

From: EDWARD VALEVICIUS

Sent: Thursday, February 10, 2022 6:32 PM

To: clerk@hamilton.ca

Subject: "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).

"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). The Planning Committee meets to consider this Plan this coming Tuesday, February 15th at 0930 hours, and the deadline for submissions is Monday February 14th at noon, four days from now.

Encouragingly, the Staff Report for this Application recommends **DENIAL** of both development options for the following reasons (inclusive of both the bylaw and zoning):

1. 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;
2. 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;
3. That the proposal is not considered to be good planning and is considered an over development of the site.

The Staff Report provides a strong case for denial of both developments at Planning Committee on Tuesday next week. However, the Staff Report provides ways for the developer to overcome these obstacles. In the case of the relocation of the Marr-Phillipo House in recent weeks, we saw that staff recommended denial of the relocation, set out conditions that could lead to approval, and Planning Committee then approved the relocation, subject to the conditions that were outlined. But the relocation was approved. In this case, p.37 of the Staff Report sets out the following options for the development on this site:

ALTERNATIVES FOR CONSIDERATION [as contained in the Staff Report]:

- 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.

Here are our main points for you to consider when writing your email to the clerk

(clerk@hamilton.ca) in opposition to this development for Tuesday's Planning Committee meeting (deadline for submissions is Monday at noon):

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."

☐ 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.

I hope that this will help you in your efforts to protect Ancaster by stopping this ill-conceived development.

Debra Valevicius
