consolidates with any other corporation; and

The result of any of the foregoing is a change in the effective control of the majority of the voting shares of the Applicant, or the requested information is not provided, the GM shall have absolute discretion to cease any future Loan advances and/or seek full repayment of any outstanding Loan under this Program together with any applicable Program Interest Rate in accordance with paragraph 20 f.

- m. In the event of the disposition, sale, conveyance, transfer or entering into of any agreement of sale or transfer of the title of all or a portion of the subject Site containing the Eligible Unit(s) for which all or a portion of a Loan under this Program remains outstanding shall not be permitted except where:
  - i. the Housing Secretariat is provided written notice of the sale including the name of the purchaser and closing date of the purchase and the transfer of ownership includes the assignment of any remaining Loan under this Program to the purchaser subject to the approval of the GM in their sole discretion and on such terms and conditions as the GM deems appropriate.

If i. above is not complied with, the disposition, sale conveyance, transfer or entering into of any agreement of sale of transfer shall be deemed a default under the applicable Loan Agreement and result in a requirement for no Loan advance being provided if not already provided or require the immediate repayment of any portion of the Loan advanced together with the applicable interest in accordance with paragraph 20 f.

- n. The Housing Secretariat will require, at its sole discretion, any specific insurance terms required to be met to protect the City's interest.
- o. Applicants shall be required to enter into a Loan Agreement with the City. This agreement shall be entered into prior to the Loan advance, with provisions including, but not limited to, the terms and conditions set out herein and such additional conditions, including additional conditions for the advance of the loan, as determined by the GM in their sole discretion, and if deemed a requirement by the GM, the provision of security including a mortgage, General Security Agreement, a Site Specific General Security Agreement or such other security as determined by the GM in their sole discretion such as, but not limited to, a mortgage registered on title upon the subject Site, personal guarantees and/or corporate guarantees.

21. Notwithstanding paragraph 20 above, a Loan advanced along with any other applicable Program Interest Rate charges required in accordance with this Program and the applicable Loan Agreement, shall be forgiven and not required to be repaid to the City where the following condition of forgiveness has been met to the satisfaction of the GM:
  - a. The rent charged to a tenant(s) for each Eligible Unit subject to a Loan under this Program from the date on which occupancy has been approved by the City in writing for all Eligible Unit(s) on the Site subject to a Loan under this Program through to the 15<sup>th</sup> anniversary of such same date did not exceed 100% of the AMR for the City of Hamilton as surveyed annually by CMHC with any applicable rent increases having been in accordance with a rental protocol forming part of the Loan Agreement as determined by the GM in their sole discretion; and
  - b. The Applicant has complied with all terms of the Loan Agreement for the entirety of the Loan term.
22. Where the condition of forgiveness contained in paragraph 23 has not been met for all Eligible Units which were the subject of a Loan under this Program and was not cured within 30 days' of written notice being provided by the City, or such other period as determined at the discretion of the GM, the Loan shall be in default and subject to repayment in accordance with paragraph 20 i.

### C. PROGRAM APPLICATION CRITERIA

A complete Program application shall be submitted to the Healthy and Safe Communities Department through the Housing Services Division. Required documents and information forming a complete application shall be identified within the Program's application form.

With respect to applications for Forgivable Loans, Applicants shall be required to submit information to assist with determining their financial capabilities to complete the project subject to the Program application and to identify any potential financial risks to the City. Information required to be submitted is at the discretion of the Housing Secretariat and may include but may not be limited to, a financial risk assessment, personal/corporate net worth statements and/or business plan.

Any additional information may be requested by the Housing Secretariat to determine the Applicant's eligibility.

### D. PROGRAM ADMINISTRATION

Housing Secretariat staff, in collaboration with staff from the Economic Development Division, as required, will review applications for eligibility in accordance with the HHCIPA, HHCIP, the

Program terms contained herein and in collaboration with other City departments as required. Acceptance of the application by the City in no way implies application approval.

The Site and Applicant will be the subject of due diligence undertaken by the City prior to any recommendation on the application being brought to City Council, or its delegate, for consideration and prior to payment of the Grant and/or Loan advance being provided. This will include, but may not be limited to, confirmation of the following: all municipal property taxes are paid and current on the subject Site, property insurance is current and payments up to date, mortgage payments are current and up to date, the Site is in compliance with Zoning By-law regulations, that there are no outstanding property standards violations or orders, Building Code violations or orders or Fire Code violation or orders, any violations of law or any orders by any other judicial, governmental or regulatory authority, regarding the subject Site or the development on the subject Site and that the Applicant is not in litigation with the City. Failure to comply with any of the above will result in an application not being recommended for approval to City Council or its delegate, except where otherwise directed by City Council, or its delegate, or, if the application has been approved, non-payment of a Grant or advance of a Loan under this Program.

No decision will be made on an application until occupancy has been approved by the City in writing for all Eligible Unit(s) required for eligibility under this Program.

Where an application has been submitted but not yet approved by City Council, or its delegate, and the subject Site is sold/transferred to a new owner, the City may permit the transfer or assignment of the application to the new owner at the sole, absolute and unfettered discretion of the GM. An assignment or transfer may require the assignee or transferee to apply, assignment or transfer agreement and/or such other documents as determined by the GM in their sole, absolute and unfettered discretion. The new owner shall be subject to all applicable due diligence required under this Program, including, but not limited to, applicable corporate title and litigation searches and financial risk, to the satisfaction of the City prior to the assignment being considered by the GM.

Applications under this Program are subject to approval, and the availability of funds, at the absolute discretion of the GM.

A Grant under this Program will be paid upon occupancy being approved by the City in writing for all Eligible Unit(s) required for eligibility under this Program.

For applications respecting a Forgivable Loan:

- Securities required to be provided by the Applicant respecting a Forgivable Loan under this Program will be determined by the GM in their sole, absolute and unfettered discretion;

- The Loan will not be provided unless a written request for the Loan advance has been made by the Applicant; and
- Approved Applicants shall be required to enter into a Forgivable Loan Agreement with the City containing the terms and conditions set out in this Program description and such additional terms and conditions as required by the GM or City Solicitor in their sole absolute and unfettered discretion. The form of the Grant/Forgivable Loan Agreement shall be to the satisfaction of the City Solicitor. Respecting applications for Forgivable Loans, the Housing Secretariat may require the Applicant to register the Forgivable Loan Agreement on title immediately upon execution of the agreement.

The City reserves the right to require the submission of any additional documentation or enter into any additional agreements as deemed necessary by the City to ensure the goals and purpose of this Program and the HHCIP are met.

The City is not responsible for any costs incurred by the Applicant in any way relating to the Program, including without limitation, costs incurred in anticipation of an application approval or Grant/Loan being provided.

Applications to this Program not yet approved by City Council, or its delegate, shall be subject to any changes to the terms of this Program which are required by the CMHC as a condition of funding to the City under the HAF and/or approved by City Council, or its delegate, prior to the application being approved.

A Program application may be denied by City Council, or its delegate, if the development is not supported by City Council notwithstanding any approval of *Planning Act* applications by any other authority including but not limited to the Ontario Land Tribunal or the Minister of Municipal Affairs and Housing, and that City Council's decision on the Program application will not fetter its discretion on *Planning Act* applications.

City Council may discontinue this Program at any time. However, Applicants with approved applications will still continue to receive the Grant/Forgivable Loan subject to meeting the Program terms contained herein.

# RAPID TRANSIT MULTI-RESIDENTIAL RENTAL HOUSING INCENTIVE PROGRAM



## A. PROGRAM DESCRIPTION

The Rapid Transit Multi-Residential Rental Housing Incentive Program (the Program) is intended to provide financial incentives to support the creation of seven (7) or more net new residential rental and/or affordable residential rental units on Sites with or without pre-existing development and located in close proximity to strategic rapid transit corridors. This Program is available as a result of the Canada Mortgage and Housing Corporation’s (CMHC) Housing Accelerator Fund (HAF).

Under this Program, incentives are provided as:

- a Grant of \$50,000 for the creation of seven (7) or more net new Eligible Rental Units on a Site; and/or
- a 15-year Forgivable Loan of \$25,000 per Eligible Rental Unit(s) intending to meet the affordability parameters of this Program, as further detailed in Section B herein, to a maximum of \$2,500,000 per Site.

This Program applies to Sites wholly located within Sub Area 1 – Rapid Transit Housing Area of the Housing for Hamilton Community Improvement Project Area (HHCIPA).

Applications under this Program are subject to approval, and the availability of funds, at the absolute discretion of:

- the General Manager of the Healthy and Safe Communities Department (GM) up to a maximum of \$249,999; or,
- the Executive Committee for the Housing Sustainability and Investment Roadmap (Executive Committee) from \$250,000 up to the applicable program maximums stated herein.

Grants/Forgivable Loans provided under this Program shall be provided to the Applicant who is the registered owner of the Site that is the subject of the Program application.

All costs associated with the development and the requirements of this Program are to be borne by the Applicant including construction, design, community benefit charges, development charges, parkland dedication fees (except where exempt through provision of

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affordable housing), administration fees, appraisals, inspections, legal, discharge and registration fees (plus applicable taxes), where applicable.

For the purposes of this Program:

- ‘Site’ shall mean all properties/parcels of land required for the planned development.
- ‘Eligible Rental Unit’ shall mean only newly constructed rental tenure Dwelling Unit(s); the construction of which has been the subject of a successful building permit issuance and which form part of a development containing seven (7) or more net new units located within a new or existing purpose-built multi-residential or mixed use multi-residential rental developments but shall not include a Single-Detached Dwelling, Semi-Detached Dwelling, Additional Dwelling Unit, Additional Dwelling Unit – Detached or Garden Suite. For additional clarity, a multi-residential rental development may include any form of rental tenure townhouse (including street-oriented, stacked or back-to-back forms);
- ‘Dwelling Unit’, ‘Single Detached Dwelling’, ‘Semi-Detached Dwelling’, ‘Additional Dwelling Unit’ and ‘Additional Dwelling Unit – Detached’ shall have the same meaning as that defined in Hamilton Zoning By-law 05-200, as amended; and
- ‘Program Interest Rate’ shall mean the prevailing interest rate established by City Council on tax arrears and charged per annum unless otherwise forgiven in accordance with the terms of this Program.

The Healthy and Safe Communities, through the Housing Secretariat, will periodically review the terms and availability of this Program and undertake updates from time to time subject to City Council approval and/or direction.

## B. PROGRAM ELIGIBILITY AND CRITERIA

1. Applications to this Program must meet the goals of the Housing for Hamilton Community Improvement Plan (HHCIP).
2. Eligible Rental Unit(s) shall only be located on a Site within Sub Area 1 – Rapid Transit Housing Area of the HHCIPA.
3. This Program shall not apply to a Site where a designated heritage building, or any designated part thereof, has been demolished in contravention of the *Ontario Heritage Act* or any applicable City by-law or Official Plan policy respecting designated heritage buildings, or parts thereof.
4. The Grant under this Program shall be \$50,000 for the creation of seven (7) or more net new Eligible Rental Units on a Site.

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5. In addition to paragraph four above, an Applicant may be eligible for an additional Forgivable Loan of up to \$25,000 per Eligible Rental Unit, to a maximum of \$2,500,000 per Site subject to paragraphs 21, 22, and 23 herein.
6. An Applicant to this Program must be the registered owner of the Site with the Grant/Forgivable Loan only being available to the successful Program Applicant. A Grant or Forgivable Loan under this Program cannot be assigned or directed to any other payee unless otherwise provided for herein.
7. An Applicant may apply to this Program for any Eligible Rental Unit(s) where the date of issuance of a building permit for the construction of the Eligible Rental Unit(s) occurred on or after the date this Program came into effect.
8. Prior to any application approval and the advance of any Grant or Forgivable Loan funds, confirmation of the following shall be required: all municipal property taxes are paid and current on the subject Site, the Site is in compliance with Zoning By-law regulations, that there are no outstanding property standards violations or orders, Building Code violations or orders or Fire Code violation or orders, any violations of law or any orders by any other judicial, governmental or regulatory authority, regarding the subject Site or the development on the subject Site and that the Applicant is not in litigation with the City.
9. Approval and the receiving of financial assistance under this Program shall not preclude eligibility, approval and the receiving of financial assistance under any other available municipal program, with the exception of any other Program provided/authorized under the HHCIP which shall not be permitted.
10. Applications under this Program are subject to approval, and the availability of funds, at the absolute discretion of the GM for grants/forgivable loans to a maximum of \$249,999 or, the Executive Committee for forgivable loans of \$250,000 or greater up to the applicable maximum stated herein.
11. Without limiting the discretion as set out in paragraph 10 herein, City Council, or its delegate, whether or not an Applicant satisfies the requirements of the Program, may in its sole discretion, reject any application received from an Applicant where, in the opinion of City Council, or its delegate, the commercial relationship between the City and the Applicant has been impaired by, but not limited to, the Applicant being involved in litigation with the City. Applicants shall include but not be limited to the following: The Applicant identified on the application form and, if a corporation, any person or entity with an interest in the corporation or any officer or director of the corporation, as determined by the GM in their sole, absolute and unfettered discretion.

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12. Without limiting the discretion as set out in paragraph 10 herein, City Council, or its delegate, whether or not an Applicant satisfies the requirements of the Program, may in its sole discretion, reject any application without further consideration where due diligence undertaken by the City identifies municipal property tax arrears owed on the subject Site, non-compliance with respect to Zoning By-law regulations or there exist outstanding property standards, Building Code or Fire Code orders in respect of the subject Site or any other judicial, regulatory or governmental order in respect of the subject Site.
13. Without limiting the discretion as set out in paragraph 10 herein, City Council, or its delegate, whether or not an Applicant satisfies the requirements of the Program, may in its sole discretion, reject any application where City Council, or its delegate determines in their sole discretion that there is a financial risk to the City in terms of the financial capabilities of the Applicant to complete the development subject to the Program application.
14. Without limiting the discretion as set out in paragraph 10, herein, City Council, or its delegate, whether or not an Applicant satisfies the requirements of the Program, may in its sole discretion, reject any application received from an Applicant where there is credible information that the Applicant has been involved recently or repeatedly in illegal activity supporting the conclusion that they will not conduct themselves with honesty and integrity in undertaking the activity, operation or business for which a Grant/Loan under this Program is being sought. For corporate Applicants, the Applicant, for the purposes of this paragraph 14, will be considered to be the corporation, the officers and directors of the corporation and the shareholders and this paragraph 14 shall apply jointly and severally to each of them.
15. Buildings uses and developments on the subject Site shall conform to the City’s Official Plan(s), applicable Secondary Plan(s), Zoning By-Laws(s), Site Plan approval and any other applicable and approved municipal policies, by-laws or guidelines (e.g. urban design guidelines) and any other laws applicable to the development.
16. A Program application may be denied by City Council, or its delegate, if the development is not supported by City Council notwithstanding any approval of *Planning Act* applications by any other authority including but not limited to the Ontario Land Tribunal or the Minister of Municipal Affairs and Housing.
17. Approval, part approval or denial of a Program application shall not fetter City Council’s discretion regarding any *Planning Act* applications regarding the subject Site or any other decisions by City Council regarding the subject Site.



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18. Approval of a Program application by City Council, or its delegate, may provide for a reduced Grant/Loan amount such that no Grant/Loan is provided in respect of any portion of the development which City Council does not support notwithstanding any approval of *Planning Act* applications by any other authority including but not limited to the Ontario Land Tribunal or the Minister of Municipal Affairs and Housing, and that City Council’s decision on the application will not fetter its discretion on *Planning Act* applications. In such cases, the Applicant shall be required to provide additional supporting documentation, at the Applicant’s own expense, to support the providing of financial assistance in accordance with City Council’s approval/direction.
19. An approved Grant will be paid in one lump sum upon building permit issuance for all Eligible Rental Units required for eligibility under this Program as well as confirmation of compliance with all other Program conditions required for a Grant payment.
20. A Project Monitor may be required unless waived at the sole, absolute and unfettered discretion of the Housing Secretariat, and if required, the Applicant must provide supervision of the development by a Project Monitor acceptable to the Housing Secretariat. The Project Monitor will be at the cost of the Applicant and shall provide proof, to the satisfaction of the Housing Secretariat, that the structural, mechanical and electrical work complies with the approved plans and specifications and all Applicable Law.
21. Applications for a Forgivable Loan under this Program shall also be subject to the following conditions together with any other conditions as deemed appropriate by the GM or Executive Committee and contained in the Loan Agreement:
  - a. The Eligible Rental Unit shall be available for rental tenure.
  - b. The Eligible Rental Unit will be the subject of a 15-year affordability period beginning from the date on which occupancy has been approved by the City in writing for all Eligible Rental Unit(s) on the Site and ending on the 15<sup>th</sup> anniversary of such same date. The applicable rent charged during this affordability period for each Eligible Rental Unit subject to a Loan shall not exceed 100% of the Average Market Rent (AMR) for the City of Hamilton as surveyed annually by CMHC with any applicable rent increases having been in accordance with a rental protocol as determined by the GM in their sole discretion and forming part of the Loan Agreement. After the 15-year affordability period, the Applicant shall have no further affordability obligations under this Program to the City.

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- c. The Applicant shall be the owner of the Eligible Rental Unit for the duration of the loan term unless otherwise permitted by the GM.
- d. The Applicant shall be responsible for tenant selection.
- e. If a tenant vacates a unit, voluntarily or otherwise, the Applicant must inform the City of Hamilton Housing Secretariat and the Applicant has a maximum of 60 days to fill the unit with another tenant. The Applicant shall be required to submit to the Housing Secretariat proof that a new tenant has taken occupancy and the rent being charged.
- f. The Loan term, comprising the period between the Loan being advanced (“Commencement Date”) through to the 15<sup>th</sup> anniversary of the date on which occupancy has been approved by the City in writing for all Eligible Rental Unit(s) on the Site subject to a Loan under this Program. The Loan shall be a closed Loan. The Loan shall accrue interest and interest shall be payable unless forgiven in accordance with paragraph 22.
- g. Repayment of the Loan shall occur at the end of Loan term together with applicable interest in accordance with paragraph 21 f. unless:
  - i. forgiven in accordance with paragraph 22; or
  - ii. subject to prior termination on default of the Loan Agreement in which case the Program Interest Rate shall apply from the date the Loan was advanced.
- h. Such reporting requirements as may be required at the sole discretion of the GM.
- i. In the event of a default as defined herein and/or as further contained in the Loan Agreement, the Loan will be capped immediately at the advanced amount and, subject to the Program Interest Rate from the date the Loan was advanced in accordance with paragraph 21 f. together with the maximum penalty permitted under applicable law, shall become immediately payable to the City.
- j. If a request for the initial Loan advance is not made by December 31, 2026, the Loan Agreement shall be deemed to be terminated and, without limiting the generality of the foregoing, the City shall not be obligated to provide the Loan.
- k. An approved Loan under this Program will be provided to the Applicant in a single advance (less such hold back as determined by the GM or required under applicable law) upon confirmation of building permit issuance for construction

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of the last Eligible Rental Unit on the Site that is subject to a Loan under this Program and subject to the conditions set out here in and such additional conditions as determined by the GM in their sole discretion.

- I. In the event of a Change of Corporate Control where the Applicant is a corporation, the Applicant covenants and agrees that in the event that:
  - i. The Applicant fails to supply to the Housing Secretariat, in a form satisfactory to the GM, such information relating to the ownership of its shares as the Housing Secretariat may require from time to time or;
  - ii. Without the written consent of the GM first had and obtained:
    - A. the Applicant issues or redeems any of its shares or transfers any of its shares;
    - B. there is a sale or sales of the shares of the Applicant which result in the transfer of the legal or beneficial interest of any of the shares of the Applicant; or
    - C. the Applicant amalgamates, merges or consolidates with any other corporation; and

The result of any of the foregoing is a change in the effective control of the majority of the voting shares of the Applicant, or the requested information is not provided, the GM shall have absolute discretion to cease any future Loan advances and/or seek full repayment of any outstanding Loan under this Program together with any applicable Program Interest Rate in accordance with paragraph 21 f.

- m. In the event of the disposition, sale, conveyance, transfer or entering into of any agreement of sale or transfer of the title of all or a portion of the subject Site containing the Eligible Rental Unit(s) for which all or a portion of a Loan under this Program remains outstanding shall not be permitted except where:
  - i. the Housing Secretariat is provided written notice of the sale including the name of the purchaser and closing date of the purchase and the transfer of ownership includes the assignment of any remaining Loan under this Program to the purchaser subject to the approval of the GM in their sole discretion and on such terms and conditions as the GM deems appropriate.

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- If i. above is not complied with, the disposition, sale conveyance, transfer or entering into of any agreement of sale of transfer shall be deemed a default under the applicable Loan Agreement and result in a requirement for no Loan advance being provided if not already provided or require the immediate repayment of any portion of the Loan advanced together with the applicable interest in accordance with paragraph 21 f.
- n. The Housing Secretariat will require, at its sole discretion, any specific insurance terms required to be met to protect the City’s interest.
  - o. Applicants shall be required to enter into a Loan Agreement with the City. This agreement shall be entered into prior to the Loan advance, with provisions including, but not limited to, the terms and conditions set out herein and such additional conditions, including additional conditions for the advance of the loan, as determined by the GM in their sole discretion, and if deemed a requirement by the GM, the provision of security including a mortgage, General Security Agreement, a Site Specific General Security Agreement or such other security as determined by the GM in their sole discretion such as, but not limited to, a mortgage registered on title upon the subject Site, personal guarantees and/or corporate guarantees.
22. Notwithstanding paragraph 21 above, a Loan advanced along with any other applicable Program Interest Rate charges required in accordance with this Program and the applicable Loan Agreement, shall be forgiven and not required to be repaid to the City where the following condition of forgiveness has been met to the satisfaction of the GM:
- a. The rent charged to a tenant(s) for each Eligible Rental Unit subject to a Loan under this Program from the date on which occupancy has been approved by the City in writing for all Eligible Rental Unit(s) on the Site subject to a Loan under this Program through to the 15<sup>th</sup> anniversary of such same date did not exceed 100% of the AMR for the City of Hamilton as surveyed annually by CMHC with any applicable rent increases having been in accordance with a rental protocol forming part of the Loan Agreement as determined by the GM in their sole discretion; and
  - b. The Applicant has complied with all terms of the Loan Agreement for the entirety of the Loan term.
23. Where the condition of forgiveness contained in paragraph 23 has not been met for all Eligible Rental Units which were the subject of a Loan under this Program and was not cured within 30 days’ of written notice being provided by the City, or such other period as

determined at the discretion of the GM, the Loan shall be in default and subject to repayment in accordance with paragraph 21 i.

## C. PROGRAM APPLICATION CRITERIA

A complete Program application shall be submitted to the Healthy and Safe Communities Department through the Housing Secretariat. Required documents and information forming a complete application shall be identified within the Program’s application form.

With respect to applications for Forgivable Loans, Applicants may be required to submit information to assist with determining their financial capabilities to complete the project subject to the Program application and to identify any potential financial risks to the City. Information required to be submitted is at the discretion of the Housing Secretariat and may include but may not be limited to, a financial risk assessment, personal/corporate net worth statements and/or business plan.

Any additional information may be requested by the Housing Secretariat to determine the Applicant’s eligibility.

## D. PROGRAM ADMINISTRATION

Housing Secretariat staff, in collaboration with staff from the Economic Development Division, as required, will review applications for eligibility in accordance with the HHCIPA, HHCIP, the Program terms contained herein and in collaboration with other City departments as required. Acceptance of the application by the City in no way implies application approval.

The Site and Applicant will be the subject of due diligence undertaken by the City prior to any recommendation on the application being brought to City Council, or its delegate, for consideration and prior to payment of the grant and/or Loan advance being provided. This will include, but may not be limited to, confirmation of the following: all municipal property taxes are paid and current on the subject Site, the Site is in compliance with Zoning By-law regulations, that there are no outstanding property standards violations or orders, Building Code violations or orders or Fire Code violation or orders, any violations of law or any orders by any other judicial, governmental or regulatory authority, regarding the subject Site or the development on the subject Site and that the Applicant is not in litigation with the City. Failure to comply with any of the above will result in an application not being recommended for approval to City Council or its delegate, except where otherwise directed by City Council, or its delegate, or, if the application has been approved, non-payment of a Grant or advance of a Loan under this Program.

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No decision will be made on an application until a building permit is issued for all Eligible Rental Unit(s) required for eligibility under this Program.

Where an application has been submitted but not yet approved by City Council, or its delegate, and the subject Site is sold/transferred to a new owner, the City may permit the transfer or assignment of the application to the new owner at the sole, absolute and unfettered discretion of the GM. An assignment or transfer may require the assignee or transferee to submit an application, assignment or transfer agreement and/or such other documents as determined by the GM in their sole, absolute and unfettered discretion. The new owner shall be subject to all applicable due diligence required under this Program, including, but not limited to, applicable corporate title and litigation searches and financial risk, to the satisfaction of the City prior to the assignment being considered by the GM.

Applications under this Program are subject to approval, and the availability of funds, at the absolute discretion of the GM for grants/forgivable loans to a maximum of \$249,999 or, the Executive Committee for forgivable loans of \$250,000 or greater up to the applicable maximum stated herein.

A Grant under this Program will be paid upon building permit issuance for all Eligible Rental Unit(s) required for eligibility under this Program.

For applications subject to a Forgivable Loan:

- Securities required to be provided by the Applicant respecting a Forgivable Loan under this Program will be determined by the GM in their sole, absolute and unfettered discretion;
- The Loan will not be provided unless a written request for the Loan advance has been made by the Applicant; and
- Approved Applicants shall be required to enter into a Forgivable Loan Agreement with the City containing the terms and conditions set out in this Program description and such additional terms and conditions as required by the GM or City Solicitor in their sole absolute and unfettered discretion. The form of the Grant/Forgivable Loan Agreement shall be to the satisfaction of the City Solicitor. Respecting applications for Forgivable Loans, the Housing Secretariat may require the Applicant to register the Forgivable Loan Agreement on title immediately upon execution of the agreement.

The City reserves the right to require the submission of any additional documentation or enter into any additional agreements as deemed necessary by the City to ensure the goals and purpose of this Program and the HHCIP are met.

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The City is not responsible for any costs incurred by the Applicant in any way relating to the Program, including without limitation, costs incurred in anticipation of an application approval or Grant/Loan being provided.

Applications to this Program not yet approved by City Council, or its delegate, shall be subject to any changes to the terms of this Program which are required by the CMHC as a condition of funding to the City under the HAF and/or approved by City Council, or its delegate, prior to the application being approved.

A Program application may be denied by City Council, or its delegate, if the development is not supported by City Council notwithstanding any approval of *Planning Act* applications by any other authority including but not limited to the Ontario Land Tribunal or the Minister of Municipal Affairs and Housing, and that City Council’s decision on the Program application will not fetter its discretion on *Planning Act* applications.

City Council may discontinue this Program at any time. However, Applicants with approved applications will still continue to receive the Grant/Forgivable Loan subject to meeting the Program terms contained herein.

# HOUSING ACCELERATION INCENTIVE PROGRAM



## A. PROGRAM DESCRIPTION

The Housing Acceleration Incentive Program (the Program) is intended to provide financial incentives to support the creation of seven (7) or more net new housing units and/or affordable rental housing units on Sites which have been the subject of a City-led land use planning initiative that occurred after April 7, 2022 and which removed barriers in order to support of new housing creation. This Program is available as a result of the Canada Mortgage and Housing Corporation’s (CMHC) Housing Accelerator Fund (HAF).

Under this Program, incentives are provided as:

- a Grant of \$35,000 for the creation of seven (7) or more net new Eligible Units on a Site; and/or
- a 15-year Forgivable Loan of \$25,000 per Eligible Unit(s) intending to meet the affordability parameters of this Program, as further detailed in Section B herein, to a maximum of \$2,500,000 per Site subject to the availability of funding.

This Program applies to Sites located within the Housing for Hamilton Community Improvement Project Area (HHCIPA) with the exception of those located in Sub Area 1 – Rapid Transit Housing Area and Sub Area 2 – Roxborough.

Applications under this Program are subject to approval, and the availability of funds, at the absolute discretion of:

- the General Manager of the Healthy and Safe Communities Department (GM) up to a maximum of \$249,999; or,
- the Executive Committee for the Housing Sustainability and Investment Roadmap (Executive Committee) from \$250,000 up to the applicable program maximums stated herein.

Grants/Forgivable Loans provided under this Program shall be provided to the Applicant who is the registered owner of the Site that is the subject of the Program application.



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All costs associated with the development and the requirements of this Program are to be borne by the Applicant including, but not limited to, construction, design, community benefit charges, development charges, parkland dedication fees (except where exempt through provision of affordable housing), administration fees, appraisals, inspections, legal, discharge and registration fees (plus applicable taxes), where applicable.

For the purposes of this Program:

- ‘Site’ shall mean all properties/parcels of land required for the planned development.
- ‘Eligible Unit’ shall mean any new Dwelling Unit, the construction of which has been the subject of successful building permit issuance and which will form part of a development containing seven (7) or more net new units in the form of Single Detached Dwellings, Semi-Detached Dwellings, any form of townhouse (including street-oriented, stacked or back-to-back forms) or multi-residential or mixed-use multi-residential development, or any combination thereof, but shall not include an Additional Dwelling Unit, Additional Dwelling Unit – Detached or Garden Suite.
- ‘Dwelling Unit’, ‘Semi-Detached Dwelling’, ‘Additional Dwelling Unit’ or ‘Additional Dwelling Unit – Detached’ shall have the same meaning as that defined in Hamilton Zoning By-law 05-200, as amended.
- ‘Garden Suite’ shall have the same meaning as defined under the *Planning Act*, R.S.O. 1990, c. P.13, as amended.
- ‘Program Interest Rate’ shall mean the prevailing interest rate established by City Council on tax arrears applicable at the time the Loan is advanced and charged per annum unless otherwise forgiven in accordance with the terms of this Program.

The Healthy and Safe Communities, through the Housing Secretariat, will periodically review the terms and conditions of this Program, the availability of funding and undertake updates from time to time subject to City Council approval and/or direction.

## B. PROGRAM ELIGIBILITY AND CRITERIA

1. Applications to this Program must meet the goals of the Housing for Hamilton Community Improvement Plan (HHCIP).
2. Eligible Unit(s) shall be located on a Site within the HHCIPA but shall not be located within Sub Area 1 – Rapid Transit Housing Area or Sub Area 2 – Roxborough.
3. This Program shall not apply to a Site where a designated heritage building, or any designated part thereof, has been demolished in contravention of the *Ontario Heritage*

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**Page 3 of 11**

Act or any applicable City by-law or Official Plan policy respecting designated heritage buildings, or parts thereof.

4. The Grant under this Program shall be \$35,000 for the creation of seven (7) or more net new Eligible Units on a Site.
5. In addition to paragraph four above, an Applicant may be eligible for an additional Forgivable Loan of up to \$25,000 per Eligible Unit, to a maximum of \$2,500,000 per Site subject to paragraphs 22, 23, and 24 herein.
6. An Applicant to this Program must be the registered owner of the Site with the Grant/Forgivable Loan only being available to the successful Program Applicant. A Grant or Forgivable Loan under this Program cannot be assigned or directed to any other payee unless otherwise provided for herein.
7. An Applicant may apply to this Program for any Eligible Unit(s) where the date of issuance of a building permit for the construction of the Eligible Unit(s) occurred on or after the date this Program came into effect.
8. A Site shall have been the subject of a City-led land use planning initiative supporting new housing creation with such determination being at the sole discretion of the Housing Secretariat and may include, but shall not be limited to: City-initiated *Planning Act* applications, City-initiated changes to Zoning By-law regulations or Official Plan policies or City-initiated secondary plans but shall not include any privately-initiated land use planning initiative or application, nor any action, decision or order by the Province of Ontario, a Provincial Minister or the Ontario Land Tribunal that has not also been supported by City Council.
9. Prior to any application approval and the advance of any Grant or Forgivable Loan funds, confirmation of the following shall be required: all municipal property taxes are paid and current on the subject Site, the subject Site is in compliance with Zoning By-law regulations, that there are no outstanding property standards violations or orders, Building Code violations or orders or Fire Code violation or orders, any violations of law or any orders by any other judicial, governmental or regulatory authority, regarding the subject Site or the development on the subject Site and that the Applicant is not in litigation with the City.
10. Approval and the receiving of financial assistance under this Program shall not preclude eligibility, approval and the receiving of financial assistance under any other available municipal program, with the exception of any other Program provided/authorized under the HHCIP which shall not be permitted.

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11. Applications under this Program are subject to approval, and the availability of funds, at the absolute discretion of the GM for grants/forgivable loans to a maximum of \$249,999 or, the Executive Committee for forgivable loans of \$250,000 or greater up to the applicable maximum stated herein.
12. Without limiting the discretion as set out in paragraph 11 herein, City Council, or its delegate, whether or not an Applicant satisfies the requirements of the Program, may in its sole discretion, reject any application received from an Applicant where, in the opinion of City Council, or its delegate, the commercial relationship between the City and the Applicant has been impaired by, but not limited to, the Applicant being involved in litigation with the City. Applicants shall include but not be limited to the following: the Applicant identified on the application form and, if a corporation, any person or entity with an interest in the corporation or any officer or director of the corporation, as determined by the GM in their sole, absolute and unfettered discretion.
13. Without limiting the discretion as set out in paragraph 11 herein, City Council, or its delegate, whether or not an Applicant satisfies the requirements of the Program, may in its sole discretion, reject any application without further consideration where due diligence undertaken by the City identifies municipal property tax arrears owed on the subject Site, non-compliance with respect to Zoning By-law regulations or there exist outstanding property standards, Building Code or Fire Code orders in respect of the subject Site or any other judicial, regulatory or governmental order in respect of the subject Site.
14. Without limiting the discretion as set out in paragraph 11 herein, City Council, or its delegate, whether or not an Applicant satisfies the requirements of the Program, may in its sole discretion, reject any application where City Council, or its delegate determines in their sole discretion that there is a financial risk to the City in terms of the financial capabilities of the Applicant to complete the development subject to the Program application.
15. Without limiting the discretion as set out in paragraph 11, herein, City Council, or its delegate, whether or not an Applicant satisfies the requirements of the Program, may in its sole discretion, reject any application received from an Applicant where there is credible information that the Applicant has been involved recently or repeatedly in illegal activity supporting the conclusion that they will not conduct themselves with honesty and integrity in undertaking the activity, operation or business for which a Grant/Loan under this Program is being sought. For corporate Applicants, the Applicant, for the purposes of this paragraph 15, will be considered to be the corporation, the officers and directors of the corporation and the shareholders and this paragraph 15 shall apply jointly and severally to each of them.

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16. Buildings, uses and developments on the subject Site shall conform to the City’s Official Plan(s), applicable Secondary Plan(s), Zoning By-Laws(s), Site Plan approval and any other applicable and approved municipal policies, by-laws or guidelines (e.g. urban design guidelines) and any other laws applicable to the subject Site and any development on it.
17. A Program application may be denied by City Council, or its delegate, if the development is not supported by City Council notwithstanding any approval of *Planning Act* applications by any other authority including but not limited to the Ontario Land Tribunal or the Minister of Municipal Affairs and Housing.
18. Approval, part approval or denial of a Program application shall not fetter City Council’s discretion regarding any *Planning Act* applications regarding the subject Site or any other decisions by City Council regarding the subject Site.
19. Approval of a Program application by City Council, or its delegate, may provide for a reduced Grant/Loan amount such that no Grant/Loan is provided in respect of any portion of the development which City Council does not support notwithstanding any approval of *Planning Act* applications by any other authority including but not limited to the Ontario Land Tribunal or the Minister of Municipal Affairs and Housing, and that City Council’s decision on the application will not fetter its discretion on *Planning Act* applications. In such cases, the Applicant shall be required to provide additional supporting documentation, at the Applicant’s own expense, to support the providing of financial assistance in accordance with City Council’s approval/direction.
20. An approved Grant will be paid in one lump sum upon building permit issuance for all Eligible Unit(s) required for eligibility under this Program as well as confirmation of compliance with all other Program conditions required for a Grant payment.
21. A Project Monitor may be required unless waived at the sole, absolute and unfettered discretion of the Housing Secretariat, and if required, the Applicant must provide supervision of the development by a Project Monitor acceptable to the Housing Secretariat. The Project Monitor will be at the cost of the Applicant and shall provide proof, to the satisfaction of the Housing Secretariat, that the structural, mechanical and electrical work complies with the approved plans and specifications and all Applicable Law.
22. Applications for a Forgivable Loan under this Program shall also be subject to the following conditions together with any other conditions as deemed appropriate by the GM or Executive Committee and contained in the Loan Agreement:
  - a. The Eligible Unit shall be available for rental tenure.

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- b. The Eligible Unit will be the subject of a 15-year affordability period beginning from the date on which occupancy has been approved by the City in writing for all Eligible Unit(s) on the Site and ending on the 15<sup>th</sup> anniversary of such same date. The applicable rent charged during this affordability period for each Eligible Unit subject to a Loan shall not exceed 100% of the Average Market Rent (AMR) for the City of Hamilton as surveyed annually by CMHC with any applicable rent increases having been in accordance with a rental protocol as determined by the GM in their sole discretion and forming part of the Loan Agreement. After the 15-year affordability period, the Applicant shall have no further affordability obligations under this Program to the City.
- c. The Applicant shall be the owner of the Eligible Unit for the duration of the loan term unless otherwise permitted by the GM.
- d. The Applicant shall be responsible for tenant selection.
- e. If a tenant vacates a unit, voluntarily or otherwise, the Applicant must inform the City of Hamilton Housing Secretariat and the Applicant has a maximum of 60 days to fill the unit with another tenant. The Applicant shall be required to submit to the Housing Secretariat proof that a new tenant has taken occupancy and the rent being charged.
- f. The Loan term, comprising the period between the Loan being advanced (“Commencement Date”) through to the 15<sup>th</sup> anniversary of the date on which occupancy has been approved by the City in writing for all Eligible Unit(s) on the Site subject to a Loan under this Program. The Loan shall be a closed Loan. The Loan shall accrue interest and interest shall be payable unless forgiven in accordance with paragraph 23.
- g. Repayment of the Loan shall occur at the end of Loan term together with applicable interest in accordance with paragraph 22 f. unless:
  - i. forgiven in accordance with paragraph 23; or
  - ii. subject to prior termination on default of the Loan Agreement in which case the Program Interest Rate shall apply from the date the Loan was advanced.
- h. Such reporting requirements as may be required at the sole discretion of the GM.

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- i. In the event of a default as defined herein and/or as further contained in the Loan Agreement, the Loan will be capped immediately at the advanced amount and, subject to the Program Interest Rate from the date the Loan was advanced in accordance with paragraph 22 f. together with the maximum penalty permitted under applicable law, shall become immediately payable to the City.
- j. If a request for the initial Loan advance is not made by December 31, 2026, the Loan Agreement shall be deemed to be terminated and, without limiting the generality of the foregoing, the City shall not be obligated to provide the Loan.
- k. An approved Loan under this Program will be provided to the Applicant in a single advance (less such hold back as determined by the GM or required under applicable law) upon confirmation of building permit issuance for construction of the last Eligible Unit on the Site that is subject to a Loan under this Program and subject to the conditions set out here in and such additional conditions as determined by the GM in their sole discretion.
- l. In the event of a Change of Corporate Control where the Applicant is a corporation, the Applicant covenants and agrees that in the event that:
  - i. The Applicant fails to supply to the Housing Secretariat, in a form satisfactory to the GM, such information relating to the ownership of its shares as the Housing Secretariat may require from time to time or;
  - ii. Without the written consent of the GM first had and obtained:
    - A. the Applicant issues or redeems any of its shares or transfers any of its shares;
    - B. there is a sale or sales of the shares of the Applicant which result in the transfer of the legal or beneficial interest of any of the shares of the Applicant; or
    - C. the Applicant amalgamates, merges or consolidates with any other corporation; and

The result of any of the foregoing is a change in the effective control of the majority of the voting shares of the Applicant, or the requested information is not provided, the GM shall have absolute discretion to cease any future Loan advances and/or seek full repayment of any outstanding Loan under this Program together with any applicable Program Interest Rate in accordance with paragraph 22 f.

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- m. In the event of the disposition, sale, conveyance, transfer or entering into of any agreement of sale or transfer of the title of all or a portion of the subject Site containing the Eligible Unit(s) for which all or a portion of a Loan under this Program remains outstanding shall not be permitted except where:
- i. the Housing Secretariat is provided written notice of the sale including the name of the purchaser and closing date of the purchase and the transfer of ownership includes the assignment of any remaining Loan under this Program to the purchaser subject to the approval of the GM in their sole discretion and on such terms and conditions as the GM deems appropriate.
- If i. above is not complied with, the disposition, sale conveyance, transfer or entering into of any agreement of sale of transfer shall be deemed a default under the applicable Loan Agreement and result in a requirement for no Loan advance being provided if not already provided or require the immediate repayment of any portion of the Loan advanced together with the applicable interest in accordance with paragraph 22 f.
- n. The Housing Secretariat will require, at its sole discretion, any specific insurance terms required to be met to protect the City’s interest.
  - o. Applicants shall be required to enter into a Loan Agreement with the City. This agreement shall be entered into prior to the Loan advance, with provisions including, but not limited to, the terms and conditions set out herein and such additional conditions, including additional conditions for the advance of the loan, as determined by the GM in their sole discretion, and if deemed a requirement by the GM, the provision of security including a mortgage, General Security Agreement, a Site Specific General Security Agreement or such other security as determined by the GM in their sole discretion such as, but not limited to, a mortgage registered on title upon the subject Site, personal guarantees and/or corporate guarantees.
23. Notwithstanding paragraph 22 above, a Loan advanced along with any other applicable Program Interest Rate charges required in accordance with this Program and the applicable Loan Agreement, shall be forgiven and not required to be repaid to the City where the following condition of forgiveness has been met to the satisfaction of the GM:
- a. The rent charged to a tenant(s) for each Eligible Unit subject to a Loan under this Program from the date on which occupancy has been approved by the City in writing for all Eligible Unit(s) on the Site subject to a Loan under this Program through to the 15<sup>th</sup> anniversary of such same date did not exceed 100% of the

**Appendix “F” to Report PED23143(c)**  
**Page 9 of 11**

AMR for the City of Hamilton as surveyed annually by CMHC with any applicable rent increases having been in accordance with a rental protocol forming part of the Loan Agreement as determined by the GM in their sole discretion; and

- b. The Applicant has complied with all terms of the Loan Agreement for the entirety of the Loan term.
24. Where the condition of forgiveness contained in paragraph 23 has not been met for all Eligible Units which were the subject of a Loan under this Program and was not cured within 30 days’ of written notice being provided by the City, or such other period as determined at the discretion of the GM, the Loan shall be in default and subject to repayment in accordance with paragraph 22 i.

### C. PROGRAM APPLICATION CRITERIA

A complete Program application shall be submitted to the Healthy and Safe Communities Department through the Housing Secretariat. Required documents and information forming a complete application shall be identified within the Program’s application form.

With respect to applications for Forgivable Loans, Applicants may be required to submit information to assist with determining their financial capabilities to complete the project subject to the Program application and to identify any potential financial risks to the City. Information required to be submitted is at the discretion of the Housing Secretariat and may include but may not be limited to, a financial risk assessment, personal/corporate net worth statements and/or business plan.

Any additional information may be requested by the Housing Secretariat to determine the Applicant’s eligibility.

### D. PROGRAM ADMINISTRATION

Housing Secretariat staff, in collaboration with staff from the Economic Development Division, as required, will review applications for eligibility in accordance with the HHCIPA, HHCIP, the Program terms contained herein and in collaboration with other City departments as required. Acceptance of the application by the City in no way implies application approval.

The Site and Applicant will be the subject of due diligence undertaken by the City prior to any recommendation on the application being brought to City Council, or its delegate, for consideration and prior to payment of the grant and/or Loan advance(s) being provided. This will include, but may not be limited to, confirmation of the following: all municipal property taxes are paid and current on the subject Site, the Site is in compliance with Zoning By-law regulations, that there are no outstanding property standards violations or orders, Building



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**Page 10 of 11**

Code violations or orders or Fire Code violation or orders, any violations of law or any orders by any other judicial, governmental or regulatory authority, regarding the subject Site or the development on the subject Site and that the Applicant is not in litigation with the City. Failure to comply with any of the above will result in an application not being recommended for approval to City Council or its delegate, except where otherwise directed by City Council, or its delegate, or, if the application has been approved, non-payment of a Grant or advance of a Loan under this Program.

No decision will be made on an application until a building permit is issued for all Eligible Unit(s) required for eligibility under this Program.

Where an application has been submitted but not yet approved by City Council, or its delegate, and the subject Site is sold/transferred to a new owner, the City may permit the transfer or assignment of the application to the new owner at the sole, absolute and unfettered discretion of the GM. An assignment or transfer may require the assignee or transferee to submit an application, assignment or transfer agreement and/or such other documents as determined by the GM in their sole, absolute and unfettered discretion. The new owner shall be subject to all applicable due diligence required under this Program, including, but not limited to, applicable corporate title and litigation searches and financial risk, to the satisfaction of the City prior to the assignment being considered by the GM.

Applications under this Program are subject to approval, and the availability of funds, at the absolute discretion of the GM for grants/forgivable loans to a maximum of \$249,999 or, the Executive Committee for forgivable loans of \$250,000 or greater up to the applicable maximum stated herein.

A Grant under this Program will be paid upon building permit issuance for all Eligible Unit(s) required for eligibility under this Program.

For applications subject to a Forgivable Loan:

- Securities required to be provided by the Applicant respecting a Forgivable Loan under this Program will be determined by the GM in their sole, absolute and unfettered discretion;
- The Loan will not be provided unless a written request for the Loan advance has been made by the Applicant; and
- Approved Applicants shall be required to enter into a Forgivable Loan Agreement with the City containing the terms and conditions set out in this Program description and such additional terms and conditions as required by the GM or City Solicitor in their sole absolute and unfettered discretion. The form of the Grant/Forgivable Loan Agreement shall be to the satisfaction of the City Solicitor. Respecting applications for

**Appendix “F” to Report PED23143(c)**  
**Page 11 of 11**

Forgivable Loans, the Housing Secretariat may require the Applicant to register the Forgivable Loan Agreement on title immediately upon execution of the agreement.

The City reserves the right to require the submission of any additional documentation or enter into any additional agreements as deemed necessary by the City to ensure the goals and purpose of this Program and the HHCIP are met.

The City is not responsible for any costs incurred by the Applicant in any way relating to the Program, including without limitation, costs incurred in anticipation of an application approval for Grant/Loan being provided.

Applications to this Program not yet approved by City Council, or its delegate, shall be subject to any changes to the terms of this Program which are required by the CMHC as a condition of funding to the City under the HAF and/or approved by City Council, or its delegate, prior to the application being approved.

A Program application may be denied by City Council, or its delegate, if the development is not supported by City Council notwithstanding any approval of *Planning Act* applications by any other authority including but not limited to the Ontario Land Tribunal or the Minister of Municipal Affairs and Housing, and that City Council’s decision on the Program application will not fetter its discretion on *Planning Act* applications.

City Council may discontinue this Program at any time. However, Applicants with approved applications will still continue to receive the Grant/Forgivable Loan subject to meeting the Program terms contained herein.

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**Page 1 of 3**

**Delegated Authority Draft By-law**

**Authority:** Item ,  
Report (PED23143(c))  
CM:  
Ward: City Wide

**Bill No.**

**CITY OF HAMILTON**

**BY-LAW NO. 24-\_\_\_**

**To enact a by-law to delegate approval authority for certain grants and forgivable loans and to amend terms for certain incentive programs under the ‘Housing for Hamilton Community Improvement Plan (2024)’ funded by the Canada Mortgage and Housing Corporation Housing Accelerator Fund**

**WHEREAS** Canada Mortgage and Housing Corporation (CMHC) approved the City of Hamilton’s Housing Accelerator Fund application and the funding agreement entered into by the two parties on October 5, 2023;

**WHEREAS** Subsection 28(2) of the *Planning Act*, as amended, provides that City Council may, by by-law, designate the whole or any part of an area covered by an Official Plan as a community improvement project area;

**WHEREAS** By-law 24-\_\_\_, as amended, identifies areas of the City of Hamilton as a community improvement project area designated as the ‘Housing for Hamilton Community Improvement Project Area (2024)’;

**WHEREAS** Subsection 28(4) of the *Planning Act*, as amended, provides that where a by-law has been passed to designate a community improvement project area, City Council may provide for the preparation of a plan suitable for adoption as a community improvement plan for the community improvement project area;

**WHEREAS** Subsection 28(7) of the *Planning Act*, as amended, provides that City Council may make grants or loans, in conformity with the community improvement plan, to registered owners, assessed owners and tenants of lands and buildings within the community improvement project area, and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan, to pay for the whole or any part of the eligible costs permitted under the community improvement plan;

**WHEREAS** Sections 9 and 10 of the *Municipal Act*, as amended, and in accordance with Section 23.1 of the *Municipal Act*, as amended, the powers of a municipality under that or any other Act may be delegated to a person or body subject to the restrictions established in Sections 23.2 through 23.5, inclusive of the *Municipal Act*, as amended; and

**Appendix “G” to Report PED23143(c)**  
**Page 2 of 3**

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

1. In this By-law:

“City Council” means the Council of the City of Hamilton.

“Executive Committee” means the Executive Committee for the Housing Sustainability and Investment Roadmap, comprising the City Manager and the General Managers of Healthy & Safe Communities, Planning & Economic Development and Corporate Services Departments, and shall include any successor change in name, membership or position titles comprising thereof.

“General Manager” means the General Manager of Healthy and Safe Communities Department, and in the case of a change in title of this position, shall include any successor position title.

“Housing for Hamilton CIP (2024)” means ‘Housing for Hamilton Community Improvement Plan (2024)’ adopted by By-law 24-\_\_\_\_.

2. The City is authorized to enter into Agreements, amending agreements and ancillary documents for grants or forgivable loans approved by the General Manager or Executive Committee pursuant to Sections 3 and 4 herein. The aforesaid shall be in a form satisfactory to the City solicitor and with content that conforms to the Housing for Hamilton CIP 2024 and any applicable Program description and terms appended thereto.
3. Notwithstanding any other by-law or protocol of the City of Hamilton, the General Manager is delegated the authority to approve grants/forgivable loans under the following ‘Housing for Hamilton CIP (2024)’ programs to a maximum amount of \$249,999:
- (a) Additional Dwelling Unit and Multi-Plex Housing Incentive Program;
  - (b) Rapid Transit Multi-Residential Rental Housing Incentive Program; and,
  - (c) Housing Acceleration Incentive Program,

provided the grant/forgivable loan is provided solely from funds received by the City of Hamilton through the Canada Mortgage and Housing Corporation’s (CMHC) Housing Accelerator Fund and are being provided in accordance with the Housing Accelerator Fund Contribution Agreement entered into between the City and CMHC dated October 5, 2023.

4. Notwithstanding any other by-law or protocol of the City of Hamilton, the Executive Committee is delegated the authority to approve grants/forgivable loans under the Rapid Transit Multi-Residential Rental Housing Incentive Housing Acceleration Incentive Programs from \$250,000 up to the maximum program amount as stated in the applicable Program Description and terms contained in Appendices “B” and “C” respectively of the ‘Housing for Hamilton CIP (2024)’, provided the grant/forgivable loan is provided solely from funds received by the City of Hamilton through the

**Appendix “G” to Report PED23143(c)****Page 3 of 3**

Canadian Mortgage and Housing Corporation’s (CMHC) Housing Accelerator Fund and are being provided in accordance with the Housing Accelerator Fund Contribution Agreement entered into between the City and CMHC dated October 5, 2023.

5. The General Manager is delegated the authority to undertake all acts necessary to carry out the delegated authority approvals provided for in Sections 3 and 4 herein, including entering into and executing any required agreements and executing any required documents.
6. The Executive Committee is delegated the authority to amend program descriptions and terms, with the exception of the grant or forgivable loan maximum amounts, identified in the programs referenced in Section 3 herein, and contained in Appendices “A”, “B” and “C” respectively of the ‘Housing for Hamilton CIP (2024)’, provided that the amended program terms will not conflict with the Housing for Hamilton CIP (2024), the Housing for Hamilton CIPA (2024), the Housing Action Plan, or the Housing Sustainability and Investment Roadmap.
7. This By-law may be cited as “A By-law to delegate approval and program amendment authority for certain incentive programs under the Housing for Hamilton CIP (2024)”.
8. This By-law comes into effect on the date that By-law 24-\_\_\_\_, being the By-law to adopt the ‘Housing for Hamilton CIP (2024)’, comes into effect.

**PASSED** this \_\_\_\_ day of February, 2024

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A. Horwath  
Mayor

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J. Pilon  
Acting City Clerk



**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Planning Division**

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	February 6, 2024
<b>SUBJECT/REPORT NO:</b>	Farm Labour Residences Discussion Paper (PED22002(a)) (Wards 9, 10, 11, 12, 13 and 15)
<b>WARD(S) AFFECTED:</b>	Wards 9, 10, 11, 12, 13 and 15
<b>PREPARED BY:</b>	Lucas Mascotto-Carbone (905) 546-2424 Ext. 1287
<b>SUBMITTED BY:</b>	Shannon McKie Acting Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

### RECOMMENDATION

- (a) That approval be given to **City Initiative CI-23-J for modifications and updates to the Rural Hamilton Official Plan** as it relates to Farm Labour Residences and Additional Dwelling Units – Detached in the Rural Area, be **APPROVED** on the following basis:
- (i) That the Draft Rural Hamilton Official Plan Amendment, attached as Appendix “A” to Report PED22002(a), be adopted by Council;
  - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement, 2020, conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), Greenbelt Plan (2017) and Niagara Escarpment Plan (2017);
- (b) That approval be given to **City Initiative CI-23-J for modifications and updates to the City of Hamilton Zoning By-law No. 05-200** as it relates to Farm Labour Residences and Additional Dwelling Units – Detached in the Rural Area, be **APPROVED** on the following basis:

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OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Farm Labour Residences (PED22002(a)) (Wards 9, 10, 11, 12, 13 and 15) - Page 2 of 18**

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- (i) That the Draft By-law, attached as Appendix “B” to Report PED22002(a), which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
- (ii) That the proposed changes in zoning are in conformity with the Rural Hamilton Official Plan upon approval of Draft Rural Hamilton Official Plan Amendment No. XXX (Appendix “B” attached to Report PED22002(a));
- (iii) That the proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement, 2020, conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), the Greenbelt Plan (2017) and Niagara Escarpment Plan (2017).

**EXECUTIVE SUMMARY**

There is a growing need to provide more options for housing seasonal agricultural workers to support the agricultural industry. The Farm Labour Residences provide accommodation for seasonal farm workers where additional employment is justified for agricultural production. Following delegations to Planning Committee in May of 2021 staff have reviewed the policies and zoning regulations associated with Farm Labour Residences and Additional Dwelling Units - Detached, presented a Discussion Paper (Report PED22002) and conducted consultation with stakeholders on options for providing more flexibility to the City’s policies and regulations on Farm Labour Residences and Additional Dwelling Units – Detached in the Rural area.

Planning staff have recommended modifications to policies and regulations for Farm Labour Residences including:

- Increases to the maximum size permissions for Farm Labour Residences;
- Allowing for multiple Farm Labour Residences associated with farm operations;
- Allowing permanent Farm Labour Residences; and,
- Removing the requirement for shared services between the primary residence and the Farm Labour Residence;

Additionally, staff are recommending permitting Additional Dwelling Units – Detached in the Rural area for lots greater than 1.5 hectares in size and carrying forward the applicable regulations associated with Additional Dwelling Unit – Detached in the Urban Area.

**Alternatives for Consideration – See Page 18**

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**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

Legal: As required by the *Planning Act*, Council will hold a Public Meeting to consider an amendment to the Rural Hamilton Official Plan and Zoning By-law.

**HISTORICAL BACKGROUND**

The current Farm Labour Residence policies implemented under the Rural Hamilton Official Plan were adopted by the City Council on September 27, 2006. The implementing Rural Zones were approved by City Council on July 10, 2015 (By-law No. 15-172) and introduced regulations for on-site Farm Labour Residences.

At the May 4, 2021, Planning Committee meeting, the Committee received delegations from greenhouse operators in response hardships experienced with the City's development application process and Farm Labour Residence policies in the Rural Hamilton Official Plan. The delegates specifically highlighted the restrictions that prevented the development of a second Farm Labour Residence to support the expansion of their greenhouse operation. The delegates emphasized the need for multiple Farm Labour Residences with independent private servicing separate from the existing principal residence. The Planning Committee acknowledged that the policy and zoning limitations were not limited to the delegates' site alone but also applied to the broader rural area. As a result, the Planning Committee directed the staff to undertake a review of the Farm Labour Residence.

On April 28, 2021, the City adopted amendments to Zoning Bylaw No. 05-200 to make modifications to the Farm Labour Residence regulations in the Agriculture (A1) Zone and Rural (A2) Zone (PED20093(a)/By-law No. 21-071). These amendments included, among other matters:

- Updates to the definition of Farm Labour Residence;
- Introduce a new clause describing permitted built forms; and,
- Remove a clause related to FLRs in the form of an accessory apartment not exceeding 25% of the gross floor area of the principal farm dwelling.

These housekeeping amendments were part of the broader Additional Dwelling Unit regulations recently introduced across the Hamilton urban area.



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At the March 22, 2022, Planning Committee staff presented the Farm Labour Residence Discussion Paper (PED22002) which included options for the potential modifications to the Official Plan policies and Zoning By-law amendments related to Farm Labour Residences and Additional Dwelling Units – Detached. Report PED22002 also provided direction to staff to consult on the options of the Discussion Paper and to report back to Planning Committee on the results of consultation and recommendations to revise the policies and regulations.

Staff consulted with stakeholders throughout 2022 and 2023 to determine the final recommendations for amendments to the Rural Hamilton Official Plan and Zoning By-law No. 05-200.

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

Provincial Plans

The Provincial Policy Statement (PPS) 2020 and the Greenbelt Plan 2017 include farm labour residences as part of the Agriculture definitions provided the associated on-farm buildings and structures constitute accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

The current Provincial Policy Statement (PPS) and the Greenbelt Plan include the following definition:

**“Agricultural uses:** means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock, raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.”

Farm labour residences are classified as a permitted use within agricultural areas based on their definition. Neither the Provincial Policy Statement nor the Greenbelt Plan have specific policies regarding farm labour residences. However, there is general guidance for rural lands in municipalities, emphasizing the promotion of development that is compatible with the rural landscape and can be sustained by rural service levels. In general, farm labour residences are supported provided they are necessary due to the size and nature of the farm operation requiring additional employment. However, the creation of new lots solely for the purpose of accommodating a farm labour residence is not supported.

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Additional Dwelling Units – Detached are recognized in the Greenbelt Plan outside of the Natural Heritage System with accessory structures on the same lot as existing single detached dwellings (Policy 4.5.3).

The proposed amendments to the Rural Hamilton Official Plan and Zoning By-law No. 05-200 are consistent with the Provincial Policy Statement and conform to the Greenbelt Plan.

**Niagara Escarpment Plan (2017)**

The Niagara Escarpment Plan builds on the policies of the Provincial Policy Statement and provides additional land use planning policies for preservation of the Niagara Escarpment. The Niagara Escarpment Plan land use designations and policies prevails over the policies of the Rural Hamilton Official Plan and the authority of the regulations of Zoning By-law No. 05-200.

The Niagara Escarpment Plan permits temporary dwelling unit(s) accessory to agriculture for farm labour subject to general criteria set out in Policy 2.8.5:

“2.8 Agriculture

Dwelling Units Accessory to Agricultural Uses

5. A temporary dwelling unit(s) for farm labour may be permitted on the same property as the principal farmhouse, subject to the following criteria:
  - a) Additional farm labour is required on a full-time or seasonal basis;
  - b) The dwelling unit(s) shall be mobile or portable, without a basement; or the dwelling unit(s) may be permitted within an existing farm building or structure on a temporary basis, where justified (e.g., barn);
  - c) The dwelling unit(s) should be located within the existing farm building cluster, and the existing farm lane access is to be used where possible; and,
  - d) The dwelling unit(s) shall be temporary and shall be removed within a period set out in the Development Permit when the dwelling unit is no longer required.”

A permit will be required from the Niagara Escarpment Commission for any development within the Niagara Escarpment Plan and for the purposes of Farm Labour Residences, development will be restricted to temporary structures.

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Additionally, Policy 1.5.3 of the Niagara Escarpment Plan permits Secondary Dwelling Units in accordance with the General Development Criteria set out in Policy 2.2.11 which states:

“11. The following provisions apply to secondary dwelling units:

- a) A single secondary dwelling unit may be permitted on an existing lot of record;
- b) Notwithstanding the above, a secondary dwelling unit shall not be permitted on an existing lot of record where there is more than one single dwelling, including any dwelling approved under Part 2.2.7 of this Plan;
- c) The secondary dwelling unit shall be contained entirely within a single dwelling or in an addition to a single dwelling and shall not be permitted in a detached accessory facility;
- d) The floor area of a secondary dwelling unit shall be subordinate in size to the single dwelling;
- e) Secondary dwelling units shall not be permitted in a group home or a single dwelling containing a bed and breakfast; and,
- f) A home occupation or home industry shall not be permitted within a secondary dwelling unit.”

The proposed amendments for Additional Dwelling Units – Detached align with the policies of the Niagara Escarpment Plan.

## **2.0 Rural Hamilton Official Plan**

The Rural Hamilton Official Plan currently provides a policy direction for Farm Labour Residences planned within the rural area. Policies D 2.1.1.6 and D.2.1.1.7 of the Rural Hamilton Official Plan permits a maximum of one farm labour residence on the same lot of a primary farm use with the following required conditions:

- Confirmation that the size and nature of the farm operation requires additional labourers to support the farm;
- Limited to one unit attached to the primary residence or one temporary structure (mobile home or bunk house);
- Servicing is required to be shared with the Farm Labour Residence and the primary dwelling;

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- The temporary structure is to be removed when no longer necessary for farm support; and,
- No severance is permitted for the Farm Labour Residence.

An Official Plan Amendment is required to provide more flexibility for Farm Labour Residences to allow 24/7/365 farm operations, more appropriate housing options for seasonal labourers and on farm diversification opportunities.

Additionally, Policies C.3.1.2 and F.1.14.2 of the Rural Hamilton Official Plan apply to, apply to secondary dwelling unit - detached:

**“C.3.1.2** The following uses shall be permitted in the Agriculture, Specialty Crop, Rural and Rural Settlement Area designations, provided the applicable conditions are met:

- e) *A secondary dwelling unit - detached* shall not be permitted in Rural Hamilton until such time as the City:
  - i) has completed a study to address the adequacy of sustainable servicing policies of Section C.5 to address secondary dwelling units - detached; and,
  - ii) has developed and implemented appropriate policies and regulations for these uses.

**F.1.14.2.1** The following policies shall apply to all severances and lot additions, including minor lot line adjustments and boundary adjustments in the Agriculture, Rural, Specialty Crop, and Open Space designations, and designated Rural Settlement Areas, as shown on Schedule D – Rural Land Use Designations: (OPA 18)

- i) Severances shall not be granted for dwellings created as *secondary dwelling units – detached.*”

City staff recommends permitting Additional Dwelling Units - Detached, provided they are constructed on properties exceeding 1.5 hectares in size. This recommendation aims to ensure that the development aligns with appropriate servicing needs, promoting sustainable growth and addressing the evolving housing requirements in Rural Areas. An Official Plan amendment is required to permit Additional Dwelling Units – Detached in the Agriculture, Specialty Crop, Rural and Rural Settlement Area designation and establish the minimum lot area requirements to ensure the adequacy of sustainable services. A reduction to the minimum lot area requirement may be appropriate where it can be demonstrated that the primary dwelling and the Additional

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Dwelling Unit – Detached can achieve the minimum servicing requirements established in the Rural Hamilton Official Plan policies.

### **3.0 Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA)**

The Ontario Ministry of Agriculture Food and Rural Affairs released “Guidelines on Permitted Uses in Ontario Prime Agricultural Areas”. These guidelines aim to assist municipalities, farmers, and other stakeholders in understanding and applying the policies of the Provincial Policy Statement regarding the allowable uses in prime agricultural areas. The Guidelines work in conjunction with the Provincial Policy Statement and Greenbelt Plan to provide specific guidance on farm help housing as an agricultural use. While the guidelines primarily focus on land uses in prime agricultural areas, they are also applicable to rural lands. The guidelines provide direction to locate Farm Labour Residences in a cluster when possible and in an area of the farm that has the least impact on agriculture, meeting the province’s minimum distance separation formulae. The Minimum Distance Separation will apply to the location of any new Farm Labour Residence as well as Additional Dwelling Unit – Detached.

The Provincial Policy Statement defines prime agricultural areas as follows:

*“...areas where prime agricultural lands predominate (speciality crops and Canadian Land Inventory Class 1, 2, and 3 lands). This includes areas of prime agricultural lands and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas may be identified by the Ontario Ministry of Agriculture and Food using guidelines developed by the Province as amended from time to time. A prime agricultural area may also be identified through an alternative agricultural land evaluation system approved by the Province.”*

### **4.0 Foreign Agricultural Resource Management Service (F.A.R.M.S)**

The Foreign Agricultural Resource Management Service is a federally incorporated non-profit organization. They developed the *Seasonal Farm Worker Housing Guidelines* to aid local public health and other agencies in assessing the suitability of housing for both domestic and foreign farm workers. The guidelines were last updated in 2010 and establish minimum construction standards, sewage disposal protocols, occupancy calculations, water supply guidelines, and food handling requirements. These guidelines serve as baseline requirements for seasonal farm worker housing and focus on ensuring health and safety rather than land use considerations.

Currently, the authority to regulate the construction and maintenance of farm labour housing generally remains under municipal jurisdiction through the implementation of

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the Ontario Building Code via building permits, Official Plan policies and Zoning By-law standards and regulations. Other authority bodies such as the Ministry of Municipal Affairs and Housing, Ontario Fire Marshal's Office, Ontario Ministry of Agriculture, and the Foreign Agricultural Resource Management Services play a role in the inspection and oversight of farm labour practices and residences as part of broader farm resource management.

## **5.0 Zoning By-law No. 05-200**

The City's comprehensive Zoning By-law No. 05-200 regulates and defines Farm Labour Residences which are permitted in Agriculture (A1), Rural (A2), and Extractive Industrial (M12) Zones. The regulations were updated as a result of the Secondary Dwelling Unit project in April 2021 (By-law No. 21-071 (PED20093(a))). Farm Labour Residences are subject to the regulations found within Section 9.12.3.1j), 12.1.3.1 j), and 12.2.3.1 j) which are summarized as follows:

- One Farm Labour Residence allowed per lot as an accessory to agriculture on the same lot as the principal Farm Dwelling in the following permitted forms:
  - Accessory detached dwelling (e.g., mobile home); and,
  - Accessory detached bunk house with shared cooking and sanitary facilities.
  
- Current Regulations:
  - Must be located within 30.0 metres of the Farm Dwelling;
  - Maximum building height of 10.5 meters;
  - Must use existing driveway access to the Farm Dwelling;
  - Temporary detached dwelling must have a minimum floor area of 65.06 square meters and a maximum of 116.2 square meters; and,
  - Temporary bunk house must have a minimum gross floor area of 65.06 square meters or 8.36 square meters per resident, whichever is greater.

A Zoning By-law amendment is required to provide additional flexibility in the Agriculture (A1) Zone, Rural (A2) Zone, or Settlement Residential (S1) Zone. As a result of the proposed Rural Hamilton Official Plan amendments staff are proposing amendments to allow for Additional Dwelling Units – Detached as of right, on lots greater than 1.5 hectares. The associated regulations establish the permissions for the building location in relation and subordinate to the primary dwelling. An Additional Dwelling Unit – Detached may be considered on a lot less than 1.5 hectares where it can be demonstrated that the minimum servicing requirements for both the primary and Additional Dwelling Unit – Detached can be achieved in accordance with the Rural Hamilton Official Plan policies and Adequate Services regulations of Zoning By-law No. 05-200.

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**RELEVANT CONSULTATION**

Staff within the Building Division, Hamilton Water (Source Water Protection) and Development Planning, Heritage and Design were consulted to identify any interpretation and/or implementation issues with the alternatives provided under the initial Farm Labour Residence Discussion Paper (CI-22-E).

Consultation has been undertaken with staff in the Licensing and By-law Services Division, Development Planning and Zoning Review Sections of the Planning and Economic Development Department which have informed the final recommendations of this Report.

At the March 22, 2022, Planning Committee authorized staff to undertake public and stakeholder consultation on the preliminary recommendations set out in the Farm Labour Residence Discussion Paper prepared by staff in Report PED22002.

The following external stakeholders and agencies were consulted to inform the proposed amendments to accommodate Farm Labour Residences and Additional Dwelling Units - Detached:

- Agricultural and Rural Affairs Committee;
- Ontario Federation of Agriculture;
- Ontario Ministry of Agriculture, Food and Rural Affairs; and,
- Other interested parties.

A variety of online tools were used to engage the public and obtain feedback on the issues and themes identified in the Farm Labour Residence Discussion Paper. The public and stakeholder engagement occurred on the Engage Hamilton portal between April 2022 and September 2022. One comment was received, and the recommendations of this Report address the concerns related to creating more flexibility in farm operations.

Staff also held individual meetings with various agencies and interested parties such as the Niagara Escarpment Commission, Ontario Ministry of Agriculture, Food, Hamilton-Wentworth Federation of Agriculture and Rural Affairs, agricultural operators and the Agriculture and Rural Affairs Committee to obtain seek feedback on the potential Farm Labour Residence regulations. The feedback received by staff assisted in formulating the final recommendations on increasing opportunities for Farm Labour Residences and Additional Dwelling Units – Detached on Rural properties.

In November 2023, staff participated in a joint training session organized by the Ontario Ministry of Agriculture, Food and Rural Affairs and the Ontario Federation of Agriculture focused on "Uses Permitted in Prime Agricultural Areas." This collaborative

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initiative aimed at enhancing knowledge and understanding of the evolving landscape within prime agricultural areas. In addition, staff engaged in a joint tour of Brenn-B Farms and Beverly Greenhouses, organized by the Hamilton-Wentworth Federation of Agriculture and the City's Business Investment and Sector Development Division. This hands-on experience provided valuable insights into agricultural practices and allowed for meaningful exchanges with industry experts.

On November 29, 2023, Planning Staff delivered presented the proposed Farm Labour Residence and Additional Dwelling Unit regulations to the members of the Hamilton-Wentworth Federation of Agriculture. Subsequently, November 30<sup>th</sup>, 2023, Planning Staff presented the proposed Official Plan Amendments and Zoning Regulations to the Agriculture and Rural Affairs Advisory Committee. This extended forum allowed for the presentation of finalized proposals and facilitated valuable discourse, enabling the gathering of additional feedback. The collaborative exchange during these sessions exemplified our commitment to transparent communication and inclusive decision-making processes, ensuring that all stakeholders had an opportunity to contribute to the refinement of our proposals. As a result of the consultation staff have modified the recommendations to:

- Provide additional flexibility in the maximum size of Farm Labour Residences;
- Removed the requirement that Farm Labour Residences be a temporary construction; and,
- Increased the maximum size of Additional Dwelling Units – Detached.

Notice of the proposed amendments was posted in the Hamilton Spectator on January 19, 2024, in accordance with the *Planning Act*.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

### **1.0 Municipal Comparisons**

As part of Report PED22002, staff conducted a review of Municipal Official Plan policies and Zoning By-law regulations relating to Farm Labour Residences across several other provincial jurisdictions based on county profile data from Ontario Ministry of Agriculture, Food and Rural Affairs. These jurisdictions include:

- City of Ottawa;
- Haldimand County;
- Norfolk County;
- Niagara Region;
- Town of Niagara-on-the-Lake;
- Lincoln County;

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- Halton Region;
- Town of Milton; and,
- Wellington County.

The options for expanding Hamilton's requirements for Farm Labour Residences recommended below have been drawn from examples implemented in other provincial municipalities, which include:

- Farm Labour Residences must be on the same lot or farm as primary farm dwellings;
- Approved waste disposal system and adequate water supply is required (no specific standards that system must be shared with primary residence);
- Maximum number of workers per farm operation ranging from 40 workers per farm and up to 130 workers for greenhouse operations;
- Bunkhouses are encouraged to be located in proximity to the farm building but may be permitted on a separate lot that is part of the farm operation; and,
- Farm Labour Housing is of temporary construction and removed when no longer required.

A common trend reviewed among municipalities is the inclusion of provisions allowing for a maximum of one Farm Labour Residence on the same lot as the principal dwelling. Farm Labour Residences are typically required to be of temporary construction and have sufficient servicing. However, the City of Ottawa and the Town of Lincoln stand out as exceptions, permitting additional Farm Labour Residences if the size and nature of the farm operation justifies it. The regulation of the maximum number of occupants within a Farm Labour Residences is not commonly found across the reviewed municipalities, except in Norfolk County where a maximum of six bedrooms is specified for bunk houses or mobile homes. Furthermore, specific minimum parcel sizes for Farm Labour Residences are present in the City of Ottawa and St. Catherine's Zoning By-laws, while other municipalities lack such references.

Farm Labour Residence development applications are currently evaluated by Development Planning staff. To initiate the process, a farm operator must complete a request form and provide a detailed sketch of the proposed Farm Labour Residence to Development Planning staff. The applicant's submission is assessed based on the justification provided, confirming that the size and nature of the farm operation necessitate additional employment housing in line with the Rural Hamilton Official Plan policies and zoning regulations. After Planning approval, the Owner may submit Building Permit application for the proposed Farm Labour Residence construction.

Between 2015 and 2021, Development Planning received a total of eight applications for Farm Labour Residences. As part of their evaluation, planning staff analysed a

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selected number of FHH applications to identify patterns, common issues, and minor variance requests, aiming to identify any potential gaps in RHOP policies, zoning regulations, and the Development Planning staff review processes. The examination of Farm Labour Residences applications has revealed the following findings:

- Proposed increase to the maximum floor area ranging between 139.5 square metres – 513 square metres for Farm Labour Residences;
- Multiple Farm Labour Residences proposed on a lot (e.g. 3 units contained within a building);
- Farm Labour Residences as permanent structures;
- Convert an existing single detached dwelling to a Farm Labour Residence and construct a new primary residence; and,
- Request to locate a Farm Labour Residence more than 30 metres from the principal dwelling.

The requests mentioned above were primarily observed within greenhouse operations, which require a higher volume of labour to support their scale and intensity. Consequently, these operations often require larger housing accommodations for farm help. However, it is noteworthy that several of the Farm Labour Residence applications were not materialized by the applicants. This was due to the inability to meet the requirements outlined in the Rural Hamilton Official Plan policies, zoning regulations, or other external factors.

The Farm Labour Residences Discussion Paper (Report PED22002) discussed five issues related to Farm Labour Residences and Additional Dwelling Units – Detached. The proposed Official Plan Amendment and Zoning By-law amendments are based on the following analysis.

## **2.0 Recommendations**

### **2.1 Issue 1 – Number of Farm Labour Residences per lot**

Currently, a maximum of one Farm Labour Residence is allowed per lot (Policy D.2.1.1.6 b)) and Zoning By-law Regulations 12.1.3.1 j) ii), and 12.2.3.1 j) ii)). Development applications that considered more than one Farm Labour Residence have historically not been supported by staff as they did not comply with Policy D.2.1.1 b) of the Rural Hamilton Official Plan. The Farm Labour Residence Discussion Paper considered the following alternatives:

- 1) Maintain existing policies to limit Farm Labour Residences to a maximum of one per lot.

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- 2) As of right permissions for more than one Farm Labour Residence per farm site in the form of a temporary detached structure with a maximum aggregate gross floor area of 420 square metres.
- 3) Permit up to a maximum of three Farm Labour Residences per lot.

Consultation on the alternatives has demonstrated that providing opportunity for more than one Farm Labour Residence will better support the 24/7/365 operation of some farms. Additionally, the temporary nature of the Farm Labour Residence has proven to be difficult to implement and, in some cases, results in the structures being substandard for year round operations. The temporary nature of a building does not result in less impact on the farming practice or servicing. Permanent structures offer better options for weather proofing.

The Discussion paper also suggested a maximum aggregate gross floor area of 420 square metres for all Farm Labour Residences. The recommendation was based on a maximum of 40 Farm Labourers, minimum area associated with sleeping facilities, kitchen, living room and bathroom facilities and common areas. Through consultation staff determined that the maximum gross floor area limited the number of workers permitted rather than regulating the effect of additional buildings on-site. Therefore, the recommendation of this report is to limit the aggregate lot coverage for all Farm Labour Residences to 420 square metres. The maximum lot coverage reduces the amount of impervious area but provides flexibility in the number of labourers accommodated and the format of living arrangements.

Therefore, staff are recommending allowing more than one permanent Farm Labour Residence with a maximum aggregate lot coverage of 420 square metres.

## 2.2 Issue 2 – Maximum Gross Floor Area for an Individual Farm Labour Residence

Currently, the City's comprehensive Zoning Bylaw No. 05-200 allows a maximum floor area of 116.2 m<sup>2</sup> (1250.76 ft<sup>2</sup>) for a Farm Labour Residence (FLR). The Farm Labour Residence Discussion Paper considered the following alternatives:

- 1) Maintain current 116.2 square metre maximum gross floor area per individual Farm Labour Residence;
- 2) Increased maximum gross floor area to 200 square metres per individual Farm Labour Residence;
- 3) Eliminate maximum gross floor area per individual Farm Labour Residence.

Staff have reviewed historic Farm Labour Residence development applications which has shown that the existing maximum floor area requirement (116.2 square metres) is too restrictive. Several applications, including those for greenhouse and agri-tourism uses, have demonstrated the need for Farm Labour Residence's ranging from 139

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square metres to 513 square metres. The Southwestern Public Health Unit has published “Housing Guidelines for Seasonal Farm Workers”, which recommend a maximum occupancy rate of one person per 7.44 square metres for sleeping facilities. Based on the current 116.2 square metre floor area requirement, the maximum occupancy allowed under the City's standards is 15 persons. However, it is important to note that this figure does not account for other living spaces, washroom facilities, and common amenity areas necessary for a satisfactory living environment.

During their analysis of other surrounding municipalities, Planning Staff found that only a few regulate the maximum number of farm laborers based on the number of bedrooms or occupant limits. Recognizing that directly regulating the maximum number of occupants may be overly restrictive, a combination of occupancy rates, typical water/wastewater servicing capacity, and minimum requirements from the Ontario Building Code were used to determine a maximum gross floor area per individual Farm Labour Residence. Therefore, a maximum gross floor area per individual Farm Labour Residence of 200 square metres is proposed.

The increased gross floor area can have several benefits, including supporting the expansion of farm operations, reducing the risk of overcrowding in farm housing, and facilitating the provision of quality housing accommodations. By allowing for larger farm housing accommodations, the increased gross floor area can contribute to improved living conditions for farm workers and promote a healthier and more sustainable working environment on farms.

### 2.3 Issue 3 – Farm Labour Residence Built Form (Permanent or Temporary Structures)

The existing Rural Hamilton Official Plan policies and Zoning By-law regulations require that Farm Labour Residences be in the form of temporary structures, to be removed once no longer necessary. The Farm Labour Residence Discussion Paper contemplated the following alternatives:

- 1) Maintain the requirement for temporary structures for Farm Labour Residences;
- 2) Allow permanent Farm Labour Residence structures for Greenhouse Facilities only; and,
- 3) As of right permissions for permanent Farm Labour Residences.

Agricultural producers, particularly greenhouse operators, have expressed the need to provide farm worker accommodations within permanent structures. However, the While the Discussion Paper initially recommended maintaining the temporary construction requirements of Farm Labour Residences, staff are recommending that Farm Labour Residences be permitted as permanent structures aligning with practices in other municipalities such as the City of Ottawa and Town of Lincoln.

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Staff recognize that farming operations consistently require year-round staffing. The adoption of intensified growing processes underscores the necessity of permitting permanent Farm Labour Residence structures. This support aligns with the increased production demands inherent in specialized agricultural industries. Notably, the continuous nature of greenhouse operations demands 24-hour supervision and attention to commodities. Planning staff already have established mechanisms to address built form regulations, location of Farm Labour Residences, and private servicing requirements. These regulations are effective mechanisms to mitigate any potential concerns associated with permanent structures, ensuring they do not compromise the agricultural viability and long-term soil productivity of the lands. By implementing thoughtful planning measures, the proposed policy and implementing regulations strike a balance between meeting the demands of intensified growing processes and preserving the sustainable future of agricultural activities on the designated lands.

Farm operations serve as a crucial catalyst for driving economic growth within the City and its surrounding regions. Recognizing their pivotal role, Staff comprehends that permitting permanent Farm Labour Residences holds significant potential in facilitating the expansion of farm operators' businesses and fostering the diversification of economic opportunities in the area. Through extensive stakeholder engagement, it has become evident that deeming Farm Labour Residences as temporary without establishing a specific timeline for removal is not an implementable approach. Acknowledging the importance of clarity and practicality in regulatory frameworks, Planning Staff is committed to crafting effective policies that support the sustainable growth of farm operations while ensuring a responsible and feasible implementation of regulations related to Farm Labour Residences.

#### 2.4 Issue 4 – Servicing

The existing policies of the Rural Hamilton Official Plan require shared servicing between the principal farm dwelling and Farm Labour Residences.

- 1) Maintain shared servicing requirement.
- 2) Separate private servicing.

Requiring shared servicing between the primary farm dwelling and the Farm Labour Residence discouraged the division and fragmentation of agricultural land while promoting the construction of buildings within a farm cluster. However, the policies under Section C.5.1, Private Water and Wastewater Services, must be met to accommodate the development of a Farm Labour Residence and provide sufficient direction on servicing requirements. Further, Policy D.2.1.1.7 of the Rural Hamilton Official Plan prohibits the severance of a lot for a farm labour residence. The

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additional measure to require shared services limits the location and size of Farm Labour Residences unnecessarily.

Planning staff, in consultation with Hamilton Water staff, recommend deleting Rural Hamilton Official Plan Policy D 2.1.1.6 b) i), which requires Farm Labour Residences to be serviced by the same private sewer and water systems as the principal farm residence.

The shared servicing policy restricts the development of flexible alternatives for agricultural producers in constructing Farm Labour Residences. The proposed Official Plan amendment will remove the shared servicing requirement, however there is still an option to implement a shared system between the primary farm dwelling and Farm Labour Residence if the minimum servicing standards can be met.

## 2.5 Issue 5 – Compatibility with Additional Dwelling Units – Detached (Rural)

The Rural Hamilton Official Plan and Zoning By-law No. 05-200 defines and regulates Farm Labour Residences and Additional Dwelling Units – Detached distinctly. The Farm Labour Residence Discussion Paper included a review of the changes being proposed for Additional Dwelling Units and Additional Dwelling Units – Detached throughout the City and determined that Farm Labour Residences and Additional Dwelling Units – Detached should remain different and distinct from each other. The proposed Official Plan amendment and Zoning By-law amendments will allow Additional Dwelling Units – Detach on properties greater than 1.5 hectares in size, in addition to the permissions for Farm Labour Residences. In consultation with Hamilton Water staff have determined that a minimum lot area of 1.5 hectares is required to service a primary farm dwelling, Additional Dwelling Unit – Detached and Farm Labour Residence. Any development will be required to meet the requirements of Section 4.20 Adequate Services of Zoning By-law No. 05-200 and will be reviewed on a site by site basis.

Additional Dwelling Units – Detached are restricted from the following Settlement areas as a continuation of previous restrictions:

- Lower Stoney Creek lands;
- Freerton Rural Settlement Area;
- Greenville Rural Settlement Area;
- Lynden Rural Settlement Area; and,
- Carlisle Rural Settlement Area;

The built form regulations associated with Additional Dwelling Units – Detached in the Urban Area are proposed to be carried forward except for the maximum gross floor area. The existing regulation limits an Additional Dwelling Unit – Detached to 75% of

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**SUBJECT: Farm Labour Residences (PED22002(a)) (Wards 9, 10, 11, 12, 13 and 15) - Page 18 of 18**

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the gross floor area of the principal dwelling to limit over development on properties. The same concern is avoided on lots larger than 1.5 hectares. Therefore, the Additional Dwelling Unit – Detached is not permitted to exceed the gross floor area of the principal dwelling.

Eliminating the requirement for shared services is also proposed to enhance flexibility and accommodate the unique operational demands of agricultural enterprises. These strategic adjustments aim to foster a regulatory environment that is both consistent and accommodating to the evolving needs of farm operations within the community.

### 3.0 Implementation

The development of a Farm Labour Residence(s), Additional Dwelling Unit – Detached, or both will be subject to the issuance of a Building Permit to demonstrate conformity with the Ontario Building Code. Prior to issuance of a Building Permit the developments will be required to pay the requisite Development Charges, Parkland Dedication, Community Benefit Charges.

## **ALTERNATIVES FOR CONSIDERATION**

Council could opt to not approve the proposed amendments and maintain the existing policies and regulations associated with Farm Labour Residences. This alternative will also have the effect of restricting Additional Dwelling Units – Detached in the rural area.

## **APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” to Report PED22002(a) – Draft Official Plan Amendment  
Appendix “B” to Report PED22002(a) – Draft Zoning By-law Amendment

LMC:sd

## **DRAFT Rural Hamilton Official Plan Amendment No. X**

The following text, together with Appendix "A" attached hereto, constitutes Official Plan Amendment No. "X" to the Rural Hamilton Official Plan.

### **1.0 Purpose and Effect:**

The purpose and effect of this Amendment is to amend the permissions for Secondary Dwelling Unit – Detached and farm labour residences within the Rural Hamilton Official Plan.

### **2.0 Location:**

The lands affected by this Amendment are located within the Rural Area of the City of Hamilton.

### **3.0 Basis:**

The basis for permitting this Amendment is as follows:

- The Amendment provides consistency between the Rural Hamilton Official Plan and Zoning By-law No. 05-200 respecting Secondary Dwelling Unit – Detached and Farm Labour Residences.
- The Amendment allows for on farm diversification in support of evolving year round farming operations.
- The Amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended.

### **4.0 Actual Changes:**

#### **4.1 Volume 1 – Parent Plan**

**Text**



#### 4.1.1 Chapter C – City Wide Systems and Designations

a. That Volume 1: Chapter C – City Wide Systems and Designations, Section 3.0 – General Land Use Provisions and Designations, Policy C.3.1.2 e) be deleted and replaced with the following:

“e) An additional dwelling unit – detached shall be permitted in Rural Hamilton subject to the following:

- i) One additional dwelling unit – detached may be permitted on a lot with a minimum lot area of 1.5 hectares.
- ii) The primary farm dwelling and the additional dwelling unit – detached can achieve the minimum servicing requirements of Policy C.5.1 of this Plan.
- iii) The minimum lot area established in e) i) above may be reduced where it can be demonstrated that the minimum servicing requirements of Policy C.5.1 of this Plan can be achieved.”

#### 4.1.2 Chapter D – Rural Systems, Designations and Resources

a. That Volume 1: Chapter D – Rural Systems, Designations and Resources, Section D.2.0 – Agriculture Designation, Policy D.2.1.1.6 b) be amended by:

- i) Deleting the “maximum of one” before “farm labour residence”;
- ii) Deleting the word “temporary: between “accessory detached” and “dwelling”;
- iii) Deleting Policy D.2.1.1.6 b) i); and,
- iv) Renumbering Policy D.2.1.1.6 b) ii) as D.2.1.1.6 b) i).

### **5.0 Implementation:**

An implementing Zoning By-Law Amendment will give effect to the amended policies.

This Official Plan Amendment is Schedule “1” to By-law No. \_\_\_\_\_ passed on the \_\_\_\_\_<sup>th</sup> of \_\_\_\_\_, 2024.

The  
City of Hamilton

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A. Horwath  
MAYOR

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J. Pilon  
ACTING CITY CLERK

**Appendix “B” to Report PED22002(a)  
Page 1 of 5**

**Authority:** Item,  
Report (PED22002(a))  
CM:  
Wards: 9, 10, 11, 12, 13, 15

**Bill No.**

**CITY OF HAMILTON  
BY-LAW NO.**

**To amend Zoning By-law No. 05-200 with respect to Farm Labour Residences and Additional Dwelling Units – Detached in Rural Zones**

**WHEREAS** Council approved Item \_\_\_ of Report \_\_\_\_\_ of the Planning Committee, at

**AND WHEREAS** this By-law conforms with the Rural Hamilton Official Plan upon adoption of Official Plan Amendment No.XX;

**NOW THEREFORE** Council amends Zoning By-law No. 05-200 as follows:

1. That the following Section be added:

**“4.33.4 ADDITIONAL DWELLING UNIT – DETACHED IN AGRICULTURE (A1), RURAL (A2) AND SETTLEMENT RESIDENTIAL (S1) ZONES**

- (a) For lands within an A1, A1, S1 Zone, a maximum of one Additional Dwelling Unit – Detached shall be permitted on a lot containing a Single Detached Dwelling.
  - i) Notwithstanding 4.33.4 (a) above, an Additional Dwelling Unit – Detached shall not be permitted on lands identified in Figures 24.1 to 24.5 of Schedule “F” – Special Figures.
- (b) In addition to Section 4.33.4 (a), a legally established accessory building existing as of May 12, 2021, may be converted to the one Additional Dwelling Unit - Detached permitted on a lot containing an existing Single Detached Dwelling subject to the following provision:
  - i) Any additions over 10% of the existing gross floor area of the legally established accessory building converted to an

**Appendix “B” to Report PED22002(a)****Page 2 of 5**

Additional Dwelling Unit – Detached shall be in accordance with the regulations of Section 4.33.4.

- (c) All the regulations of this By-law applicable to the existing dwelling shall continue to apply unless specifically provided in Section 4.33.4.
- (d) An Additional Dwelling Unit – Detached shall only be permitted in a Rear and/or interior Side Yard.
- (e) A minimum 1.2 metre setback shall be provided from the interior Side Lot Line and Rear Lot Line.
  - i) Notwithstanding Section 4.33.4 (e), an eave or a gutter may extend a maximum of 0.45 metres into a required minimum setback area.
  - ii) In addition to Section 4.33.4 (e), a landscape strip is required to be provided within the required side yard adjacent to an Additional Dwelling Unit – Detached and shall be limited to sod, ground cover, permeable pavers, or a planting strip, and may include a visual barrier.
- (f) An Additional Dwelling Unit – Detached shall not be located closer to the flankage street than the principal dwelling.
- (g) An unobstructed path with a minimum 1.0 metre width and minimum 2.1 metre clearance in height from a street line to the entrance of the Additional Dwelling Unit – Detached shall be provided and maintained.
- (h) The following building separation shall be provided:
  - i) Where an Additional Dwelling Unit – Detached is in the Rear Yard, a minimum distance of 7.5 metres shall be required between the rear wall of the principal dwelling and the Additional Dwelling Unit – Detached.
  - ii) Where an Additional Dwelling Unit – Detached is in an Interior Side Yard, the following is required:
    - A) A minimum distance of 4.0 metres shall be provided between the side wall of the principal dwelling and an Additional Dwelling Unit – Detached; and,

## Appendix "B" to Report PED22002(a)

## Page 3 of 5

B) An Additional Dwelling Unit – Detached shall be set back a minimum 5.0 metres from the front façade of the principal dwelling.

- (f) A maximum height of 6.0 metres shall be permitted.
  - i) Notwithstanding Section 4.33.4 (i), balconies and rooftop patios shall be prohibited above the first floor level.
- (g) The maximum gross floor area shall not exceed the principal dwelling.
- (h) Notwithstanding 4.33.4 (g) above, the maximum combined lot coverage of all accessory buildings, Farm Labour Residence(s) and the Additional Dwelling Unit - Detached shall be 25%.
- (i) The waste disposal and water supply systems shall be in accordance with Section 4.22 iii)."

2. That Section 9.12.3.1 j) be deleted and replaced with the following:

- |                                  |   |
|----------------------------------|---|
| <p>"j) Farm Labour Residence</p> | <p>i) A Farm Labour Residence, accessory to Agriculture and on the same lot as an existing permanent principal Farm Dwelling, may be permitted in accordance with the following:</p> <ol style="list-style-type: none"> <li>1. Shall have a maximum building height of 10.5 metres.</li> <li>2. All Farm Labour Residences shall have an aggregate maximum lot coverage of 420 square metres.</li> <li>4. All Farm Labour Residences shall be separated from the principal Farm Dwelling by a minimum of 30 metres.</li> <li>3. All Farm Labour Residences shall be a separated by a minimum of 10 metres.</li> </ol> |
|----------------------------------|---|

3. That Section 12.1.3.1 j) be deleted and replaced with the following:

- |                                  |  |
|----------------------------------|--|
| <p>"j) Farm Labour Residence</p> | <p>i) A Farm Labour Residence, accessory to Agriculture and on the same lot as an existing</p> |
|----------------------------------|--|

**Appendix “B” to Report PED22002(a)**  
**Page 4 of 5**

permanent principal Farm Dwelling, may be permitted in accordance with the following:

1. Shall have a maximum building height of 10.5 metres.
  2. All Farm Labour Residences shall have an aggregate maximum lot coverage of 420 square metres.
  4. All Farm Labour Residences shall be separated from the principal Farm Dwelling by a minimum of 30 metres.
  3. All Farm Labour Residences shall be a separated by a minimum of 10 metres.
4. That Section 12.1.3.4 be amended by adding the words “ADDITIONAL AND DWELLING UNIT – DETACHED” between the words “UNIT” and “REGULATIONS”.
5. That Section 12.2.3.1 j) be deleted and replaced with the following:
- |                           |   |
|---------------------------|---|
| “j) Farm Labour Residence | i) A Farm Labour Residence, accessory to Agriculture and on the same lot as an existing permanent principal Farm Dwelling, may be permitted in accordance with the following: |
|---------------------------|---|
1. Shall have a maximum building height of 10.5 metres.
  2. All Farm Labour Residences shall have an aggregate maximum lot coverage of 420 square metres.
  4. All Farm Labour Residences shall be separated from the principal Farm Dwelling by a minimum of 30 metres.
  3. All Farm Labour Residences shall be a separated by a minimum of 10 metres.
6. That Section 12.2.3.8 be amended by adding the words “AND ADDITIONAL DWELLING UNIT – DETACHED” between the words “UNIT” and “REGULATIONS”.

**Appendix “B” to Report PED22002(a)**

**Page 5 of 5**

7. That Section 12.3.4 be amended by deleting the words “Secondary Dwelling” and replacing them with “ADDITIONAL DWELLING UNIT AND ADDITIONAL DWELLING UNIT – DETACHED”.
8. That Figures 24.1 to 24.5 of Schedule “F” – Special Figures be amended by adding the words “and Additional Dwelling Units – Detached” to the title block.
9. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

**PASSED** this \_\_\_\_\_, 2024

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A. Horwath  
Mayor

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J. Pilon  
Acting City Clerk

CI-23-J

## **DRAFT Rural Hamilton Official Plan Amendment No. X**

The following text, together with Appendix "A" attached hereto, constitutes Official Plan Amendment No. "X" to the Rural Hamilton Official Plan.

### **1.0 Purpose and Effect:**

The purpose and effect of this Amendment is to amend the permissions for Secondary Dwelling Unit – Detached and farm labour residences within the Rural Hamilton Official Plan.

### **2.0 Location:**

The lands affected by this Amendment are located within the Rural Area of the City of Hamilton.

### **3.0 Basis:**

The basis for permitting this Amendment is as follows:

- The Amendment provides consistency between the Rural Hamilton Official Plan and Zoning By-law No. 05-200 respecting Secondary Dwelling Unit – Detached and Farm Labour Residences.
- The Amendment allows for on farm diversification in support of evolving year round farming operations.
- The Amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended.

### **4.0 Actual Changes:**

#### **4.1 Volume 1 – Parent Plan**

**Text**



#### 4.1.1 Chapter C – City Wide Systems and Designations

a. That Volume 1: Chapter C – City Wide Systems and Designations, Section 3.0 – General Land Use Provisions and Designations, Policy C.3.1.2 e) be deleted and replaced with the following:

“e) An additional dwelling unit – detached shall be permitted in Rural Hamilton subject to the following:

- i) One additional dwelling unit – detached may be permitted on a lot with a minimum lot area of 1.5 hectares.
- ii) The primary farm dwelling and the additional dwelling unit – detached can achieve the minimum servicing requirements of Policy C.5.1 of this Plan.
- iii) The minimum lot area established in e) i) above may be reduced where it can be demonstrated that the minimum servicing requirements of Policy C.5.1 of this Plan can be achieved.”

#### 4.1.2 Chapter D – Rural Systems, Designations and Resources

a. That Volume 1: Chapter D – Rural Systems, Designations and Resources, Section D.2.0 – Agriculture Designation, Policy D.2.1.1.6 b) be amended by:

- i) Deleting the “maximum of one” before “farm labour residence”;
- ii) Deleting the word “temporary: between “accessory detached” and “dwelling”;
- iii) Deleting Policy D.2.1.1.6 b) i); and,
- iv) Renumbering Policy D.2.1.1.6 b) ii) as D.2.1.1.6 b) i).

### **5.0 Implementation:**

An implementing Zoning By-Law Amendment will give effect to the amended policies.

This Official Plan Amendment is Schedule “1” to By-law No. \_\_\_\_\_ passed on the \_\_\_\_\_<sup>th</sup> of \_\_\_\_\_, 2024.

The  
City of Hamilton

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A. Horwath  
MAYOR

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J. Pilon  
ACTING CITY CLERK

**Appendix “B” to Report PED22002(a)  
Page 1 of 5**

**Authority:** Item,  
Report (PED22002(a))  
CM:  
Wards: 9, 10, 11, 12, 13, 15

**Bill No.**

**CITY OF HAMILTON  
BY-LAW NO.**

**To amend Zoning By-law No. 05-200 with respect to Farm Labour Residences and Additional Dwelling Units – Detached in Rural Zones**

**WHEREAS** Council approved Item \_\_\_ of Report \_\_\_\_\_ of the Planning Committee, at

**AND WHEREAS** this By-law conforms with the Rural Hamilton Official Plan upon adoption of Official Plan Amendment No. XX;

**NOW THEREFORE** Council amends Zoning By-law No. 05-200 as follows:

1. That the following Section be added:

**“4.33.4 ADDITIONAL DWELLING UNIT – DETACHED IN AGRICULTURE (A1), RURAL (A2) AND SETTLEMENT RESIDENTIAL (S1) ZONES**

- (a) For lands within an A1, A2, S1 Zone, a maximum of one Additional Dwelling Unit – Detached shall be permitted on a lot containing a Single Detached Dwelling.
  - i) Notwithstanding 4.33.4 (a) above, an Additional Dwelling Unit – Detached shall not be permitted on lands identified in Figures 24.1 to 24.5 of Schedule “F” – Special Figures.
- (b) In addition to Section 4.33.4 (a), a legally established accessory building existing as of May 12, 2021, may be converted to the one Additional Dwelling Unit - Detached permitted on a lot containing an existing Single Detached Dwelling subject to the following provision:
  - i) Any additions over 10% of the existing gross floor area of the legally established accessory building converted to an

**Appendix “B” to Report PED22002(a)**  
**Page 2 of 5**

Additional Dwelling Unit – Detached shall be in accordance with the regulations of Section 4.33.4.

- (c) All the regulations of this By-law applicable to the existing dwelling shall continue to apply unless specifically provided in Section 4.33.4.
- (d) An Additional Dwelling Unit – Detached shall only be permitted in a Rear and/or Interior Side Yard.
- (e) A minimum 1.2 metre setback shall be provided from the Interior Side Lot Line and Rear Lot Line.
  - i) Notwithstanding Section 4.33.4 (e), an eave or a gutter may extend a maximum of 0.45 metres into a required minimum setback area.
  - ii) In addition to Section 4.33.4 (e), a landscape strip is required to be provided within the required side yard adjacent to an Additional Dwelling Unit – Detached and shall be limited to sod, ground cover, permeable pavers, or a planting strip, and may include a visual barrier.
- (f) An Additional Dwelling Unit – Detached shall not be located closer to the flankage street than the principal dwelling.
- (g) An unobstructed path with a minimum 1.0 metre width and minimum 2.1 metre clearance in height from a street line to the entrance of the Additional Dwelling Unit – Detached shall be provided and maintained.
- (h) The following building separation shall be provided:
  - i) Where an Additional Dwelling Unit – Detached is in the Rear Yard, a minimum distance of 7.5 metres shall be required between the rear wall of the principal dwelling and the Additional Dwelling Unit – Detached.
  - ii) Where an Additional Dwelling Unit – Detached is in an Interior Side Yard, the following is required:
    - A) A minimum distance of 4.0 metres shall be provided between the side wall of the principal dwelling and an Additional Dwelling Unit – Detached; and,

**Appendix “B” to Report PED22002(a)****Page 3 of 5**

- B) An Additional Dwelling Unit – Detached shall be set back a minimum 5.0 metres from the front façade of the principal dwelling.
- (f) A maximum height of 6.0 metres shall be permitted.
- i) Notwithstanding Section 4.33.4 (i), balconies and rooftop patios shall be prohibited above the first floor level.
- (g) The maximum gross floor area shall not exceed the principal dwelling.
- (h) Notwithstanding 4.33.4 (g) above, the maximum combined lot coverage of all accessory buildings, Farm Labour Residence(s) and the Additional Dwelling Unit - Detached shall be 25%.
- (i) The waste disposal and water supply systems shall be in accordance with Section 4.22 iii).”
2. That Section 9.12.3.1 j) be deleted and replaced with the following:
- “j) Farm Labour Residence
- i) A Farm Labour Residence, accessory to Agriculture and on the same lot as an existing permanent principal Farm Dwelling, may be permitted in accordance with the following:
1. Shall have a maximum building height of 10.5 metres.
  2. All Farm Labour Residences shall have an aggregate maximum lot coverage of 420 square metres.
  3. Individual Farm Labour Residence units shall have a maximum gross floor area of 200 square metres.
  4. All Farm Labour Residences shall be separated from the principal Farm Dwelling by a minimum of 30 metres.
  5. All Farm Labour Residences shall be a separated by a minimum of 10 metres.
3. That Section 12.1.3.1 j) be deleted and replaced with the following:

**Appendix “B” to Report PED22002(a)**  
**Page 4 of 5**

- “j) Farm Labour Residence
- i) A Farm Labour Residence, accessory to Agriculture and on the same lot as an existing permanent principal Farm Dwelling, may be permitted in accordance with the following:
1. Shall have a maximum building height of 10.5 metres.
  2. All Farm Labour Residences shall have an aggregate maximum lot coverage of 420 square metres.
  3. Individual Farm Labour Residence units shall have a maximum gross floor area of 200 square metres.
  4. All Farm Labour Residences shall be separated from the principal Farm Dwelling by a minimum of 30 metres.
  5. All Farm Labour Residences shall be separated by a minimum of 10 metres.
4. That Section 12.1.3.4 be amended by adding the words “ADDITIONAL AND DWELLING UNIT – DETACHED” between the words “UNIT” and “REGULATIONS”.
5. That Section 12.2.3.1 j) be deleted and replaced with the following:

- “j) Farm Labour Residence
- i) A Farm Labour Residence, accessory to Agriculture and on the same lot as an existing permanent principal Farm Dwelling, may be permitted in accordance with the following:
1. Shall have a maximum building height of 10.5 metres.
  2. All Farm Labour Residences shall have an aggregate maximum lot coverage of 420 square metres.
  3. Individual Farm Labour Residence units shall have a maximum gross floor area of 200 square metres.

**Appendix “B” to Report PED22002(a)**

**Page 5 of 5**

4. All Farm Labour Residences shall be separated from the principal Farm Dwelling by a minimum of 30 metres.
5. All Farm Labour Residences shall be a separated by a minimum of 10 metres.
6. That Section 12.2.3.8 be amended by adding the words “AND ADDITIONAL DWELLING UNIT – DETACHED” between the words “UNIT” and “REGULATIONS”.
7. That Section 12.3.4 be amended by deleting the words “Secondary Dwelling” and replacing them with “ADDITIONAL DWELLING UNIT AND ADDITIONAL DWELLING UNIT – DETACHED”.
8. That Figures 24.1 to 24.5 of Schedule “F” – Special Figures be amended by adding the words “and Additional Dwelling Units – Detached” to the title block.
9. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

**PASSED** this \_\_\_\_\_ , 2024

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A. Horwath  
Mayor

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J. Pilon  
Acting City Clerk

CI-23-J

**From:** Alan Ernest

**Sent:** January 30, 2024 11:57 AM

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

**Cc:** Office of the Mayor <[Officeofthe.Mayor@hamilton.ca](mailto:Officeofthe.Mayor@hamilton.ca)>; McMeekin, Ted <[Ted.McMeekin@hamilton.ca](mailto:Ted.McMeekin@hamilton.ca)>; Wilson, Alex <[Alex.Wilson@hamilton.ca](mailto:Alex.Wilson@hamilton.ca)>; Cassar, Craig <[Craig.Cassar@hamilton.ca](mailto:Craig.Cassar@hamilton.ca)>; [mark.tedeson@hamilton.ca](mailto:mark.tedeson@hamilton.ca)

**Subject:** Proposed Amendments to the Rural Hamilton Official Plan and City of Hamilton Zoning By-law No. 05-200

Please accept these comments on the **Proposed Amendments to the Rural Hamilton Official Plan and City of Hamilton Zoning By-law No. 05-200 respecting Farm Labour Residences and Additional Dwelling Units – Detached in the Rural Area** for consideration at the Feb. 6, 2024 Public Meeting of the Planning Committee.

I am an environmental planner with over 40 years of experience and a life long resident of Ancaster and Flamborough. I support the intent of the above referenced proposed amendments as I believe that they should contribute to improving housing conditions for seasonal farm workers and offer positive housing opportunities for additional dwelling units in rural areas without compromising agricultural operations or the character of the rural landscape.

I would also like to see provisions put in place to ensure that farm labour residences meet minimum standards to ensure the privacy, dignity and safety of farm workers. This should include minimum square footage requirements, kitchen & washroom facilities calculated based on the maximum number of workers to be accommodated.

Regarding **Additional Dwelling Units - Detached**, I question why a 1.5 hectare minimum lot area is proposed. Existing zoning provisions including minimum setbacks & maximum lot coverage already set standards that can be applied to determine where additional dwelling units are suitable. Similarly, Ontario Building Code requirements and provincial Minimum Distance Separation standards place appropriate additional controls on where additional dwelling units could be accommodated. The 1.5 hectare minimum lot area seems arbitrary and in my experience would exceed the lot area required to properly accommodate an additional dwelling unit in many instances.

In all cases, a site specific assessment, would be required prior to the approval of an **Additional Dwelling Unit - Detached**. If the city believes that additional criteria are needed beyond that provided by existing municipal zoning and provincial standards, those criteria should be specified, rather than just setting an arbitrary minimum lot area requirement.

Thank you for the opportunity to comment.

Sincerely,

Alan Ernest M.A.





**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Licensing and By-law Services Division**

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	February 6, 2024
<b>SUBJECT/REPORT NO:</b>	Inactive Taxi Plate Fee (PED24019) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Dan Smith - Manager, Licensing (905) 546-2424 Ext. 6435
<b>SUBMITTED BY:</b>	Monica Ciriello Director, Licensing and By-law Services Planning and Economic Development Department
<b>SIGNATURE:</b>	<i>Monica Ciriello</i>

### RECOMMENDATION

- (a) That the reinstatement of the temporary Inactive Taxi Plate Fee of \$120 be approved and remain in place until such time as the staff directed review of Licensing By-law 07-170, Schedule 25 (Taxi cabs) identified as Item 8 of Planning Committee Report 23-020 be completed.
- (b) That subject to the approval of recommendation (a), the City of Hamilton User Fees and Charges By-law No. 23-112, be amended as per attached as Appendix "A" to Report PED24019.

### EXECUTIVE SUMMARY

Staff received direction through Item 9 on Planning Committee Report 23-020 approved by Council on December 13, 2023, to report back to Planning Committee respecting the feasibility of restoring an annual Inactive Taxi Plate Fee to approximately \$120.00.

Staff are recommending the temporary reinstatement of the Inactive Taxi Plate Fee of \$120 until such time as the review of Schedule 25 (Taxi cabs) within the Licensing By-law 07-170 is complete and comprehensive staff recommendations are presented to Planning Committee as approved in Item 8 of Planning Committee Report 23-020.

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**SUBJECT: Inactive Taxi Plate Fee (PED24019) (City Wide) - Page 2 of 4**

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**Alternatives for Consideration – See Page 4****FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: Temporary reinstatement of the Inactive Taxi Plate Fee of \$120/annually

- 101 inactive taxi plate fees x \$120 = \$12,120
- 101 active taxi plate fees x \$712 = \$71,912
  - Approximate loss in revenues of \$59,792 annually.

Staffing: Not applicable

Legal: Not applicable

**HISTORICAL BACKGROUND**

On December 16, 2020, Council approved Report PED20213 which established an inactive taxi plate fee for temporary relief from the annual taxi plate licence fee for one year. This fee was established to assist the taxi industry through the COVID-19 pandemic and the impacts the industry was encountering. The program was extended annually from December 2020 until December 31, 2022, as approved through report PED22055. On January 1, 2023, the fee was removed from the City User Fees and Charges By-law.

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

- Licensing By-law 07-170, Schedule 25
- City of Hamilton User Fees and Charges By-law 23-112

**RELEVANT CONSULTATION**

- Corporate Services Department, Financial Planning Administration and Policy Division, Finance & Administration Section
- City of Waterloo
- City of Brantford
- City of Kingston
- City of Guelph
- City of Windsor

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

Throughout and as part of the COVID-19 pandemic exit, City of Hamilton Licensing and By-Law Services staff have had ongoing discussions with the taxi industry. Both taxi brokers sought to have the inactive taxi plate fee reinstated as the industry continues to

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**SUBJECT: Inactive Taxi Plate Fee (PED24019) (City Wide) - Page 3 of 4**

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face financial difficulties coming out of the COVID-19 pandemic. Rising insurance rates are also impacting the industry and many taxi plate owners and drivers are struggling to meet financial demands in order to have their vehicles active.

At the time of this report, there is a 101 out of 470 taxi plates out of service. This is made up of 86 standard taxi plates and 15 out of 40 accessible taxi plates. Section 49.1(c) of the Business Licensing By-law 07-170 requires that taxi cabs remain in continuous operation, without a break in service.

The temporary reinstatement of the Inactive Taxi Plate Fee will allow for a temporary hold of the taxi plates as was previously permitted as opposed to the surrender of the plate to the City for not having the plate in operation while staff complete the comprehensive Schedule 25 review. As part of the Schedule 25 review, staff will assess the need to continue an Inactive Taxi Plate Fee based on a potential new structure and regulation within a new Schedule 25.

As of December 2023, the renewal fee for a taxi plate was \$712. The Inactive Taxi Plate Fee as recommended of \$120, will result in the loss of revenue of approximately \$59,792 annually based on 101 plates remaining inactive. This loss may increase in 2024 should the annual increase in the City-Wide User Fees and Charge By-law be approved by Council.

Should the reinstatement of the Inactive Taxi Plate Fee be approved, officer staff time dedicated to these plates may be lowered as vehicles would not require proactive inspection, scheduled inspection or enforcement through complaints to ensure compliance with by-laws. However, time would remain for administrative staff tasks which would be cost recovery by the \$120 inactive taxi plate fee.

If a taxi plate is activated within the same calendar year, the inactive plate fee of \$120 would be reduced from the renewal fee. Staff will take the number of months the plate is back on the road until the renewal date, less the amount paid (\$120) and the plate owner would pay the prorated difference.

The recommendation of a reinstated inactive taxi plate fee of \$120 (subject to yearly increases), will alleviate the concerns from the industry about plate repossession while staff complete a full Schedule 25 review.

**Risk**

An approval of the temporary extension to the Inactive Taxi Plate Fee may result in an increase of taxi plates becoming inactive resulting in fewer taxi cabs in operation. This may impact taxi availability within the city for residents and visitors. Staff note that this may also impact the availability of accessible transportation within the city as well, as the Inactive Taxi Plate Fee applies to accessible plates as well.

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**SUBJECT: Inactive Taxi Plate Fee (PED24019) (City Wide) - Page 4 of 4**

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**Jurisdictional Scan**

Staff consulted with the City of Waterloo, City of Brantford, City of Kingston, City of Guelph, and the City of Windsor as part of the review on the temporary reinstatement of the Inactive Taxi Plate Fee. No municipalities consulted offer an inactive plate fee or any similar program to their licensed taxi industry. The City of Hamilton is the only municipality that continues to offer this temporary relief.

**ALTERNATIVES FOR CONSIDERATION**

Continue with the requirements in the current Business Licensing By-law 07-170, requiring all inactive plates to be surrendered to the City or pay the current taxi plate licensing fee while requiring the plate to be in operation.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report PED24019 – Fees and charges By-law 23-112 Amendment.

**Appendix "A" to Report PED24019**  
**Page 1 of 1**

**CITY OF HAMILTON**

**BY LAW NO. 23-112**

**A By-law to Establish Certain 2023 User Fees and Charges for Services,  
Activities or the Use of Property and to Repeal By-law No. 22-183**

**Department: Planning and Economic Development**

**Division: Licensing and By-law Services**

#	Service or Activity Provided or Use of City Property	2024 Proposed Fee
	Inactive Taxi Plate Fee	\$120



## Hamilton

### HAMILTON MUNICIPAL HERITAGE COMMITTEE

Report 23-012

12:00 p.m.

December 15, 2023

Room 264, 2<sup>nd</sup> Floor, City Hall

**Present:** Councillor C. Kroetsch  
 A. Denham-Robinson (Chair), G. Carroll (Vice-Chair), K. Burke, L. Lunsted, S. Spolnik, A. MacLaren and A. Douglas

#### THE FOLLOWING ITEMS WERE REFERRED TO THE PLANNING COMMITTEE FOR CONSIDERATION:

**1. Hamilton Municipal Heritage Committee Terms of Reference (Item 10.1)**

That the Terms of Reference be approved as *amended*:

**Composition:** 1 member of Council  
 7 citizen members, *prioritizing representation from each of the communities that make up the City of Hamilton, including Ancaster, Dundas, Flamborough, Glanbrook, Hamilton and Stoney Creek.*

**Duration:** To expire with the *current* Term of Council or until such time as successors are appointed.

**Contact:** *Matt Gauthier*, Legislative Coordinator (x6437)

**2. Monthly Report on Recommended Proactive Listings for the Municipal Heritage Register, December 2023 (PED23193) (Ward 3) (Item 10.2)**

That staff be directed to list the property located at 164 Kensington Avenue North, Hamilton (Ward 3) on the Municipal Heritage Register as a non-designated property that Council believes to be of cultural heritage value or interest, in accordance with Section 27 of the *Ontario Heritage Act*.

**3. Notice of Intention to Demolish the Building Located at 535 Old Dundas Road, Ancaster, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23183) (Ward 12) (Item 10.3)**

That the non-designated property located at 535 Old Dundas Road, Ancaster, be removed from the Municipal Heritage Register.

**4. Hamilton Wentworth Heritage Association Membership Renewal (Item 10.4)**

- (a) That the membership to the Hamilton Wentworth Heritage Association be approved; and
- (b) That staff be directed to prepare and execute the required documentation membership; and
- (c) That the membership fee to the Hamilton Wentworth Heritage Association, in the amount of \$20.00, be paid for from Planning Account #56328-814000

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 2)**

The Committee Clerk advised of the following changes to the agenda:

**5. COMMUNICATIONS**

- 5.1 Correspondence from Jim and Margaret Hendricks, respecting the Designation of 176 Wilson Street East, Ancaster

**6. DELEGATION REQUESTS**

- 6.1 Peter Tice, Pearle Hospitality Inc. (Ancaster Mill), respecting Item 10.3 Notice of Intention to Demolish the Building Located at 535 Old Dundas Road, Ancaster, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23183) (Ward 12) (For today's meeting)

**9. CONSENT ITEMS**

- 9.3 Heritage Permit Review Sub-Committee Minutes (November 14, 2023)

**10. DISCUSSION ITEMS**

- 10.4 Hamilton Wentworth Heritage Association Membership Renewal

The agenda for December 15, 2023 Hamilton Municipal Heritage Committee, was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 3)**

There were no declarations of interest.

**(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)**

**(i) November 28, 2023 (Item 4.1)**

The Minutes of November 28, 2023 meeting of the Hamilton Municipal Heritage Committee, were approved, as presented.

**(d) COMMUNICATIONS (Item 5)**

**(i) Correspondence from Jim and Margaret Hendricks, respecting the Designation of 176 Wilson Street East, Ancaster (Item 5.1)**

The Correspondence from Jim and Margaret Hendricks, respecting the Designation of 176 Wilson Street East, Ancaster, was received.

**(e) DELEGATION REQUESTS (Item 6)**

**(i) Peter Tice, Pearle Hospitality Inc. (Ancaster Mill), respecting Item 10.3 Notice of Intention to Demolish the Building Located at 535 Old Dundas Road, Ancaster, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23183) (Ward 12) (For today's meeting) (Item.6.1)**

The delegation request from Peter Tice, Pearle Hospitality Inc. (Ancaster Mill), respecting Item 10.3 Notice of Intention to Demolish the Building Located at 535 Old Dundas Road, Ancaster, being a Non-Designated Property Listed on the Municipal Heritage Register, was approved for today's meeting.

**(f) DELEGATIONS (Item 7)**

**(i) Jaqueline McDermid, Archaeological Research Associates Ltd., and Miranda Brunton, Infrastructure Ontario, respecting the Cultural Heritage Evaluation (CHE) - John Sopinka Courthouse and SCJ Family Courthouse (Approved November 28, 2023) (Item 7.1)**

Jaqueline McDermid, Archaeological Research Associates Ltd., and Miranda Brunton, Infrastructure Ontario, addressed Committee respecting the Cultural Heritage Evaluation (CHE) - John Sopinka Courthouse and SCJ Family Courthouse.

The delegation from Jaqueline McDermid, Archaeological Research Associates Ltd., and Miranda Brunton, Infrastructure Ontario, respecting the Cultural Heritage Evaluation (CHE), respecting the Cultural Heritage Evaluation (CHE) - John Sopinka Courthouse and SCJ Family Courthouse, was received.



- (ii) **Peter Tice, Pearle Hospitality Inc. (Ancaster Mill), respecting Item 10.3 Notice of Intention to Demolish the Building Located at 535 Old Dundas Road, Ancaster, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23183) (Ward 12) (For today's meeting) (Item.6.1) (Added Item 7.2)**

Peter Tice, Pearle Hospitality Inc. (Ancaster Mill), addressed Committee respecting Item 10.3 Notice of Intention to Demolish the Building Located at 535 Old Dundas Road, Ancaster, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23183) (Ward 12).

The delegation from Peter Tice, Pearle Hospitality Inc. (Ancaster Mill) respecting Item 10.3 Notice of Intention to Demolish the Building Located at 535 Old Dundas Road, Ancaster, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23183) (Ward 12), was received.

**(g) CONSENT ITEMS (Item 9)**

The following Consent Items, were received:

- (i) Hamilton Municipal Heritage Committee Year in Review, 2023 (PED23259) (City Wide) (Item 9.1)
- (ii) Delegated Approval: Heritage Permit Applications (Item 9.2)
- (a) Heritage Permit Application HP2023-054: Alterations to the Exterior Foundations and Front Steps at 252 James Street South, Hamilton (Ward 2), Part IV Designation (By-law No. 86-313)
- (ii) Heritage Permit Review Sub-Committee Minutes (November 14, 2023) (Item 9.3)

**(h) GENERAL INFORMATION / OTHER BUSINESS (Item 13)**

**(i) Buildings and Landscapes (Item 13.1)**

Committee members provided brief updates on properties of interest.

The following updates, were received:

- (a) Endangered Buildings and Landscapes (RED):  
(Red = Properties where there is a perceived immediate threat to heritage resources through: demolition; neglect; vacancy; alterations, and/or, redevelopment)

Ancaster

- (i) 372 Butter Road West, Andrew Sloss House (D) – K. Burke  
(ii) 1021 Garner Road East, Lampman House (D) – K. Burke

- (iii) 398 Wilson Street East, Marr House (D) – K. Burke

Dundas

- (iv) 2 Hatt Street (R) – K. Burke
- (v) 216 Hatt Street (I) – K. Burke
- (vi) 215 King Street West (R) – K. Burke
- (vii) 219 King Street West (R) – K. Burke

Glanbrook

- (viii) 2235 Upper James Street (R) – G. Carroll

Hamilton

- (ix) 80-92 Barton Street East, Former Hanrahan Hotel (R) – S. Spolnik
- (x) 1155-1157 Beach Boulevard, Beach Canal Lighthouse and Cottage (D) –
- (xi) 66-68 Charlton Avenue West (D) – C. Kroetsch
- (xii) 71 Claremont Drive, Auchmar Gate House / Claremont Lodge (R) – G. Carroll
- (xiii) 711 Concession Street, Former Mount Hamilton Hospital, 1932 Wing (R) – G. Carroll
- (xiv) 127 Hughson Street North, Firth Brothers Building (D) – C. Kroetsch
- (xv) 163 Jackson Street West, Pinehurst / Television City (D) – C. Kroetsch
- (xvi) 108 James Street North, Tivoli (D) – C. Kroetsch
- (xvii) 98 James Street South, Former James Street Baptist Church (D) – C. Kroetsch
- (xviii) 18-22 King Street East, Gore Buildings (D) – C. Kroetsch
- (xix) 24-28 King Street East, Gore Buildings (D) – C. Kroetsch
- (xx) 537 King Street East, Rebel's Rock (R) – G. Carroll
- (xxi) 378 Main Street East, Cathedral Boys School (R) – S. Spolnik
- (xxii) 679 Main Street East / 85 Holton Street South, Former St. Giles Church (I) – G. Carroll
- (xxiii) 120 Park Street North (R) – C. Kroetsch
- (xxiv) 828 Sanatorium Road, Long and Bisby Building (D) – G. Carroll
- (xxv) 100 West 5th Street, Century Manor (D) – G. Carroll

- (b) Buildings and Landscapes of Interest (YELLOW):  
(Yellow = Properties that are undergoing some type of change, such as a change in ownership or use, but are not perceived as being immediately threatened)

Dundas

- (i) 64 Hatt Street, Former Valley City Manufacturing (D) – K. Burke

- (ii) 24 King Street West, Former Majestic Theatre (I) – K. Burke
- (iii) 3 Main Street, Former Masonic Lodge (D) – K. Burke
- (iv) 23 Melville Street, Knox Presbyterian Church (D) – K. Burke
- (v) 574 Northcliffe Avenue, St. Joseph's Motherhouse (R) – L. Lunsted

#### Flamborough

- (vi) 283 Brock Road, WF Township Hall (D) – L. Lunsted
- (vii) 62 6th Concession East, Hewick House (I) – L. Lunsted

#### Hamilton

- (viii) 1 Balfour Drive, Chedoke Estate / Balfour House, (R) – G. Carroll
- (ix) 134 Cannon Street East, Cannon Knitting Mill (R) – C. Kroetsch
- (x) 52 Charlton Avenue West, Former Charlton Hall (D) – C. Kroetsch
- (xi) 2 Dartnall Road, Rymal Road Station Silos (R) – G. Carroll
- (xii) 54-56 Hess Street South (NOID) – C. Kroetsch
- (xiii) 1000 Main Street East, Dunnington-Grubb Gardens / Gage Park (R) – G. Carroll
- (xiv) 1284 Main Street East, Delta High School (D) – G. Carroll
- (xv) 311 Rymal Road East (R) – G. Carroll
- (xvi) St. Clair Boulevard Heritage Conservation District (D) – G. Carroll
- (xvii) 56 York Boulevard / 63-76 MacNab Street North, Copley Building (D) – G. Carroll
- (xviii) 84 York Boulevard, Philpott Church (R) – G. Carroll
- (xix) 175 Lawrence Road, Hamilton Pressed / Century Brick (R) – G. Carroll
- (xx) 65 Charlton Avenue East, Church of Ascension (D, NHS), Hamilton – G. Carroll
- (xxi) 4 Turner Avenue, Hamilton (R) – C. Kroetsch
- (xxii) 420 King St E, St. Patrick Roman Catholic Church (I) – S. Spolnik
- (xxiii) 206-210 King Street East, Former Bremner Grocery (I) – G. Carroll

#### Stoney Creek

- (xxiv) 2251 Rymal Road East, Former Elfrida Church (R) – G. Carroll

- (c) Heritage Properties Update (GREEN):

(Green = Properties whose status is stable)

Dundas

- (i) 104 King Street West, Former Post Office (R) – K. Burke

Hamilton

- (ii) 46 Forest Avenue, Rastrick House (D) – G. Carroll
- (iii) 88 Fennell Avenue West, Auchmar (D) – A. Douglas
- (iv) 125 King Street East, Norwich Apartments (R) – C. Kroetsch
- (v) 206 Main Street West, Arlo House (R) – C. Kroetsch
- (vi) 50-54 Sanders Boulevard, Binkley Property (R) –

Flamborough

- (vii) 40 Dundas Street East, Eager House (R) – L. Lunsted

- (d) Heritage Properties Update (BLACK):  
(Black = Properties that HMHC have no control over and may be demolished)

Ancaster

- (i) 442, 450 and 452 Wilson Street East (R) – K. Burke

Heritage Status: (I) Inventoried, (R) Registered, (D) Designated,  
(NHS) National Historic Site

**(ii) Staff Update (Added Item 13.2)**

Ken Coit, Director, Heritage and Urban Design, provided the Committee with a verbal update, respecting Greensville Township Hall.

The staff update from Ken Coit, Director, Heritage and Urban Design, was received.

**(i) ADJOURNMENT (Item 15)**

There being no further business, the Hamilton Municipal Heritage Committee adjourned at 12:53 p.m.

Respectfully submitted,

Alissa Denham-Robinson, Chair  
Hamilton Municipal Heritage Committee

Aleah Whalen  
Legislative Coordinator  
Office of the City Clerk



**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Planning Division**

<b>TO:</b>	Chair and Committee Members Hamilton Municipal Heritage Committee
<b>COMMITTEE DATE:</b>	December 15, 2023
<b>SUBJECT/REPORT NO:</b>	Notice of Intention to Demolish the Building Located at 535 Old Dundas Road, Ancaster, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23183) (Ward 12)
<b>WARD(S) AFFECTED:</b>	Ward 12
<b>PREPARED BY:</b>	Scott Dickinson (905) 546-2424 Ext. 7167 Alissa Golden (905) 546-2423 Ext. 1202
<b>SUBMITTED BY:</b>	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

## RECOMMENDATION

That the non-designated property located at 535 Old Dundas Road, Ancaster, be removed from the Municipal Heritage Register.

## EXECUTIVE SUMMARY

This Report recommends removing 535 Old Dundas Road, Ancaster from the Municipal Heritage Register in response to the owner submitting a Notice of Intention to Demolish under Section 27 (9) of the *Ontario Heritage Act*. The notice included a letter from a professional engineer that speaks to the deteriorated physical state of the dwelling proposed to be demolished.

Staff have documented the existing interior and exterior conditions of the dwelling and find that, while the existing building does have some cultural heritage value or interest, it is not considered to have sufficient tangible cultural heritage value to warrant protection by designation under Part IV the *Ontario Heritage Act*. Further, the photographs sufficiently document the historic building, which demonstrate that the building is in poor condition. Staff recommend removing the property from the Municipal Heritage Register.

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**SUBJECT: Notice of Intention to Demolish the Building Located at 535 Old Dundas Road, Ancaster, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23183) (Ward 12) - Page 2 of 5**

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**Alternatives for Consideration – See Page 5****FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

Legal: Owners of non-designated properties listed on the City's Municipal Heritage Register under Section 27 (3) of the *Ontario Heritage Act* are required to give Council 60 days' notice of their intention to demolish or remove any building or structure on the property. Council must consult with the Municipal Heritage Committee prior to removing a property from the Register under Section 27 (4) of the Act.

**HISTORICAL BACKGROUND**

The property located at 535 Old Dundas Road, Ancaster (see location map attached as Appendix "A" to Report PED23183) is a one-and-a half storey wooden frame dwelling. In February 2021, the subject property was listed on the Municipal Heritage Register as a non-designated property of cultural heritage value or interest as part of the Ancaster Pre-Confederation Inventory (see Report PED21031).

In October 2023, the City received a Building Permit Application to Demolish the dwelling at 535 Old Dundas Road. On November 6, 2023, a representative for the property owner provided Cultural Heritage Planning staff access to the property to conduct a site visit to document the current condition of the property, including the interior and exterior of dwelling to be demolished (see photographs attached as Appendix "C" to Report PED23183).

On November 17, 2023, Cultural Heritage Planning staff received an email from the owner notifying the City of their intention to demolish the dwelling on the property in advance of future redevelopment of the site, serving as the Notice of Intention to Demolish under Section 27(9) of the *Ontario Heritage Act* (attached as Appendix "B" to Report PED23183). The notice includes a report from a structural engineer, which speaks to the deteriorated state of the building.

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

The Recommendation of this Report is consistent with Provincial and Municipal legislation, policy and direction, including the following relevant policies from the Urban Hamilton Official Plan, Volume 1:

**SUBJECT: Notice of Intention to Demolish the Building Located at 535 Old Dundas Road, Ancaster, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23183) (Ward 12) - Page 3 of 5**

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- Identifying cultural heritage resources through a continuing process of inventory, survey, and evaluation, as a basis for the wise management of these resources (B.3.4.2.1 b));
- Maintaining the Municipal Heritage Register, pursuant to the *Ontario Heritage Act*, and seeking advice from the Municipal Heritage Committee when considering additions and removals of non-designated properties from the Register (B.3.4.2.4); and,
- Requiring a cultural heritage resource to be thoroughly documented for archival purposes in the event that rehabilitation and reuse of the resource is not viable as part of a *Planning Act* application process (B.3.4.2.13).

## RELEVANT CONSULTATION

### External

- Property Owner.

### Internal

- Ward 12 Councillor.

## ANALYSIS AND RATIONALE FOR RECOMMENDATION

Listing a property on the Municipal Heritage Register as a non-designated property of cultural heritage value or interest provides 60 days interim protection from demolition. The 60-day interim period is intended to allow staff time to discuss alternatives for conservation of a property with the owner, including opportunities for retention, adaptive re-use and financial incentives, and photo-documentation of the property prior to demolition. In the case of significant heritage properties, like those identified as candidates for designation, the 60-day delay could allow Council time to consider issuing a notice of intention to designate the property to prevent demolition.

The preliminary evaluation of the property, conducted in accordance with Ontario Regulation 9/06 of the *Ontario Heritage Act*, was completed as part of the Ancaster Pre-Confederation Inventory (see Report PED21031) as a community initiative by the Ancaster Village Heritage Community Group. This initiative identified the subject lands as having potential cultural heritage value or interest as follows:

- Criteria 1: Its design value as an early, unique example of a building designed in the Gothic Revival style;
- Criteria 4: Its associative value for its direct associations with a theme;
- Criteria 5: Its associative value for its ability to yield, or potentially yield, information that contributes to an understanding of a community or culture;

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**SUBJECT: Notice of Intention to Demolish the Building Located at 535 Old Dundas Road, Ancaster, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23183) (Ward 12) - Page 4 of 5**

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- Criteria 7: Its contextual value, helping to support the historic character of the neighbourhood, due to the mid-nineteenth century construction of the building; and,
- Criteria 8: Its contextual value being linked to its surroundings both visually and historically.

The Ancaster Pre-Confederation Inventory project did not identify 535 Old Dundas Road as a candidate for designation under Part IV of the *Ontario Heritage Act*.

### **Staff Analysis**

On November 6, 2023, a representative for the property owner provided Cultural Heritage Planning staff access to the property to conduct a site visit to document the current condition of the property. Staff believe the dwelling at 535 Old Dundas Road to be of early-twentieth century construction, or a substantially altered pre-Confederation structure. Staff identified features which indicated a construction date later than the circa 1865 date suggested by the Ancaster Pre-Confederation Inventory project. These features included the twentieth-century windows on the main floor, siding which was consistent on both the main body of the dwelling and on a modern addition, and the lack of hand-hewn beams or other nineteenth-century features which would support an earlier construction date.

Although the design of the dwelling exterior is unusual, upon further review staff do not believe it to be representative of the Gothic Revival style, but rather a modified vernacular dwelling. Staff determined that only a few tangible heritage features remain on either the exterior or interior of the dwelling. These features include the: scrollwork and turned railings on the front porch; front wooded door; several wooden windows; and, wooden interior basement door. Cultural Heritage Planning staff conducted additional research of the subject property and were unable to identify any significant historical or associative value of the property.

### **Conclusion**

While it has been determined that 535 Old Dundas Road does have contextual cultural heritage value or interest, it is not considered to have sufficient tangible cultural heritage value to warrant protection by Part IV designation under the *Ontario Heritage Act*. Staff believe that the building has been sufficiently photo-documented and recommend that the property be removed from the Municipal Heritage Register in response to the Notice of Intention to Demolish. The owner has also indicated that they are willing to salvage the remaining heritage features in the building prior to its demolition.

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**SUBJECT: Notice of Intention to Demolish the Building Located at 535 Old Dundas Road, Ancaster, being a Non-Designated Property Listed on the Municipal Heritage Register (PED23183) (Ward 12) - Page 5 of 5**

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**ALTERNATIVES FOR CONSIDERATION**

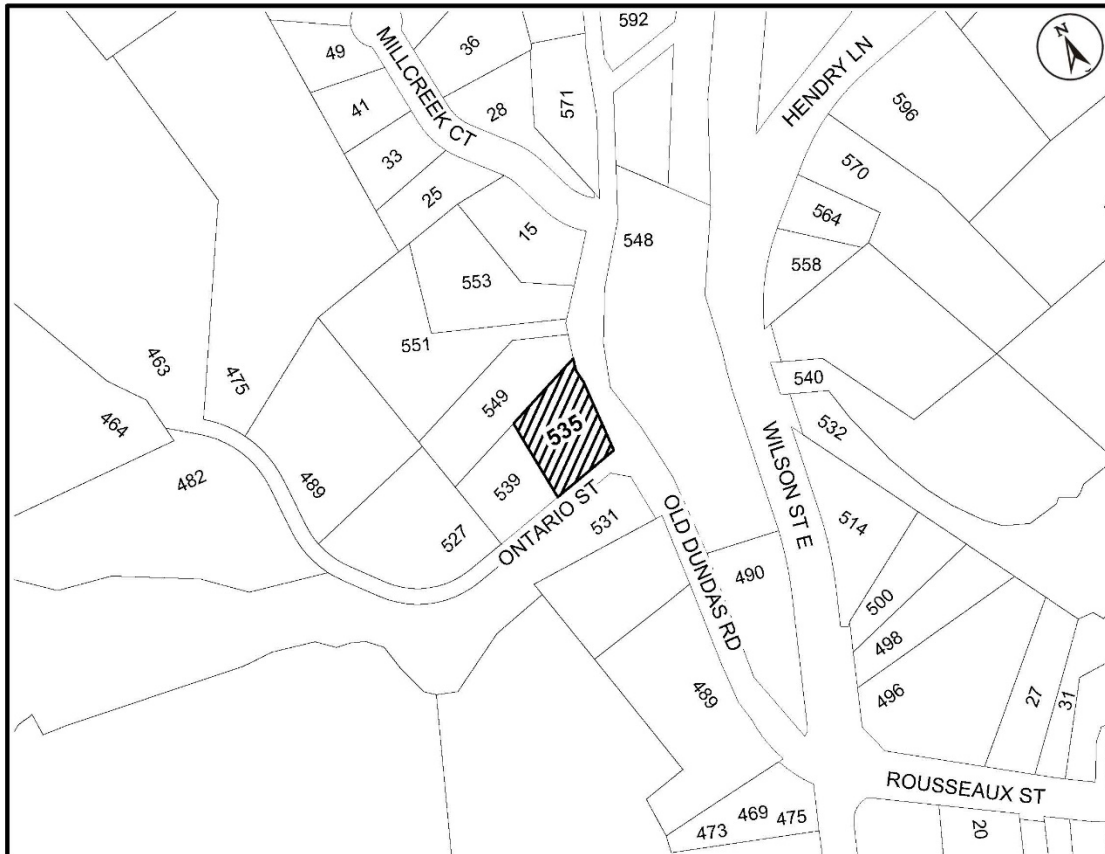
Under Part IV of the *Ontario Heritage Act*, the designation of property is a discretionary activity on the part of Council. Council, as advised by its Municipal Heritage Committee, may decide to designate property to prevent its demolition. While it has been determined that 535 Old Dundas Road does have cultural heritage value or interest, it is not considered to have sufficient tangible cultural heritage value to warrant protection by Part IV designation under the *Ontario Heritage Act*.

**APPENDICES AND SCHEDULES ATTACHED**

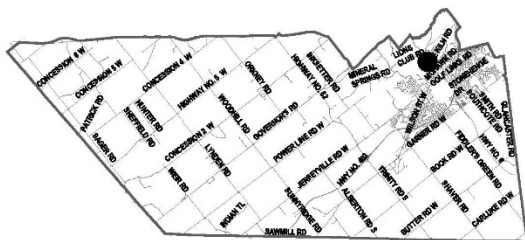
Appendix "A" to Report PED23183 – Location Map  
Appendix "B" to Report PED23183 – Notice of Intention to Demolish  
Appendix "C" to Report PED23183 – Photo-Documentation

SD/AG/sd

Appendix "A" to to Item 4 of HMHC Report 23-012  
Page 1 of 1



● Site Location



Key Map - Ward 12

## Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
535 Old Dundas Rd

Date:  
November 21, 2023

Appendix "A"

Scale:  
N.T.S

Planner/Technician:  
SD/AL

### Subject Property

 535 Old Dundas Road

Nov 17<sup>th</sup>, 2023

City of Hamilton  
71 Main St W, Hamilton, ON  
L8P 4Y5

**Attention:** Alissa Golden  
Program Lead - Cultural Heritage  
City of Hamilton

Dear Alissa,

**Re** 535 Old Dundas Rd, Ancaster – Intent to Demolish

I am writing to formally confirm our organization's intent to proceed with the demolition of the single detached house situated at 535 Old Dundas Road in Ancaster, ON.

The property was acquired by Hillcrest Dairy (Ancaster Mill) in June 2023 with the intent to use the site for future redevelopment.

Subsequent to the acquisition, we engaged the services of a licensed structural engineer to conduct an assessment of the building on the property, which report is included as Appendix A to this correspondence.

The structural analysis reveals severe deficiencies in the building's structural integrity. Notably, certain components of the wood floor fail to meet live load code requirements and the mortar joints in the foundations are extensively spalled. An option to repair the foundation to occupiable standards would be to completely remove and replace the existing stone foundation with a cast in place or block foundation and footings. Considering the significant resources required to bring the structure up to occupiable standards, demolition is recommended by the structural engineer.

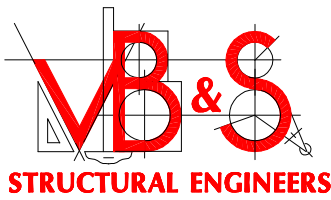
While we appreciate the significance of preserving heritage structures, the advanced state of decay of the subject building and our intent to use the site for future development, necessitates our decision to proceed with demolition. With that said, we are open and willing to salvage certain features of the building as part of the overall demolition process.

Should you have any inquiries or require additional information, please do not hesitate to contact me.

Thank you for your attention to this matter.

Mackenzie

Mackenzie Meek MCIP, RPP  
Planner/Project Manager  
Pearle Hospitality – Ancaster Mill



## VanBoxmeer & Stranges Ltd.

1108 Dundas Street  
London, Ontario  
N5W 3A7  
P: (519) 433-4661  
[vbands@vbands.com](mailto:vbands@vbands.com)

4802 Portage Rd, Unit 1  
Niagara Falls, Ontario  
L2E 6B3  
P: (905) 357-2030  
[al@vbands.com](mailto:al@vbands.com)

PEARLE Hospitality  
611 Tradewinds Dr, Suite 300  
Ancaster, ON  
L9G4V5  
Attention: Aaron Ciancone, President

### Summary of Building Inspection 535 Old Dundas Rd Ancaster, Ontario

Dear Mr. Ciancone:

As requested, VB&S was instructed to complete a structural review of the building noted above. VB&S scope was to provide visual inspection of the structure and report on the structural integrity. It must be noted that there was no destructive testing to any parts of the building.

On October 11, 2023, VB&S and Mackenzie Meek of Pearle Hospitality completed a walkthrough of the building. This report summarizes our findings of our building review and provides an opinion as to the condition and recommendations.

#### **1.0**     General

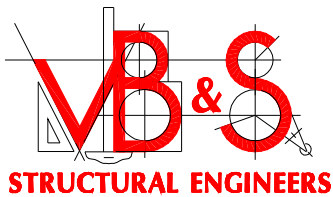
As reported, the original building was constructed possibly in the early 1900's. The building is comprised of the original structure, and an addition to the north.

The building is constructed using wood framing. The roof is constructed as a conventional wood rafter with collar ties partway up the rafters. It could not be determined if the floor joists act as ties at the base of the rafter. The roof framing over the kitchen bears on knee walls. The knee walls were supported on what appeared to be wood beams from below. See **Photo No 01 & 02**.

#### **2.0**     Observations

During the site review, the framing of the floor structure was recorded to get a better understanding of the building and tracking the loads to foundation. Where visible, the framing was recorded including the member sizes, spans and the bearing locations. The underside of the main floor was completely exposed. See **Photo No 03** for part main floor framing.

The underside of the second-floor framing was virtually all covered with drywall and panelling. There was a small opening at the underside of the second-floor by way of a partition wall being removed. The second-floor framing was reviewed and recorded. The framing of the remaining second-floor over the existing kitchen/dining area was not observed.



Project: 23263  
535 Old Dundas Road  
Ancaster, Ontario

## 2.1 Exterior

Review of the exterior was completed. The framing of the covered veranda at the south side of the house had collapsed. See **Photo No 04 & 05**. It was apparent that the end of the wood beam at the east side of the veranda had rotted and collapsed.

There were many areas around the perimeter of the exterior where the wood siding, and wood window sills were rotted as well. See **Photo No 06 & 07**. Photos 06 & 07 show a couple of locations of many where the exterior wood siding, sills or window jambs were decomposed.

## 2.2 Interior Wood Frame

The interior wood structure at the main floor level was in good condition. There were a couple of areas of the sill plate that was rotted. The photo was difficult to capture.

The west end of the east side main 8x8 timber floor beam, See **Photo No 03**, does not have adequate support at the interior foundation wall.

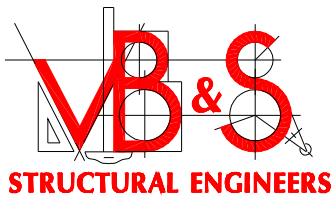
At the west side structure, an existing wood post at the west end of the beam was partially rotted at the base and a wood knot that was severely rotted. See **Photo No 08 & 09**.

After reviewing the joist and beam spans, it appeared that the spans were over the limits allowed by today's codes. After analysis, the following framing members were found to be deficient:

- i) The second-floor joist on the east side of the house were 2x8" @16" joists spanning 233". It could not be observed if there was additional support in the floor that was cutting down the joist span. By analysis the joist, with prescribed by code loads applied, the joists spanning 233" was overstressed by 325%.
- ii) The main floor 8x8 timber beam on the east side of the house supports the 2x8" @ 24" joists (spanning 136") from each side. By analysis, with prescribed code loads applied, the timber beam is overstressed by 70%.
- iii) The main floor timber beam on the west side of the house is a 6x6 and supports the 2x8" @ 24" joists (spanning 80") on each side of the beam. By analysis, with loads prescribed by codes applied, the timber beam was overstressed by 300%.

## 2.3 Stone Foundation

For two of the 3 areas of the basement, the foundations are constructed of stone and mortar. Upon closer inspection of the foundation, it was quite evident that the mortar is severely spalled. See **Photo No 10 & 11**. The photos show how easily the screwdriver penetrates the spalled mortar joints.



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### 3.0 Recommendations

The existing structure, as determined by analysis is severely over stressed in part. There are many areas of the wood floor structure that do not conform to today's code applied live load.

The mortar joints in stone foundations are severely spalled. Repairing the foundation would also require a lot of financial resources. An option would be the temporary support of the house with a complete demolition and replacement of the stone foundation to cast-in-place or block foundation and footing.

The exterior wood siding has many areas of decomposition. In one location the veranda roof has failed and collapsed. If this structure is to remain, we recommend removing the plaster and lath at the base of the main floor walls to determine if the studs and sill plates are decomposed.

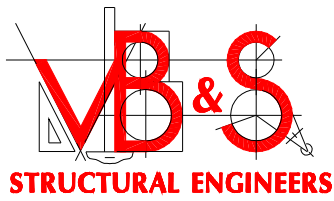
Given the many issues with the floor framing and the foundation wall, we recommend this building be demolished.

We trust that this meets with your satisfaction. Please don't hesitate to call our office should you have any questions or concerns.

Regards,  
**VanBoxmeer & Stranges Engineering Ltd.**

Rick Stranges, P.Eng.  
President

RAS/ras



Project: 23263  
535 Old Dundas Road  
Ancaster, Ontario

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# PHOTOS





**Photo No 01: 2<sup>nd</sup> Floor North Wall above Kitchen**



**Photo No 02: North Kitchen Wall below Photo No:01**



**Photo No 03: Main Floor Framing (Original House)**



**Photo No 04: Collapsed Roof**



**Photo No 05: Rotten Wood**



**Photo No 06: Rotted Siding**



**Photo No 07: Rotted Sill**



**Photo No 08: Rotted Post Base**



**Photo No 09: Rotten Wood Knott**



**Photo No 10: Spalled Mortar Joint**



**Photo No 11: Spalled Mortar Joint**

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**Photo-Documentation of 535 Old Dundas Road, Ancaster**  
(All photographs taken by City staff on November 6, 2023)



Figure 1: View of Front (East) Elevation facing Old Dundas Road



Figure 2: View of South Elevation along Ontario Road

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Figure 3: View of Two Level Shed in rear yard



Figure 4: View of existing contemporary side garage



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Figure 5: View of damage to shed foundation



Figure 6: View of deteriorating window frames with contemporary replacement windows

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Figure 7: Views of damage to front porch ceiling



Figure 8: Detail View of damage to eaves

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Figure 9: View of deterioration to wooden storm window



Figure 10: View of South Exterior and partially-collapsed side porch

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Figure 11: Detail View of damage to side porch



Figure 12: View of contemporary side addition and foundation

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Figure 13: View of typical interior



Figure 14: View of stone foundation wall in basement

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Figure 15: View of foundation wall in basement, looking into side addition



Figure 16: View of deterioration of upper-storey wood windows

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Figure 17: View of interior (left) and front exterior (right) wood doors



Figure 18: Early twentieth-century windows on front exterior

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Figure 19: View of front porch with posts, scroll work and railings



Figure 20: Close-up view of scroll work



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Figure 21: View of turned railings on front porch



Figure 22: View of property looking south along Old Dundas Road


**Appendix "A" to Item 4 of HMHC Report 23-012**  
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Figure 23: View of property looking north along Old Dundas Road



**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Transportation Planning and Parking Division**

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	February 6, 2024
<b>SUBJECT/REPORT NO:</b>	Contracted Parking Enforcement Services (PED24031) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	James Buffett (905) 546-2424 Ext. 3117
<b>SUBMITTED BY:</b>	Brian Hollingworth Director, Transportation Planning and Parking Planning and Economic Development Department
<b>SIGNATURE:</b>	

### RECOMMENDATION

- (a) That Council approve the single source procurement, pursuant to Procurement Policy #11 – Non-competitive Procurements, for the provision of parking enforcement services for Term 4 and 5 of Contract C3-04-20, and that the General Manager, Planning and Economic Development Department be authorized to negotiate and execute an amendment(s), applicable to the billing rates set out in the City’s existing Contract, and any ancillary documents required to give effect thereto with Imperial Parking Canada Corporation, in a form satisfactory to the City Solicitor;
- (b) That Staff be directed to submit an Information Report on the results of the negotiations to the Planning Committee.

### EXECUTIVE SUMMARY

Following a competitive procurement process in 2021, Imperial Parking Canada Corporation (Impark) was awarded Contract C3-04-20 for parking enforcement services. The contracted services serve to augment City of Hamilton Parking Enforcement staff with parking enforcement in Business Improvement Areas and the downtown core.

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Contracted Parking Enforcement Services (PED24031) (City Wide) -  
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Imperial Parking Canada Corporation's (Impark) bid submission was based on economic conditions as of 2021 and included some inflationary increases over the five-year Contract. However, economic conditions and associated labour conditions have changed significantly since the COVID-19 Pandemic. The current landscape, in terms of living wages, minimum wage, and inflation, have contributed to staffing challenges. As a result, Imperial Parking Canada Corporation (Impark) has been challenged to meet the target complement of staff to fulfil the Contract. Under the Contract, when staffing levels are not met, the City receives liquidated damages. However, the more significant impact to the City is that lower penalty issuance translates to lower revenue. As it stands, the Vendor has communicated that the current staffing challenges and Contract Terms is creating a net negative business operation that is not sustainable.

Staff are presenting the above Recommendation to engage the Vendor, in order to negotiate bill rates, namely pay rates, to be competitive in nature.

**Alternatives for Consideration – See Page 4**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

**Financial:** Presently, the annual value of the Contract is approximately \$630 K with actual operating expenditures of approximately \$400 K (due to lower than targeted contract staffing). With revised terms that enable the contractor to increase wage ranges and, in-turn, staffing levels, it expected that net revenues for the City would increase.

**Staffing:** Not Applicable.

**Legal:** If Recommendation is approved, an executed amending Contract, in a form satisfactory to the City Solicitor, will be required.

**HISTORICAL BACKGROUND**

Imperial Parking Canada Corporation (Impark) was awarded Contract C3-04-20 for parking enforcement services beginning January 1, 2021. They were the only submission via the public Procurement Process. Prior to Imperial Parking Canada Corporation (Impark), the Canadian Corps of Commissionaires was the contract vendor for several decades.

Throughout, and after the COVID-19 Pandemic, Imperial Parking Canada Corporation (Impark) has had ongoing staffing challenges which have now consistently been a concern throughout 2023.

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**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

By-Law 20-205 as amended, Procurement Policy, Policy #11 Non-competitive Procurements.

**RELEVANT CONSULTATION**

Procurement Services has provided guidance with respect to adherence to the Procurement Policy. Legal Services has also been consulted.

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

Contract C3-04-20 for Parking Enforcement Services identifies pay rates for contracted staff, the minimum number of staff on shift, as well as outlines liquidated damages (penalty in the form of a credit upon services invoiced) if minimum staffing is not met.

Presently, the pay rate for the entry level Enforcement Officer position is \$16.95 per hour, with moderate increases for the Senior Officer at \$17.46 per hour, and Supervisor position at \$19.58 per hour.

If Imperial Parking Canada Corporation (Impark) fail to staff at least eight Officers and one Senior/Supervisor, liquidated damages are calculated at \$200 per position per day. If they are only able to staff four Officers and one Supervisory, they would be forced to adjust the invoice by \$800, as an example, for a single day.

With the current staffing levels, the financial feasibility of the current Contract Terms and providing this service, is not sustainable for Imperial Parking Canada Corporation (Impark). Liquidated damages are currently rendering the operation a net loss when factoring in pay rates, bill rates, invoice adjustments, and administrative costs.

Imperial Parking Canada Corporation (Impark) has expressed the driving factor for staffing success is the pay rate. As it stands, \$16.95 is not an attractive wage to onboard new officers and to retain them. This rate was identified and agreed upon prior to drastic changes in the global and local economic landscape.

Staff recognize that the bid and awarded Contract is a binding agreement. Staff also recognize that this Contract operates as a net positive revenue generating tool for the City of Hamilton. Staff could hold firm on the existing Contract and run the risk of an attempt of a vendor-initiated contract termination. An interruption to the ongoing services provided by Imperial Parking Canada Corporation (Impark) would have a negative budget impact. Currently, the annual operating cost for the Contract is approximately \$400 K, while the services rendered results in \$1.8 M in issued parking penalties. It is of Staff's opinion that negotiating new terms surrounding pay and bill

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rates will assist with the Vendor's staffing challenges and will limit any impacts to services and revenues.

Staff are sensitive to the fact that this scenario is possibly setting a precedence for vendors to request contracts to be open in the middle of terms but are confident in this recommendation to have a positive impact for services required by this Contract and Vendor.

**ALTERNATIVES FOR CONSIDERATION**

Staff could inform the Vendor that there will be no amendments to the current Contract. This could result in the Vendor attempting to terminate the Contract and significantly impact parking enforcement services and revenues. Staff would then be forced to begin a procurement process to attain another vendor with likely increased rates.

Staff could initiate a termination of the Contract. This would also significantly impact parking enforcement services and revenues. Staff would then be forced to begin a procurement process to attain another vendor with likely increased rates.

**APPENDICES AND SCHEDULES ATTACHED**

Not Applicable.

# 12.1

## CITY OF HAMILTON MOTION

Planning Committee Date: February 6, 2024

**MOVED BY COUNCILLOR J. Beattie .....**

**SECONDED BY COUNCILLOR .....**

**Request and Issuance of a Demolition Permit for the Property Municipally  
Known as 294 Tenth Road East, Stoney Creek**

WHEREAS the residence has deteriorated to a condition that is no longer habitable;

WHEREAS the property has become a safety and operational liability;

WHEREAS the residence has been deemed beyond reasonable repair the owner cannot invest any further;

WHEREAS the owner of the above-mentioned property would like to demolish the existing dwelling without having to obtain a Building Permit;

THEREFORE, BE IT RESOLVED:

That the Chief Building Official be authorized to issue a demolition permit for 294 Tenth Road East, Stoney Creek, pursuant to Section 33 of the Planning Act as amended, without having to comply with conditions in Sub-Section 6(a) of Demolition Control Area By-law 22-101.

# 12.2

## CITY OF HAMILTON MOTION

Planning Committee Date: February 6, 2024

**MOVED BY COUNCILLOR M. Francis .....**

**SECONDED BY COUNCILLOR .....**

**Demolition Permit of 23 – 25 King Street East, Stoney Creek**

WHEREAS, Safety has been a major issue with multiple break-ins;

WHEREAS, The building has been in a state of disrepair;

WHEREAS, The remediation efforts and development efforts are stalled because the buildings are in the way;

WHEREAS, It would be prudent to deal with the land contamination issues immediately;

WHEREAS, The community including the BIA have complained that the buildings are an eyesore and taking away from the local business atmosphere;

THEREFORE, BE IT RESOLVED:

That the Chief Building Official be authorized to issue a demolition permit for 23-25 King St E, Stoney Creek, pursuant to Section 33 of the Planning Act as amended, without having to comply with the conditions in Sub-Section 6.(a) of Demolition Control Area By-law 22-101.