

From: Brad Kuhn
Sent: Thursday, February 10, 2022 3:59 PM
To: clerk@hamilton.ca
Subject: Correspondence for the Planning Committee

2022 02 10

To: The City of Hamilton Planning Committee

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Re: "Applications for Amendments to the Urban Hamilton Official Plan and Zoning By-law 05-200 for Lands Located at 442, 450, 454 and 462 Wilson Street East (Ancaster Ward 12).

I am submitting my concerns regarding the development outlined above to the Planning Committee which will be meeting on February 15, 2022.

I strongly support the Staff Report for this Application that recommends DENIAL of both development options for the following reasons (inclusive of both the bylaw and zoning):

That the proposed [bylaw] amendment does not meet the general intent of the Urban Hamilton Official Plan and the Ancaster Wilson Street Secondary Plan with respect to building height, scale, massing, privacy, overlook, compatibility, and enhancing the character of the existing neighbourhood;

That the proposed change in zoning does not meet the general intent of the Urban Hamilton Official Plan and the Ancaster Wilson Street Secondary Plan with respect to setbacks, building height, and massing;

That the proposal is not considered to be good planning and is considered an over development of the site.

It appears that there is total disregard and disrespect by developers regarding the bylaw for the Urban Hamilton Official Plan and the Ancaster Wilson Street Secondary Plan that has been put in place city council. Developers, as you are well aware, ask for permission to develop projects that they know will not be approved by council so that the reduced and approved development is what they wanted in the first place. Aesthetics and respect for community norms do make a difference. As an aside, moving the Marr=Phillipo house from Wilson Street is an extreme 'slap in the face' to those who care about Ancaster's heritage. It should not happen.

The downtown core of Ancaster is unique from all the other municipalities that make up the new City of Hamilton. Ancaster does not have a downtown core like Dundas or Stoney Creek. The developers seem to see Wilson Street as a virgin territory to build high rise buildings all along the roadway. If they achieve their goals, Ancaster will have one of the ugliest and overbearing main streets in Hamilton.

I strongly urge the Planning Committee to consider the history and unique features of Wilson Street so that the final developments along Wilson Street adheres to the Ancaster Wilson Street Secondary Plan.

The Staff Report provides a strong case for the Planning Committee to deny the development. It seems that the Staff Report also provides ways for the developer to overcome the obstacles outlined in their report. I truly hope that the options set out in the Staff Report do not 'open the door' for the developers to make a mockery out of the bylaw for the Urban Hamilton Official Plan and the Ancaster Wilson Street Secondary Plan. The options I am referring to are:

- 1) Should the Applications be approved, that staff be directed to prepare the Official Plan Amendment and amending Zoning By-law consistent with the concept plans proposed, with the inclusion of Holding Provision(s) to address matters, including addressing sanitary sewer system capacity constraints, visual impacts, and any other necessary agreements to implement Council's direction;
- 2) Council could direct staff to negotiate revisions to the proposal with the Applicant in response to the issues and concerns identified in this Report and report back to Council on the results of the discussion; and,
- 3) Should the Applications be denied, the lands could be developed in accordance with the Mixed Use Medium Density - Pedestrian Focus (C5a, 570) Zone which permits a building with a height of 9 metres.

The main points for the Planning Committee to consider are:

- 1) Prefer Option 3) in the Alternatives for Consideration on p.37. I.e., develop the lands in accordance with the Ancaster Wilson Street Secondary Plan which allows a height of 9 meters only and requires that buildings be consistent with the character of the neighbourhood, which this development is not.
- 2) Problems with traffic and access to the site by themselves should defeat these plans. A retirement home will generate an extra 368 vehicle trips per day, while an apartment complex will generate an extra 1049 trips per day. Traffic on Rousseaux and Wilson Streets is already at or near capacity, according to the developer's own traffic study. There are long queues occurring in the busiest weekday hours on all four approaches to the intersection - and extending beyond the available storage in the westbound and southbound left turn lanes. At the busiest times, an apartment building would generate 88 additional peak hour trips, while a retirement home would generate 33 additional peak hour trips, all to join the long lineups beyond capacity on Wilson and Rousseaux Streets.
- 3) Access to the development on Rousseaux Street will create a serious safety hazard. All traffic access will be fed through a driveway on Rousseaux 40 meters from Wilson Street. A new left turn lane on Rousseaux will access the building's driveway. Exiting the driveway will not allow left turns onto Rousseaux, only right turns, which will lead traffic heading for Wilson Street to cut through the Maywood neighbourhood on Academy, Lodor and Church Streets. Traffic turning left from Rousseaux into the development will be blind to the traffic from Wilson St. as they make the turn, and any hesitation will leave them exposed to a t-bone collision. There will be garbage trucks, delivery vehicles, emergency vehicles, people with lagging reflexes crossing Rousseaux to access the building, and the traffic on Wilson Street has descended a steep slope to get to the intersection, and can come around that corner quite aggressively.
- 4) The Staff Report indicates no evidence in the Application of adequate waste water pipe capacity to service the site. The existing storm structures are only intended for road side drainage not for such developments. Neither issue is addressed by the applicants. The staff report notes that "...a hydrogeological study is required to determine potential dewatering needs. Due to the limited capacity in the sanitary sewer system, no long term dewatering post-construction would be supported by Hamilton Water. Foundation design should be designed accordingly." The waste water pipe may be near capacity already. The relevant pipe descends the Escarpment to the pumping station in the valley below and returns onto Rousseaux Street further east. There have been occurrences of flooded basements in the valley, and the

Councillor attempted to mitigate this with an overflow pipe into Ancaster Creek this past summer which was rejected by city council, so the potential problem apparently remains. The Staff Report says, “The Functional Servicing Report (FSR), prepared by S. Llewellyn & Associates Limited and dated August 2021, does not provide population projections for sanitary waste water. Growth Management staff have advised that based on the FSR and other information, these applications are not supportable.”

5) The report also notes there is insufficient evidence that water runoff will be adequately dealt with.

6) Re consistency with the character of the neighbourhood, the Staff Report also says: “...staff are concerned that the proposed scale of the development is not in keeping with the existing character of the neighbourhood. While medium to high density residential development contributes to several planning objectives, staff note that the Ancaster Wilson Street Secondary Plan’s vision and intent carefully considers the merits of maintaining low-rise built form and has further considered the development densities that are based on transportation constraints. The proposed development, with additional height for both the retirement home or the mixed use building and a density of 283 units per hectare, represents an overdevelopment of the site, and is not in keeping with the surrounding area. The proposal does not meet the residential intensification policies of the UHOP, as the proposal does not provide appropriate transitional measures such to mitigate the height, scale, and massing being proposed. As such, the proposal does not build upon or enhance the established and planned character of the neighbourhood. It is the opinion of staff that the proposal does not demonstrate compatible integration with the surrounding area.

7) Consistent with above staff concerns, the Niagara Escarpment Commission is also not supportive of the development. “The subject lands are not within the Niagara Escarpment Development Control area but are identified within the “Urban Area” of the Niagara Escarpment Plan (NEP)“the proposal does not comply with the Niagara Escarpment plan and therefore does not comply with the UHOP [Urban Hamilton Official Plan] which requires NEP plan conformity.”

8) The removal of all trees on site and their replacement with trees which will be planted on top of a parking garage, making them susceptible to drought and insufficient sunlight is not acceptable to staff and violates the city’s Climate Emergency Plan. The development will also damage trees close by on the property of neighbouring homes.

The Planning Committee’s careful and thoughtful consideration of my concerns will be greatly appreciated.

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