

SUMMARY OF PUBLIC COMMENTS RECEIVED

Comment Received	Staff Response
The construction of the proposed development will disrupt the surrounding neighbourhood.	Construction management will be addressed at the future Building Permit stage.
The proposed number of parking spaces is insufficient for the proposed development and will result in spill over onto adjacent roads.	<p>The applicant proposes to reduce the parking requirement for a Retirement Home from one space for each three persons accommodated to one space for each four persons accommodated. The applicant also proposes to reduce the parking requirement for a Day Nursery to one space for each 125.0 square metres of floor area to one space for each 250.0 square metres of floor area. The proposed modifications would reduce the parking space requirement from 66 spaces to 55 spaces.</p> <p>Under the modifications to parking regulations approved under By-law No. 24-052, 69 parking spaces are required.</p> <p>Staff do not support the proposed modifications to the parking requirements. Sufficient justification has not been provided to support a reduction in the parking requirement.</p>
The additional traffic generated by this development cannot be supported by the existing road network.	<p>A Transportation Impact Study, prepared by Paradigm Transportation Solutions Limited, dated November 2023, has been submitted in support of this application. Revisions to the study are required before the findings can be accepted by Transportation Planning staff.</p> <p>A Holding Provision is recommended to ensure that an updated Transportation Impact Study is submitted. The recommended Zoning By-law includes a Holding Provision to address these items (see Appendix “C” attached to Report PED24099).</p>
The proposed development will result in a reduction of privacy.	An Urban Design Brief, prepared by Masri O Inc. Architects dated October 2023, was submitted in support of the proposed development.

Comment Received	Staff Response
<p>The proposed development will result in a reduction of privacy. (Continued)</p>	<p>There are potential privacy and overlook concerns with the existing townhouse dwellings located south of the property because backyards face the southern lot line. The brief found that the southern wing of the building falls within the 45 degree plane above the fourth floor.</p> <p>Elevation Drawings, prepared by Masri O Inc. Architects, dated November 16, 2023, were submitted in support of the proposed development. The elevation drawings do not show stepbacks on the south wing of the building. Therefore, staff have amended the proposed Zoning By-law Amendment to incorporate a stepback above the fourth floor and an increased planting strip requirement to mitigate any negative privacy and overlook impacts (see Appendix “C” attached to Report PED24099). With these staff modifications, the proposed development will provide an appropriate transition in height.</p>
<p>The proposed development will block views of the surrounding area.</p>	<p>The proposed development is not anticipated to impact any public views nor significant vistas.</p>
<p>The proposed development will have a negative impact on resale value of adjacent homes.</p>	<p>The City is not aware of any empirical evidence to support this comment.</p>
<p>The proposed development will generate noise.</p>	<p>The objective of the Urban Hamilton Official Plan is to protect residents from unacceptable levels of noise, vibration, and other emissions and to protect the operations of transportation facilities, commercial, and industrial uses. A retirement home is a type of residential use and is not anticipated to generate more noise than any other residential uses.</p> <p>Any required noise control measures will be addressed through the future Site Plan Control and Building Permit stages.</p>
<p>The proposed development will result in increased shadowing onto existing residential uses.</p>	<p>Staff are satisfied that the development proposed by the applicant will not cause adverse impacts on existing residential uses. The stepback regulation proposed by staff will result in a reduction in the building’s massing and therefore reduce shadowing.</p>

VIRTUAL PUBLIC CONSULTATION SUMMARY



Masri O Architects

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1866 Rymal Rd E, Hamilton – Public Open House
Neighbourhood Meeting Summary and Response
February 2024

This is a summary of the information meeting held on **January 19th, 2023** related to the Official Plan and Zoning By-Law Amendment Applications for the proposed development at 1866 Rymal Rd E.

Key Messages from the Consultation Activity/Event

Participants: There were eight neighbours in attendance, two representatives from the City of Hamilton, and two members of Masri O Architects’ office, as well as a traffic engineer from Paradigm Transportation Solutions who was acting as the Agent for the Owner/Applicant.

Names and roles of the participants involved in presenting, or providing information:

- Owner: Jawid Fakiri
- Masri O. Architects: Reema Masri, Bhavisha Mistry, Natalie Ryan
- City of Hamilton: Robert Ribaric, Brad Clark, Devon Morton, Charlie Toman, Edward Winter
- Paradigm Transportation Solutions: Adam Makarewicz, Erica Bayley

Type of event: The meeting was held virtually over Zoom. Letters of information and invitations were sent to all neighbours within 100m of the development in December. Those interested in attending the meeting were provided with a link to the meeting by email.

Date and Time: January 19, 2023- From 6:30 p.m. to 9:30 p.m.

Public Key Contacts:

Reema Masri

E: rmasri@masrio.ca

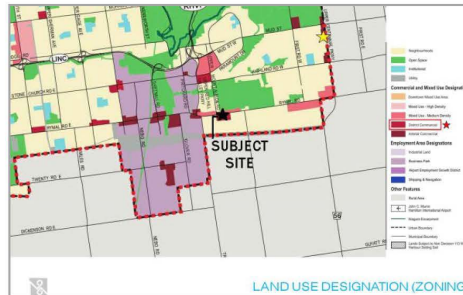
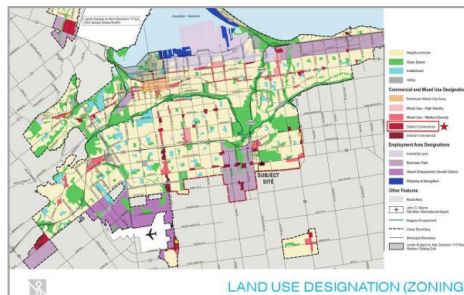
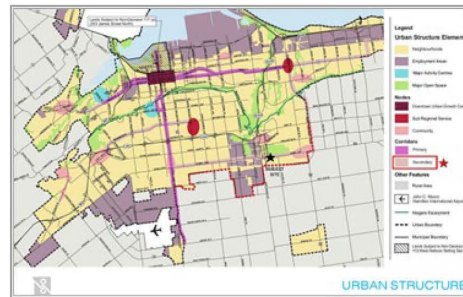
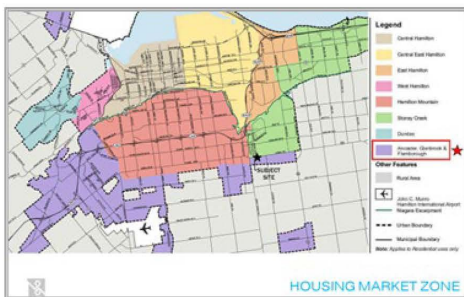
Natalie Ryan

E: nryan@masrio.ca



Key information presented:

Below you will find the slides of the presentation including information regarding application details, existing land uses and context, community needs, and demographics of the area:





CHANGING FROM C3 TO C4

<p>FROM C3</p> <p>Community Commercial Zone</p> <p>Max. Building Height – 14.0 m</p> <p>Building Uses: Commercial, Retail Daycare</p>	<p>TO C4</p> <p>Mixed-Use High Density Zone</p> <p>Max. Building Height – 40.0 m (proposed height approx. 29m)</p> <p>Uses: Commercial, Retail, Day care, Residential</p>
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ZONING

SITE PLAN

SITE PLAN

PLANNING RECOMMENDATIONS:

- Will add to the mix of housing types in the neighbourhood.
- Will provide for a compact, complete community comprised of a mix of housing types and will achieve a higher density within the Built-Up area.
- Will assist the Region in achieving its density targets for Urban Designated Greenfield Areas.
- Is consistent in size and character with the surrounding residential uses and is within reasonable proximity to a number of existing parks, community services, commercial services, transit and additional amenities; including institutional uses that are accessible for future residents.
- Is appropriate in terms of site suitability, character, compatibility and context as it provides for a logical and efficient repurposing of the existing residential special care facility / single family home in the existing residential neighbourhood.

PLANNING

FINDINGS OF WIND STUDY:

- NO ADVERSE EFFECTS
- Wind conditions on and around the proposed project are not expected to exceed the recommended criterion for wind safety.
- The proposed building is taller than the existing surroundings but includes several wind-responsive features which will moderate the potential wind impacts.

WIND STUDY

SHADOW STUDY FINDINGS:

- Shadows from this development do not affect any public plazas, parks or open spaces, school yards or playgrounds.

SHADOW STUDY (SUMMER & WINTER)

FINDINGS OF TRAFFIC STUDY:

- The study area intersections are forecast to operate with similar levels of service as the background traffic conditions.
- No capacity issues are projected as a result of the development.

TRAFFIC IMPACT STUDY

STREET CORNER



SITE INTERIOR



DAYCARE PLAYGROUND



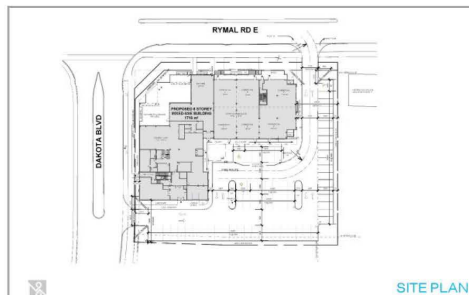
COMMERCIAL



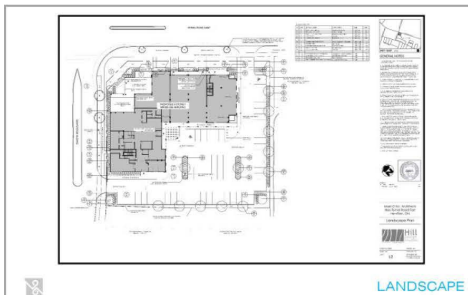
INTERIOR CORNER/ENTRANCE



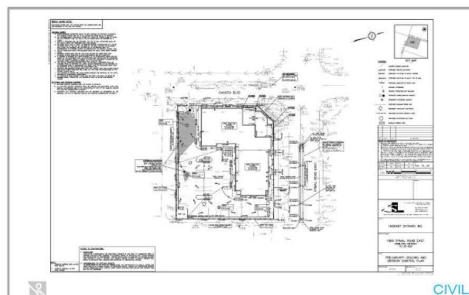
STREET VIEW



SITE PLAN



LANDSCAPE



CIVIL



Record of Notification

- Record of circulation area receiving notification;

Rymal Road Addresses	Hannon Cres Addresses	Dakota Blvd Addresses
1890 (Units 49-115 & Units 125-160)	3-21 (odd only)	65
1843	22-28 (odd and even)	
1845	30-33 (odd and even)	
1847	35-42 (odd and even)	
1869	46-47	
1873	49-53 (odd only)	
1877	54-58 (odd and even)	
1883	60	
1885		

- List of other stakeholders notified (e.g. Neighbourhood Associations, Business Improvement Area, any other stakeholder group identified in the Formal Consultation document);
- Any special efforts made to reach equity-deserving groups such as indigenous communities, persons with disabilities, etc;
- Ward Councillor and Manager of Development Planning notification: Councillor Brad Clark, Ward 9 – Upper Stoney Creek & Devon M. Morton, MCIP, RPP, Planner II (Rural Team), Development Planning, Planning & Economic Development Department
- Methods of notification used to include copies of the advertisements, mailouts, emails, etc.; and,
 - Natalie contacted Devon Morton (Planner, City of Hamilton) as well as the local Councillor’s office to gather feedback regarding our Public Consultation strategy. Both Mr. Morton and Mr. Clark were in agreement on the approach taken. Natalie sent them copies of the draft Public Consultation notification letter, as well as the list of addressees to be included in the mailing on December 9, 2022 (namely, properties within 120m of the property on Rymal Road, Dakota Boulevard and Hannon Crescent). This e-mail also included a request to indicate whether any neighbourhood BIAs or associations should also be included. As none were mentioned, the list of addressees was used to mail out the notices. The list of addressees was determined by identifying all residences within 120 m of the property.
 - Joanne mailed out notifications to the aforementioned list of addresses. The notification letter indicated an e-mail address that was set up for neighbours to respond to if interested in attending the Consultation. (1866Rymal@masrio.ca)
- Date notification was provided of the consultation event: Invitation to the Public Open House was mailed to the list on December 20 & December 22, 2022. Zoom login emailed to the following attendees based on their expressed interest to attend on January 17th, 2023:



Record of Consultation

- Screenshots of website traffic data/stats, if applicable: see presentation slides above.
- Sign in sheet of meeting participants: N/A due to virtual nature of meeting. See above list of participants.
- Meeting minutes; and, copy of all feedback received verbally and written:
 - Neighbours expressed concern about traffic on Dakota Boulevard as an already busy street especially in the morning and afternoon at school day start and end.
 - Neighbours expressed concern about privacy due to building height and especially immediately adjacent to the development site due to the proximity of the driveways and parking.
 - Neighbours stated that they were promised a single-storey retail building at this property when they purchased their homes.
 - Neighbours were interested to know about the development and type of retirement services provided, about the developer and the type of retail that can potentially be in the building.
 - Some neighbours expressed that there should be more parking associated with the development.



Response to Comments

Comments	Response
<p>Neighbours expressed concern about traffic on Dakota Boulevard as it is already a busy street, particularly in the morning and afternoon as the school day starts and ends.</p>	<p>In consideration of the existing traffic conditions caused by the school traffic on Dakota Boulevard, the developer has incorporated multiple access points and is working with the city regarding the final access management plan for the site:</p> <ul style="list-style-type: none"> - To help mitigate the impact along Dakota Boulevard, the site concept plan proposes a secondary access to Rymal Road, restricted to right-in/ right-out movements, to reduce conflicts with school traffic. - The proposed West access to the site is recommended to be restricted to right-in/ right-out only to reduce the number of conflict points along Dakota Boulevard. <p>Detailed assessment regarding this matter is included in the transportation impact study. Please refer to the “Transportation Impact Study” dated November 2023, by Paradigm</p>
<p>Neighbours expressed concern about privacy due to building height especially immediately adjacent to the development site due to the proximity of the driveways and parking.</p>	<p>The building is situated at the outermost corner of the site, adjacent to the two streets, and positioned at the maximum distance from the two interior lot lines including the rear lot line.</p> <p>On the property to the east of the site, there is a driveway and parking area as the adjacent land use, servicing the townhouses. To the south, the site borders the backyards of several townhouses. There is an existing 1.8m wooden fence there that would provide privacy to these backyards. Additionally, a substantial landscape buffer, capable of accommodating dense landscaping, has been established along the fence, enhancing privacy along the eastern and southern lot lines.</p>
<p>Neighbours stated that they were promised a single-storey retail building at this property when they purchased their homes.</p>	<p>The proposed building is a better option for the neighbourhood providing residential density of units in a mixed-use format. This helps sustain various and attractive commercial uses, and provides the impetus for the City to develop effective transit options along the corridor. The development will contribute to the neighbourhood through its quality, context-sensitive pedestrian-oriented design. It will enhance the streetscape and quality of street life by increasing the interaction of the building with the street through glazed facades, landscaping, and building detailing. It will provide</p>



	<p>opportunities for social interaction within the site and contribute to the vitality of the street and neighbourhood.</p>
<p>Neighbours were interested to know about the development and type of retirement services provided, about the developer and the type of retail that can potentially be in the building.</p>	<p>This development proposal consists of an 8-storey mixed-use building with commercial, daycare and residential uses. The ground floor includes commercial uses such as small retail; with potential for a coffee shop, salon, convenience store, or small food establishment. Other ground floor uses include a daycare and the main lobby area of the retirement home. The upper floors (2nd-8th) are dedicated to the retirement home. The basement floor provides additional support areas for the retirement home and building services.</p> <p>Information about the type of services and units is provided on the architectural drawings. Please refer to the “Architectural Drawings” dated November 2023, by Masri O Inc. Architects</p>
<p>Some neighbours expressed that there should be more parking associated with the development.</p>	<p>There is adequate parking provided on the surface (a total of 55 spaces). There are 2 parking spaces provided for the daycare and the commercial, which meets the zoning requirements. The remaining 53 parking spaces are allocated for the retirement home. The community commercial is geared for immediate neighbourhood use and does not require dedicated parking. While a total of 65 parking spaces are required according to the zoning by-law, the 51 parking spaces provided for the retirement home are sufficient according to the transportation study done for the site. The typical median age of retirement home dwellers is 80 years old. Furthermore, two of the seven residential floors are planned as secure areas for seniors who require more support. As such, the expected car ownership for personal use by senior residents is very low. The adequacy of the parking rate is tested and confirmed in the transportation study referenced below. This study is included in the ZBA/OPA submission and provides detailed information regarding parking assessments.</p> <p>Please refer to the “Transportation Impact Study” dated November 2023, by Paradigm</p>

Prepared by:

Reema Masri, Architect
 B.Sc. Arch. Eng., OAA, MRAIC
 Masri O Inc. Architects

COPY OF PUBLIC COMMENTS RECEIVED

From: Ahmed Ali
Sent: Friday, March 15, 2024 5:29 PM
To: Michniak, Mark
Cc: Ahmed Ali
Subject: 1866 Ryaml Rd E, ZAC-24-006/UHOPA-24-002, comments/appeal

Hello Mark,

I am Ahmed Ali, the owner of [REDACTED]. I am writing this email to express my concerns and appeal to Masri O Architects’ – clients of an undisclosed property owner – proposed development project for 1866 Rymal Rd. E. The owner is proposing an 8- story mixed-use building including a retirement home with 177 units, ground floor commercial units, and the rezoning of the property from C3 to C5. I am writing this email in hopes that the City Council will not allow changes to be made to the property that deviates from the permitted uses or the regulations of the existing Zoning By-law.

My concerns are listed as follows:

1. A construction project of this size, height and duration of time may impose higher than normal safety risks to the students of Bishop Ryan Catholic Secondary School who are located across the street. In addition, many families who live in Freedom Townhouses – 1890 Rymal Rd. E – have young children who play within metres of this lot.
2. The builder has confirmed (via Zoom meeting on January 19th, 2023) that there will be 180 units with approximately 60 parking spaces. This inconsistency in parking spaces to units may cause an increase in parking along Dakota Blvd which will inherently cause an increase in traffic and congestion at peak times such as school start and school dismissal. This could also cause a safety risk for residents of the retirement home who may be having medical emergencies in the building at peak school times.
3. Reducing the number of units to 177 is not presenting any solution to point #2. Dakota Blvd, Trinity Church intersections with Ryaml Rd E are busy at peak times such as school start and school dismissal. Adding 8 storey building with commercial area will increase traffic congestion at this area and imposes students, residents, families and other people to high safety risk and increase the probability of road accidents
4. An 8-story building in a small lot surrounded by townhomes within a few metres is an eye-sore. Many units who back onto this project will have all views of the surrounding area blocked.
5. The privacy of residents on 1890 Rymal Rd. East who back onto the development will be lost. In addition, some units of the building may have a clear view into bedroom windows of some homes in the Freedom Townhouses development.
6. There is a risk of decreased property value or interest from buyers for homes located along the edge or who back onto the 8-story building.

In summary, the proposed development from Masri O Architects and the undisclosed property owner is a disruption to the community. It is my opinion that an unnecessarily vast structure such as this causes more harm than good to local residents, specifically those who purchased a home in Freedom Townhouses (1890 Rymal Rd. E). I hope that the City Council will consider the interests of their citizens by denying the Zoning By-law amendment for this project by Masri O Architects. Mark, I hope you will review the application process and respectfully hear our concerns as residents of Hamilton City. I certainly appreciate you taking the time to read my email.

Sincerely,

Ahmed Ali

David Borsato and Thidiah Curtin

Mr. Brad Clark
Hamilton City Hall
2nd floor - 71 Main St. West
Hamilton, Ontario L8P 4Y5

Dear Mr. Clark

We are writing to you today as residents of Hannon, On. (Upper Stoney Creek Mountain) who are concerned with Masri O Architects’ – clients of an undisclosed property owner – proposed development project for 1866 Rymal Rd. E. The owner is proposing an 8-story mixed-use building including a retirement home with 180 units and ground floor commercial units including a day care. It is our understanding that this project will require a Zoning By-law amendment from C3 (community commercial) to C4 (mixed use high density). The purpose of our letter today is to express the initial concerns we have as residents who are in close proximity to the project in hopes that City Council will not allow changes to be made to the property that deviates from the permitted uses or the regulations of the existing Zoning By-law.

Our concerns are listed as follows:

- 1) A construction project of this size, height and duration of time may impose higher than normal safety risks to the students of Bishop Ryan Catholic Secondary School who are located across the street. In addition, many families who live in Freedom Townhouses – 1890 Rymal Rd. E – have young children who play within metres of this lot.
- 2) The builder has confirmed (via Zoom meeting on January 19th, 2023) that there will be 180 units with approximately 60 parking spaces. This inconsistency in parking spaces to units may cause an increase in parking along Dakota Blvd which will inherently cause an increase in traffic and congestion at peak times such as school start and school dismissal. This could also cause a safety risk for residents of the retirement home who may be having medical emergencies in the building at peak school times.
- 3) An 8-story building in a small lot surrounded by townhomes within a few metres is an eye-sore. Many units who back onto this project will have all views of the surrounding area blocked.
- 4) The privacy of residents on 1890 Rymal Rd. East who back onto the development will be lost. In addition, some units of the building may have a clear view into bedroom windows of some homes in the Freedom Townhouses development.
- 5) There is a risk of decreased property value or interest from buyers for homes located along the edge or who back onto the 8-story building.

In summary, the proposed development from Masri O Architects and the undisclosed property owner is a disruption to the community. It is our opinion that an unnecessarily vast structure such as this causes more harm than good to local residents, specifically those who purchased a home in Freedom Townhouses (1890 Rymal Rd. E). We hope that City Council will consider the interests of their citizens by denying the Zoning By-law amendment for this project by Masri O Architects. Mr. Clark, we hope you will review the application process and respectfully hear our concerns as residents of your Ward. We certainly appreciate you taking the time to read our initial letter.

Sincerely,

David Borsato
Thidiah Curtin

From: Susan D
Sent: Wednesday, March 27, 2024 10:24 PM
To: Michniak, Mark
Subject: 1866 Rymal Road East

External Email: Use caution with links and attachments

Dear Mr, Michniak,

I am writing to express my profound concerns regarding the proposed change of the empty lot from an adjacent [REDACTED]. As a homeowner who invested my life savings into this property with the understanding that the lot was a C3 zone, I find the proposal outrageous. The current state of the area, with its proximity to a busy main road and a sizable high school, already presents significant challenges in terms of traffic congestion and pedestrian safety along Dakota Blvd and Rymal Road intersection. Adding an 8-story building to this equation, as proposed, will certainly exacerbate these issues.

The inadequate parking within the survey and surrounding areas frequently forces residents and visitors to park on Dakota Blvd. This contributes to chaotic and hazardous situations during school pick up and drop off times. My visitor's car side mirror was knocked off by another car while parking on Dakota Blvd due to the tight squeeze cars moving through this street during these busy times. High school students are pouring out into the streets with school start and end times, and waiting for them to cross Rymal Road while trying to make a turn already takes most of the green light. To propose an 8-story building and with the limited parking lot that was presented by the architect company can only negatively impact the traffic situation for residents, parents, school staff and others using this road. The argument presented that the residents of the retirement home will not have cars does not make logical sense. What about the people working at the retirement home? The increased car/foot traffic of the 177 units/residents and their visitors? The people who work in the shops on the first floor and its customers? It is negligent to claim the proposed parking lot is enough to service the 8-story building without compromising the traffic flow surrounding residents.

Furthermore, it is imperative to note that there are already plans for two other C5 zones lots across the street. While I acknowledge Hamilton's need for vertical expansion, it must be executed judiciously and in appropriate locations. These two lots will already burden the area with increase traffic, noise, visual bulk and blocking of natural sunlight.

I implore you to reject this proposal and maintain the current C3 zoning at 1866 Rymal Road East. Preserving the integrity of the neighborhood and safeguarding the interests of its residents should be paramount in any decision-making process. I urge you to redirect efforts towards developing C5 zones in areas where there is ample space and infrastructure to support such projects, rather than imposing them upon communities ill-equipped to handle the associated challenges.

Thank you for your attention to this pressing matter.

Sincerely,
Susan Duong

From: durra kesibi
Sent: Thursday, March 14, 2024 3:15 PM
To: Michniak, Mark
Subject: rezoning _ file number: UHOPA-24-002 and ZAC-24-006.

Hello Mr. Michniak,

I hope this email finds you well.

I am writing in regards to Application file number: UHOPA-24-002 and ZAC-24-006. My understanding from the letter is that land C3 is to be build for an 8- story retirement housing. My house is in view of C3 land, and any building in that area will greatly affect my privacy and and sunlight access to the house. The rezoning may also make it more difficult for me to sell the house if I decide in a few years. Can we appeal the decision of rezoning of the land and how? I am very uncomfortable with decision and wish to apeal it.

Kind regards,
Durra kesibi

From: Yash Patel
Sent: Monday, March 25, 2024 12:08 PM
To: Michniak, Mark
Subject: Opposition to Proposal for Zoning Change from C3 to C5

Hello Mark,

To City Planner of Hamilton,

I hope this email finds you well. I am writing to express my strong opposition to the proposed zoning change from C3 to C5 in our community. As a resident of the area, I am deeply concerned about the potential negative impact that such a zoning change could have on our neighbourhood. The current C3 zoning classification already allows for a diverse range of commercial activities while maintaining the character and integrity of our area. However, a shift to C5 zoning, which typically permits much larger and more intensive commercial developments, could lead to increased traffic congestion, noise pollution, and a significant alteration of the landscape that we cherish.

A sudden change to C5 zoning could have unforeseen consequences for property values and quality of life for residents. It is crucial that any decisions regarding zoning changes are made with careful consideration of the long-term impact on our community.

Therefore, I urge you to reconsider this proposal and to prioritize the interests and well-being of the residents of area. I believe that maintaining the current C3 zoning classification is in the best interest of our community and will help to preserve the character and vitality of our neighborhood for generations to come.

Thank you for considering my concerns. I look forward to your response and to working together to ensure a vibrant and sustainable future for Hamilton.

Sincerely, Yash P.

March 27, 2024

Mark Michniak, MCIP, RPP
Senior Planner
Planning Division
Planning and Economic Development Department
(905) 546-2424 Ext. 1224
mark.michniak@hamilton.ca

Dear Mark and The City of Hamilton:

As a neighbour of the area, I am writing to provide my support for the proposed development at 1866 Rymal Road East. I believe this would be a great development in an intensifying corridor of Stoney Creek/Hamilton. I’m pleased to see that the development and its residents will have access to many great retail businesses nearby. I’m especially happy to see the building is well amenitized and has a many outdoor, indoor, social and community spaces.

Admittedly, while this proposed development doesn’t serve each and every single resident profile, I believe it fills a good need in an area that has a lot of single family, row homes and retail space. In 2024, we all have an obligation to provide housing for all members of the community including and especially seniors. The smaller units proposed would provide flexible, affordable, private living for residents that need it. I’m hopeful this project will move forward and I am looking forward to seeing this project develop and grow in this vibrant community!

Holida Tek
Vice President of Domus Inc.