

From: Sherry Hayes

Sent: Sunday, January 30, 2022 8:08 PM

To: clerk@hamilton.ca

Subject: Planning Committee Meeting - Item: 7.3 Regarding: Status Update for Site Plan Control Application DA-19-020 for Lands Located at 310 Frances Avenue, Stoney Creek (PED19115(a) Ward 10)

RE: City of Hamilton Planning Committee Meeting Agenda
Meeting #22-002

February 1, 2022, 9:30 a.m.

Item: 7.3

Regarding: Status Update for Site Plan Control Application DA-19-020 for Lands Located at 310 Frances Avenue, Stoney Creek (PED19115(a) Ward 10)

Please see our letter(s) below for submission to the meeting agenda as noted above and below.
Thank you.

TO: Members of the Planning Committee, Planning Staff, Councillors and Mayor

RE: City of Hamilton Planning Committee Meeting Agenda, Meeting #22-002

RE: Item: 7.3

Regarding: Status Update for Site Plan Control Application DA-19-020 for Lands Located at 310 Frances Avenue, Stoney Creek (PED19115(a) Ward 10)

To Elected Officials and Staff:

In regard to this item, please see our notes below:

Firstly, we presume that our letter submitted December 6, 2021 (as well as all other community members letters) sent to the December 9th Committee of Adjustments Meeting Regarding 310 Frances Avenue, Stoney Creek Variance Application (Ward 10) are also within this agenda for review by the planning committee. Should these letters not have been included, we have added ours to the bottom of this letter.

Further to that, please note our continued opposition to the request for variances noted in the agenda information:

1. Dwelling Units: Zoning By-law 3692-92 requires apartment dwelling units to be located above commercial uses. This is clearly stipulated. Commercial space should be considered for use by all of the residents in the community and provide services that are of value to everyone and not just 310 residents. Particularly so, as there are no retail stores or services in the entire area, which forces all area residents to drive distances for even basic items or services. Ground level accessory apartment uses provide no value to the community in regard to commercial/retail and/or services such as a general store, postal services, dentist, doctors, etc. For these reasons and more, the stated By-law should be maintained and therefore, this variance request should be denied.

2. Amenity Space: As the size, scope and population of these proposed towers is extensive and as there are apparently no further areas designated for community recreational activities, there will be an immense strain on this limited and isolated community area for such an increased use of the existing public spaces. The activity level in public spaces has increased dramatically with the previous developments that were built in just recent years. As a result of this strain, the amenity space required within this property should be maintained and therefore the variance request should be denied.

3. Landscaped Open Space: Zoning By-law 3692-92 requires a minimum of 50% of the Property as landscaped open space. Due to the massive footprint and height of this proposal, there is a potential for dangerous environmental impacts such as area flooding. As well, there is the potential for wind tunnels and extensive heat generated by tall glass buildings. Providing extensive green and landscaped spaces that can house large ground level gardens and sodded lawn areas will assist with groundwater issues, particularly with the increase of storm and weather events. A large volume of full sized trees (as opposed to only ornamental types and small shrubs) also helps to mitigate groundwater, excessive heat and the carbon footprint that is associated with massive buildings and vehicles within small footprints. Keeping the 50% green space will also provide the appropriate transition within the existing properties. Given multiple concerns, the required minimum 50% percent of landscape open areas should be maintained and therefore, this variance should be denied.

4. Parking: The zoning By-law requires parking at a rate of 1.5 spaces per dwelling unit. This proposed development sits on two dead end streets with minimal neighbourhood parking. Should the parking requirement be reduced to 1.25 spaces and with the excessive amount of units proposed on this small lot, the overflow of vehicles onto the street for the necessary parking requirements will overtax the space available for the existing neighbourhood, especially given the recent approval of the adjacent high-rise building and its potential overflow of parking onto the local streets. It is common practice for families or couples residing in one bedroom units to maintain two vehicles, particularly for work and general use purposes. As there is no public transportation in this area, multiple vehicles are a normal occurrence. By reducing the requirements by 25 percent, there is potential for hundreds of vehicles to be 'dumped' onto the streets. As a result, the required zoning for 1.5 spaces per unit should be maintained and therefore this variance should be denied.

For the reasons noted above and that are within many letters provided by concerned community members and as required by the current Zoning By-law, all of the variance requests, including those not stated within this letter, should continue to be denied in accordance with the Committee of Adjustments decision.

As well, beyond the variance requests, this development proposal, even with its latest revisions, clearly does not conform to previous city staff concerns of the "transition of scale to the surrounding lands". We ask that this committee seriously weigh the clearly stated concerns of the Committee of Adjustments, the current By-laws and the overwhelming concerns from current citizens/residents of this affected area and come to the same conclusion that all variance requests be permanently denied.

Thank you,
Sherry Hayes & Dennis Facia

Green Road, Stoney Creek, ON

Please note below our previous letter of opposition sent to the Committee of Adjustments regarding opposition to the variances request:

Dated: Mon, 6 Dec 2021, 14:14

Dear Committee of Adjustments Members,

Please include our comments in the agenda of the December 9th Committee of Adjustments Meeting
Regarding 310 Frances Avenue, Stoney Creek Variance Application (Ward 10)

Please note and consider our comments below:

The variances that have been requested for this property and the proposed development are too significant to be considered minor in any form. It will surely impact every property/resident in this isolated residential area and have the potential for devastating consequences to the entire community and beyond.

The extreme density of these triple towers adds substantial burden to this small area and is clearly out of balance with the overall Residential Intensification Targets. As well, application as submitted does not appear to meet the general intent and purpose of the Zoning By-Law.

In Reference to:

Variance 1 – Accessory and Communal Areas

Based on the current by-law, these must be located above commercial. With this variance request, it no longer complies with the by-law therefore it cannot be considered as minor. There should be no exception for this request.

Variances 2 and 3 – Amenity Space Reductions

As the amenity space requirement was previously requested to be varied and subsequently denied (2010), there should be no approval for that variance at this time. One must presume that it was designed then to control density, given the lack of community amenities.

While high-density buildings have continued to fill the area between Green and Millen Roads, the addition of public/park space does not appear to have increased to accommodate the additional population of this isolated area. Given this, these variance requests should not be considered minor and therefore should be denied.

Variance 4 – A reduction to Landscaped Open Space to 36% of Lot Area from 50%

The removal of green space on such a massive concrete footprint cannot be considered in any form as minor in nature.

In comparison to the two existing 18-storey high-rises, the minimal percentage of overall green space proposed for this site pales in comparison to these buildings. It also shows little correlation to the original proposal for the area and this lot with its two like-minded buildings and extensive green spaces.

The proposed addition of small rain gardens cannot compensate for vast, open green spaces that provide more percolation during rainfalls or sudden storms.

As well, within the variance application, it is difficult to determine whether patios and sidewalks are being requested as part of the green space. If so, even when it may be suggested that 'permeable' surfaces could be incorporated, this will likely make little difference to disperse surface water as it surely cannot accommodate drainage, especially during heavier events. Permeable surfaces cannot substitute for true green surfaces such as spacious sodded lawn areas and large gardens.

Variance 5 - Reduced Landscaped Strip

This is yet again another serious reduction in green space and one that should not be acceptable. This appears to push buildings closer to the street and adds more concrete and pavement surfaces, thus overwhelming the adjacent areas while providing little to no space for the development of mature trees and their important role in carbon and heat reduction, water mitigation and overall neighbourhood aesthetic value. It also becomes completely disproportionate to the existing buildings.

With the seriousness of these potential issues, this variance request should not be considered as minor and therefore not accepted or approved.

Variance 7 - Reduced Parking Requirement

Given the size, scope, footprint and density of these massive towers, along with the lack of public transit in this area, this variance cannot be considered minor in nature.

The amount of additional parking spaces required and therefore dumped onto the surrounding streets will surely be beyond the capacity for the adjacent and surrounding streets. This small area with its recent residential building growth strains with the overflow of vehicles that exceed current spaces available.

This triple building proposal sits on two dead end streets with limited options for traffic flow and street parking. To allow the addition of hundreds of vehicles for street parking will exacerbate an already congested area.

Further, to reduce the 2010 approved 1.5 space per dwelling to 1.25 on a proposal of such magnitude and high-density is beyond a minor variance therefore this request should not be approved.

In summary:

This triple tower high-rise proposal is a high-density development and beyond the appropriate balance of lot size to building/hard surface footprint/ratio.

The variance requests appear to far exceed anything that could be considered minor as has been detailed in our above notes.

Further, with all of its current extensive deviations from the style, height, density and footprint, in comparison to all adjacent and nearby residential structures, it is beyond over-development and incomprehensible for this small area.

We implore this committee to deny any approval of this application and all variance requests.

Respectfully submitted for your review,
Sherry Hayes & Dennis Facia

Stoney Creek Residents