

Attention: Legislative Coordinator, Planning Committee
City of Hamilton
71 Main Street West, 1st Floor
Hamilton, L8P 4Y5

By email: clerk@hamilton.ca

Re: Development Application 442 to 462 Wilson Street East Ancaster
Urban Official Plan Amendment No. ZAC-21-049
Zoning By-Law Amendment No. UHOPA-21-023

Dear Legislative Coordinator

This is my written submission to the City of Hamilton Planning Division, supporting the staff report recommendation to DENY the above applications for consideration at the Public Meeting February 15, 2022, and Council meeting February 23, 2022.

I own 436 Wilson Street East, directly south to the subject property of this application. I have lived here with my family over 40 years in a dwelling we built which is attached at the rear. Also, I work here as I am the proprietor of Creations Art Gallery (37+Years).

I ask the Council to accept the staff recommendations and deny the application. The lands should 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. However, should this proposal be approved, or the council chooses to direct staff to negotiate revisions, I ask that my concerns and recommendations below are considered.

Our property is described on the staff report as a single detached dwelling used for commercial purpose. I would like to clarify that it is used for both **COMMERCIAL** at the front with a parking lot and **RESIDENTIAL** at the back, with fully landscaped backyard, patio, gazebo, private driveway and separate entrance. This is my family home, therefore, we will have similar negative impacts as the adjacent residential properties regarding privacy, overlook, setback, trees/vegetation, traffic, noise with a few additional concerns such as parking, construction and potential earning loss.

Privacy and Overlook

The applicant does not provide any full rendering/perspective views from the south side. However, elevations on pg 2 & 12 in appendix b indicates along the full length of our home and backyard that there will be 5 floors with 6 balconies and 46 windows with views looking down on our entire backyard, side yard and directly into our home. To help alleviate minimal privacy and overlook encroachment from the current small 2 story building we have several mature trees and plantings along the property line, a 6ft privacy fence along the residential part of the building and 40ft of mature cedar privacy hedge.

This will not provide any privacy should these applications be approved. By maintaining 7.5m side setback and maximum height be 2.5 stories at the south end of the property there would be fewer overlook and privacy issues for 436 Wilson St E which might be partially resolved with trees/vegetation on the new constructed property.

Trees / Vegetation

There are several mature trees and hedging along the lot line of 436 Wilson E. The tree survey provided by the developer does not discuss how the trees/vegetation along or near the property lines of the adjacent properties will be affected. The wide-ranging excavation for the parking garage up to the lot lines (as shown in the Vegetation Management diagram) will compromise many existing trees, foliage and landscaping. There is a potential for substantial tree loss.

To recover from these damages and loss, we ask the applicant to provide reasonable compensation for tree/vegetation loss, such as mature 5-meter-high trees of similar species, plantings, mature hedging and landscaping along the joint property line with 436 Wilson Street East.

In addition, a large cluster of well-developed mature trees exists, just outside of the construction area, at the back of proposed site along Brookside Ave from Lodor. These trees MUST be protected.

Noise

HVAC noise is a concern with large building structures, even if placed on roofs. PED 22037 Page 34 states there will be further investigation. Visual shielding will not reduce noise. Wilson St is already a very noisy street requiring written notification to new potential residents. (PED22037 Page 10) This would not be an issue with individual three storey buildings provided for in the Secondary Plan and zoning.

Entrance, Traffic and Parking

In the Formal Consultation report (FC 20-064, Sept. 2, 2020) it was in City staff's opinion that access to the site should be off Wilson St: "Driveway access to the site can only be right-in, right-out access with preference to be located on Wilson Street East" (Page 7)

The right-in and right-out is to limit traffic impact on surrounding streets from the excessively dense development that will be needing access to and from the property. **This would not be an issue with the construction of individual three storey buildings provided for in the Secondary Plan and zoning.**

By building to the existing Secondary Plan and zoning, a two-lane driveway onto Wilson should be allowed. This driveway location would help mitigate the misuse of the wide driveway and front parking at 436 Wilson E. For example, but not limited to, the usage of the driveway at 436 as a convenient U-turn point that places pedestrians at additional undo risk. Large trucks making deliveries by using 436 as a more convenient access point to adjacent buildings and using 436 as a more convenient customer/visitor parking spot for the adjacent property. See Appendix A: Image Google Street View 436 Wilson St.jpeg

Furthermore, this two-lane driveway located next to the 436 Wilson St address would create an additional buffer of space to the 436 address. We understand that the removal of the buildings at address 442 would be required.

The traffic report (PED22037 Page 33) indicates that there is not enough parking for residents in either the retirement home or mixed-use proposal. Enough parking within the proposed site for all residents, staff, customers of retail/service uses, and visitors, **MUST** exist and must be conveniently accessible.

Construction

The level of disruptions to Ancaster businesses and everyday life for residence for a project this size will be enormous and continue over several years. As a result, it will have a serious negative effect on the viability of many businesses and services located in the BIA and residents within the area. Businesses located near the construction site will be heavily impacted due to substantial traffic congestion from construction equipment, road closures, potential infrastructure updating which can further extend disruptions with road closures and impact the length of time of these interruptions. The amount of excavation, heavy mechanical machinery necessary to break up and remove the rocky escarpment and the continuous pile driving of 200+ steel girders will not only be incredible noisy, more importantly the continuous vibration and hard **pounding will cause severe damage to our building** and many nearby homes.

No construction staging or access to back of property from Brookside Rd. can be allowed. Labeled in Drawings (PED22037 Appendix B) as “Existing Trees to be Reattained” are mature 70 feet tall tree grouping. These trees **MUST** be protected. These trees cannot be a subject of a construction deal allowing replanting or cash-inlieu.

I agree with the recommendations put forth by the Planning Committee to **DENY** the above amendment applications. This is not a suitable location for the proposed development, as per the staff report.

Thank you for ensuring this letter will appear before the Planning Committee of the City of Hamilton.

Regards,
Dan Faulkner

Appendix A:

Compilation Perspective of, PED22037 Appendix B Page 10, Preliminary Perspective – View 02 and Google Street View.



(Image: Google Street View 436 Wilson St.jpg)

Image Notes:

- The 436 Wilson St. property has the closest parking.
- There is no walking access to parking within the proposed structure, accessing the two existing Wilson St buildings. Closest parking within the property is estimated to be 210 meters away, up and down a steep 5.71% slope.
- No full rendering of North/West or North/East views have been provided, showing the massive scale of the project and all the balconies and windows, relative to and affecting 436 Wilson. Drawing from PED22037 Appendix B Pg 2, South Elevation added to Compilation with estimated scale.