

Sent: March 26, 2018 11:48 AM
To: Zajac, George; [REDACTED]
Subject: Fw: Upper James at Stone Church Development
Attachments: Hamilton House.pdf; Signed Cheng Response.pdf

Thank you, Mr. George Zajac.

I am forwarding to you our communications with Varcon developer, Mr. Angelo Riccio. In the email, we expressed our concern regarding the traffic congestion of the area and our willingness to negotiation on the possible acquisition of our property. We express the same sentiment to you as well.

We not only believe that it will add congestion to an already congested area overall. But we also feel that it will negatively impact our existing business entrance/exit as their proposed entrance/exit will run alongside our lot.

In addition, I've attached our letter to the previous Hamilton Senior Planner Alvin Chan, as well as, his response to us in 2015.

We appreciate your considerations.

Sincerely,
Adam Cheng
Property/Business Owner

Sent: March 19, 2018 1:42 PM
To: [REDACTED]
Cc: R [REDACTED]
Subject: RE: Upper James at Stone Church Development

Dear Mr. Angelo Riccio,

It was a pleasure to meet with you to discuss the acquisition of 1367 Upper James St. property last month, February 6th. Thank you again for the wonderful lunch. We appreciate the tour of your Varcon office space and your personal collection.

In reviewing your plans laid out at the church meeting on January 31st, the designated exit/entrance to Upper James is our major concern. We believe it will interfere with our only existing entrance/exit but, more so, the additional compounding effect

on existing traffic congestion. As many area residents can expressed during the meeting, Upper James St. and Stone Church Rd. intersection is already extremely problematic especially during rush hour times.

As we discussed in our lunch meeting, we do not want to come in the way of your development and believe in the growth of that area. We want to be reasonable and fair in our asking price in hopes to come to an equitable agreement. We simply want the current market value of the property plus 20% for the expenses and potential loss to relocate our existing business on that property.

Our small family business, Ceragem Kangen Wellness Centres, has been well established in operation for the past 18 years with locations in the Toronto-area and in Hamilton since 2006. We currently employ 7 people across all locations. So we feel this is a fair asking price to sell our property and move our business in Hamilton.

We believe your offer of \$1M is too low even in comparison to the surrounding market value alone. As shown during our meeting, the latest commercial comparable sales and the prevailing market value on Upper James as \$1.1~\$1.2M as of 2017. Thus, our asking price is \$1.32M. We hope you will see our perspective and hope to still come to some sort of mutually beneficial agreement.

Thank you for your consideration.

Warmest regards,

Adam Cheng
Property/Business Owner

July 2, 2015

Dear Alvin Chan,

RE: UPPER JAMES AT STONECHURCH DEVELOPMENT
252 Unit Residential Apartment 13 Unit Residential Townhouse and Commercial Project.

This letter is to inform that, as occupants of 1367 Upper James St., we object to the Location Plan and Concept Plan submitted by WEBB Planning Consultants Inc., on behalf of A.R. Riccio Developments and Hess Village Restaurants Gardens. The development plan submitted to Hamilton's Planning and Economic Development Department for an Urban Hamilton Official Plan and Zoning By-law Amendment Application for lands at 1355-1359 & 1375 Upper James St. and 16-48 Stone Church Road East was reviewed and found to be unacceptable.

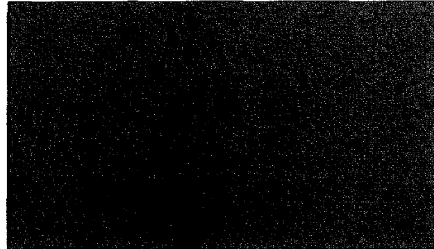
Based on the current Location Plan and Concept Plan, our commercial 2 storey property will sit adjacent to the development in question. Historically, our only access is through Upper James St. as is one of the proposed access points/fire routes from the plan in question. We believe this would not only impede traffic along Upper James St. but also affect our own accessibility, thus, our current business operations negatively.

Existing traffic is already extremely heavy, especially during peak hours, even without the development in place. The proposed 252 suites of the two 12 storey residential towers and the 13 three storey townhomes would only add more congestion in an already congested intersection. Add the multiple commercial units proposed, we anticipate a traffic nightmare as the only other Fire Route exists on Stone Church Road.

We thank you for your understanding. Please keep us informed about future hearings and meetings as we would like to participate in them moving forward.

Sincerely,

Richard Cheng
Business/Property Owner



RECEIVED
JAN 15 2018
GZ

January 12, 2018

ATTENTION: Mr. George Zajac (City Planner)

Councillor Donna Skelly

Departments of Development Planning, Heritage and Design

Re: Public Information Meeting Wednesday January 31, 2018

Application for Zoning By-Law Amendment File Number ZAC-11-070

Dear Mr. Zajac,

It has been brought to my attention that once again, proposed development of the subject lands on the South East corner of Upper James Street and Stone Church Road East, has been revised and the owners and developers are seeking amendment of the zoning by-law which would permit development as proposed and shown on submitted documents. The information document refers to a "second public information meeting" regarding the application. I was not aware that a previous meeting had taken place. It is possible that reference is to the meeting 6 or 7 years ago which resulted in rejection of the application.

In 2012 I had extensive communication by telephone and email, with Chris Bell – at that time the Senior Planner for the subject properties. I was to receive notification of any future proposal to develop the properties. I have not been notified. The correspondence should be in your files. Please ensure that my correspondence is available to all City participants prior to the meeting on January 31, 2018. I have attached a copy of my letter from 2012 regarding this issue.

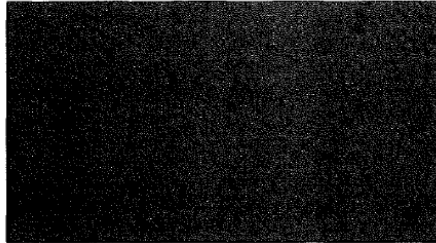
The application states that the current amendment attempts "to address concerns raised by ratepayers and City staff". Basically nothing has changed from the last attempt to proceed with an unacceptable development. I will reiterate some of the main, obvious objections to the proposed development.

- (1) Since the last attempt to develop the subject lands, traffic has increased dramatically on both Upper James and Stone Church Road. A development as proposed would create a significant and unacceptable increase in the amount of traffic on both these major thoroughfares. Congestion, accidents, injuries, damage and loss of life would surely rise significantly. The traffic situation at the intersection is often untenable even at present.
- (2) A commercial development of 8 stories (with a rooftop "amenity space" – essentially a 9th floor) directly across Upper James from the historically designated Barton Stone-Mt. Hope United Church, would be totally out of keeping with the character of the area.
- (3) Previous development on the NE corner of the same intersection – ie. Tim Horton's – did not fulfill proposed and theoretically required landscaping intended to shield even a one story commercial operation from the Church. Traffic leaving Tim Horton's often involves vehicles making an illegal left turn past a concrete median, onto Stone Church Road heading east. This does not seem to be policed. Neither are the vehicles (usually large trucks or buses) which stop at the corner to allow the driver to purchase coffee.

I would hope that analysis of the situation would result in City rejection of the application. I would expect Councillors of the wards involved, would oppose the application.

Once again, I would request that I be notified of any legislation or meetings relevant to this application.





Copy
Jan 2012

January 4, 2012

Mr. Christopher Bell, Senior Planner,
The City of Hamilton, Development Planning
City Hall, 71 Main Street West, 5th Floor
Hamilton, Ontario L8P 4Y5

Re: File Number OPA-11-018 and ZAC-11-070

Applications for an Official Plan Amendment, By-Law Amendment and Public Meeting of the Planning Committee
A.R. Riccio Developments Inc. Lands on the SE corner of Upper James Street and Stone Church Road

Purpose: To rezone all identified properties, including 1375-1383 Upper James Street and 16-48 Stone Church Road East, as Commercial, to allow for development of a retail development of 7,300 square metres

Dear Mr. Bell,

I wish to comment on these proposals and object to their adoption. It was only in the last few days that I have made the effort to read the sign posted at #16 Stone Church Road East in order to learn about the proposed applications. Because the lettering on the sign is small and because traffic does not permit either reading the sign from the street or stopping within a reasonable distance of the sign, I was forced to park and walk to the sign location in order to learn of its content. The sign indicates that all landowners within 120 metres of the subject lands had been sent Notice of Complete Applications. This Notice should have been received by Barton Stone United Church which is located within a few metres of the subject lands and which is one of the properties most affected by the proposal. Notice would have been directed to my wife, [REDACTED] Review of mailings to the Church found no notification. No action has been taken prior to the present, since it was assumed that any proposal in such close proximity to the Church would have been brought to the attention of the Church. The sign also reports a Public Meeting to be held at City Hall, at 9:30 a.m. – with no mention of a date.

I note that the applicants are those who had proposed two 30 story towers on the subject lands. It would appear that the developers are modifying their proposal in order to identify one which would be less offensive to adjacent landowners. Unfortunately, the current proposal is equally unacceptable for many reasons.

- (1) Recent improvements to both Upper James Street and Stone Church Road have merely increased the speed and density of traffic on both thoroughfares – traffic which is already at or beyond capacity and makes it almost impossible to cross either Stone Church Road or Upper James Street on foot. It should be noted that Stone Church Road is essentially a residential artery from Ancaster in the West to Ottawa Street in the East. There is no precedent for eliminating an extensive row of residential properties or need to rezone the 5 properties on Stone Church Road East as Commercial. This would place a commercial development adjacent to and across from existing residential housing. I would suggest that it would be more appropriate to rezone all subject lands as single-family residential, in order to preserve the residential character of Stone Church Road East. Any commercial development would fall close to the existing park, to which a large number of children travel in summer. This would pose a major hazard to access because of increased traffic flow and interruption of bicycle lanes and footpaths.

- (2) The intersection of Stone Church and Upper James has already been noted to have one of the highest accident rates in the City. Further commercial development would increase traffic and the complexity of the intersection. With vehicles turning and not infrequently parking near the corner (ie. large trucks and buses which are left while their drivers obtain coffee at Tim Horton's), the number of accidents involving vehicles and pedestrians would inevitably increase, leading to loss of property and life. The City and any developer would have such damage on their consciences.
- (3) The proposed development is across from Barton Stone United Church, one of the oldest heritage sites in the City, having just celebrated its 200th year anniversary. Any development in such close proximity to this heritage site should reflect the character of the church. A large commercial development would not be suitable. When the proposal was accepted to develop the N/E corner in order to construct Tim Horton's and a gas station, development was conditional on landscaping to help screen structures from the aspect of the church. The landscaping was inadequate and has not been maintained, despite complaints from nearby residents.

I would hope that Councillors Scott Duvall (Ward 7) and Terry Whitehead (Ward 8) will strongly oppose the applications for rezoning and development. The developers have shown willingness to revise their expectations for an enormous and inappropriate development in the past. I would hope that they would once again revise their plan to eliminate all commercial elements and promote quality residential development which would complement the neighbourhood and not constitute an unsightly and dangerous proposition.

Please advise me of any legislation or meetings relevant to the above applications. Please notify the City Clerk that I wish to receive any such information.

Sincerely,

A large black rectangular redaction box covering the signature of the sender.

cc. Scott Duvall, Councillor, Ward 7
Terry Whitehead, Councillor, Ward 8
Bob Bratina, Mayor, City of Hamilton

From: Peter Edmonson
Sent: January 30, 2018 1:13 PM
To: Skelly, Donna; Whitehead, Terry; Office of the Mayor
Cc: Zajac, George
Subject: Application For Zoning File Number ZAC-11-070

To All

On the outside chance that I cannot attend the meeting scheduled for Wednesday Jan. 31st at the Barton Stone United Church Hall regarding the Public Information Meeting for this Application, I would like to have my comments listed below to be recorded.

My major concerns regarding this project is the impact it will have on traffic on Stone Church Road East and parking within the immediate surrounding area.

My specific comments are;

1. Can the entrance/exit for the underground parking be moved from the extreme northeast portion of the development to an internal location? This would allow the site's residents to have the option of other entrances and exits and would alleviate a large number of vehicles (possibly 800 per day) entering and exiting within the residential portion of Stone Church Road East. Under the current plan, the majority of the site's traffic volume will be using this underground entrance/exit.
2. Will there be adequate road allowance along the South side of Stone Church Road East at the intersection of Upper James to accommodate for people either being dropped off or being picked up from the front doors of the residential/commercial tower? I mention this point as this portion of the road is only about a lane and half wide and is already a current congestion point as cars that are stopped while performing an illegal left turn into Tim Hortons cause a backup that can sometimes extend back into the intersection.
3. Can the City post and enforce "No Overnight Parking" (or comparable wording) signs within the Barton Stone United Church Parking lot along with the commercial parking areas near Tim Hortons, Swiss Chalet and Denningers? Even though there are about 558 planned parking spaces, only 158 of these will be above ground and there could be, especially on weekend nights, a shortage of available on-site parking due to residential visitors and the restaurant patrons
4. I would like to see addressed whether there will be a pedestrian walkway leading from the southeast portion of the development into the Park? If so, could similar no overnight parking signage be placed within the parking area of the Park?

Dr. Peter J. Edmonson P.Eng

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Robert C. Dickson Ph.D., M.D., C.C.F.P.

Hamilton, Ontario

June 24, 2015

Attention: Alvin Chan, City of Hamilton
Planning and Economic Development Department
Development Planning, Heritage and Design – Suburban Team
Hamilton City Hall 71 Main St W., 5th Floor, Hamilton L8P 4Y5

Re: Applications File UHOPA-15-016 and ZAC-11-070

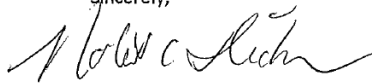
Dear Mr. Chan,

I am writing to oppose the subject applications for many reasons. I specifically ask that this sentence and my personal demographic information be removed, if this letter is included in the Staff Report for Council consideration – leaving only my name and address as 'Hamilton Mountain'. I further wish to be sent a copy of the Staff Report prepared prior to any meeting. Please make this communication available to Tami Kitay, S. Robichaud and A. Fabac.

- (1) I believe that this is another attempt to "bait and switch". In the past, the subject lands have been considered for various commercial developments. The properties have sat unoccupied but generally in excellent and rentable/saleable/useable as single family dwellings. In the past, extensive commercial or higher density occupancy use has been requested – with large numbers of stories – and as far as I know, turned down. The reasons are transparently obvious – but once again – in the summer (no one is supposed to pay attention) unusual and unacceptable changes are being proposed. I have lived in the area for almost 70 years – and have seen reasonable development. I strongly suspect that the applicants know that multi story buildings are impossible – and expect you to give an "okay" with reduced height. The entire concept remains beyond human reason.
- (2) Development would lead to traffic increase onto Upper James and Stone Church Road East. In the last week or two the Hamilton Spectator has published a McMaster traffic volume study which showed usage at 40,000 cars per day on Upper James. This is far beyond capacity already causing innumerable delays. Stone Church Road East has had an enormous increase in traffic over recent years – making access difficult from the mostly residential population. Many small children live and play near Stone Church and cross Stone Church East, going to school and to access the park on Di Cenzo. Accidents involving death have already occurred on this stretch of Stone Church. Stone Church is over design capacity and worsening daily. Speeding is common.
- (3) The corner proposed for redesignation includes Barton Stone Church across Upper James. The oldest heritage church in Hamilton – still in active use – and maintained as one of the few reminders of Hamilton's origins, would be overwhelmed by yet another commercial development. Upper James is already an eyesight because of development.
- (4) A large development of unoccupied homes is occurring just South of Stone Church, East of Di Cenzo. This will also add to the traffic problems in the area. Another large development at Upper Wellington and Lime Ridge – currently not yet occupied – will also add to congestion in the area. If the Airport attracts more traffic, everything will worsen – including the view of Hamilton approaching from the South.
- (5) There are huge areas of developable land – to whatever extent desired – on the waterfront and elsewhere – to which development should be oriented. The details of the subject proposals are unbelievable – aesthetically and practically.

Please reject the proposed submissions and suggest that the owners change their approach. This has all been tried before.

Sincerely,



Dr. Robert C. Dickson

s. Councillor Scott Duvall, Ward 7

RECEIVED
JUN 29 2015
6/26/2015 HJ

Mr. Alvin Chan, Development Planning, Heritage and Design – Suburban Team

Planning and Economic Development Department, Hamilton City Hall

71 Main Street West, 5th Floor,

Hamilton L8P 4Y5 **Telephone** 905 5462424 Ext 1334 email Alvin.chan@hamilton.ca

Re: Urban Hamilton Official Plan Amendment (File No. UHOPA-15-016)

Zoning By-Law Amendment (File No. ZAC-11-070)

Dear Mr. Chan,

Very recently, my church, Barton Stone United, received a notice about a proposed by-law amendment and an official plan amendment for lands at 1355-1359 and 1375 Upper James and 16-48 Stone Church Rd. E. Written comments are to be submitted by **June 29, 2015** prior to a public meeting. The developers wish to construct commercial and housing complexes which would include two **eleven story** towers.

As past chair of the Administrative Board at the church, a longtime member and someone who has lived in the neighbourhood since 1985, I wish to object to these changes.

Years ago, the Official Plan specified maintaining **all** remaining corners at Stone Church and Upper James to reflect the historic (1846) church. When Johnson Motors (as it was called then) was rebuilt, the landscape, including a section of wall, was designed to complement the appearance of the church.

Subsequent development of a Tim Horton's on the NE corner raised a number of complaints before the proposed landscape was modified to reduce the impact of its appearance. The entrances and exits continue to make a dangerous corner. I often see drivers exiting to drive **east** on Stone Church when the arrow in the median clearly indicates that this is illegal. Vehicles park in no parking zones while their drivers go into the Tim Horton's. In recent years, a cyclist was killed when a truck parked on Upper James blocked the view of a driver turning into the Tim Horton's. Neighbours and Barton Stone Church members had anticipated problems before Tim Hortons was approved, and wrote letters of objection. Some attended an Ontario Municipal Board hearing to oppose the development. Unfortunately, the board overruled the objections and the Tim Horton's and the gas bar were built.

A few years later, plans were submitted for development of the property on and adjacent to the SE corner. The suggestion of condo towers as tall as or taller than any other existing buildings in Hamilton was patently absurd, especially if they were to be built across the street from the church and in the path of flights to and from Hamilton's airport. As I recall, meetings scheduled to discuss this proposal were also in the summer. That proposal was not accepted. At a time when reasonably priced housing is needed, five houses on Stone Church have sat empty and other houses sit unused on Upper James. It is disturbing for residents who have built and rebuilt houses on Stone Church Rd. E., thinking that the single family dwellings beside them or across the road would stay.

Non-resident developers, whose only motivation is profit, want to further change the neighbourhood at a time when many of the businesses already on Upper James have come and gone, leaving plenty of retail space already zoned commercial.

A recent study, done at McMaster University, found that 40,000 cars a day use Upper James between the Linc and Rymal Rd. When the Linc is closed by accidents or for other reasons, the traffic on Upper James and Stone Church is bumper to bumper. The intersection of Upper James and Stone Church will be even more dangerous if commercial buildings and two eleven storey towers are built where proposed and traffic congestion becomes intolerable.

Barton Stone Church received notice after the June Administrative Board Meeting and during a time of year when people in the congregation are often attending shared summer services at other United Churches. It is more difficult to communicate information to members or have a congregational meeting which requires three notices.

I hope that the Planning and Economic Development Department will allow only a development at this corner that is best for our neighbourhood, the historic church and Hamilton.

Sincerely,



Mary Lou Dickson

C.C. Scott Duvall, Councillor Ward 7

PLEASE REMOVE MY ADDRESS FROM THIS LETTER BEFORE MAKING IT PUBLIC