

Robicheau, Vanessa

To: D. JOAN EAGLE
Subject: RE: FILE: ZAC-13-004

To: Vanessa Robicheau
Co-ordinator, Planning Committee,
City of Hamilton,
71 Main St. West.
Hamilton, Ont. L8P 4Y5

Re: File #: ZAC-13-004

Application for a Zoning By-Law Amendment by New horizon Development (City Square) Corporation to amend the Zoning By-law for lands located at 85 Robinson Street, 220 Park Street South and 90 Charlton Avenue West, Hamilton.

I am writing to register my objection to the proposed zoning by-law amendment as per the "Notice of public meeting of the planning committee" letter dated April 16, 2014.

On November 26, 2013, I sent the attached letter to Delia McPhail and others to state my objections to this proposed amendment.

In the few months since this letter was written, I notice that the request for 220 Park Street South has ballooned from **105 dwelling units to 159 dwelling units** as per this recent notice. The "Notice of REVISED Application to amend Zoning By-law" dated November 21, 2013 clearly requested an 11 storey building having 105 dwelling units. This was to replace a former request for 17 storeys and 159 dwelling units. It seems that the developer is trying to squeeze in as many dwelling units as he can within a limited space.

For reasons clearly enunciated in the attached letter, I object to the addition of this newest tower with the 159 additional units. With Tower 1 at 90 Charlton Ave. West having 76 dwelling units, Tower 2 at 85 Robinson with 105 dwelling units and now the proposed Tower 3 at 20 Park St. South with an additional 159 units, there will be an influx of approximately 340 cars all emerging on Charlton Ave. West. As far as I know, none of my suggestions have been carried out to justify this change. For example, has there been a traffic study done **during peak business hours** to determine the effect of the addition of approximately 340 new dwelling units in this already crowded area? Similarly, has there been any study done to determine the capacity of the infrastructure with the addition of 340 new dwelling units? What about an updated shadow study to determine the effect of the new building at 220 Park St. South on the 2 storey townhouses directly across Park Street?

I therefore respectfully submit my objections to the amendment of the zoning by-law for the 220 Park St. South property.

D. Joan Eagle, M.SC., M.N., B.Sc.N.

217 Park Street South
Hamilton, Ont. L8P 0A2

November 26, 2013
Via email delia.mcphail@hamilton.ca

City of Hamilton
Planning and Economic Development Department
Development Planning, Heritage and Design – West Section
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

Attention: Delia McPhail

Dear Ms. McPhail,

Re: 85 Robinson Street and 220 Park Street South
File No: ZAC-13-004

In July 2008, as a property owner on Park St. South, I received a request from the City of Hamilton to allow re-zoning for 3 apartment buildings on the old Thistle Club property. The buildings to go up at 90 Charlton and at 85 Robinson streets were originally to be 7 storeys and later to be 9 storeys high with 66 units each, while the building at **220 Park St. South** was to be **4 storeys with 24 units**. The 4 storeys and 24 units are reflected in the body of the request and in the attached site plans. Please see Reference file # ZAC-08-032. This was followed one year later by a request to increase the number of units in the first 2 buildings to a total of 190, **still with the 4 storey building at 220 Park St. South and 24 units** (Reference file # HM/A-09). Suddenly out of the blue in April 2013, I received an “Applications and Preliminary Circulation to amend the Zoning By-law” which requested an amendment to the zoning regulation in order to allow the construction of a **17 storey building, having 156 dwelling units**, to be located at the southwest corner of Robinson Street and Park Street South. This is a gigantic change from the original requests (July 14, 2008 & June 2, 2009) which indicated plans for a 4 storey building containing 24 units. The most recent application (November 21, 2013) to change both 85 Robinson and 220 Park St. **to 11 storeys and 105 dwelling units** each is still a considerable and unwarranted change. From the various applications received to date, it appears that there will be a total of 295 or more new units in this area. I am therefore writing to register my formal objection to this latest request.

The following are my objections and comments:

1. As a property owner in the immediate vicinity of the New Horizon Development (City Square) site, I have received every notice sent out by the City of Hamilton for proposed amendments to by-laws on behalf of City Square. The **original application proposed 4 storeys and 24 units** for 220 Park St. South (Reference files #ZAC-08-032 and #HM/A-09). However, the **Notice of REVISED Application to amend the Zoning By-Law** for File No. ZAC-13-004 dated November 21, 2013 states “**the original application proposed 17 storeys and 159 dwelling units.** To my mind this is incorrect and very misleading. It completely negates the original application ZAC-08-032 dated July 8, 2008 and revised July 14, 2008 which states in part:

The effect of the Zoning By-law Amendment is to permit high density development consistent with related development in this area in the form of two 62 unit, 9 storey buildings and **one 4 storey, 24 unit building** with underground parking spaces for visitors. The two 9 storey buildings will front onto Robinson St. and Charlton St. West and the **4 storey building will front onto Park Street South.**
2. It is my understanding that the City of Hamilton entered into a formal agreement between the property owners/developers of the former Thistle Club property and the Durand Neighbourhood Association which stated in part that the property at 220 Park St. South would be 4 storeys and 24 units. **This agreement was duly notarized by all three parties and was understood to be legally binding on not only the three signees but all future owners and developers of that property.** To date this agreement has been ignored.
3. The population density within this part of the Durand neighbourhood is already too high with parking spaces on the street at a premium. Furthermore, Charlton, Park and Robinson are major arteries with heavy regular traffic. Charlton and Park Sts. are also busy bus routes. The addition of nearly 300 more dwelling units with their attendant vehicles crowding onto the streets in this area will cause increased congestion and possibility of accidents. At the very least, a traffic study should be done during peak business hours before a decision is made regarding this application.
4. The addition of nearly 300 new dwelling units will put an additional strain on the infrastructure of the area, especially the roads and sewers. Has a study been done to determine the capacity of the infrastructure in this area?
5. The site plan shows “green space” in the centre of the property and solid building close to Park St. The little or no landscaping visible to the street side would not only be unattractive and stark in appearance, but give a closed in feeling to the streetscape in that area. This effect would be magnified by the fact that the main entrance to 220 Park St. S. will be on Robinson St.

6. The fact of the closeness to the street of the building at 220 Park St. South will increase the amount of shadow from the 11 storey building on the 2 storey townhouses directly across the street. Given the width and height of the new building, a new shadow study should be done to determine the extent of this problem.
7. With the 11 storey condominium directly behind on Robinson St. and the proposed new 11 storey condominium directly across the street on Park, the townhouses at 215, 217, 219, 221, 223 and 225 Park St. South will be completely dwarfed and heavily shadowed which will have a negative effect on their property values.

I am therefore respectfully requesting that city staff and council deny this application and honour the original application for 4 storeys and 24 units at 22 Park St. South to which the City of Hamilton is a signator.

Yours sincerely,

D. Joan Eagle, B.Sc.N., M.N., M.Sc.

cc. Edward John, Senior Project Manager, Development Planning, Heritage & Design
Councillor Jason Farr, Ward 2
S. Robichaud, Director of Planning, Planning Division
P. De Iulio, Manager, Development Planning, Heritage and Design
Janice Brown, President, Durand Neighbourhood Association