

Ancaster Ward 12 Councillor Lloyd Ferguson,  
lloydferguson@hamilton.ca

December 29, 2020

Dear Councillor Ferguson,

I am writing in response to Application UHOPA-20-006 more commonly referred to as No. 15 Church Street. In reviewing report PED2025 planning staff is supporting a “site specific policy to recognize the existing road right-of-way width for the lands located at 15 Church Street”. This is a substantial deviation from the requirements of the City of Hamilton Urban Official Plan and presents serious future implications for the City if adopted. The staff report fails to present any pro's or cons of approving this “new policy” and therefore ignoring the guidelines of the Official Plan altogether.

No width of Church Street is shown on the site plan, but someone is certainly aware that it is undersized in order to insert this seemingly innocuous statement to “recognize the street width” while ignoring the results of implementing it. The result of my inquiry to a local surveyor was that Church Street was shown as 60 1/2 links (or about 40 feet) on an old plan, but could not confirm what it was today. In the normal course of events NO development would be allowed on a street of only 12.19 metres in width, but the City in their wisdom recognized that some streets, in the very, very old parts of the city, could be considered for development, but only if they could be widened to a minimum of 15.24 metres, and further, that it still had to be proven by the proponent that this reduced minimum could support all future servicing requirements.

**OFFICIAL PLAN URBAN AREA SECTION C-4.5-2f**

“f) Local roads, subject to the following policies: i) The primary function of a local road shall be to provide direct land accesses. The secondary function shall be to enable the movement of low volumes of traffic to collector roads. ii) The basic maximum right-of-way widths for local roads shall be 26.213 metres in designated Employment Areas and 20.117 metres in all other areas, unless specifically described otherwise in Schedule C-2 – Future Right-of-Way Dedications; (OPA 109) iii) The City recognizes that in older urban built up areas there are existing road right-of-way widths significantly less than 20.117 metres. Notwithstanding the other road right-of-way widening policies of this Plan, it is the intent of the City to increase these existing road rights-of-ways to a minimum of 15.24 metres with daylight triangles at intersections instead of the minimum required 20.117 metre road right-of-way width, provided all the required road facilities, municipal sidewalks and utilities can be accommodated in this reduced road right-of-way width. iv) Trucks shall be restricted from local roads, except for local deliveries and in Employment Areas. v) Sidewalks should be provided on both sides of the street. (OPA 109) vi) Horizontal and vertical traffic calming measures, including speed humps, may be implemented where appropriate subject to meeting City Traffic Calming etc etc”

So in normal circumstances the City would require a road widening dedication of 1.525 metres in the development process along Church Street, but in this case it is being waved by the City without any explanation.

With complete lack of foresight, the planning report then goes on to support a reduction in the front yard set-back from 7.5 metres to 5.5 metres. The applicant intends to supply one of the two parking spaces required in the front driveway. The City by-laws require a minimum depth of 5.5 metres for a parking space. If this application goes forward there will be no possibility of ever widening Church Street to the absolute minimum required by the Official Plan without making front yard parking impossible. There is absolutely no reason whatsoever for the City to not take a

road dedication now, in a process that is creating a 6 lot subdivision on an existing single lot. Even with the road dedication and the proposed relief of front yard set-back to 5.5 metres, the building will still be closer to the road than the required minimum of 7.5 metres.

**Your observations on why this seems to have been overlooked would be greatly appreciated.**

Regards,  
Chris Cunningham  
Ancaster, On

cc: James Van Rooi, Planner