

## Central Neighbourhood Association

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**Ref: Official Plan and Zoning By-law Amendment to Add a Production Studio Use  
Within the Barton and Tiffany Lands (PED18210(a)) (Wards 1 and 2) to the City  
of Hamilton Zoning By-law No. 05-200**

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To Whom it May Concern,

A Production Studio and associated Soundstage/Warehouse with inclusion for parking in Hamilton would have positive outcomes for the city and has support from the community but may not be suitable on the proposed site within the Barton Tiffany Land because it would impact negatively on the existing plans and the surrounding neighbourhood.

A Production Studio and associated Soundstage/Warehouse would accommodate the various components of use such as warehousing, filming set, parking and loading. Set building and other set production for props and costumes equally involve machinery, equipment and construction materials. Work is done indoors and outdoors, making use of all available space. Construction and paint departments often work outside. Spray-painting is commonly done outside, for example, for the creation of signage.

Carpenters, construction labourers, general labourers, painters, costumers and builders are practically unable to use any public transit because the nature of their work involves the transport of personal materials, tools and equipment. They need hundreds of parking spaces. Getting to filming locations and site surveys is regarded as unfeasible without a vehicle. In addition, their work extends beyond regular hours to weekends, nights and evenings that are beyond public transit available times. Their vehicles of choice are pickup trucks. A transportation department drives supplies to location and often ferries persons back and forth, creating more need for parking space for rentals. Surface parking on premise for workers, who already compete with semi-trailers, crew trailers, set

trailers, camera trucks, rental trucks, many types of 5<sup>th</sup> wheel trailers and other support trucks, is understood by those familiar with the industry never to be in sufficient supply and, consequently, overflows onto city streets and neighbouring commercial services and retail businesses. In Vancouver, hundreds of overflow cars and pickup trucks pour into the store parking lots of Walmart and Save-On Foods and over-size trucks and long trailers line the streets around both North Shore and Bridge Studios. It has become a nightmare for the local business owners and has created a major parking dilemma. Entire streets are lined with crew trailers and trucks. Fortunately, the Vancouver studios are located in light- to industrial lands and are distant from residential neighbourhoods.

The production work schedule is not confined to standard daylight hours. If necessary, a film studio will operate at any hour of the day or night, indoors or out. Stage lots for exterior shoots are busy places throughout the night to accommodate night shots and are lit for substitute daylight when necessary. Night lighting can be visible many city block away from the lot. The industry works on a 24-hour cycle and huge semi-trailer trucks can be loading up at 3:00am for departure to location. Crew vehicles often have early morning shoots before dawn. The city of Hamilton's statement that a Production Studio "is less likely to be used in the evening and/or weekends," (page 164/567) is misleading. A Production Studio functions at all hours, 24/7.

It would be counter-intuitive to envision a quiet, peaceful atmosphere in this environment. Day and night, along with the noise of loading and unloading of vehicles including huge semi-trailers, automatic horns and traffic, there is also an unavoidably noisy production studio yard and workers using radio phones and loud speakers for communication. Noise attenuation is impossible to be reduced by any means of innovative building design, open space buffers and vegetative planting. Furthermore, the noise would only serve to add to the noise of the existing CN Rail Line, increasing the related conflicts with noise and vibration and would not "foster improved noise environments for existing and future residential and sensitive land uses" (page 166/567).

The core principles on which the West Harbour Setting Sail Secondary Plan are founded provide important criteria upon which any proposal or future proposals are evaluated against to ensure that broad public objectives are realized. On this basis, there are no principles which the proposed Production Studio and associated Soundstage/ Warehouse realizes, as detailed below. The impacts listed below demonstrate a failure to adhere to the core principles and would serve to undermine the public objectives of the West Harbour Setting Sail Secondary Plan and the goals of the Barton-Tiffany Urban Design Study because, as follows, the official plan and zoning by-law amendment to add a

Production Studio Use within the Barton and Tiffany Lands (PED18210(a)) (Wards 1 and 2) to the City of Hamilton zoning by-law No. 05-200:

**DOES NOT Strengthen existing neighbourhoods**

The proposed amendment would not integrate a mixed-use community with plans to re-mediate its former underutilized brownfield site because it would, in fact, enable the building of a Production Studio and associated Soundstage/Warehouse whose function is exactly suited for a brownfield site. It would not respect and enhance the character of the existing neighbourhoods. Housing, jobs, shops and services can thrive together when they are integrated in scale. Healthy neighbourhoods around and within Barton Tiffany Land cannot develop around a Production Studio with associated Soundstage/Warehouse. It would not encourage new commercial uses to serve future and existing neighbourhood residents because a Production Studio does not welcome the public into its realm. It would not increase the activity and vitality of the area through job creation because it does not fit into the description of how the neighbourhood residents value the area's historic character and waterfront amenities. This character and the neighbourhoods' physical relationship to the waterfront are assets to be protected and enhanced and would not be represented by a Soundstage/Warehouse building on the Barton Tiffany Land.

**DOES NOT Provide safe, continuous public access to the water's edge**

A Production Studio and associated Soundstage/Warehouse would inhibit public access to the water's edge by creating safety concerns and traffic management problems. Increased industrial-sized truck traffic would not blend into the pedestrians, cyclists, buses and cars moving through the area and would not improve access to the bayfront. It would make walking and bicycling dangerous options for movement and does not contribute to walkable neighbourhoods and would not comply with official urban plans. There would be a disruption of access to waterfront and increased pressure on many Ward 1 and 2 access points to the waterfront parks, such as Bay Street. The needs of residents and locals from the neighbourhood area and future occupants of the Barton Tiffany Land, of visitors and tourists to the waterfront and parks at the western end of the bayfront would be hindered by large scale use of space with the allowable height of 15 meters permitted for a Soundstage/Warehouse.

**DOES NOT Create a diverse, balanced and animated waterfront**

A Production Studio and Soundstage/Warehouse would not animate the area or create an appropriate focus for pedestrian access through the Barton Tiffany Land across the rail yard to the waterfront. New uses and changes are meaningful if “waterfront-appropriate” and take advantage of the harbour setting and promote endless enjoyment and appreciation of the waterfront. A Production Studio and associated Soundstage/Warehouse with inclusion for parking at surface would not fit the description of the city of Hamilton Tourism mandate to make the waterfront an inclusive place for all. The waterfront amenities that are highly applauded by Hamilton Tourism through its literature and website as a being family friendly is not in character with the semi-industrial production studio and warehouse under consideration. The Barton Tiffany Land is optimally located to be joined to the various means of flow to the waterfront trails, Bayfront Park and Pier 4 Park. Plans to facilitate a pedestrian walkway over the existing rail yard would enhance opportunities to engage the general public, both resident and visiting the city, in wonderful opportunities in a variety of leisure activities while enjoying views of the surrounding harbour area. The park is already a popular spot for walkathons. Situating a Production Studio and associated Soundstage/Warehouse in the Barton Tiffany Land would diminish the opportunity to welcome pedestrians, cyclists, and others. The sound stage proposed, with an allowable height of 15 metres, lowered or increased, would obstruct the harbour area and degrade the vision of fostering a meaningful relationship to the waterfront.

#### **DOES NOT Enhance physical and visual connections**

The proposed addition of a Production Studio and associated Soundstage/Warehouse within the commercial designation would not assist in developing a currently vacant and underutilised former industrial area with commercial uses that are transit supportive and within a pedestrian friendly environment. The lands are vacant and underused as a meaningful gateway to the recreational and natural amenities of the bayfront park and waterfront. A Soundstage/ Warehouse would not result in improvements to the public realm along sidewalks and public rights of way to foster or enhance the visual and physical connections, nor would it promote appreciation of the waterfront. In fact, it would place a huge visual barrier against a view of the waterfront. A Production Studio and associated Soundstage/Warehouse would add significant truck and heavy traffic and undue parking pressure to the existing streets. In addition, it would restrict easy access to the area generally and to the waterfront in particular, especially for pedestrians and cyclists. There are already busy streets such as York Boulevard, Cannon Street, Bay Street and Barton Street that can be difficult to cross. To add further heavy traffic at all times of the day and night to these streets would not create a feeling of safety or security within these street, parks and open spaces. It would not mitigate the physical barriers or “screens,” to which the city refers, to the street or to the waterfront, would not improve

pedestrian, cycling and transit connections to the waterfront from the downtown or enhance the streetscapes of key north-south and east-west streets, or help to establish a pedestrian connection between the Barton Tiffany Land and the waterfront.

The new proposed use would not achieve the objective to develop as a complete community, given that it would perpetuate the use of land for purposes which the city recognizes as “hybrid uses with both commercial and industrial components/ characteristics” (page 160/567). The value of the Barton Tiffany Land would not be maximized by locating a production facility in the area. The zoning for Barton Tiffany is envisioned as mixed-use for residential and commercial. A Production Studio with Soundstage/Warehouse is neither commercial nor residential. It fits the description of a semi-industrial facility which exists without access from the public, unlike and separate from creative or cultural facilities. It would have the visual, physical and psychological effect of being shut-off from the street. It would affect the medium density residential area zoned for the Barton Tiffany Land. A “hybrid” would create confusion with respect to mixed-use residential and has great potential to undervalue the land. The need for development, growing the assessment base, and increasing the property value of Barton Tiffany Land should appreciate the fact that it is bordered by a neighbourhood.

Developers have no interest to alleviate the disadvantages of residential new-builds in proximity to facilities built on brownfield. The site is regarded as an underutilized brownfield, and the proposed amendments acknowledge that a Production Studio and Soundstage/ Warehouse “may contain certain elements of an industrial use,” (page 165/567). Elsewhere it states the soundstage is acknowledged by the city to be characterised as a “warehouse structure/area” (page 165/567). The result of permitting an industrial use of the site may leave the only option to downgrade the Barton Tiffany Land into a light-industrial and/or business park. This option would be a complete failure of the West Harbour Setting Sail Secondary Plan.

The concept of “mixed-use” should be cohesive to all and does not relate to a facility which is at odds with shielding itself from the public realm and the urban landscape. The proposed Soundstage/Warehouse and storage buildings will have fencing and barricading that will not be hidden by a planting strip and would require full visual barriers at heights exceeding low rise buildings and, notwithstanding, pedestrians and cyclists. Soundstages have no multiple entrances oriented to the street or any similar means to animate the streetscape. A Soundstage/Warehouse is an impenetrable, windowless fortress with no opportunities to connect with the outside community, and would not enhance the Barton Tiffany Land with a vision to become a desirable community for

mixed-uses and medium density housing. A Production Studio and associated Soundstage/ Warehouse is incompatible with the Barton Tiffany Land urban and green space.

**DOES NOT Promote a balanced transportation network**

The success of the West Harbour GO station is dependent upon optimizing the numbers of transit users to the area and is dependent upon attracting visitors, workers and residents to the area and to help manage traffic. The proposed Film Studio would effectively increase street traffic and divert workers away from public transportation (especially GO transit) for the reason that workers at a Production Studio, without exception, depend upon getting to work and to locations independently, mostly by larger vehicles of choice and because the nature of their work makes it impractical to use public transit. A Production Studio and associated Soundstage/Warehouse would promote a less balanced multi-modal transportation system in which its workers do not and have never depended on public transit, cycling, walking, or otherwise getting to their work destinations by any other form of transit other than their own vehicles. A Production Studio would result in underuse of the West Harbour GO Station. A Production Studio would maximize traffic impacts on the existing local street network. The addition of semi-trailers and other associated vehicles would increase the dangers to cyclists and pedestrians. Beyond safety concerns, it would be counter-intuitive to expect the industrial nature of the semi-trailer truck traffic to blend into the pedestrians, cyclists, buses and cars travelling through the area and to the bayfront. Community input has emphasized the need to improve the visual corridor along the streets below Cannon and York leading toward the Bayfront, and the outcomes of this scenario are indicative of a situation that could only worsen.

Parking is a matter for serious concern. As it relates to a Production Studio and associated Soundstage/Warehouse, the city has stated that parking will not be permitted between a building's façade and a public street and that proposes that buffering between pedestrian realm and parking area offers a remedy to the problem. This is unavoidably open to contest in the amendments. Parking along the streets would worsen. Be real.

On the west side of the city, Barton Tiffany Land is not well connected by the access which is provided in the eastern industrial lands near the Skyway bridge or conveniently to major highways without crossing through residential neighbourhoods and especially through access points to the recreational waterfront area. The streets and arterial roads and municipal services necessary to service the Production Studio and associated Soundstage/Warehouse are not available nearby Barton Tiffany Land and, should future planning involve making such roads and services available, then the quality of the area

would degrade further as the community does not want collector roads installed to facilitate truck traffic into the already built-up area around the Barton Tiffany Land and surrounding residential areas.

Existing infrastructure to areas unbounded by residential streets such as sections of Victoria and Burlington Street corridors, for example, provide convenient and appropriate access roads for trucks and over-size vehicles. The streets which access the Barton Tiffany Land are not viable for a surge in heavy truck traffic.

#### **DOES NOT Celebrate the City's heritage**

The vision of Hamilton in preparation to meet its future needs and to re-imagine itself as a modern city that has outgrown its image as an industrial city is not reflected by adding a Production Studio with Soundstage/Warehouse to the Barton Tiffany Land. The image of a 21<sup>st</sup> century warehouse, referred to as a Soundstage/Warehouse, would perpetuate the old and familiar. It would not stand out as unsimilar to the former century-old warehouse in its undilapidated state that was demolished on the site of the Barton Tiffany Land named the Rheem building. If the city enables a decision in the early decades of the 21<sup>st</sup> century to allow for same building typography as the old warehouse buildings on the original property, then it would be unwise to consider that, over the past 200 years, Hamilton's West Harbour has evolved from a place for industry to a place for people to live and enjoy the recreational amenities of the waterfront. The commonality amongst sound stages is that space and function, in terms of height, security, maximum square footage and versatility demand featureless walls and no windows, surrounded by barriers or fencing and appear similar to factory spaces.

#### **DOES NOT Promote excellence in design**

A Production Studio and associated Soundstage/Warehouse does not respect, complement or enhance the best attributes of the West Harbour. A Production Studio virtually turns its back upon the public realm, requiring a tight security system and barricades or surrounding gates to protect it.

#### **DOES NOT Promote a healthy harbour**

The proposed Production Studio and associated Soundstage/Warehouse would not protect key views and improve public access to the harbour because its height and square footage would form an extended obstruction. As industries have departed the area, and the toxins and chemicals which polluted the land remain on the public's mind, the city of Hamilton cannot ignore its responsibility to ensure that other uses do not contaminate the Barton Tiffany Land again. Efforts that succeeded in making the waterfront healthy again for Bayfront and other parks are an important achievement. A Production Studio

would add to the contamination of the site on Barton Tiffany Land because its functions involve the use of toxic substances, chemicals, heavy equipment, fuel and waste products (from honey wagons). The community would be a vigilant observer and, in its push for urban renewal, would task the city of Hamilton with monitoring and responding to objectionable uses including any that do not promote sustainability and its healthy harbour.

#### **DOES NOT Look toward the future**

The City has not demonstrated that it has offered other more suitable areas within its extensive and former industrial lands or other land with an industrial character for the Production Studio and associated Soundstage/Warehouse. Does the city intend to justify its reasoning for singling out the Barton Tiffany Land for the proposal? It does not reflect the goal of transitioning the city away from an industrial landscape. What is the point of replacing a former industrial landscape with a semi-industrial one? These questions are relevant. The current impression that the Barton Tiffany Land represents an unattractive brownfield which everyone wants to transform into something better is contradicted by proposing an essentially brownfield-worthy Soundstage/Warehouse to replace it. This does not agree with the public's and city's official vision for Hamilton going forward.

The commercial designated zoning on Barton Tiffany Land prohibits "the use of drive-through establishments, gas stations and auto repair garages and hotels." These are exactly the type of services which a Production Studio needs. The proposed amendments have identified these amenities for change in order to serve the commercial need, as stated on page 156 of 567: "The addition of a Production Studio would involve the creation of accessory and ancillary retail and office uses that would be geared towards the service commercial needs of residents and the future employees of the area." The city also states that, "it is considered that, whereas an amendment would be required to accommodate a use that does not directly serve the needs of the residents in the neighbourhood, the employment and associated uses would satisfy the overall intent to animate the area, provide a mix of uses and maintain a scale and impact that does not compete with the retail function of the downtown." There needs to be clarification on whether future amendments to allow the use of drive-through establishments, gas stations, etc., would be implemented to serve the need of a Production Studio.

#### **Conclusion**

Matters of concern regarding a Production Studio with associated Soundstage/ Warehouse on the Barton Tiffany Land cannot be addressed satisfactorily by the departments



of Planning and Economic Development and Transportation Planning and Parking. Strong concerns were expressed by the community at the Public Information Centre on November 26, 2018 and elsewhere during community initiatives organized by the city of Hamilton. There are major weaknesses that would impact upon urban design and traffic management, amongst others, to the detriment of the planned vision for the Barton Tiffany Land and simply entrench industrial uses which are not addressed throughout the recommendations in the Official Plan and Zoning By-law Amendment to Add a Production Studio Use Within the Barton and Tiffany Lands (PED18210(a)) (Wards 1 and 2) or under current Zoning by-law. A Production Studio and associated Soundstage/Warehouse does not align with the vision for the Barton Tiffany Land and the community has strong reservations about the project.

Yours sincerely,

The Board Members of the Central Neighbourhood Association

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Note:

Text written in quotations is taken from the PDF of the City of Hamilton, Planning Committee, Meeting 19-004 March 19, 2019, Agenda.