

April 17, 2012. *meeting*

Chairperson and Members  
Planning Committee  
71 Main Street West  
Hamilton, ON L8P 4Y5

**RE: Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-Law No. 6593 for Lands Known as 17 Ewen Road, Hamilton (PED09103, (a), (b)) (Ward 1)**

Dear Chairperson and Members,

Ainslie Wood residents support progressive development that is based on the principles of compatibility and consistency, collaboration and transparency, balance and equity and, most of all, integrity. We invite the City to support these same principles and we respectfully request that you deny the application for approval of amendments that would allow the inappropriate development at 17 Ewen Road.

We have attached our submission and would appreciate your time in considering our substantive and outstanding concerns.

Sincerely,

  
Concerned Ainslie Wood Residents Neighbourhood Association

April 17, 2012.

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Planning Committee  
71 Main Street West  
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In response to the Report of the Planning and Economic Development Department regarding the above applications, there still remain substantive objections and concerns regarding the numerous violations proposed to the existing Ainslie Wood Secondary Plan and negative impacts on the surrounding environment.

On-going areas of concern regarding **PED09103, (a), (b)** include the following:

- i) **Excessive Noise Mitigation Requirements** – the fact that sealed windows with air conditioners are not sufficient enough and entire “Enclosed Noise Buffer” balconies are now required to combat the excessive noise levels completely supports the claim that the property is not suitable for residential development. Kraft is a 24 hour 7days a week operation with constant noise emissions. It is almost entirely surrounded by commercial, business and institutional properties not homes. The site is not suitable for conversion to residential as is evident in the extensive mitigation measures that must be taken to deal with the single issue of noise not to mention the many other outstanding problems.
- ii) **Provision of Record of Site Condition** – the potential contamination of the site from previous industrial uses and a railroad had resulted in a holding provision and a requirement for a mandatory filing of a Record of Site Condition. The current report does not appear to provide any information on site condition including potential for soil contamination, potential soil instability, potential high water table issues and other potential environmental hazards. Such impact studies must be provided prior to granting any applications for development of any kind to ensure safety and site viability.

- iii) **Ontario Municipal Board Appeal** - the 17 Ewen Road Application is currently under appeal at the Ontario Municipal Board. It would only seem prudent to allow for a full and proper hearing at the OMB so as to obtain the necessary feedback that will accurately inform and direct the Committee's decision-making. To approve any applications prior to the OMB outcome seems to potentially minimize the entire OMB process and the resultant input as does holding decisions "in abeyance" as suggested in the report.
- iv) **Lack of Evidence Supporting the Effectiveness of Purpose Built Student Housing** – the report, once again, confirms the "limited" amount of empirical evidence and concrete data supporting the success of purpose built student housing. Without this data, it is absolutely unacceptable to subject the area to such high densities and potential negative impacts with just a "belief or hope" for the expected outcomes. In the attached Spectator article, the Ward Councillor even confirms "that despite the construction of a large scale student residence on Main Street (West Village), residences have yet to see students leave their neighbourhoods."

Conversely, numerous studies have been provided in previous submissions (attached) demonstrating clear links between increased densities and negative impacts on the community including crime. However, the most notable current event to support the position that these mass student residences should not be constructed is the student riot in London on March 17, 2012.

**Three major public figures including London's Mayor, the Chief of Police and the President of Fanshawe College have all openly confirmed that this type of negative behaviour is the "NORM" in "areas of large concentrations of students." They are also openly committed to using zoning laws to break up large concentrations of students as a means of avoiding such problems. They contend that "if students were scattered in housing throughout the city – and they all have bus passes so transportation would not be a big issue – then this kind of explosive amalgamation of people wouldn't happen." (CBC News article attached).**

These are informed public officials with a tremendous amount of experience and expertise dealing with the dynamics of student behaviour and they are clearly advising to disperse student populations not concentrate them. Why then is Hamilton proposing to do the exact opposite especially with the many problems already documented??? This riot was described by the Police Chief as "one of the worst cases of civil disobedience the city has ever been subjected to" and Hamilton should not be creating the potential for similar situations to occur in our own city.

In addition to this evidence, areas of known student concentrations have seen increases in crime including violent crime such as the murder of Brandon Musgrave and the September 9, 2011 stabbings on Royal to name a few.

These concerns as well as all of those listed in our June 15 response to staff report PED09103 and staff report PED09103(a) remain outstanding and in summation include:

- 1) process issues
- 2) industrial land protection requirements
- 3) excessive modifications and variances
- 4) incompatibility with the area
- 5) inadequate storm and sanitary sewers
- 6) excessive road burdens
- 7) potential site contamination from previous uses
- 8) community opposition from many stakeholders
- 9) increased vandalism and violent crime – **highlighted by the murder of Brandon Musgrave, recent stabbings and evidence of rioting**
- 10) increased traffic
- 11) inadequate parking
- 12) unacceptable densities as per Secondary Plan
- 13) destruction of the streetscape as per Secondary Plan
- 14) negative impacts on amenities
- 15) lack of open space and green space
- 16) decline in property values – **the Cedar Valley Home Owners Association of North Oshawa is suing the city of Oshawa for issues related to the negative impacts of student housing on neighbourhood status and property values.**
- 17) safety issues related to soil stability
- 18) overintensification of student populations and related, documented problems
- 19) need to consider viable alternatives – **the McMaster Campus Capacity Study of 2011** itself offered several other viable alternatives that would not burden surrounding neighbourhoods including reconfiguring and managing the space McMaster currently has differently, considering new facilities on the Main Campus and planning for expansion downtown to name a few.
- 20) failure of purpose-built student housing philosophy – **as stated by the Ward Councillor in a May 27, 2009 Spectator article (as provided) “residents have yet to see any students leave neighbourhoods despite the construction of a large scale student residence on Main Street.” No data is available to show need or movement from neighbourhoods.**

Specific details related to these concerns and objections are contained in our community responses to PED09103 (a) (June 15, 2010 - attached) and PED09103 (April 16, 2009) received by members of the Committee and the City Clerk. Our purpose in putting them forward is to ask Committee and Council Members to consider them judiciously and deny approval accordingly.

Sincerely,  
Concerned Ainslie Wood Residents  
cc/ City Clerk

June 15, 2010.

Chairperson and Members of the  
Economic Development and Planning Committee  
City of Hamilton  
77 James Street North, Suite 400  
Hamilton, Ontario L8R 2K3

**RE: Applications for Approval of an Official Plan Amendment and an Amendment to Hamilton Zoning By-Law No. 6593 for Lands Known as 17 Ewen Road, Hamilton (PED09103(a)) (Ward 1)**

Ainslie Wood residents support progressive development that is based on the principles of compatibility and consistency, collaboration and transparency, balance and equity and, most of all, integrity. We invite the City to support these same principles and we respectfully request that you deny the application for approval of amendments that would allow the inappropriate development at 17 Ewen Road.

In response to the Report of the Planning and Economic Development Department regarding the above applications, there still remain substantive objections and concerns regarding the numerous violations proposed to the existing Ainslie Wood Secondary Plan and negative impacts on the surrounding environment.

Areas of concern regarding PED09103(a) include the following:

**1) p.1 Lack of an adequate noise study** - with the recent, large-scale expansion of Cadbury/Kraft, no timely and adequate noise study exists to accurately reflect potential noise impacts. Ministry of the Environment involvement is required and a complete new noise study must be undertaken.

**2) p. 2 Failure to meet Committee requirements** - Committee members felt it was prudent to have a comprehensive, up-to-date noise study prior to granting any approval. This requirement has not been met.

**3) p. 2 Incompletion of Cadbury's comprehensive compatibility analysis** - the input of all community stakeholders, especially an industry as viable and directly impacted as Cadbury, should be given full and timely consideration. In addition, this study will examine compatibility factors beyond noise.

**4) p. 3 Noise information provided by the applicant and reviewed by staff is inadequate** - for several reasons:

- a) it is based on Cadbury's pre-expansion facility, so all data would be null and void as the facility has drastically changed.
  - b) it lacks necessary data such as "sound levels at plane of window" (POW) as required by MOE guidelines.
  - c) it suggests receptor-based mitigation which is only allowable by the MOE for minor noise excesses which have not been statistically established to date.
- Furthermore, RWDI's mitigation suggestions themselves (which include sealed

inoperable windows, no outdoor amenity areas and noise warning clauses) clearly show that the site is really not conducive to any kind of residential use.

d) no data has been provided to address the noise impact of Main Street West and other stationary noise sources close to the development (ie. 24 hour drive thru restaurant, auto repair shops).

**As a result, PED09103(a) must be denied.**

In addition, many of the concerns in the original recommendation to Committee contained within staff report **PED9103 (Appendix D)** have not been addressed or mitigated and remain outstanding including the following:

**1) p.3 of 34 Process-** it is not an acceptable practice that only 2 business days are given to the public to access the necessary information reports and prepare a response for Committee. Furthermore, at the original April 2009 meeting regarding this application, members of the public, including businesses adjacent to the site, advised Committee that they were not notified of the meeting and only heard of it through community contacts. The City should ensure a transparent, collaborative, equitable and time-appropriate process which allows meaningful contributions from all community stakeholders. It is a requirement of the legislation.

**2) p. 3 of 34 Industrial Land Protection** has also been a much-publicized commitment of this City with conversion for residential projects being prohibited in areas like Stoney Creek and Fruitland on this very premise. The City must ensure that “potential sites for conversion do not impair the viability of employment areas, that there is a need for conversion and that the infrastructure can accommodate another use.” The recent international purchase of Cadbury by Kraft and subsequent facility expansion is a testament to the viability and success of these industrial lands which should not be undermined. Furthermore, there is absolutely no need for additional high rise developments especially given the excessive densities on Main West leading into Ancaster and especially given that student residences like West Village condos and other student dwellings advertise vacancy on signage throughout the entire year. If conversion is to be considered, possibly McMaster would consider converting some of its Innovation Park lands for residential use or possibly converting some of its existing low level student residences to 10 or 12 storeys since it is deemed so acceptable for the surrounding community. Ainslie Wood taxpayers should not be burdened to accommodate McMaster’s perceived needs. A project of this kind would enhance development of downtown Hamilton and could be located there.

**3) p. 4 of 34 Excessive modifications and variances** are required to accommodate the building and are in extreme violation of current standards. Zoning by-laws are in place for a reason – to protect the integrity of an area. The degree of modification required, itself, suggests that the building does not “fit” the space at 17 Ewen or the neighbourhood in general. A structure of this size requires a much larger lot with proper setbacks, aesthetics and environmental features. “Park-like” surroundings would be mandatory to effectively incorporate a structure of this magnitude into any existing streetscape – and,

clearly, the space is not available to do so as suggested in the 15% greenspace allotment. One only has to look at the West Village Condo (former CNIB site) to see that it sits too close to Main West creating an overbearing, ugly streetscape with no attention whatsoever to greenspace or aesthetics.

In addition, with the recent, large-scale expansion of Kraft/Cadbury, the proposed site is even more inappropriate for the suggested residential use.

**4) p. 5 and 6 of 34 Compatibility issues** continue to exist despite repeated claims in this report that it “fits” the surrounding area. Reference is made to the West Village Condos to suggest compatibility. However, prior to the building of this development, which sits rather isolated on the edge of a hydro field and a ravine, there were and still are no other structures of remotely comparable height or size in the area. This, of course, is due to the fact that the structure grossly exceeds height limitations. One should, however, look to the example of the CNIB site as a testament to the obtrusiveness of such a structure on the streetscape and especially on our beautiful World Biosphere Escarpment.

Furthermore, the Cadbury Candy Factory, which is also referenced, is not excessive in height and in fact is low impact in this regard. It should not be suggested as compatible simply due to its industrial designation and, in fact, it is this very designation along with the recent, large-scale outward expansion that makes it incompatible.

The report has also failed to specifically mention other immediate neighbours such as the medical/physiotherapy clinic and funeral home who will be directly and negatively impacted by this proposed incompatible land use.

**5) p. 6 of 34 Inadequate storm and sanitary sewers** are already an issue in Ainslie Wood with too much demand being placed upon an aging infrastructure. High density development will only serve to exacerbate this situation and it is clear from the comment that “this will be reviewed in more detail at the time of development” that not enough preliminary study has been undertaken to ensure residents of adequate service in the future.

**6) p. 6 of 34 Road burdens** will be created as neither Ewen nor Rifle Range, which are only narrow neighbourhood side roads, can handle current capacities or traffic flows especially at peak hours and especially when exacerbated by parking issues.

In addition, with the recent, large-scale expansion of Kraft/Cadbury and the movement of their entire Stoney Creek distribution centre to Ewen Road, there will be even greater demand on both of these small side roads. A completely new and comprehensive traffic impact study is required due to this industrial growth and the subsequent changes and increase to traffic patterns.

**7) p. 6 of 34 Potential contamination** of the site from previous industrial uses and a railroad has resulted in holding provisions. Such impact studies should be done prior to granting any applications for development of any kind to ensure safety and site viability.

A holding provision can simply be equated with a lack of assurance and confirmation that a site is feasible for the suggested use.

**8) p. 7 of 34 Clear community opposition** has been formally received in the form of an extensive petition of several hundred signatures and letters from both concerned residents, businesses and taxpayers. The position of the larger taxpaying community that works hard to maintain a viable neighbourhood should not be ignored or marginalized especially for those who have no meaningful, long-term stake in the community.

**9) p.8 of 34 The need to address demographics** has, unfortunately, been created by the applicant who has chosen to market to a specific demographic group and has specifically targeted a student population. If anyone is potentially in contravention of the Planning Act and related Legislation, it may be the applicant himself, with the community only responding to this demographic pre-designation.

Regardless, one only has to follow local police blotters and daily news reports or live directly near high density dwellings to see that there is a clear correlation between crime and density especially property crime and vandalism which is witnessed regularly and noise/ by-law infractions. Furthermore, the Hamilton police service has created specific branches, liaisons and positions to deal specifically with student issues and to respond to student-related problems because these problems are repeated and prevalent and warrant specific attention. Intensifying already high densities will only serve to exacerbate the situation and put more pressure on police services in West End neighbourhoods.

Student demographic aside, crime-density studies do exist to show a direct correlation between increasing population concentration and negative social behaviours including various types of crime. In the International Journal of Criminal Justice, Harries (2006) states that "by and large, the available evidence increasingly tends to suggest that most types of crime tend to increase in levels of occurrence with increasing population density." Studies in British Columbia (Phillips, 2001) provide similar empirical data over 4 cities to support such correlations for both property and violent crimes. Most compelling is a 2002 document entitled "Crimes in the United States" created by the very reliable Department of Justice FBI that lists leading factors "known to affect volume and type of crime occurring from place to place [which include]...population density; youth concentration; stability of population with respect to mobility and transient factors..." to name a few. Therefore, it should not be suggested that increased density of any kind will not impact the surrounding neighbourhood because, clearly, it is an established geographical fact.

In addition, a most-compelling piece of recent evidence is the murder of Brandon Musgrave on Saturday, March 13 at a well-known student designated housing project. Before pushing more student housing projects on already saturated areas, this City must have proactive measures clearly in place with proven success to deal with these horrific, violent crimes that clearly exist. One murder in a student residence is one murder too many and is a desperate cry for action.



**10) p. 8 of 34 Traffic problems** on Main West currently exist without this development. Congestion is unbearable at peak hours and accidents, involving both vehicles and pedestrians, are commonplace. As a gateway to Dundas, Ancaster and the West Mountain, it is an intensely traveled artery. Given the number of schools and school-age children, seniors and special needs residents in the area, safety must be an uncompromised priority and no further traffic should be intentionally added.

In addition, the recent, large-scale expansion of Kraft/Cadbury will result in further increases to traffic considering their entire Stoney Creek distribution centre was just moved to Ewen Road. As a result, a completely new and comprehensive Traffic Impact Study is required and the February 2007 data is totally null and void.

**11) p. 8 and 9 of 34 Inadequate parking** will be a continued major problem as even staff acknowledges in the report by recognizing that over 600 students will reside in the building and estimated needs are not based on this data. The 1:3 ratio is completely unacceptable and will lead to illegal parking on side streets and private property (business and residential) which is already rampant especially at Fortinos.

The report attempts to offset this inadequacy by claiming the following:

- a) *the ratio of parking exceeds that at the CNIB site* – however, many of the residents at this site park across the street at the local plaza which has a large side lot. Parking is not at all adequate at West Village Condos,
- b) *the intended demographic will use public transit and will be going to McMaster* – however, staff clearly stated on pg. 8 that it was in contravention of the Planning Act and other legislation to make assessments based on a particular demographic so they can not now make assumptions when it is convenient to justify that parking will not be needed because student residents will use public transit or will be walking directly to Mac.
- c) *Required loading spaces will be used for parking* – is this not a violation of code? Loading spaces are an absolute necessity especially for a large residential structure that is intended to house a highly mobile tenant population. Absence of proper and required loading zones is not only a major liability and code violation, but it also suggests an attitude of nonconformity and carelessness with little concern for regulation, standards and safety. What other measures of conformity will the applicant feel is unnecessary? A “schedule” will not ensure orderly, safe movement nor will it provide the physical facilities necessary to prevent injury and damage. Furthermore, it is time specific and does nothing to monitor loading activities that may occur throughout the year.

In addition, there is a high water table in the designated area which could constitute a danger and negatively impact plans for safe underground parking and , therefore, would require further study.

**12) p. 10 and 11 of 34 Unacceptable densities and destruction of streetscape character** will result.

The report suggests conformity is achievable due to the following mitigating factors:

a) *the proposal would contribute to desired variety in housing type and density* – however, Ainslie Wood has repeatedly requested support in preserving the single-family residential C-zoned status of the neighbourhood instead of having it eroded away by absentee landlords and greedy developers. There are many other “homogeneous” neighbourhoods that should be targeted for “variation” and “intensification” well before Ainslie Wood. Consider proposals opposed by other areas of the city including storage facilities, seniors residences, upscale condominiums and even single family homes because they would be on 30 foot lots instead of 36 foot lots to name a few (Spectator, July 2009). But Ainslie Wood is repeatedly targeted to house thousands of students without the slightest consideration whatsoever for our beautiful homes and streets. It is not equitable - Ainslie Wood has its share of variation and intensification and should not always be the target for meeting provincial intensification goals. In addition, for all reasons related to density listed in Item 9 of this response, higher densities are not desirable at all and empirical data is available to prove it as well as crime-density studies as referenced.

b) *“stepbacks” in design will reduce the mass of the building* – no structure near this proposed building is evenly remotely close in height which will result in an absolute intrusion of the streetscape whether it is 10 storeys or tiered down to 8. Also, while the expanded Cadbury plant may be a larger “spanning” building, it in no way violates height restrictions (only about 2 storeys) in the manner that this structure will and does not intrude on the vertical space that has been so well-preserved in the community thus protecting our precious escarpment. The proposed building is not only completely incongruent with the low-profile residential areas, it’s even incongruent with a recently expanded candy factory which says a lot about its design and mass!!!!

c) *Since the subject lands are not immediately adjacent to Main West, they are not inconsistent with the Ainslie Wood Secondary Plan policy which prescribes 4 to 6 storey maximums on Main West to complement existing low-profile residential uses* - this property is mere metres from Main Street West and will loom over Main West and have the same negative aesthetic impact as if it were right on Main West. The integrity of the streetscape which the Secondary Plan serves to protect will be completely destroyed. The impact will be even worse than the CNIB site because of its more intrusive, less marginalized location. If these 10 storey structures are so acceptable for residential areas, one must ask again, why doesn’t McMaster build them on its own property and increase heights of current low-level residences???

d) *It would be the only residential use within the front portion of the block* - using very restricted boundaries, this claim may seem true. But given intentions to “convert [other lands] to alternative uses in the long term” (pg. 13)... The community must request that other more compatible uses be considered to prevent

complete erosion of the landscape through overintensification and an imbalance of high density developments (another student residence proposal has already been posted directly across on the other side of Main at the old Colin McDonald School). Furthermore, it seems to be common practice to use each new development to set a precedent to rationalize proximity of the next as this report appears to be doing in its attempts to use the CNIB site to justify this development. This practice is not fair and must be stopped.

e) *The urban design will be "sympathetic" to the surrounding area* – the fact that the community is being offered sympathy does nothing to sell this project and, in fact, suggests that it will be an eyesore as we contend. The massive reductions expected in landscaping requirements are completely unacceptable and, once again, suggest an attitude of nonconformity in addition to being in violation of existing policy. Almost every planning regulation is being altered and amended, including the Secondary Plan, to permit the level of density proposed which clearly suggests its inappropriateness.

**13) p. 12 of 34- Negative impacts on amenities** will clearly result and can not be acceptably mitigated.

The report states the following:

- a) *The sun-shadow report concludes surrounding properties will be affected for more than several hours* – to say that this is acceptable for surrounding properties is subjective and staff can not measure such value for existing land owners.
- b) *Wind impacts will be mitigated by landscaping* – yet landscaping requirements are being drastically varied from 40% to 15% so this claim does not seem substantiated based on the data provided.
- c) *Loss of privacy is acceptable as immediate land uses surrounding the building are industrial or commercial* – no consideration is being given to the funeral home, a use which requires the utmost privacy, peace and sanctity or to patients undergoing rehabilitation at the physio centre. Also, increased vehicular and pedestrian traffic is certain to occur in all areas of the neighbourhood as social networking increases which is sure to reduce privacy for all.
- d) *Views of the Escarpment will be interrupted* – given that our Escarpment is a treasured environmental feature of the Green Belt Region and the World Biosphere Reserve, its views should be preserved at all cost and projected as a positive global image for Hamilton. Given that this location is a gateway for visitors traveling into Ancaster and Dundas, preservation of views is particularly important. One only has to look at the destruction of the Dundas Valley view due to the thoughtless overdevelopment at the CNIB site to understand this concern. In a City that professes to be so environmentally conscious, so "green" driven, so committed to projecting a positive image, this factor alone should stop this inappropriate

development. It will also directly mask one of our most beautiful waterfalls in a city renowned for this physical attribute.

**14) pg. 13 of 34 – Use is not compatible with the surrounding area.** It is clear that there is an intent to convert industrial lands in this area which seems to contravene industrial preservationist policy for employment lands and is especially surprising given the viability and success of the existing industries and businesses especially Kraft/Cadbury which has recently undergone a multi-million dollar expansion. However, assuming this intent, it should be made clear that neighbourhood stakeholders are not against development and change but merely ask for development and change that is clearly consistent with the fabric of the existing neighbourhood. Fortinos, for example, is a viable and acceptable commercial addition and is not a high density, vertically obtrusive structure that will bring potentially undesirable behavioural and social impacts.

**15) Pg. 14 of 34 - Open space and greenspace is not being maintained** – in addition to massive on-site reductions in landscaping , a recent Spectator article on April 8, 2009 entitled “City Poised to Lower Fees for Highrise Developers” suggests that these developers will be given a break on contributing to parkland fees for the next 2 years. Such trade-offs are unacceptable and completely abrogate any claim this City has made to being committed to the environment.

**16) Pg. 14 of 34 - Property values will decline** – as mentioned in the various crime-density studies and literature cited earlier in this response, there is a clear correlation between intensifying densities and negative impacts such as crime and social misbehaviours. Consequently, it is fair to conclude that as a result of these growing negative externalities, property values will most certainly decline.

In addition, staff should be aware of very recent data available to support the statement that property values will decline. The Cedar Valley Home Owners Association of North Oshawa is suing the City due to their inability to enforce zoning by-laws and preserve the single family status of the neighbourhood. They have data showing their appraised property values have dropped over \$100,000 due to proximity to student housing and the associated negative behaviors (from Durham College and University of Ontario Institute of Technology..... Toronto Star, April 6, 2010-see attachment).

**17) Pg. 14 of 34 - Soil stability issues** – there are still numerous unanswered health and safety issues concerning the potential for unstable soil conditions, sandy loam, clay, underground streams and high water table issues causing instability. The possible leaching of oils and other chemicals into the soil from previous rail lines and other sources is problematic and requires a full environmental assessment. It would seem that any decision regarding the type and size of the development to be approved would require such vital data before approval.

In addition to all of these continued concerns, there is a need to stress the following final points:

- **Overintensification of student populations will intensify existing problems**  
- No developer should attempt to ensure the community that negative impacts will not be felt or that potential impacts can be mitigated when they really do not have the empirical evidence or data over a significant geographical timeline to conclusively support such claims. The community, City and Hamilton Police Service do, however, have first-hand observational and anecdotal evidence, crime and media reports, minutes from association meetings and the like to corroborate our concerns. Most recently, the murder of Brandon Musgrave in a student-designated residence gives significant weight to the concerns being voiced by the community regarding overintensification of student populations. The City, universities and colleges must take responsibility and work together to design successful proactive measures that will solve the existing student problems instead of adding to them.
- **Other more viable alternatives exist** - In a September 12, 2008 Spectator article, Adam Owen, the Executive Editor of McMaster's student newspaper, expressed several revealing opinions of the student population at large. In the article, entitled "Mac Students Don't Like Our Ghetto", he blames the University for not acting as a good neighbour to the rest of the city with regard to housing alternatives. He calls both students and residents "victims of the school" and refers to McMaster's actions as selfish. He asks the City to assist students with living, working and playing **downtown** because that is where many students would prefer to be. Ainslie Wood residents have always contended that revitalizing the downtown core with projects of this nature is one of the most sensible and viable solutions **and now it is even being suggested by McMaster students themselves** in open media forums. What respect can Ainslie Wood residents expect when students use the term "ghetto" to describe our neighbourhoods???? This perception is erroneous and should not be perpetuated as there are many beautiful family homes and streets in our neighbourhoods which should be protected not threatened. The City should also enforce by-laws and effectively intervene to show support where absentee landlords have abused properties and tenants alike. Furthermore, as Mr. Owen suggests, McMaster should be held accountable for housing its own student population in an acceptable manner on its own campus, on Innovation Park properties or downtown as desired. The Columbia International School has successfully converted downtown hotels into student residences and this strategy has been repeatedly supported on local radio talk shows regarding other sites such as the Connaught.
- **The planning philosophy surrounding large-scale student residences is an apparent failure** - planning staff and councilors continue to promote large

scale student residences beside main corridors believing it will mean less demand for student housing in single-family homes. However, in a May 27, 2009 article in the Hamilton Spectator (see attachment), the ward councillor clearly states “residents have yet to see any students leave their neighborhoods despite the construction of a large scale student residence on Main Street (West Village Condos). Why does staff continue to push a policy that is already a proven failure? Where are the efforts to convert “student dwellings back into single-family homes” as promised in the same article?

The reasons for our objections to this high-rise development are myriad and substantive. Our purpose in putting them forward is to ask Committee and Council Members to consider them judiciously and deny approval accordingly. Our intent is to protect our neighbourhoods, businesses and residential properties and to support development that will enhance the integrity of the existing community.

Sincerely,

Concerned Residents of Ainslie Wood



Rundle - President  
Fontana - Mayor

Rioters in London, Ont., add more fuel to a fire early Sunday. (Mike Maloney/London Community News/Canadian Press)

"The police presence, which was there on Saturday in pretty significant numbers, has to be embedded in that community," Fontana said. "We will be talking with the owners of these homes that rent to these students that want to be irresponsible. And we will be looking at zoning and curfew laws. We will be looking at all of these things to ensure that this thing doesn't happen again."

Earlier Monday, Rundle told CBC News he agreed with Fontana's proposal to use zoning and curfew rules to prevent similar riots. Using these bylaws or other options to break up student enclaves, such as the large concentration of students on Fleming Drive, would help prevent parties from swelling to uncontrollable levels, Rundle said.

\* use zoning

"If these students were scattered in housing throughout the city — and they all have bus passes so transportation should not be a big issue — then this kind of explosive amalgamation of people won't happen. ... If that zone can be broken up, then yes, I think that should probably prevent further occurrence."

\* scatter students

### Witnesses turn over social media evidence

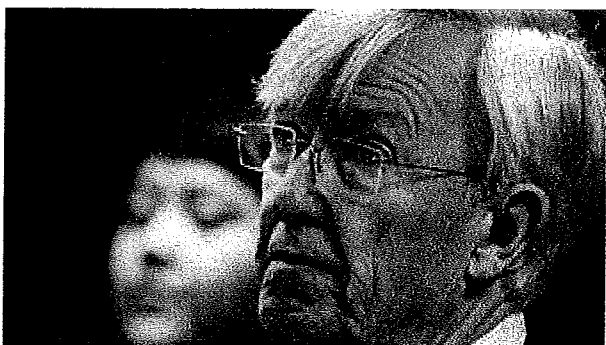
Fontana urged participants in the riot to turn themselves in before they are caught.

Authorities were combing through all the evidence, including a lot of video and social media offered by students who were "embarrassed" about what happened, he added.

"Fellow students who are, in fact, embarrassed about what happened were taking videos, they're providing us information. So social media is a very, very good tool, as you know, sometimes, to be able to connect the dots, look for evidence. There is an awful lot of it."

Rundle also announced Monday that Fanshawe has created a secure email address for students to send in tips, digital photos, video and other evidence in connection with the riot.

London Student Riot - CBC News  
March 19, 2012



*Dr. Howard Rundle, president of Fanshawe College in London, Ont., and Student Union President Veronica Barahona take questions during a press conference on Monday. (Geoff Robins/Canadian Press)*

Firefighters were the first to respond on Saturday, arriving to deal with a reported brush fire on Fleming Drive, just east of the college, at 10 p.m. They had to call for police backup after they came under attack by people throwing bottles and bricks.

About 50 police officers responded and the crowd continued to grow to about 1,000 people, many of them students, who surrounded a TV news truck that had been tipped over and set on fire.

London police Chief Brad Duncan said Sunday the "severity of this mob mentality could easily have resulted in death."

"Every one of our members in attendance on Fleming Drive was assaulted last night," he said Sunday.

"They were literally attacked with full bottles of beer and liquor, bricks, wood planks, two-by-fours, debris, tires, rims and other various items. In addition, members of the crowd used laser pointers aimed at our officers' eyes to try to disrupt our response."



# Fed-up homeowners sue city over student tenants

**CAROLA VYHNAK**  
URBAN AFFAIRS REPORTER

Cathy Provenzano's two children can't ride their bikes or go on their own to the park in their north Oshawa neighbourhood.

The hundreds of university and college students renting homes nearby make it too risky, she says.

"Every Friday, every Saturday, there are parties. They offered booze to kids in the park once," Provenzano fumes. "Now I have to tell my kids they're not allowed to enjoy their neighbourhood."

She's one of numerous homeowners fed up with noise, parking, parties, garbage and vandalism.

On their behalf, four members of the Cedar Valley Home Owners Association of north Oshawa are suing the city in a bid to reclaim their neighbourhood.

"We're not asking for money," said association president Emil Hanzelka. "We want this neighbourhood returned to single-family homes, which is what it was built for."

The city has failed to enforce a zoning bylaw, the group contends, allowing absentee landlords to rent out as many as six or eight bedrooms, which is illegal in a single-family area.

The allegations have not been proven in court. City solicitor David Potts can't comment because the matter is pending.

After years of complaining, suggesting solutions and meeting with officials and council, residents say Mayor John Gray has let them down and their only recourse is to take the city to court.

OSHAWA continued on GT4

## Crack down on landlords, residents say

OSHAWA from GT1

They cite broken glass, beer bottles and condoms strewn around, front lawns torn up by cars, eggs thrown at houses and garbage piled up. In one case, students retaliated against an older couple who complained about rowdy behaviour by sticking pieces of glass in their backyard to cut their dog's feet, the homeowners allege.

"Every day I get complaints about bylaw infractions, parking, garbage, parties, you name it," said Councillor John Neal.

The homeowners' fight is with landlords who, they say, collect between \$2,400 and \$4,000 a month by renting out as many as eight bedrooms in a house to students attending nearby Durham College and the University of Ontario Institute of Technology.

When Hanzelka and his wife



CAROLA VYHNAK/TORONTO STAR

Emil Hanzelka wants his neighbourhood to return to single-family homes.

moved into their retirement home 10 years ago, there were no students renting in the neighbourhood. Now, of 430 homes, close to half are lodging houses, he says.

While many families have fled the "streets of broken dreams," Hanzelka says, "it just makes me mad to even think about selling."

Appraisals show his house has dropped at least \$100,000 in value, he says.

Two years ago, the city introduced a licensing requirement for landlords that imposed tougher housing standards and limited the number of bedrooms in a house. But home-

owners say that did nothing to eliminate multiple tenants.

Last year, 28 landlords taken to court were found guilty of running illegal rooming houses and ordered to close them, but the city has failed to follow up, the homeowners allege. In a ruling released Friday, Ontario Superior Court Justice P.D. Lauwers found two landlords in contempt for failing to stop operating lodging houses.

A city staff report on student housing will be discussed at a public meeting Thursday at 6:30 p.m., at the Oshawa and District Shrine Hall, 1626 Simcoe St. N.

Loss of property value

# City OKs student residence

BY NICOLE MACINTYRE

A new west Hamilton residence is promising to draw students out of residential neighbourhoods, though critics fear it will just add to the over-concentration.

The city's planning committee has signed off on a plan to convert an old school on Sanders Boulevard into a lodging house for up to 50 students.

Planning staff endorsed the project, noting there's hope that larger residences beside the main corridor will mean less demand for student housing in single-family homes.

*'It's a real danger when a neighbourhood gets out of balance.'*

— Tom Perrie,  
resident

But residents have yet to see any students leave their neighbourhoods, despite the construction of a large-scale student residence on Main Street, said Councillor Brian McHattie.

In the Ainslie Wood-Westdale neighbourhood, more than 50 per cent of homes are student dwellings. Sanders Boulevard residents fear that converting the school will only bring more trouble to their neighbourhood.

Tom Perrie has already had to fork out \$2,000 in repairs after students jumped up and down on his car and kicked out its tail lights. He's also lost garden statues, potted plants, porch furniture and more than a few good nights' sleep thanks to drunken students.

"It does change the character of the neighbourhood," he told councillors. "It's a real danger when a neighbourhood gets out of balance."

Though the neighbourhood association shares the same concerns, it reluctantly supported the rezoning to allow the school conversion. The executive acknowledged the efforts of the project's owner, Adam Ellis.

Ellis has promised a 24-hour supervisor and an alcohol ban on the premises. He's also talking to other property owners about a shuttle service that would bring students directly home from pub nights.

The proposal is expected to receive final approval from council tonight.

McHattie has asked staff to investigate if the city could offer interest-free loans to help families convert student dwellings back into single-family homes. The concept has been adopted by university towns in the U.S., he said.

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No proven benefit



Spectator  
May 27  
2009