

**From:** Herb

**Sent:** Saturday, January 8, 2022 3:12 PM

**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)

**Subject:** Urban Hamilton Official Plan Amendment (File no. UHOPA-20-009)

Please be advised that I wish to be notified of the decision of the City of Hamilton on the proposed zoning by-law amendment and the proposed Official Plan Amendment.

I have reviewed the staff report to Council regarding the proposed changes to the zoning by-law amendment and the Official Plan Amendment. Overall, I am extremely disappointed in the approach that has been taken by the Planning Department. The Developer requests a change in zoning to allow for multiple dwellings i.e., increased profit. In order to allow the number of units requested under RM2, the developer also requests multiple variances from the RM2 criteria. With the exception of reducing the height to the allowable level and reducing the number of units from 11 to 10, the rest of the variances have been dealt with in a manner that can only be described as window dressing. The changes are insignificant, represent no added cost to the developer, provide no additional benefit to the surrounding community and in every single case the staff response is "the proposed modification can be supported". This gives the appearance of the developer being open to change but actually nothing is accomplished and the profit margins are not impacted. Again, this is the typical "bait and switch" approach; ask for something ridiculous and when denied show how flexible you are by agreeing to what you wanted in the first place, even though that is still not consistent with the zoning requirements.

The most egregious example of the planning department being "developer biased" is the absolute lack of rationale for excluding the requirement for any "minimum area per dwelling unit" as specified in RM2 requirements. In Appendix E to Report PED22004, page 52, the issue of minimum lot area is discussed. The analysis states that in the RM2 Zone, a minimum of 280 sq m per unit is required for a total of  $10 \times 280 = 2800$  sq m. Since the area in question consists of only 2600 sq m in total, then 10 units cannot be accommodated under RM2 Zoning. This would result in 260 sq m per unit which is 7% lower than the minimum allowed. The analysis then goes on to state that even the 260 sq m per unit cannot be met because the space cannot be evenly divided between all 10 units due to a variety of issues. The final conclusion is "a minimum of 260 square metres for each unit cannot be provided". Since the 260 is already 7% below the minimum required by RM2, the logical next step would be to conclude that there is not enough room for 10 units but the planning analysis concludes that the way to solve this problem is to simply remove any minimum lot area per dwelling. In effect, the planning department is saying we agree with rezoning to RM2 but we can't meet the requirements of that zone so we will simply ignore those aspects in order to ensure that the developer can still build 10 units. There is zero discussion of the fact that reducing the number of units to 9 would solve all of these issues. In my 48 years of practising civil engineering, I have never seen such convoluted, biased and totally unprofessional logic used to arrive at a predetermined conclusion.

In view of this, I would respectfully request that Council deny this application until the number of units has been reduced to a maximum of 9 so that the planning process can at least appear to have considered both public input and the specifications of our zoning by-laws as approved by Council.

Sincerely,  
H. W. Campbell