

Friday, February 12, 2021

UHOPA-19-08 and ZAC-19-02
UH-5 on Map H-7 and current zoning DE-2S-1700, OPA 28
LPAT Case Number PL200302

I have sent my prior written objections to the City Planner, each Planning Committee Member and also, before logging into the LPAT computer meeting of November 4th, 2020. This written questionnaire is for the LPAT meeting on March 2nd, 2021.

A public meeting revealing original Valery proposal for Residents, held Sept. 19, 2019, found that the large number of Residents were unanimously opposed to the plan. City staff has received 47 written submissions against the project and a petition signed by 76 people objecting to the development.

Please submit in digital form so internet links can be accessed if interested in more detailed background.

Questions for the LPAT Tribunal:

1. Since the LPAT system discourages Resident input, do the political appointees of the Tribunal actually read written submissions or just toss them?
2. Does Hamilton follow its own planning needs or will a “less local” Toronto-based-model be imposed on it by LPAT?
3. “Open for Business” and “less Red Tape” are constant mantras of stifling entrepreneurs: Is zoning for 3 storey townhouses which can be sold from between \$500,000 and \$600,000 ASAP, “open for business enough” or “too much Red Tape”?
 - a. Don’t think so! Single family houses and property in question were purchased “pre-T.O.-exodus” before price explosion in Hamilton, how much profit is enough?
4. Why is it necessary to place a PYRAMID into a quiet, mature area zoned for single family and townhouses? Is it only for “maximum profit maximization”?
5. Do Hamilton and its Residents have the right to ask Developers to adhere to its zoning laws when Residents “must comply” and in return, expect to be “protected” by these legal restrictions?
6. Are these types of PYRAMIDS not better utilized for the MetroLinx or City “boarded areas” that line the Downtown and are zoned hi-density on the Official Plan? They’re ready to go since LRT was approved then suddenly cancelled by the current Provincial government?

[Metrolinx plans to demolish 21 vacant buildings along proposed LRT route | CBC News](#)

[Hamilton's LRT roller-coaster crashes \(hamiltonnews.com\)](#)

7. Does it matter where “jobs are created” if one area offers/receives more benefit vs. anger and resentment in a quiet, family-friendly neighbourhood area, opposing it?
8. Since Developers normally donate land for parks, this Developer, not just an opportunist, taking advantage of a beautifully completed park across the road without contributing a dime, a very marketable feature subsidized by taxpayers?

[Hamilton Coun. Terry Whitehead pledges to spend \\$1 million of area-rating money to expand William Connell Park on Mountain \(hamiltonnews.com\)](#)

The \$2.5-million William Connell Park, located on 20 hectares of land, features a football field, splash pad and tennis courts. In addition, there are state-of-the-art play structures, soccer field, field house with washrooms, change rooms and concession facility, multi-use trails, an asphalt walkway, a parking lot that can accommodate up to 130 spots and an internal road.

9. Is the City water and sewer infrastructure able to accommodate the monstrosity of 216 apartments?
10. Do existing homeowners need to worry about sewer backups and flooding during storms?
11. Who pays for any city infrastructure upgrades? What about the roads being ripped up and redone, the City Taxpayers?

[Hamilton’s sewers: Old system, new problems \(hamiltonnews.com\)](#)

As the population increased, and flush toilets became more prevalent, the city set out to build underground sewer infrastructure that would be better for public health.

"Cities have infrastructure that was largely built back in the 1960s, '70s and '80s when the climate was quite different ... now the weather is warmer and wetter and we are seeing more of these significant wet days than we did in the past and we are only going to get more of that in the future," Phillips said.

12. All the Developer is contributing is permit fees and expense to widen road on-ramp to W5th road, is the Developer not getting a free ride or taxpayer bailout?
13. Is the traffic study conducted pre-Pandemic currently relevant? Does it reflect the approved recently approved developments, one block east and another one block west of the proposed project? Is it traffic study data now totally useless?

[Hamilton councilor applauds mixed-use development on Upper James \(hamiltonnews.com\)](#)

Hamilton’s planning committee Sept. 17 approved in a 9-0 vote a zoning change permitting the construction of an eight-storey building, with ground floor commercial space and two four-storey buildings, totalling 373 residential units on the 1.79-hectare, irregular-size property.

[Hamilton councillors approve 330-townhouse development for west Mountain \(hamiltonnews.com\)](https://www.hamiltonnews.com/news/local/hamilton-councillors-approve-330-townhouse-development-for-west-mountain)

Hamilton councillors approved a 330-townhouse development on the west Mountain, even though it will have a “significant” impact on the traffic on Garth Street and Stone Church Road.

4.2 hectares of land is Phase 3 of the Eden Park — Parkview Estates subdivision development. It will include 71 street townhouse units that will be up to 11 metres in height, and 260 stacked townhouses with a height of up to 13 metres.

14. Should the traffic gridlock, noise, car pollution that exists in Toronto be tolerated by the citizens of Hamilton? Might be one of the reasons Torontonians are abandoning the City for greener areas?
15. How is Valery increasing its parking to comply with the proposed building size?
 - a. The 10 storey, 231 unit proposal had 241 parking spaces, 171 of which will be underground.
 - b. 3rd Modified proposal: 9 storey, 216 units will have 243 underground spots.

[Hamilton developer appeals 9-storey plan for Stone Church Road on Mountain \(hamiltonnews.com\)](https://www.hamiltonnews.com/news/local/hamilton-developer-appeals-9-storey-plan-for-stone-church-road-on-mountain)

Danko said city staff had been actively engaged with the owner to shape the application to properly fit the unusual, 0.8-hectare property.

“We were working with that applicant to try to (make it) more sympathetic to the surrounding area,” said city planner James Van Rooi. “However, as those discussions transpired it was clear we were just on different sides of the fence.”

16. Is more DYNAMITE required for the increased 72 additional parking spaces with reduced building units? Are they putting 2 floors underground?
17. Should a mature quiet neighbourhood tolerate EXPLOSIVES in a built-up area?
18. What about any damage to existing neighbourhood foundations? Will the Tribunal guarantee repairs or will the Residents need to hire Engineers to prove damage caused by explosives and sue Developer who will claim “settling” problems or other excuses?
19. Does the Developer play by the rules?

[Scenic Drive residents ‘irate’ over felled trees \(hamiltonnews.com\)](https://www.hamiltonnews.com/news/local/scenic-drive-residents-irate-over-felled-trees)

[Scenic Drive outcry - CHCH](#)

Residents on Scenic Drive on the Hamilton Mountain were up-in-arms today about dozens of trees coming down in their backyard.

Steve Fawcett called CHCH News furious about the trees coming down behind his home.

“We’ve been looking at this for 40 years. This beautiful forest and now look. They’re going to leave it like this? Why did they do this? They just raped and pillaged it.

Ward 8 Coun. Terry Whitehead said a bylaw officer was on scene within an hour of work getting underway and discovered a tree-cutting permit had not been issued.

A stop-work order has since been issued, he added.

20. Can Residents “trust” this Developer to keep his promises?

[Hamilton council denies Valery Homes development charge credit extension for Chedoke brow lands project \(hamiltonnews.com\)](http://hamiltonnews.com)

[Hamilton's heritage committee tries to save last remaining Mountain Sanatorium building \(hamiltonnews.com\)](http://hamiltonnews.com)

[Valery Homes agrees not to demolish former Mountain Sanatorium building \(hamiltonnews.com\)](http://hamiltonnews.com)

Jeremy Parsons, heritage planner, said the owner, Valery Homes, has not included the Long and Bisby building, located at 828 Sanatorium, and the last structure of what had been the Mountain Sanatorium complex, in any of its proposed development plans.

Partridge said there is the possibility Valery Homes could re-apply for a demolition permit. But Whitehead said he was confident the company wouldn't make such a move.

“Nothing will be torn down,” said Whitehead. “He wants an opportunity to not only do a current heritage assessment but to determine whether the assessment “could lead to an adaptive reuse of the building.

“He would be a fool to break that commitment,” said Whitehead.

[Valery Homes agree to Long and Bisby building heritage designation \(hamiltonnews.com\)](http://hamiltonnews.com)

While the Valery Group agreed to the Long and Bisby designation, they requested that the city delay designating the other cultural features on the property until after further review by staff and consultation during the planning process.

From 2014 to 2015 Valery Homes has demolished: The Brow Building, constructed in 1916; the Brow Annex, built in 1917; the Hose and Reel House, built in 1917; and the Moreland Residence, which was constructed in 1936.

My message to City Planning Committee and Councillors:

Hamilton, the “Ambitious City” which is certainly “Open for Business” does not need to compete with New York or London like Toronto does, it needs to **stay firm** in its commitment to Residents for environmental and sustainable growth.

Hamilton welcomes Developers “who treat Residents with respect, play by the rules and keep their promises”. An Official Plan accommodates Hi-density projects in designated areas and the City surely assists anyone revitalizing its Downtown.

Investment in Affordable Housing

Investment in Affordable Housing encourages the creation of new affordable housing in the City of Hamilton. This portfolio includes the [Rent Supplement Program](#), the [Home Ownership Down Payment Assistance Program](#) for low to moderate-income residents who rent in Hamilton, and want to buy a home and the [Ontario Renovates Program](#).

Valery's proposal is not affordable housing, its Luxury Units located in the suburbs where cars are mandatory to get around, lived here for 30 years. Design is similar to their project on Rymal and Garth?

[The Pinnacle by Valery Properties | Luxury Leasing Residence](#)

HAMILTON'S NEWEST LUXURY LEASING RESIDENCE

2 BEDROOM SUITES AVAILABLE!

Located on Hamilton's highly sought-after West Mountain and enhanced with all the conveniences of modern living, The Pinnacle is an ideal place to call home.

In closing, my advice to the City Solicitor:

Make it clear that the City of Hamilton and its Residents don't intend to be pushed around or bullied by Developers or Political Appointees who view the PYRAMID PARADISE of Toronto as the model for anyone except those who will watch

their occupants flee in droves to a healthier, happier and greener environment. There are many Toronto Refugees now moving to raise their families in our Neighbourhoods and the Niagara Peninsula.

It's abundantly clear this Pandemic exposed the flaws of living in a claustrophobic City of Hi-Rise-wind-tunnelled-streets, avoiding subways and elevators for your own safety.

That's what happens to a City that abandons Urban Planning and allows Developers unrestricted free rein!

If the Tribunal judgement might be unfavourable, I expect the City of Hamilton to appeal the decision!

Remind the folks from "Taranaa" that Hamilton is called "the Hammer" for a reason, not for nothing!

Best regards,

Conrad Walczak

Hamilton, ON