

SUMMARY OF PUBLIC COMMENTS RECEIVED

Comment Received	Staff Response
<p>That they have concerns related to the current and future availability of street parking.</p>	<p>The provision of existing vehicular street parking spaces is outside the scope of this application. No modification has been requested to reduce on site parking requirements. Shared street parking will continue to be offered in the immediate area.</p>
<p>That they support the application given the need for rental housing in the neighbourhood and because it will redevelop the corner of James Street North and Barton Street West.</p>	<p>Noted.</p>
<p>That they have concerns related to the proposed building height and shadow impacts but would support a six storey building in this location. Additionally, they have concerns that this will establish precedent.</p>	<p>The proposed building height is supported by the policies of the Downtown Hamilton Secondary Plan. A shadow study was submitted and reviewed by Urban Design staff. It was noted that the proposed development would result in less shadows than the as of right zoning permissions and a minimum of three hours of sunlight is achieved.</p>
<p>That they have concerns related to the character of the area being maintained, wind impacts, the wall abutting 12 Barton Street West, the proposed parking entrance and shadow impacts.</p>	<p>Although limited in height, James Street North is characterised by multiple storey, mixed use buildings, with six and eight storey buildings within 350 metres of the subject lands. Wind impacts were reviewed through submission of a Wind Study that concludes no significant wind impacts are anticipated. Amenity area wind mitigation measures will be implemented through a future Site Plan Control application.</p> <p>The existing residential building located at 12 Barton Street West is currently encumbered by the existing building located at 309 James Street North. This condition is expected to continue, however, it has been mitigated through building design including a podium limited to four storeys in height and stepbacks above the fourth storey. No modification to required setbacks has been requested.</p> <p>Transportation Planning has indicated that they are supportive of the proposed Zoning By-law</p>

	Amendment, however, revisions to the plan may be required as part of a future Site Plan Control application.
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COPY OF PUBLIC COMMENTS RECEIVED

Sent: Wednesday, June 12, 2024 10:24 AM
To: Morton, Devon
Subject: ZAC-24-018

Hi Devon,

As a homeowner on [REDACTED] that doesn't have a driveway. I would like to voice my concern about parking on our street being impacted by this new building. It is my understanding that there will not be enough parking spots for all the units in this new proposed development, this is going to be a nightmare for me and others on our street in a similar situation. We already have issues during the numerous festivals year round and people using the neighbourhood street parking to commute on the go train, I am concerned that I will have nowhere to park my car because people who live in that building will use our street to park their vehicles, it's already very [difficult](#). In addition to requiring the developers to provide more parking spaces, I would also propose a permit parking system with no overnight parking unless you have a permit for our neighbourhood (obtainable for a fee and only if you can prove you live on the street with exclusions for condo residents, more than 1 car street permit shouldn't be allowed either unless there is still space after 1 car per household. I think this is fair and would allow for the businesses on James N to give their customers somewhere to park as well as guests of residents of the new building without taking advantage. It would also be a revenue source for the city.

Thank you.

Sent: Saturday, June 15, 2024 3:44 PM
To: Morton, Devon
Subject: ZAC-24-018

Greetings,

I live [REDACTED] from this proposed project at 309-325 James St. N. I am writing to express my support for the proposed redevelopment, especially given the need for rental housing in our neighbourhood. I look forward to seeing this project bring new life to the corner of James St. N. and Barton St. W.; hopefully sooner rather than later.

Regards,

Sent: Tuesday, June 18, 2024 4:16 PM
To: Morton, Devon
Cc: Morgan, David
Subject: Comments on zoning amendment application ZAC-24-018

As residents of [REDACTED], located between [REDACTED], and almost due [REDACTED] of the proposed 12-storey development, we have several concerns based on information provided in the Design Review Panel presentation.

1. It is disingenuous to claim that any 12-storey structure fits into the neighbourhood, when for several blocks in all directions the structures are 2 or 3 storeys.
2. According to the presentation, the shadow from proposed 12-storey building will completely shade our 3-storey terrace unit for several hours a day, including the backyard, kitchen and sunroom at the back of the house. This will lead to a significant reduction in the enjoyment of our home and garden, which we are sad about.

Having pointed out these issues, we understand the urgent need for more housing, the suitability of our neighbourhood for even more density than already exists, and the need for developers to be able to make a profit in a time of increased building costs. A 6-storey structure would greatly lessen the impact of a tall structure in the neighbourhood. Last but not least, anyone knowledgeable about Hamilton history knows about what happened in the Durand Neighbourhood just to the South of downtown in the 1970's. Swaths of houses were pulled down and a forest of high rises was created until residents rose up in protest. There are many sites awaiting development in the immediate area of James and Barton. Will approval of this re-zoning serve as a precedent for further rezoning allowing 12 or more storeys? Is there anything to prevent a forest of high rises to appear in what are now pleasant residential neighbourhoods where residents know and rely on their neighbours? This is our greatest concern.

Regards,

Submitted to:

Deveon Morton, Senior Planner, City of Hamilton
Planning and Economic Development Department
Development Planning - West Team
71 Main Street West, 5th floor, Hamilton, ON., L8P 4Y5
Email: deven.Morton@Hamilton.ca

Councilor Cameron Kroetsch, Ward 2

Hon. Andrea Horvath, Mayor Hamilton City

Subject:

Zoning By-law amendment application for 309 James Street North (block 1)

To change the zoning from downtown Mixed Use Pedestrian focus (D2, H21) Zone to downtown Mixed use Pedestrian Focus (D2, ###) Zone, to permit a proposed 12 – storey multiple dwelling and the adaptive reuse of an existing 3 storey heritage building.

Comments on applications file ZAC – 24-018

Zoning By-law amendment

Owner / applicant: James Barton LP / Core Urban Inc.

Agent: WEBB Planning Consultants

Deemed completion date: June 3, 2024

Public Meeting date: August 13, 2024

I, [REDACTED], a homeowner who resides at [REDACTED] near 309 James North, oppose the zoning change requested by James Barton LP / Core Urban Inc. on the following grounds.

First, some ancillary issues. I cannot access anybody at City Hall for advice or information due to the ongoing effects of the Cyber attack. Over a week ago, sometime around June 18, 2024, I sent an email to Planning requesting information on the Downtown Secondary Zoning Plan and have not had a reply yet. Furthermore I have no idea what the zoning designation (D2, ###) means, and due to the above, have no way of finding out. What do the hashtags mean?

Before I get into the details I oppose the zoning change because the proposed building does not fit into the character of the surrounding neighbourhood, and as designed, will have a large negative impact on the adjacent and nearby properties.

Wind tunnel

– there is already a wind tunnel effect when the wind blows from the East or Northeast. The wind, which comes off lake Ontario, is funneled down Barton Street and when it hits the All Souls Church at 21 Barton West, the church creates a powerful wind tunnel effect for house to the west. I know because my house is in that wind tunnel. Having a 12 storey building at 309 James North, directly across from All Souls Church, would only make this wind tunnel much worse. On this basis I oppose the zoning change that will permit a 12 storey building at 309 James North. A 6 or 8 storey building would greatly reduce the effects of the wind tunnel.

The proposed blank wall that will abut 12 Barton West.

This wall is almost as high as 12 Barton West, and according to the owner, also blocks some of his windows. The proposed building at 309 James North should redesign this

wall - a set back from 12 Barton West is possible, as is lowering the proposed height and number of units at 309 James North so that the surrounding properties are not adversely affected. Again reducing the number of units and storeys to 6 or 8, would solve this problem, as it would allow more space for setbacks on such a small lot.

The Proposed parking entrance off Barton West.

Due to the large number of units proposed for the 12 storey building, this access off Barton Street West for the parking would cause a lot of traffic problems. First, it is located right after a Stop light on a busy street. It is also located near an intersection that is misaligned creating very narrow sidewalks on the south side. These issues can be solved by reducing the height of the building and the number of units so as to create less traffic congestion as cars go in and out of the parking area at 309 James North.

Therefore, on these grounds I oppose changing the zoning of 309 James North to permit a 12 storey building. The height should be kept to no more than 8 storeys and the zoning stay the same. - Mid-rise for 6 storeys.

Zoning should not be changed to permit a 12 storey building that does not fit with the existing 3 storey urban landscape. All clauses cited are found in the downtown Secondary Urban Plan. Clause E.4.6.8 allows an exemption for a building up to 12 storeys:

"Additional height up to a total of 12 storeys may be permitted without an amendment to this Plan, provided the applicant demonstrates...."

And then there are the conditions under which such a building can be permitted. One of these conditions is,

"in urban neighbourhoods with buildings close to lot lines, buildings abut lower or higher scale buildings should be designed to ensure a transition of scale".

E.4.6.8.c states that 12 storeys may be permitted without an amendment to the plan if,

"there are no adverse shadow impacts created on existing residential uses within adjacent lands designated neighbourhoods;"

And E.4.6.8.d

"buildings are progressively stepped back from adjacent areas designated Neighbourhoods."

This 12 storey tower will cast morning shadows over my house at [REDACTED] especially in the Fall, winter and Spring, creating adverse shadow impacts. The tower

should be lowered to 6 or 8 storeys to reduce the impact of shadows on houses to the west.

Also, the 12 storey tower cannot be "progressively" stepped back from adjacent areas because the lot size is too small to permit any progressive step back. "Progressive" must mean more than one step back, otherwise it is not progressive. This 12 storey tower has one step back at 4 storeys - this does not fit the definition of "progressively stepped back".

Again the developer is trying to put up a 12 storey tower on a lot that is too small to enable the building to be "progressively stepped back", or allow the building to NOT cast shadows over nearby houses.

For these reasons, the zoning change should not be approved and the 12 storey height reduced to six or 8.

Also in the "Building Design" section of the Plan it states,

"New building design should complement established neighbourhood character through consideration of the following: New buildings should be scaled to existing adjacent structures. The proportions and elements of existing buildings should be used where possible to determine an appropriate relationship for new buildings."

This does NOT occur. The proposed building does have a set back after 4 storeys, but it is still 12 storeys high - there is no meaningful "transition of scale" from the surrounding site area that has three storey heights, to, all of a sudden, a 12 storey tower with a 13th storey for infrastructure. Under such conditions there cannot be any "transition of scale".

The 12 storey tower does NOT complement the "established neighbourhood character" because the character of the neighbourhood is three storey low rise.

Obviously the "proportions and elements of existing buildings" was NOT used to determine the size and height of the 12 storey tower, simply and obviously because the surrounding buildings are overwhelmingly 3 storeys.

The 12 storey tower is not "scaled to existing structures" - next door is 12 Barton West - a 3 storey residence next to a 12 storey tower, with no transition possible.

On these grounds the zoning change should be denied as the 12 storey tower does NOT meet the requirements of the Secondary Downtown Zoning Plan.

Furthermore in the James and Barton Design review Panel presentation they cite the following that support my claim.

3.3.1. Urban Design Goals

The following goals shall apply in the urban area.

3.3.1.5 Ensure that new development is compatible with and enhances the character of the existing environment and locale.

A 12 storey tower in a 3 storey area does not meet this criteria.

And

3.3.2.3.a ...respecting existing character, development patterns, built form, and landscape;

Again, a 12 storey tower in a three storey neighbourhood does NOT respect the existing character of this area, nor does it conform to the 3 storey built form of the area.

Consequently, the 12 storey tower also violates this clause and as such the zoning application should be denied.

3.3.2.6 where it has been determined through the policies of this Plan that compatibility with the surrounding areas is desirable, new development and redevelopment should enhance the character of the existing environment by:

b) complementing the existing massing patterns, rhythm, character, colour and surrounding context;

Being a 3 storey area, the proposed 12 storey tower does NOT complement the existing "massing patterns" - how can a 12 storey tower complement a three storey house or building? Impossible.

Being a 3 storey area, how can a 12 storey tower complement the surrounding 3 storey neighbourhood? Impossible.

So, on these grounds, that the 12 storey tower cannot meet the requirements of 3.3.2.3.a, or 3.3.2.6, or 3.3.2.6.b, the application to change the zoning should be denied until the proposed towers meet these requirements.

The tower can meet the requirements of these clauses by being lowered the height to six or 8 storeys, which is much more compatible with the 3 storey neighbourhood.

In the Lintak Architects Design Review Panel Presentation (James and Barton), it states:

"The additional 8 storey transition has a setback on the west side from the front and cantilevered design to minimize the shadows and respect the surrounding neighbours to the west".

This is an admission that shadows from the 2 storey tower will be a problem - otherwise they would not have to explain the shadows away by making these claims.

The setback will do nothing - the tower is 12 storeys high -that is what will block the morning sun from reaching my house - the setback will not change the fact that it is the HEIGHT of the tower itself that is the problem, when it comes to shadows.

So there is no "respect" for the "neighbours" to the west – show your respect by reducing the height to 6 or 8 storeys, so we can get meaningful reduction in the amount of shadow.

Again, on these grounds, the zoning application should be denied.