

September 24th, 2020

To: Chair and Members of the Council, City of Hamilton

From:

The Romanian Orthodox Church of the Holy Resurrection
278 Mac Nab Street North, Hamilton, On, L8L 1K4

The issue:

Zoning By-law Amendment **No. ZAC - 18-037** for Lands located at 282 MacNab Street North, Hamilton to:

- Permit a 10 - storey building with 89 multiple dwelling units with a residential density of 688 units per gross hectare
- Change in zoning from “J” District to a site specific “E/S -1799-H” (Multiple Dwellings, Lodges, Clubs, etc.) District Modified to permit construction of a 10 storey (33.0m), 89 unit multiple dwellings with 66 parking spaces.

The concerns:

We, the congregation of The Romanian Orthodox Church of the Holy Resurrection are presenting the City of Hamilton Council the following concerns:

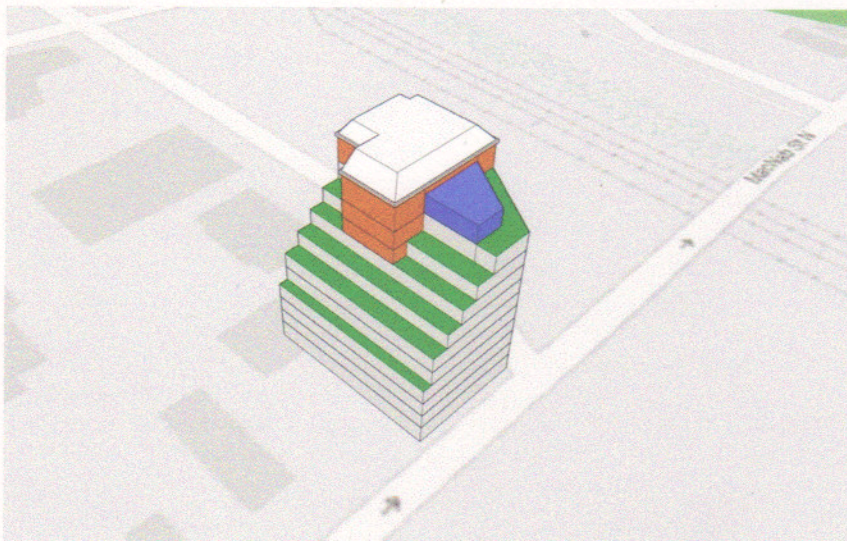
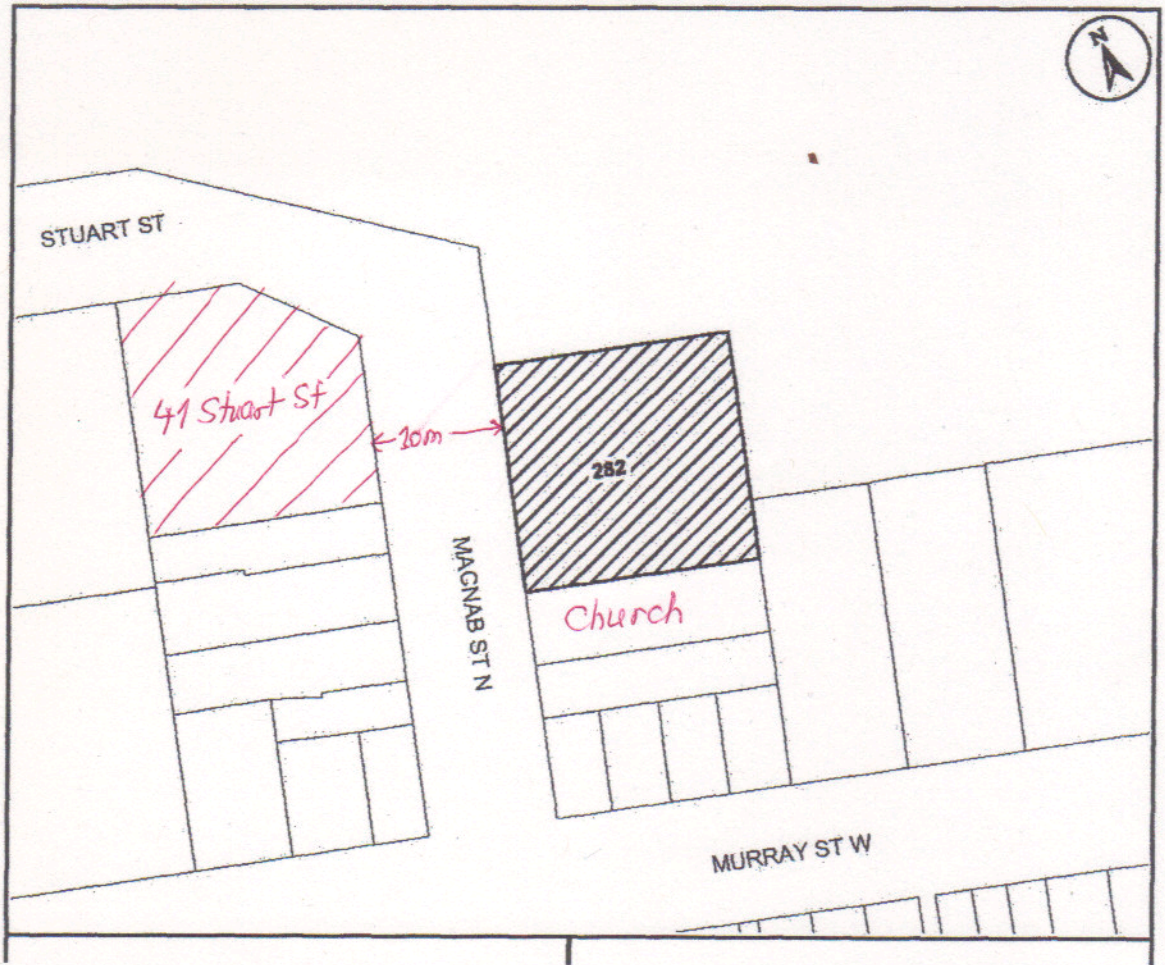
- We believe that demolition of the building located at 282 MacNab Street North was abusive. **We will like to know when the permit was issued, before or after the demolition?**
- With approval of this Amendment, **considering the same construction across the street /41 Stuart St./ – just approved as an “exception”** – the area will be over congested.
- At the Planning and Development Committee meeting held on April 2, 2019 committee members agreed to grant a 30 days’ deferral for the above-mentioned applications to permit staff to report back on a proposed design change submitted that very morning by the applicant. These proposed changes have not been communicated to the public nor to us, until September 16th 2020 when the staff report was released.
- The proposed Official Plan Amendment fails to follow the land use designation general policies for stable areas as listed by the West Harbour (Setting Sail) Secondary Plan adopted by the Hamilton City Council.
- The proposed building height (10 storey) and residential density of 688 units per gross hectare is a gross deviation from the West Harbour (Setting Sail) Secondary Plan core planning principles as emerged from extensive public consultation undertaken by the City during the conception of this plan.

- The proposed development fails to comply with the West Harbour (Setting Sail) Secondary Plan with regards to building height, massing and compatibility with the existing character of the surrounding neighbourhood.
- The proposed development fails to comply with Planning Principles of the West Harbour (Setting Sail) Secondary Plan, section A.6.3.2.2 - Strengthen Existing Neighborhoods, section A.6.3.7- Stable Areas and section A.6.3.7 - Land Use. The subject lands are classified as low density residential areas in which significant physical change is not anticipated. Furthermore, Policy A.6.3.7.1.1 establishes that housing within Stable Areas is envisioned to consist of **detached, semi-detached and street townhouse dwellings**. We would like to remind that the West Harbour (Setting Sail) Secondary Plan was approved by Council in 2005 after a long process and extensive public consultations, it was appealed at OMB and received the final decision in 2012. It is our opinion that this plan went through critical and careful examination of planning principles before to be approved for implementation, therefore any amendment will be an undermining of efforts undertaken by staff and West Harbour communities, and will set a bad planning precedent.
- The proposed development fails to comply with the Medium Density Residential 1 designation, that permits a **maximum density of 150 units per gross hectare** while maintaining the character of the surrounding low-density residential neighbourhood.
- The proposed development fails to provide the appropriate number of parking spaces in accordance with the current zoning By-Law. This will negatively impact our congregation by reducing the number of available on-street parking spaces in the area and prevent our members to attend religious services and events (i.e. baptism, weddings or funeral ceremonies) as our existing parking lot is very small (only 8 parking spaces) and there are no other off-street parking facilities available nearby.
- The proposed development is adjacent to our Church and we are deeply concerned that our building will sustain structural damages caused by vibration during the excavations for the underground parking levels.
- During construction there will be traffic restrictions in the area that will interfere with our activities and religious services (i.e. weddings, funeral services).
- Our Church is an older structure with a main access door in the front to conceal transportation of the deceased, during the funeral procession, weddings and other celebrations.
- Granting permit to such development plan will restrict our community's rights to enjoy the property, will negatively impact the life of our congregation.
- Our community is very concerned and it feels existentially threatened, especially by the construction **of two** massive buildings. People are ready for a public protest, taking into consideration that they are not being listened to.

On behalf of Romanian Orthodox Congregation,
Rev. Fr. Lucian Puscariu

Construction across the street /41 Stuart St./ – just approved as an “exception” –

To Amend Zoning By-law No. 6593 Respecting Lands Located at 282 MacNab Street North, Hamilton



41 Stuart St. Development Plan