

From: klmshields
Sent: Tuesday, March 22, 2022 9:11 AM
To: clerk@hamilton.ca
Subject: Opposed Response re proposed Development @ Academy & Wilson

Planning Committee c/o City Clerk,
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

Dear Mme Clerk:

Re: ***Response to Application for Official Plan Amendment and Zoning By-Law Amendment for Lands Located at 392, 398, 400, 402, 406, and 412 Wilson Street East and 15 Lorne Avenue, Ancaster.***

We write in response to the above development application.

Thank you in advance for inviting input from the community towards formulating your staff report. Much appreciated.

In so doing, we are without doubt submitting our valid & sincere opposition to the unreasonable, unnecessary and massive 8-storey development proposed at Academy and Wilson Streets.

Please review this list of issues addressed below.

1) *General Comments Regarding Mass, Height, Footprint, and Architectural Style of This Application*

In general, this development fails by an extreme to conform to the Cultural Heritage Landscape status of the Ancaster Village, which was instituted in the mid-1970s as a means of protecting Ancaster's heritage context. The Village was established in 1792/3, one of the earliest European settlements in Ontario, and the area still demonstrates a distinctive sense of history.

The developers and the design team for this project appear to have set aside the bylaws and zoning of the Ancaster Wilson Street Secondary Plan, implemented a mere 7 years ago to reflect the requirements of the Cultural Heritage Landscape status - i.e., that all new developments must conform to the neighbourhood heritage context.

If approved, this development would loom, overshadow, and overwhelm both the streetscape of Wilson Street and the small-scale Maywood neighbourhood behind it. The development is three times the height allowed under the Ancaster Wilson Street Secondary Plan (AWSSP). It is enormous in height, mass and lot coverage.

It also fails to reflect a heritage architectural style even closely resembling the streetscape and local context of the Village as required by the AWSSP. The architecture is not only massive, but aesthetically unattractive, cookie-cutter, and cheap-looking. A prominent architect based in Hamilton has commented about it:

"The left lobby cladding is distressed barnboard if you Zoom in, at a massive scale representative of old growth forest wood grain, or cheap, fake material. Or just careless drawing work. The splayed posts come from the Queen Richmond Centre West office building in downtown Toronto, perhaps an inappropriate reference for a building on Wilson Street in Ancaster....."

Ancaster Village deserves better.

Infrastructure will likely be unable to accommodate this development, as discussed later in this

report. Further, if approved and built, it will consume so much of the capacity of locally available infrastructure that it is questionable whether other developments duly conforming to the bylaws and zoning will be buildable with what capacity remains.

The consultants' reports included in the Application are inadequate. There is no hydrogeological report or Phase 2 ESA report documenting the incidence and levels of hydrocarbons in the soil which led to approval of the relocation of the 1840 Marr-Phillipo House which now stands on the property. Further, both the Traffic Study and the Functional Report are inadequate, as will be shown.

The data presented by the developers is inadequate in so many ways that one must conclude that the developer is presenting this proposal opportunistically.

Ancaster Village Heritage Community does not oppose reasonable intensification which accommodates to the current bylaws, zoning and infrastructure limits. However, this proposal is so far outside the boundaries of "reasonable" that it is inconceivable that it might be built. It will certainly lead to other developments of similar size and scale that will ultimately destroy the Village heritage context.

2) Traffic

There are a number of issues regarding the increased traffic to be generated by this development. To quote the Traffic Report,

"The proposed development is expected to generate 78 total two-way trips (26 inbound and 52 outbound) and 143 total two-way trips (79 inbound and 64 outbound) during the morning and afternoon peak hours, respectively."

I.e., "during the morning and afternoon peak hours, respectively".

The data cited by the consultants' report is incomplete. It shows only peak hour traffic, i.e., narrowly defined as traffic occurring over one hour during the morning and one hour in the evening at peak times. Use of this inadequate measure also applies to the retail component, which is certainly unrealistic since retail will incur traffic at all hours.

Local residents have pointed out that the intensity of traffic tends to increase well before peak hours, and winds down well after peak hours. It appears that drivers are accommodating to the intense traffic at peak times by arriving at the intersection earlier or later, which reduces the queues but extends the times of peak rush hour traffic considerably, and increases traffic pressures on local neighbours and neighbourhoods as well. This is not accounted for in this study, which minimizes the overall traffic and vehicle trip counts severely.

The developer's Traffic Study data demonstrates that traffic on Wilson and Rousseaux Streets during peak hours is already at or close to capacity. This is also stated by the Salvini Traffic Study recently completed for the Amica/condo development on the Rousseaux/Wilson intersection. The Salvini study did include 24-hour traffic, which gave a much clearer picture of the pressure on local streets at all hours of the day.

According to both studies, overloads and long queues at the major Wilson/Rousseaux intersection extend in distance far beyond the queue lanes at peak hours on both streets. Interestingly, the Salvini study also indicated that peak hour traffic trips were not a very large percentage of the total 24-hour trips at this location. The present traffic study fails to account for traffic occurrences and potential increases in traffic from this development during other times of the day.

There are few options available for traffic to travel between Ancaster and Hamilton or Dundas - and well beyond as well. Rousseaux Street, which flows into Wilson Street, accesses major highways including the Linc and the 403.

It is particularly crucial to measure 24-hour traffic due to its impact in the Maywood neighbourhood. Academy Street, where the access point to this development will be located, provides direct access to Lodor, Academy and Church Streets, i.e., Maywood. There should be no access to the Maywood neighbourhood from or to this development on Academy Street except for locals. All access in both directions to the development should be from Wilson Street only not including Academy Street.

The Maywood neighbourhood is already plagued with cut-throughs between Rousseaux and Wilson Streets, especially at peak hours. Drivers want to avoid the long lineups and delays at this major intersection. Maywood has among the narrowest public streets in Hamilton, with sidewalks on one side only. Ancaster Square, Ancaster Green, the Town Library, Town Hall offices, Old Town Hall (which hosts many social and city events), the children's playground and splash pad, tennis courts, and lawn bowling park are all accessed through the Maywood neighbourhood. It is important that this traffic not be increased to maintain the walkability and health and safety of the neighbourhood.

Unlike the Salvini Report previously mentioned, the codes used in the graphs in this report are relatively indecipherable for laypersons, and are not accessible on Google. Included should be an interpretive chart, and a simplification of the data presentation.

3) *Parking*

Based on the City's By-Law No. 05-200, a total of 332 parking spaces (including barrier-free, retail, resident parking spaces) are required for the proposed development. The proposed development will provide 256 parking spaces for residents, which meets the requirement for residents; and 56 spaces for retail/commercial, which presents a technical shortfall of 43 parking spaces for retail/commercial. This shortfall should be remedied.

4) *Wastewater Disposal*

The Functional Report includes incomplete data regarding sewage waste disposal. In contrast to the traffic study, which provides only peak hour traffic data, the wastewater report includes only estimates of 24-hour flows of sewage, not peak flows at all. This is difficult to reconcile, since peak flows, not 24-hour flows, determine the real-time demand on the capacity of the wastewater system. The standard method of estimating peak flows, as we understand it, is to multiply the average 24-hour flow by a factor of 5. This is not done.

There is no evidence that the 200 mm sewage pipe on Wilson Street has the capacity to carry the extra load from this development nor, if it does, whether it will leave adequate capacity behind for other developments more in conformity to the AWSSP to be built in Ancaster Village. Further, there is no information regarding the pumping station on Old Dundas Road in the valley below the escarpment, which sends the sewage back up the escarpment to Rousseaux Street, and whether it is adequate to cope with this extra load.

Further work on the Functional Report is clearly necessary, especially since the route taken by the wastewater pipe has apparently contributed to sewage-flooded basements in the valley below the escarpment.

5) *Hydrocarbons in the Soil*

It was mentioned above that there is inadequate data about the hydrocarbon content of the soil on the lot. The presence of significant hydrocarbons, though undocumented, necessitated the relocation of the Marr-Phillipo House on the site. This data is not only important for underpinning the relocation of the Marr-Phillipo House, but also for generating plans necessary to deal with the contaminated soil, which is an environmental issue not dealt with in the Application.

Comments below were made by a qualified hydrogeological consultant of 30 years' experience in the field, Wilf Ruland P.Eng, located in Ancaster. He says in response to our queries:

"It's true that this is a Geotechnical report, and that its purpose is to ensure structures has sound footings etc. Nonetheless, there are some interesting points:

1) A total of 14 boreholes were drilled (and some were completed as wells), with the borehole logs at the back of the report. None of the borehole logs for the boreholes/wells closest to the Marr-Philippo House made any mention of hydrocarbons - which is passing odd, given that the proponent has said contamination around the house is so bad it has to be moved.

2) ***Only one borehole log (for BH/MW8) notes hydrocarbon odours*** - it is in the extreme southwest corner of the property.

3) ***No one seems to have told the Geotechnical engineer that the proponent considers the site to be contaminated.*** There is no mention of special provisions for testing or safe disposal of water which may run into excavations, nor is there any provision for testing and safe handling/disposal of soils being excavated for building construction.

The report leaves us with a number of questions. What we need is the Hydrogeology Report, and the Environmental Site Assessment reports.”

And in another communication:

“This report is lengthy but incomplete. Various bits are missing - most critically for me the Figures are missing, as is Appendix I (the Site Conceptual Model).

This was a Phase I ESA - as such, it was a desktop study.

The key documents will be the Phase II ESA and the Hydrogeology Report.

If such soil and/or water samples exist, then they will be in the Phase II ESA and/or the Hydrogeology Report.”

6) ***Noise Study***

The noise study was also incomplete. It addressed noise levels in the neighbourhood and those which would emanate from the relocated Marr-Phillipo historical building. It failed to address noise and disturbance emitted by the building itself, for example the climate control apparatus, and its residents, into the neighbourhood. This is also a failure that should be remedied, since many of the homes in the neighbourhood are located very close to the new building.

7) ***Conclusions***

In conclusion, this development should be denied, and any future application should be required to accommodate to the Cultural Heritage Landscape criteria for development and the Ancaster Wilson Street Secondary Plan.

There is no room to expand Wilson Street into 4 lanes of flowing traffic.

With respect,

Karen & Paul Shields