

Written Submission

To:

The Chairperson and Planning Committee Members

Regarding:

The Sonoma Homes' appeal to the OMB (now LPAT) respecting 1518 – 1540 Upper Sherman Avenue

Date of Submission:

April 30, 2018 (for May 01.2018)

Some Major Concerns Raised and Submitted to the City of Hamilton are Listed Below:

- **Traffic:**
 - Traffic is extreme on Acadia Drive in front of St Jean de Brebeuf. Catering to 1700 students plus associated teachers and staff, there are at least 6 school buses, HSR buses, student pickups and drop offs, as well as school buses and cars for students going outside the neighbourhood. Traffic on Acadia is extreme during the day AND it continues all throughout the evening, the night and early morning hours (dead of night) making any increases in traffic truly unbearable.
 - The First Traffic study used by Sonoma was actually an old city Study decades old and was erroneous because the school at that time only had about 700 students. A second study was done while construction at the school was limiting or diverting traffic because of the construction vehicles. Both studies done were flawed and also do not account for the future additional traffic that will come with the completion of the school admin and upgrading the old admin to classrooms potentially upping the students to 2000 along with more staff.
 - St Jean de Brebeuf also rents out their facilities and the traffic continues throughout the summer where St Jean de Brebeuf rents out their gymnasium in the evenings and the weekends all already affecting traffic and parking in this neighbourhood,
 - The St Jean de Brebeuf Football Field and the Track Field are utilized by many local high schools which also bring in associated traffic. Both the Football Field and the Track Field are used though much of the year but EXTENSIVELY from May through to October. All having significant traffic and parking issues without any new influx of traffic.
 - St Jean de Brebeuf and Billy Sherring Park also utilized in the evening and late evening hours for various activities while St Jean de Brebeuf also runs night classes adding to traffic issues and parking

- Billy Sherring Park is utilized by the neighbourhood especially small children and students from St Jean de Brebeuf during their breaks and outsiders and has its associated traffic. This traffic is increased when the 3 Soccer Fields are being utilized by the neighbourhood and professional youth and adult organizations. Increasing density at this location means increasing traffic which in most probability would destroy the integrity and intended use of this area's park and facilities for the neighbourhood and so many others that worked to achieve it
 - Sonoma Homes also show 18 Wheeler arriving and unloading at every building which would add significantly to Traffic on Acadia and Upper Sherman
 - Upper Sherman is the MAIN ARTERY to the Juravinski Hospital which is the only hospital on the mountain (going northbound) and to the new Nora Francis high school and Our Lady of Lourdes Church at Rymal and Upper Sherman (going southbound). All significant traffic issues as well as SAFETY RISKS.
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- **Population Density Increases (Population Intensification):**

- St Jean de Brebeuf's population density needs to be counted into the tally for density in this neighbourhood and that means about 2000 people being at the school 5 days a week at least 8 hours a day for 10 months of the year – it's real. An additional population count for transient bodies that are picking up or dropping students off, workers and more need to be added too. And the numbers will rise even without the added density of the proposed monstrous FOUR (4) Sonoma towers
 - The 489 Sonoma units with probably house over 1,227 people based on Census Canada 2016 for Hamilton breakdowns. It also does not account for visitors (short and long term) and workers at the units. This is huge.
 - The population density also needs to include the transient density that come for Billy Sherring Park, the 3 Soccer Fields, the Football and Track fields as well as the rented school facilities throughout the year.
 - The Butler and adjacent Neighbourhood is defined as an Established Neighbourhood with a density stated as 70 units per hectare as per the **Residential Intensification Guide (Achieving Appropriate Intensification)** from the **Strategic Services/Special Projects Division of the City of Hamilton**. Increasing population density beyond this value is not right nor mandated by either the city nor the province. This means that by the guide about a 130 units are allowed on the Total Space proposed for the FOUR Towers and probably less when Flood Plain footage of 30 metres on either side of Acadia from the road are calculated - another reason why the Billy Sherring Park parcel was never intended on being sold to anyone before in the past.
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- **High Risk of Flooding:**

- This area is constantly at Risk of Flooding especially in years of heavy rainfall and/or heavy snowfall. A Flood Plain ditch at Billy Sheering Park across from the proposed rezoning site has helped along with the open field of the parcel of Billy Sherring Park sold off by the city in 2017 to Sonoma Homes which has for years played a significant role in preventing flooding on Acadia and Cartier as well as around Upper Sherman. There is also a ditch that goes all around the Billy Sherring Park parcel now owned by Sonoma which is significant in maintaining watershed activities in check, mainly preventing flooding. Losing the open space of the Billing Sherring parcel on top of replacing it with towers WOULD SIGNICIANTLY INCREASE THE FLOODING POTENTIAL of the Butler Neighbourhood and St Jean de Brebeuf
 - We have not seen flooding in the area since at least 1993 as the Billy Sherring Park parcel, the ditch along Acadia, huge above ground sewers (at that location) and the Flood Plain have prevented this from happening. There were years where it looked like Niagara Falls on Acadia at the Billie Sherring Park parcel. Removing open space and the ditch will significantly increase all flooding risks for all the homes and St Jean de Brebeuf.
 - Additionally, we should not have to pay for higher flood insurance OR for backflow flood protection from the city as we never needed it before because of the open space of the Billy Sheering parcel and Flood Plain.
 - **The Sonoma Towers are also NOT 30 meters from the road** as I believe that is the flood plain requirement and that will pose significant watershed issues on this area as well as affect the natural habit
 - The current Storm Water controls will be heavily overburdened. It is very evident that there is a very delicate balance between the existing storm water controls and the environment here. As per document from the "PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT, Planning Division", there is a 1500mm storm sewer located at the intersection of Upper Sherman Avenue and Acadia Drive intended to accommodate the 5 year minor flows and the 100 year major overland flows from the subject lands. Storm drainage from the subject lands is intended to drain to the storm water quantity control facility located on the south side of Acadia Drive, west of Upper Sherman Avenue. Storm drainage from this pond ultimately drains to the centralized storm water management quality control pond located west of the intersection of Mountain Brow Boulevard and Arbour Road. It definitely looks like the Flood Plain Pond is at a maximum and will be over challenged by the loss of the open land and ditch at this location. Flooding is definitely a probable risk to the neighbourhood.
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- **Access/Egress:**

- The Acadia / Upper Sherman access at which the FOUR Sonoma Towers are proposed is a MAJOR Access/Egress to the neighbourhood, St Jean de Brebeuf high school (including school and HSR buses), Emergency (Fire, Police, Ambulance, etc.) vehicles as well as Billy Sherring Park, the THREE Soccer fields, the Football and Track Fields as well as activities sponsored directly and indirectly by St Jean de Brebeuf
 - Upper Sherman is also the main artery to the only hospital on the mountain, Juravinski, as well as an artery to the new large high school at Rymal and Upper Sherman, Nora Francis, and the new Our Lady of Lourdes Church
 - The added vehicular traffic including the potential of having 18 wheeler trucks blocking Acadia or Upper Sherman here is a REAL and HIGH RISK situation where seconds could mean life or death. Case in point is that Hamilton ambulance already are suffering with extremely large turn around pickup times and any more slowdown in a large area as this would be disastrous and lives could suffer. Reference Traffic and Parking items
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- **Carbon Footprint:**

- The proposed FOUR Sonoma Towers at least quadruples the neighbourhood's population. This becomes a real threat for the neighbourhood's wellbeing in terms health and everything else from huge increases in carbon monoxide and other vehicle (an addition of more than 1,000 vehicles – see Census Canada for Hamilton in Traffic, Density and Parking), equipment (A/C, heating, etc. – again, that is at least 500 units considering the 489 units then the building infrastructure and retail on top), and other machinery emissions. This is a negative impact on the Carbon Footprint rather than a positive one in a neighbourhood by both Federal and Provincial standards and by most green cities.
 - In reference, see the Traffic and Parking for the increased The Carbon Footprint is also impacted
 - You also need to include St Jean de Brebeuf high school already in existence in this neighbourhood for the Carbon Footprint impacts. The school houses 1700 students plus teachers and other staff that add to the carbon footprint in terms of bodies as well as associated vehicles (including student pickups and drop offs, teacher and staff vehicles, School and HSR busses) and normal waste (food, fecal and more) – ALL which already significantly impact the Carbon Footprint of the neighbourhood. St Jean de Brebeuf needs to be counted because it is not a transient population as the school operates 10 months of the year at 5 days a week and at least 8 hours a days which is very significant and not transient.
 - The Sonoma Towers would turn this neighbourhood “black and brown” rather than “green”. Truly a negative appeal on Hamilton while destroying this neighbourhood. Intensification by the provincial government does not mean densification of population but a balanced increase to make everything better not worse like overcrowding by the Sonoma proposal.
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- **Parking:**
 - The Traffic on Acadia is extremely heavy throughout the year and that is why here is no parking allowed on the street. Any parked vehicle during school hours cause an extensive issue with vehicle trying to get by including cars going into neighbour driveways to turn around.
 - Based on Census Canada 2016 for Hamilton (reference Density above), 83% of all people, male and female, drive to work and based on the density distribution above, this means there will be a need for approximately 1018 parking spaces not including visitors or workers at the units or buildings. Sonoma is proposing about half that which means the neighbourhood will be engorged with people parking everywhere on the streets, the park, the school and anywhere they can. A disaster waiting happen.
 - Sonoma is proposing a little over 600 parking spaces which is about one vehicle per unit and significantly less than Canada Statistics 2016 for Hamilton predicts.
 - The parking at St Jean de Brebeuf is already an issue because of the immense size of the school body and students who come from areas without buses or other means are allowed to park in the Billy Sheering Park Parking Lot. All these spaces and more become threatened by the proposed Sonoma Towers which as indicated based on Census Canada 2016 for Hamilton the spaces proposed are severely lacking and not planned well and street parking would add significant Safety Risks and Issues for Access.

- **The FOUR Sonoma Towers Do Not Conform to the Neighbourhood Character, Persona or Aesthetics:**
 - The Butler neighbourhood is mostly comprised of single family dwellings with some single dwelling two story townhouses along with a two story high school (St Jean de Brebeuf) and a one story elementary school (Blessed Pope John Paul II) and nothing beyond two stories in height.
 - Anything taller would definitely be out of character for the neighbourhood and would likely be perceived negatively by anyone coming to and from our neighbourhood which includes the neighbourhood, the school children, users of Billie Sherring Park and its three Soccer Fields, users of St Jean de Brebeuf for night classes, Football Field, Track Field and all associated rental activities – it would be like walking through a dark tunnel from Upper Sherman down Acadia Drive.
 - From the **Residential Intensification Guide (Achieving Appropriate Intensification)** from the **Strategic Services/Special Projects Division of the City of Hamilton: (1)** taller buildings cast shadows on adjacent properties; (2) taller or bulkier buildings create wind impacts at the ground level along the street, impacting pedestrian comfort; (3) taller buildings create visual sightlines from units in the taller building into the yards of surrounding residential lots, impacting privacy especially with the proposed Towers having balconies
 - The proposed Towers would be a plain aesthetic eye sore in this Neighbourhood something akin to dropping a bucket of paint onto a white floor

- **Shallow Bedrock:**

- The Butler neighbourhood especially around Acadia and Cartier are burdened by shallow bedrock which impedes digging foundations. This was evident in many homes seen on Cartier where the bedrock was too shallow because drilling was futile and blasting improbable leaving many home foundations significantly above grade.
- Shallow Bedrock also adds to the potential risk of flooding if not enough open space is available to take in excessive rain and snow from heavy wet years.
- Shallow bedrock also means that any and all construction projects will be heavily felt in the neighbourhood from digging and any other construction activities. A perfect smaller scale example is the construction the city approved at St Jean de Brebeuf where the noise, vibration, dirt, cement dust and construction traffic has been excruciating to anyone in this neighbourhood especially those close by and actually not so close by too

- **Tremors Can Occur:**

- Isolated Tremors and Shocks can occur in this area.
- As per Union Gas, there is the risk of “pockets of gas/air” abruptly coming to the surface in isolated spots because of the shallow bedrock. What this means is that a single home can experience an isolated “tremor or shock” that can be of significant size. This was told to me by a Union Gas Technologist about two years ago after I experienced one of these shocks in my home that actually caused a heavy “Ikea” dining table to jump about 6 inches off the floor along with an immense “bang” noise. I actually called Union Gas fearing it was a gas explosion but that was not the case rather it was a “pocket of gas/air” coming through under my house. An incident like this in the proposed Sonoma Towers location potentially has many associated risks for the neighbourhood in particular homes close by and pedestrians.

- **Infrastructure:**

- Infrastructure issues are a concern and include extreme OVERUSE with OUTAGES/ISSUES with Sewers (and Flooding), Hydro (PowerGrid), Water Pressure, Snow Removal, Flood Plain (and not providing the 30 metre Flood Plain allowance on either side of Acadia at the proposed site), Mobile Cell Towers, Internet Services and other utilities missed here
- The Waste and Sanitary Sewers are definitely a concern because of the high risk for flooding and hence contamination since the open space and ditch around the proposed rezoning would be gone and hence no longer assist in excessive water take up in the neighbourhood during extreme rain and snow years

- **Waste:**
 - Waste, Smell, Rodents and other vermin will definitely be an issue introduced to the Neighbourhood by the proposed towers from both the 489 units as well as from the retail space
 - The potential for spreading disease becomes real and the smell especially during hot periods will be excessive especially with the close proximity of the FOUR buildings to the existing homes no matter what waste containment system is used
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- **Privacy Invasion and Overlooking the Existing Neighbourhood:**
 - This is a real concern for the neighbourhood as their privacy is being threatened from the onlookers in the Towers especially with balconies. Not only will backyards be affected for enjoyment but the pools in the area will be as well as people will no longer feel their privacy is safe at all for any activities from potentially so many onlooker from the Towers. Just having this as a risk for happening is itself a real risk and destroys everyone's enjoyment of their property and is not what we expected from owning our homes here.
 - The balconies on the proposed Sonoma Towers will definitely invoke privacy issues and destroy the neighbourhood's ability to enjoy their backyards, decks and swimming pools. You will always feel that over 2,000 eyes are watching everything you do where you once never had to worry or feel concerned about.
 - As per the **Residential Intensification Guide (Achieving Appropriate Intensification)** from the **Strategic Services/Special Projects Division of the City of Hamilton: (1)** taller buildings may cast shadows on adjacent properties depending on the nature and height of the buildings and the distance to other properties; (2) taller or bulkier buildings may create wind impacts at the ground level along the street, impacting pedestrian comfort; (3) taller buildings may create visual sightlines from units in the taller building into the yards of surrounding residential lots, impacting privacy. All these scenarios are more than likely: shadows will be permanently cast at many of the homes as well as on Acadia and Upper Sherman darkening the whole neighbourhood considering the would be 4 Condo Towers; this area is already prone to extremely high winds (we have seen tornado events like on July 4, 1999), so the towers will add to ground wind issues; the towers would impact privacy of everyone on Acadia and Cartier and other homes in the area not only because of the tower height to overlooking visibility but also due to the balconies proposed on all the condo units where enjoyment of neighbourhood backyard activities would become non-existent.

Other Issues that are Real Concerns Which are Probably Not Considered by the OMB:

- **Property Value Decreases in this Neighbourhood:**

- This is Real and became a reality immediately on the rezoning proposal
 - Our homes were immediately hit with significant depreciations (\$50K and more) with the announcement of the rezoning proposal
 - It has now made it financially difficult for many of us to try and sell their home and move without incurring significant financial losses. These losses are actually close to \$100K based on several realtor requests and that is a shame because the area was a very desirable area one time. The rezoning of the Towers will hit everyone in the neighbourhood hard and the city's approval of the St Jean de Bebeuf expansion to the sidewalk adds additional financial devaluation to everyone directly across from that
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- **Risk of Increased Crime:**

- With a greatly expanded population over what is normal to this Neighbourhood, the Risk and Potential for Criminal activities will increase in the Neighbourhood, in Billy Sheering Park and in the shadows behind St Jean de Brebeuf high school
 - Criminal activity like break ins and heavy drug dealing would definitely be seen. I have seen this with homes on Mohawk Road where there are homes and apartments relatively close together. I had a home there at one time and had to deal with that all the time. And the apartments on Mohawk were spread out with more open space and more parking and more visibility. Neighbourhood insurance rates would increase significantly as well – a cost we should not have to be burdened by while Sonoma reaps profits.
 - Criminal activity focused on our Neighbourhood Children and the Children from St Jean de Brebeuf and Blessed Pope John Paul II schools is a given. The potential for illicit are extremely high Risk potentials in terms of everything from drug trafficking to children , sex crimes and even kidnapping.
 - These are real concerns in this Neighbourhood that we are not comfortable with
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- **Safety, Noise and Other Nuisances:**

- From a Safety perspective, the roads will become unsafe for our children, pets and resident in general with the increased traffic
- The Noise will also increase in the entire Neighbourhood as the increased population density and the buildings are guaranteed to act as a sounding board into the neighbourhood
- Overall so many problems of daily life will be multiplied so many times more and not even envisioned with any population increases. Imagine during any holidays, where these people get visitors and the traffic, parking, noise and so much more gets

compounded by the amount of visitors which has not been accounted for in the Sonoma Towers

- **Duration and Nuisances During Construction:**

- Sonoma Homes already stipulated that construction would last at least 5 years which in reality could very well translate to many more years than 5 years.
 - The construction duration itself also compounds many of the issues already mentioned especially Traffic, Access/Egress (especially for emergency vehicles), Snow Removal issues, and the Noise would be continuous and constant every day for an established neighbourhood. The city By-Law also allows construction 16 hours a day at least (7am to 11pm) and 7 days a week. Something that has to be addressed and mitigated to avoid major and continuous construction noise disruptions in the neighbourhood for extended periods of time.
 - From my own recent experience with construction related noise disturbance, I can cite the new addition at St Jean de Brebeuf which started June 2017 and continues today. I live directly across from the construction site and where 90% of the construction vehicles, deliveries and grinding/sawing took place which typically was continuous from 7am to 5pm five days a week (and occasionally 6 and 7). As I am mobility challenged, I had to endure this construction noise constantly as I was predominantly at home and this directly affected my health (not in discussion here)
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