

Danelski, Alexander

From: Caileigh Morrison <cmorr77@gmail.com>
Sent: Friday, February 7, 2025 3:50 PM
To: Committee of adjustment
Subject: Written Comments Re: A-24:284

External Email: Use caution with links and attachments

Hello there,

I own a condo at 5 Rockwood Place, which is within 60 metres of 325 James St S. I applaud the developer's plan to increase housing density on the site, as more affordable housing is sorely needed in Hamilton. Parking in the area is already very difficult, however, with the hospital nearby and heritage buildings and streets that were not designed with cars in mind. The land is also too steep and the roads too narrow for transit access, which would typically help ease parking issues in higher-density neighbourhoods.

I do not support this variance request. I would ask the city and the developer to work together to determine how to provide sufficient parking for the building in question. I would also ask that the city review parking and transit in the area (Arkledun, Kingsway, John S, Louisa, Rockwood, Mountwood, Freeman, and James S), to improve access for residents and visitors.

Sincerely,

Caileigh Morrison
10-5 Rockwood Place
Hamilton

Danelski, Alexander

From: Amy Neal <amyneal22@gmail.com>
Sent: Sunday, February 9, 2025 2:09 PM
To: Committee of adjustment; Kroetsch, Cameron; Ward 2
Subject: 325 James Street South - Public Hearing

External Email: Use caution with links and attachments

Good Afternoon,

I'm unable to attend the meeting on Thursday as I will be at a funeral.

I'm very happy to hear that we will be adding more housing to our city. I am a resident at 362 John St S, and I think this is a great neighborhood for so many people. I would like to add that parking is very difficult here. I'm fortunate enough to have an assigned parking space but when I have visitors over, the parking is sparse, leading to a lot of stress for my loved ones. Our building does not have enough parking for everyone who lives in the units, and I think this leads to a lot of stress for my fellow neighbours as they are fighting for street parking on a daily basis. I would encourage the city to make sure the new owners of 325 James Street South provide as much parking for their new units as possible. I think this would provide a better quality of life for the people at this new building, and keep our neighbourhood safe.

Thank you for your time!
Amy Neal

Danelski, Alexander

From: Stephanie Shuster <stephshuster@gmail.com>
Sent: Sunday, February 9, 2025 3:01 PM
To: Ward 2; Committee of adjustment; hamilton@acorncanada.org
Subject: RE: Minor Variance to Renovations at 325/325A James St. S.

External Email: Use caution with links and attachments

To whom it may concern,

It has come to my attention that the landlord of the apartment complex at 325/325A James St. S. is applying to add 57 units to the complex, reducing the amount of parking spaces, and pursuing eviction of current tenants in larger units in order to break these into smaller units. As a resident of the neighborhood (I own the house at 341 John St. S.) this is troubling to me on the following fronts:

1. **Affordable housing** - the landlord is clearly seeking to decrease affordable housing in our community and increase their own profits. Not only will they earn more from the increased units, but long-term residents will have nowhere to go in this area at a comparable rate - disrupting their lives and potentially livelihoods. With so many empty lots, vacant or abandoned buildings in the city center, there are surely better locations to create new housing opportunities than increasing capacity at this one residence.
2. **Parking is at a premium in our neighborhood** - with many residents not having a space to park a car or to have any visitors park their cars as it is. We have a driveway and struggle to find a spot to relocate our car if we have a guest over or a service call that requires use of our driveway and know this is an issue for many of our neighbors. Saying that this building is accessible to public transit is misleading - yes, there are good transit options within a walkable distance but ONLY if you are fit and able bodied - our neighborhood is up an incredibly steep incline and any mobility issue whether permanent or temporary would make relying on public transit impractical if not impossible.
3. **Bad faith** - after talking to building residents, my understanding is that residents of the building were to be communicated with about this potential issue clearly and prominently but they have advised that only one sign has been displayed at the residence - this makes me question the landlord's intent and also what else they are trying to hide or get away with.
4. **Neighborhood disruption** - we have just lived through 3 months of the initial stage of watermain construction up John St. S. This project is not done and we are dreading the next stages of work as it completely uprooted our lives. From having to park our car away from our home, to postponing home improvements because service vehicles could not access our driveway to days when we literally could not leave our home - these conditions were stressful and unlivable. My husband's mental health suffered greatly due to the lack of information and communication about what would be happening when, what damage could potentially be caused to our home, and how to navigate the ongoing and ever changing obstacles to leaving or returning to our home - craters in the street, muddy rocky surfaces, massive construction vehicles and pylons allowing very narrow clearances. We know this work had to be done for the sake of our community's access to the water main - however this new construction project is not essential and will benefit no one in our community apart from the landlord. Although this construction will happen around the corner from our home, I know that the impacts will be felt even on John St. S. - whether it's additional parking congestion, construction supplies and vehicles, or closed roadways. I cannot imagine living through that for a year - and I very much doubt this construction will only take that long.

I implore you to deny this application, and I am copying Councillor Kroetsch on this message too so that he is aware of the challenges and dangers that this project poses to our neighborhood.

Stephanie Shuster

Danelski, Alexander

From: tim gall <td-bay@hotmail.com>
Sent: Monday, February 10, 2025 9:31 AM
To: Committee of adjustment
Subject: Comment on APPLICATION NO.: A-24:284

External Email: Use caution with links and attachments

To whom it may concern

As an owners of property adjacent to APPLICATION NO.: A-24:284 - 325 James Street South, Hamilton, I would like to make comment on the request for the following variances.

APPLICANTS: Owner: Mountainview Limited Partnership Agent: Bousfields c/o David Falletta The following variances are requested:

1. A minimum of zero (0) parking spaces per Class A dwelling unit shall be provided for a Multiple Dwelling containing five (5) or more Dwelling Unit(s) instead of the minimum required one (1) parking space per Class A dwelling Unit;
2. A minimum of two (2) visitor parking spaces plus 0.05 visitor parking spaces for a Multiple Dwelling containing five (5) or more Dwelling Unit(s) instead of the minimum required one 0.2 spaces per Class A Dwelling Unit;
3. A minimum of zero (0) loading space(s) for a Multiple Dwelling containing greater than 100 Dwelling Units shall be provided instead of the minimum required two (2) loading spaces for a Multiple Dwelling containing greater than 100 Dwelling Units.

We feel that these changes will cause many problems for existing residents as parking is very limited in the built up and congested area in question and these changes will make the problem of living and parking in the area far worse than they all ready are.

It would seem if a development wants to add more units and increase the number of tenants it would seem only workable if the developer increases their number of parking spaces to accommodate their new residents/tenants.

Please take these comments into consideration.

Thank you for your time.

Danelski, Alexander

From: Julie MacCuish <julie.maccuish@gmail.com>
Sent: Sunday, February 9, 2025 3:32 PM
To: Committee of adjustment
Subject: Opposing the variance request for 325 James St S

External Email: Use caution with links and attachments

Dear Committee Members,

As nearby residents, we strongly oppose the changes being proposed by the landlord of 325 James St S. We continue to see how poorly this property is managed and we do not trust that the renovations have the best interests of the community or residents in mind.

Parking is already a problem and transit is difficult to access.

Another concern is how negligent the landlord has been in tending to residents' complaints. We have first hand knowledge of this from past tenants who were finally able to move out after having numerous unaddressed issues with their unit.

Please consider the current state of this building as you decide if this landlord should be able to cause further damage.

Respectfully submitted,
The MacCuish Family
St James Place
Hamilton

Danelski, Alexander

From: Meagan B <mbillyard1990@gmail.com>
Sent: Monday, February 10, 2025 5:24 PM
To: Committee of adjustment
Cc: Kroetsch, Cameron; Ward 2
Subject: Notice of Public Hearing: Minor Variance (A-24:284) - Written Submission

External Email: Use caution with links and attachments

Committee of Adjustment
City Hall
Hamilton, ON

Good day,

I am writing to express my concerns regarding the minor variance application (A-24:284) for the property at 325 James Street South, Hamilton. As a resident of the area, I am worried about the potential impact that this development could have on the already strained parking situation in our neighborhood, especially on Mountwood Avenue, Rockwood Place, and John Street S.

The proposed expansion of the apartment complex from 107 to 164 dwelling units without providing additional parking spaces is likely to exacerbate the current parking challenges. Residents of the area are already competing for limited street parking spaces with hospital staff and patients from St. Joseph's Hospital. This situation is also further complicated by ongoing street refurbishment projects, which reduces street parking availability.

Moreover, the residents of our condominium corporation, WCC226, contribute to this competition as our parking lot, which consists of 39 spaces, has spaces rented out to some residents despite having 52 units and does not accommodate guest parking. This set up often leads to parking spaces being allocated to individuals without vehicles or to landlords whose tenants do not own cars, thereby depriving car-owning residents of necessary parking and forcing them to seek already limited street parking. While noting that apparently this leasing setup has not always been in place as indicated in the only rules and regulations (dated June 2007) I have received during my residency here in the last 3 years, which once specified that parking was an unreserved first-come, first-served basis for corporation residents.

I strongly urge the City of Hamilton to consider a more comprehensive solution to mitigate the parking challenges in our neighborhood. Possible solutions could include:

1. Collaborating with St. Joseph's Hospital to identify alternative parking solutions for their staff and patients, thus reducing the competition for street parking.
2. Working with the Board of Directors of WCC226 to explore strategies for optimizing the use of our existing parking lot and potentially increasing its capacity.
3. Posting clear signage to indicate that the parking area is residential, thus informing non-residents of the applicable parking restrictions.

Addressing these concerns is crucial for maintaining quality of life for current residents and ensuring that the proposed development does not lead to an untenable parking situation. I encourage the Committee to consider these issues during the public hearing scheduled for

February 13, 2025, and to work towards solutions that benefit all stakeholders.

Thank you for your attention to this matter. I look forward to your consideration and to a collaborative effort to resolve the parking challenges in our neighborhood.

Sincerely,

Meagan Billyard

Danelski, Alexander

From: Michael Pray <drmpray@me.com>
Sent: Monday, February 10, 2025 7:14 PM
To: Committee of adjustment
Subject: Variance application no. A-24:284
Attachments: Variance.docx

External Email: Use caution with links and attachments

Please find attached document regarding this Public Hearing.
Thank you,
Michael Pray

RE: Application No. A-24:284

While the developer is to be commended for planning to renovate what has come to be a very out of date and run down building and for improving winter maintenance of the surrounding sidewalk, the variances as stated in the application can certainly not be considered minor and reflect the lack of information on what amounts to a 50% increase in the number of units and potential effects on our neighbourhood.

City staff has recommended approval based a report by Bousfields that outlines the rationale for considering this to be minor, based on a regulation that is not in effect, as well as a number of other assumptions and opinions.

Bousfields has bias as they are paid by the developer to assist in planning, which is fair enough, however their opinions don't reflect the reality of our neighbourhood.

To specifically address the Bousfields' analysis of the four tests for a minor variance:

- 1) James St. S, James Mt Rd, Freeman Place are not well served by transit infrastructure and are not pedestrian and transit oriented. It is best described as a quagmire. The whole area needs to be redesigned as it presently exists to accommodate cars and does a poor job at that. To get from Freeman Place to Markland, down to James St S or over to John and into other parts of Corktown requires a high degree of alertness and physical stamina. The buses whiz by but there are few bus stops and they are difficult to get to.

2) Parking requirements – again the assumption that the area is well served by public transit, and costs of creating parking and the underutilization of parking. The area in question abuts St. Joseph's Hospital, an institution that has 5,000 staff, 700 physicians, 600 volunteers, 777 hospital beds and 60,000 ER visits annually. So it is evident as a resident of the area that traffic is heavy with shuttles for employees to their West 5th parking lot, which short cut through the neighbourhood despite the fact they are not supposed to and cars parking/stopping and idling illegally for people who have dropped off their friend/family member to attend at the hospital or one of their many clinics.

Loading and garbage pickup are an issue as moving trucks have to negotiate space on Freeman Pl. or a small hilly driveway into the back of the building. The garbage area as it is now is very unsightly and attracts dumping by nonresidents of the building. The large bins are right on the upper part of James St. S and covered by graffiti.

3) The consultant states in this section that it is their opinion that the variances are minor in nature and will not result in any undue impacts on the subject site or surrounding neighbourhood. This opinion ignores the fact that indeed new residents of the property will have cars, there is no mention of bicycle parking, how to access the building for taxis or ride sharing, car share, bike share or delivery of goods and services and how to address accessibility for people with wheelchairs, walkers or other mobility aids in a location that is on a significant hill.

There is mention that the owners will redesign the site if necessary, but I see no guarantee that this would be done.

4) I would agree that the renovation will improve the quality and liveability of the buildings, but accessing transit, walkability, parking and vehicular traffic needs to be addressed as adding this many units to a hectic area is certainly not a minor issue. It also removes rental space for families which dilutes the diversity of the area. The consultant and developer have done their homework to allow reduction of parking spaces but I see no indication of work on improving accessibility or “creating a vibrant pedestrian and transit oriented space,”

In conclusion, a minor variance should not be granted at this point, there needs to be more detail as to the exact number of units and how they will be supported by improved overall planning. The consultant has provided opinion without facts to back things up. City staff has recommended acceptance of the variance request based on the consultant’s opinions. If this type of logic continues, we will have a development that is not good for tenants or neighbours.

Thank you,

Michael Pray

Freeman Place

Danelski, Alexander

From: Levine, Mark <mlevine@mcmaster.ca>
Sent: Monday, February 10, 2025 9:52 PM
To: Committee of adjustment
Subject: Variance Request for 325 James St S

External Email: Use caution with links and attachments

I live on St James Place across the street from the property in question. I have feedback on the requested variances.

1. The variance requests a substantial reduction in parking spaces. This makes little sense as the number of parking spots does not meet the need of tenants. As a result, tenants are forced to seek alternate parking on the surrounding streets. Often, they must force their car into heavy traffic on James St S which is quite dangerous. This emphasizes a safety concern.
2. The variance requests the elimination of the space for a dumpster. This is ill-conceived. Currently there is a dumpster on the west side of the property. It usually is overflowing with garbage and junk. It should not be removed because it currently is not meeting the needs of the tenants.
(Having one dumpster has to be

For the above reasons I oppose the application for these variances.

Mark Levine C.M. MD FRCPC FASCO
Professor Emeritus Department Oncology
McMaster University
mlevine@mcmaster.ca
905-515-4423

Danelski, Alexander

From: Hinda Levine <hindalevine@gmail.com>
Sent: Monday, February 10, 2025 9:52 PM
To: Committee of adjustment
Subject: Variance request for 325 James St. S
Attachments: 2025.02.10 Another renoviction.docx

External Email: Use caution with links and attachments

Dear Committee Members,

Please read the attached Letter to the Editor which I submitted to The Hamilton Spectator.
I am concerned about renoviction.
Thank you for your consideration.

Respectfully,
Hinda Levine

2025.02.10

Another renoviction?

Our neighbours at Mountainview Apartments on James St. South advised us that they expect to be evicted shortly because the company that owns the property is “renovating”. Some of the tenants in the building will probably become homeless.

Do we need more unhoused individuals in Hamilton?

We have not been successful at looking after those who are already homeless.

This is outrageous! When will renoviction become illegal? In my mind it cannot be soon enough.

Hinda Levine
20 St. James Place
Hamilton, ON, L8P 2N4

Danelski, Alexander

From: Jessica Toth <jesstkrc@icloud.com>
Sent: Tuesday, February 11, 2025 9:54 AM
To: Committee of adjustment
Subject: Opposition to 325/325A James St S Renovations : Tenant Displacement & Community Impact

External Email: Use caution with links and attachments

Dear Committee of Adjustment,

As a concerned community member, I strongly oppose the proposed renovations at 325/325A James St S due to the displacement of tenants and the negative impact on the community. Forcing residents out of their homes under the pretense of development contributes to housing instability and weakens the structure of our community, where affordability and security are already at risk.

Additionally, the removal of 11 existing parking spaces while adding 57 new units without providing additional parking will worsen congestion, traffic and accessibility in the neighbourhood. This lack of planning will not only harm current tenants but also strain infrastructure that is already insufficient to support existing residents.

The well-being of our community should come before profit-driven developments. I urge the Committee to reject this application and ensure that any future proposals prioritize both current tenants and the neighbourhood as a whole.

Sincerely,

Jessica Toth

Arkledun ave,

Hamilton, Ontario

L8N 2H8

Sent from my iPhone

Danelski, Alexander

From: Jeenalyn Bedana <07jeenalyn@gmail.com>
Sent: Tuesday, February 11, 2025 9:42 AM
To: Committee of adjustment
Subject: Written comment

External Email: Use caution with links and attachments

Good day!

I have received notice regarding the public meeting for the expansion and alteration of building 325 James st south without PARKING SPACE. As 1 unit owner on building 25 mountwood ave, I don't have a parking space and I rely on whatever street parking space is available nearby and it is a daily struggle. Furthermore, we are near a hospital in which they mostly use the permitted street parking.

For this matter I strongly disagree with the expansion of the said building without parking space.

Thank you for your consideration.

Jeenalyn Bedana

Danelski, Alexander

From: Patricia E.Chitty <endosmurf@icloud.com>
Sent: Tuesday, February 11, 2025 10:54 AM
To: Committee of adjustment
Subject: 325/325A James Street S.

External Email: Use caution with links and attachments

I will be unable to attend the meeting on February 13th, but wish to make my feelings known.

To consider increasing the population density in the portion of the Corktown Neighbourhood that is bordered by St. Joseph's Drive/ Arkledun, Kingsway Drive, Louisa, Freeman Place, and James Street (the old Rockwood Survey) is wrong. Good, long-standing tenants were and continue to be evicted. To suggest that increasing the population density would have a minor impact on the neighbourhood is ridiculous. The last thing we need is more cars flying down our streets, ignoring stop signs and pedestrians. My street has many young families with 9 small children and several seniors. We may be one block long but are a very tight-knit community. We don't need or want additional parking that would jeopardize the safety of our community, just to satisfy a greedy, gouging landlord.

I sincerely hope the proposed project will be soundly rejected.

Paddy Chitty
36 Kingsway Drive.

Danelski, Alexander

From: C G <cgchristinagibson08@gmail.com>
Sent: Tuesday, February 11, 2025 11:16 AM
To: Committee of adjustment
Subject: Minor Variance Application No. A-24:284 Written Feedback

External Email: Use caution with links and attachments

Formal Objection to Minor Variance Application No. A-24:284 / Thursday, February 13, 2025 / for 325 & 325A James Street South

Dear Members of the Committee of Adjustment,

I am writing as a resident concerned about the proposed minor variance application for 325 & 325A James Street South. I respectfully submit this objection based on inconsistencies in the application, lack of sufficient justification for the variances, and potential negative impacts on the surrounding community.

1. Inconsistencies in Parking Space Calculations

The applicant's documentation presents conflicting numbers regarding available parking:

The Notice of Public Hearing states there are 44 parking spaces in the existing lot.

The Planning Consultant's Letter (Bousfields Inc.) states that 52 parking spaces will remain after the project.

- Can the applicant clarify the actual number of parking spaces currently available and how this was calculated?
- Does the 52-space total include areas that are not legally designated for parking (e.g., drive aisles, shared spaces)?
- If 11 spaces must remain for visitor parking, does this further reduce the number of available spaces for residents?
- This discrepancy suggests the parking assessment may be misleading or inflated to justify eliminating parking requirements.-

2. Lack of Justification for Eliminating Required Parking

The application requests a variance to allow zero (0) resident parking spaces, based on an assumption that By-law 24-052 applies to this site. However:

By-law 24-052 is not yet in effect due to active appeals at the Ontario Land Tribunal (OLT).

The property remains under By-law 05-200, which requires 1 parking space per unit and 0.2 visitor spaces per unit in this area.

- Why should this property be granted an exemption from existing legal parking requirements based on a zoning change that has not been finalized?
- Has the City confirmed a timeline for when By-law 24-052 will be legally enforceable at this site?

3. Elimination of All Loading Spaces – No Justification Provided

The applicant seeks a variance to remove all required loading spaces, despite increasing unit count from 107 to 164 (a 57-unit increase).

The report claims that garbage pickup, moving trucks, and deliveries currently occur in parking aisles or on the street—but does not explain how this will work with 50%+ more residents.

The lack of loading spaces could cause increased congestion, illegal stopping, and safety hazards on James Street South and Freeman Place.

Other multi-unit residential buildings are required to provide loading areas. Why should this site be exempt?

- Has the applicant conducted a traffic or logistics study to ensure increased demand will not lead to safety or operational issues?
- If congestion issues arise post-approval, how does the City plan to mitigate them?

4. Impact on Surrounding Streets and Residents

The application assumes that "most residents will not need parking", but provides no supporting data to justify this.

There is no evidence of a parking study to determine how many existing residents own vehicles.

No data is provided on nearby on-street parking capacity or existing demand.

- Has the City or applicant conducted a parking demand study to confirm whether eliminating parking is realistic?
- If this variance is granted and residents continue to own cars, will this increase illegal parking in the area?
- How will this impact emergency vehicle access and winter snow clearing?
- Conclusion
- The applicant's request relies on future zoning assumptions, inconsistent parking calculations, and a lack of impact studies to justify eliminating required parking and loading spaces. These variances are not minor in nature and have the potential to create significant issues for both future residents and the surrounding community.

The property owner has issued **N13 eviction notices** to tenants, stating that **major renovations** require them to vacate. However, the variance application claims that the proposed work is **entirely internal, will remain within the existing building footprint, and does not require structural changes.**

- If the renovations are minor and do not require structural changes, why was an N13 eviction notice issued?
- If structural changes are necessary, should additional **building permits and approvals** be required beyond what is outlined in this variance application?
- Has the **Committee been made aware of these evictions**, and has the applicant provided **full disclosure** of their plans for existing tenants?

This contradiction raises **serious concerns** about the transparency of the application. The Committee should require **clarification** before proceeding with any approvals.

I respectfully request that the Committee of Adjustment deny this application or, at a minimum, require the applicant to:

- What building is this Adjustment for actually for as it seems to have an address error as the address mentions 325/325A but all the building and parking information only seems to be referring to 325 and not 325A
- Provide clarified, consistent, and verified parking calculations.
- Conduct a parking demand study before eliminating required spaces.
- Maintain adequate loading space(s) to prevent congestion and service disruptions.

Thank you for your time and consideration. I look forward to your response.

Cristina Gibson

303-325A James street South Hamilton

L8P 3B7

Danelski, Alexander

From: Wendy Hogben <wendy@billwendyhomes.com>
Sent: Tuesday, February 11, 2025 11:22 AM
To: Committee of adjustment
Subject: Fwd: Opposition to Minor Variance Application at 325 James Street South

External Email: Use caution with links and attachments

Dear Members of the Committee of Adjustment,

I am writing to formally oppose the minor variance application for 325 James Street South due to significant concerns regarding traffic congestion, parking, pedestrian safety, and overall community impact.

The proposed variance will negatively affect our neighborhood in the following ways:

1. Parking and Traffic Congestion:

- Our street already experiences a severe lack of parking, with many vehicles illegally parked due to the hospital's proximity.
- The addition of more units will increase parking demand, further exacerbating the existing problem.
- The street is already congested, especially during peak hours, and serves as an alternative route for hospital traffic and detour routes.

2. Safety Concerns:

- The absence of sidewalks poses a serious safety risk to pedestrians, including hospital visitors, residents, and children.
- Increased density will result in more vehicles, making an already narrow street even more hazardous.
- Speeding is a frequent issue, particularly during rush hour, when drivers use our street as a shortcut.

3. Neighborhood Livability:

- Reducing parking while increasing density will make the area more congested, less accessible, and less safe for residents.
- The additional strain on infrastructure, including emergency vehicle access, will further degrade the quality of life for current residents.

Given these concerns, I urge the Committee to deny this minor variance application in order to preserve the safety and livability of our community. I appreciate your consideration of this matter.

Sincerely,

Brian and Wendy Hogben

8 freeman place hamilton place Ontario

L8N2G5

To:
Committee of Adjustment
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5
Email: cofa@hamilton.ca

SUBJECT - Application A-24:284

Members of the Committee of Adjustment,

I would like to address the variance application for 325 James Street South: Application A-24:284. While I acknowledge your mandate to assess the technical merits of this application, I entreat you to consider yourselves not merely as technical reviewers, but as representatives of Hamilton's City government.

Please bear with me and read this whole document.

The actions of developers and landlords outside the immediate scope of this application and your scope as a committee, especially those that directly undermine our community and the City's stated goals, must be a factor in your deliberations. The very existence of public hearings underlines the necessity of community input and the public's concerns in your decision-making process, otherwise, only the staff report would be necessary.

I will not speak to the inaccuracies of the application that takes into account two buildings when the numbers suit the owner, but speaks to only one building at other times, that the underground parking referred to isn't even in the building that the application is made for, and that both buildings might even be owned by two different numbered companies, or that neither the city report nor the application make any mention what-so-ever of the significant impact of St. Joseph's Hospital, which severely strains parking availability by the sheer weight of continuous demand from staff and patients, and that it limits on-street parking to 1 or 2 hours for a kilo-metre in every direction; your due-diligent research will have brought both to light.

The landlord was required to properly post the notice of the hearing date so that all tenants would have access to the information. However, the notice was not posted in the usual designated locations within the two buildings at 325 or 325A James Street South where notices are typically displayed. Instead, the landlord posted a single copy of the notice adjacent to the entrance to the property, virtually concealed, where it is difficult to access, and requiring people to climb over a retaining wall and traverse uneven ground to read the small font. This is one piece of evidence that the developer is deliberately trying to obscure their true intentions and abuse the city's policies and procedures.

The owner's actions to submit this variance application and issue N13 notice immediately before the 'Demoviction' and the 'Renoviction' bylaws came into effect on 1st of January 2025 strongly suggests an attempt to bypass its protections and exploit a loophole before the new regulations were enforceable.

This conduct demonstrates bad faith and a disregard for the city's tenant protections. The developer's actions surrounding this application raise serious concerns that demand attention and should lead to reasonable doubt.

The timing of N13 notices that were issued to tenants, immediately preceding this variance application, strongly suggests a premeditated plan to circumvent the authority of this committee and the spirit of our city's bylaws. By proceeding as though approval were a foregone conclusion, the developer has undermined the committee's authority. This should not be endorsed.

The Owner intends to increase the number of units by subdividing existing two and three-bedroom apartments, whose current occupants have been issued N13 notices already. This will result in a loss of much-needed family-sized units. This action directly contradicts the City's desire to maintain diverse housing options. Furthermore, it contravenes the intent of the Rental Housing Protection By-law, which seeks to safeguard larger, more affordable units. The city faces a housing crisis particularly impacting low-income and vulnerable populations, and this action will exacerbate that crisis.

Hamilton is actively exploring Inclusionary Zoning as a tool to increase affordable housing. This approach requires new market-rate residential developments within Protected Major Transit Station Areas (PMTSAs) to include a percentage of new affordable units. The proposed development at 325 James Street South, while not explicitly within a PMTSA in this application, is professed to be within walking distance of the Hamilton GO Station and various HSR bus routes. By prioritizing market-rate units at the expense of larger, potentially more affordable ones, this application runs counter to the city's broader goals of housing affordability. The city's inclusionary zoning plan recognizes the importance of providing a range of housing options. This application uses the relaxed parking requirements of the proposed variance, but fails to uphold the spirit of the policy to create affordable housing.

Landlords often exploit the N13 process (increase of over 900% since 2017) to evict tenants under the guise of extensive renovations. This isn't about improving housing; it's a blatant attempt to raise revenue and displace long-term tenants. This is a cynical maneuver that must be viewed with extreme skepticism and denied where possible.

The city acknowledges the lack of sufficient data on renovations, which enables landlords to act without scrutiny, especially when they engage multiple independent government bodies who act within their solitary mandates, but when the broader perspective is viewed there is enough information to indicate that this owner is perhaps not acting in the best interest of Hamilton, and abusing your integrity assuming you will only look at the application within the confines of specific policies and bylaws. This application is yet another example of that, indicating that your role and the N13 process is merely a means to an end: evict the tenants in order to raise the rents. By acting as if approval were a foregone conclusion, the developer has attempted to sidestep community input and the authority of this committee.

Before I end my entreatment to you, please let me remind you that even The City of Hamilton's 'Renovictions and Stakeholder Consultation', dated 3 April 2023 specifically includes within its recommendations, regarding policies, that they include funding for programmes that encourage the types of renovations of older buildings, but **DOES NOT REMOVE** affordable units from, the system or permanently displace tenants. (Appendix "A" to report HSC23023, Page 17) To build 57 more units within the current footprint of 325 James Street South would necessitate the removal of almost every 2 and 3 bedroom Unit

from the building's inventory. This will remove the ability for the current tenants to return for their apartments will not exist. It also removes affordable housing for families from Hamilton's current inventory.

Given these considerations, I urge the committee to consider the following:

- **Do you condone the landlord's deliberate attempt to obfuscate the required notice of the hearing** thereby denying Tenants their right to participate?
- **Can you endorse a process where a developer appears to be acting in bad faith and against the spirit of city bylaws?** This is not a technicality; it's a matter of governance and ethics. Allowing this would set a harmful precedent.
- **Are you comfortable with the potential loss of affordable, family-sized units that provide diverse communities?** These units are crucial for a healthy and inclusive city.

Please, I urge you to send a clear message: that the City of Hamilton prioritises its residents and the spirit of its bylaws, especially those most vulnerable to displacement. Deny this application and show developers that they must act in good faith, respect their tenants, and respect the authority of this committee and the will of the city. By doing so, you will not only protect tenants at 325 and 325A James Street South but also send a strong message to other developers that such actions will not be tolerated in Hamilton. This decision will reinforce the integrity of the city's planning process and send a message that circumventing policies meant to protect vulnerable residents will not be tolerated.

Thank you very much for your patience and consideration.

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