

**From:** jan bard

**Sent:** May 21, 2025 2:50 PM

**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)

**Subject:** 1494 Upper Wellington St Letter in opposition of the proposed apartment complex

**External Email:** Use caution with links and attachments

## **1494 Upper Wellington St E. proposal causes environmental harm**

Valery Homes' current proposal is a huge apartment building complex that will cover the 2.41 hectares of ground level agricultural land at the corner of Upper Wellington and Stone Church Rd E. with either concrete or asphalt.

The developer is currently requesting a change in the zoning of this property to E3 with an additional modification to  
“ d) That notwithstanding Section 11.C.(5) for every building or structure in an E-3 District, there shall be provided and maintained on the lot and with the district, at least 30% of the area of the lot on which it is situate, as landscaped area.

**Currently By-Law E-3 districts require a minimum landscape area of 40%.**

A modification to the zoning By-Law will most definitely erase a major section of greenspace that currently has many advantages for the health, welfare and enjoyment of the neighbouring Hamilton escarpment residents.

First, this greenspace is well known to absorb great amounts of rain water during the rainstorms common in today's climate. It is a frequent occurrence during global warming summer seasons to have the remnants of Caribbean hurricanes flowing north to bring storms with over 40mm of rain in 48 hours. Much of this flash rain causes flash floods. But the severity of the flooding is mitigated by a large greenspace absorbing the rainfall into the ground. Nearby homes will have less to worry about their basements getting flooded

and their roadways becoming impassable if more greenspace remains to assist in rain water absorption.

Second, greenspace has the ability to improve the air quality. Trees and grass, crops and even weeds covering this greenspace (soybean field) reduces the CO2 emissions from people and cars. Especially noteworthy is the huge amount of pollution coming from the cars driving past on the roadways as well as the ever busy traffic on the Lincoln Alexander Parkway so near to this corner. Industrial emissions from our steel plants are known to travel across the escarpment as shown in an article in the Hamilton Spectator regarding chemicals present in the air across all of Hamilton. Recent studies have shown emissions are common on the flight paths of airplanes that leave the Mount Hope airport and cross directly over this property. All of these sources of air pollution are mitigated by the greenspace at this corner.

Thirdly, the planned removal of 146 of the 147 trees on the corner lot will be paramount in removing shade and cause a huge increase in the suburban heat. Overall this will create a rise in the outdoor temperatures for the Upper Wellington St. neighbours, and in turn residents of the Hamilton Escarpment.

The developer is also requesting a change in the zoning with an additional modification to “a) That notwithstanding Section 11C (1a), no building or structure shall exceed twenty storeys or 64.0 metres in height.

**Currently the By-Law E-3 districts require the height of a building or structure not exceed 8 storeys (26.0) metres.**

This change will increase the environmental harm created by increasing the light pollution. Light from the everyday use by the apartment dwellers will shine daily and glare into the streets and senior residences nearby. Reflection of light from the many glass walls has not been blocked by any

vegetation or structures in the plan and will cause huge problems for drivers and home dwellers. Light emitted from the parking lot cars entering and exiting the parking ramp, and ground level parking spaces are not blocked with any type of structure and will thereby shine directly into the homes south and east of the property at the level of kitchens, living rooms and bedrooms as well. Mitigation of this is not outlined in any way in the Valery proposal. Glowing towers will be like a lighthouse beacon across the escarpment considering the proposed height of this apartment complex. Residents have a right to privacy without light pollution beaming at them from this structure or any other.

Lastly, increasing the zoning to allow for two 20 storey buildings and two 12 storey buildings in a residential area will create another major environmental concern – Noise . Noise pollution will overtake the quiet neighbourhood on the escarpment if a home for 685 families is allowed in this small space. Noise pollution assessment carried out by the developers of course is negligible but the building isn't complete so the assessment isn't complete. Air conditioning, forced air heating, parking lot noise ( car engines and truck engines churning as they come and go) is a concern in such a large complex. Stand in the parking lot behind the eighteen storey Valery Apartments on John St. North any summer's day and the noise from the residents enjoying their balconies and playing various types of music will certainly exemplify the additional noise pollution that will add to the dB from the nearby traffic on Upper Wellington and Stone Church Road's busy two by two lane intersection.

The only other tower over 12 storeys on the escarpment is a single building surrounded by a church and commercial properties. As such this becomes a precedent setting proposal. As residents of the suburbs of the Hamilton Escarpment we feel it is a huge mistake to move in this direction with our neighbourhoods. It can only lead to future problems we may not even realize at this time.

Our environment is worth protecting.

WE ARE AGAINST THE PROPOSED BY-LAW CHANGE AND ITS  
MODIFICATIONS FOR THE RESIDENTIAL NEIGHBOURHOOD OF 1494  
UPPER WELLINGTON ST.

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Janet Bard and Jim McCallum

(lifetime residents of Hamilton ON)

**From:** jan bard

**Sent:** May 21, 2025 2:45 PM

**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)

**Subject:** 1494 Upper Wellington St .....Concerns from local residents for the need to appeal the Valery appeal at the OLT 25-00069

**External Email:** Use caution with links and attachments

1494 Upper Wellington Street.

To whom it may concern,

In general, our concerns about the proposed development are as immense as it is. The project is too long, ( 150 metres along Stone Church Rd ), too high ( 12 to 20 storeys ), and too densely populated ( over 685 units ). Our answer to all of the questions from the city's Design Review Panel meeting is NO just as the panel has answered.

As per our Urban Hamilton Official Plan (UHOP) policy E3.6.7 " Multiple dwellings greater than 12 storeys shall not generally be permitted immediately adjacent to low density residential areas." If the official city plan does not support buildings here over 12 storeys why are 20 storeys towers being proposed in a residential neighbourhood? The largest neighbouring structure is a three storey retirement home at the NW corner of Stone Church and Upper Wellington St.

The current and future heights of buildings in this neighbourhood have much lower footprints:

- a. The Long Term Care Centre called Shalom Manor on Upper Wellington Street just north of Stone Church is an 188 bed 6 storey building currently under construction.

- b. Also under construction at Stone Church and West 5th is a 237 unit 9 storey condo tower owned by Valery Construction.
- c. Proposed just south of Stone Church at 1187 West 5th on the east side is a condo with 205 units that is to be 10 storeys in height.
- d. Also proposed for construction on the west side of Upper James just south of Stone Church is a 310 unit 8 storey condo building at 1452 Upper James St.
- e. Under construction at 1020 Upper James north of Stone Church there is an 8 storey condo with 99 units.
- f. A large residential semi-detached homes and townhouse development is being constructed in DiCenzo Gardens south and west of this proposed development.
- g. A 300 building townhouse development is coming to 311 and 313 Stone Church Rd just east of Upper Wellington and Stone Church on the NE block between Upper Wellington and Upper Wentworth.
- h. There is an 8 storey apartment building owned by Valery Construction at 480 Stone Church Rd a short distance east at the corner of Stone Church Rd E. and Upper Wentworth St.

None of these buildings in our area now and in the future are over 12 storeys in height and that follows the policy set out by the City of Hamilton to create structures that are contextual to the surrounding neighbourhood; a long term existing mature residential neighbourhood. This proposed apartment complex is not compatible in terms of its height, massing, and arrangement of buildings and structures.

Further concerns relate to the 20 storey towers that have been pulled back. These towers will still create shadow on the seniors residence and homes north across Stone Church Rd and east of the property. The proposal includes sketches of the shadow one day only (March 21st) but ignores the shadow from March until October when the sun shines most often in Hamilton.

Also not included in the proposal is the effect on local residents and pedestrians from the wind whirling around and between the two 20 storey towers and the two 12 storey towers. Articles reporting studies on the internet find that gusts are 3.7 times stronger around highrise buildings. When the building height increases the wind loads increase. This wind shadow has yet

to be reported to the city and must be included in any proposal and mitigation techniques should be noted. This proposal doesn't include this information as a complete Wind Study was never taken.

Another issue that has not yet been addressed but is important to the surrounding residents is the light pollution emitted from all four towers as the over use of glass walls creates immense reflection of heat and sunlight on the properties to the south and east of the proposed apartment complex. As an all glass energy inefficient building the cold in the winter and heat in the summer will cause extreme energy costs for the unit dwellers to pay. One has only to compare these buildings to a purpose built for rental building where the owner of the building pays for the utility costs. The purpose built rental buildings have a much more balanced solid wall to glass wall ratio.

There is also a lack of buffering to the neighbours' homes. Car light coming from the ground level parking and underground parking entrance and exit have not been mitigated. The properties to the south and east of this complex deserve light mitigation through privacy screening or fencing to block the light coming into their homes every night. This too is absent from the proposal.

The influx of new car traffic is a huge concern for the area as the roads are a mere two lane by two lane with an additional turning lane. Neighbours currently complain about road congestion at the corner of Upper Wellington and Stone Church Rd. causing gasoline smell and pollution interfering with their enjoyment of backyard spaces. Many cars are lined up 13 deep at the corner's stoplights waiting for the opportunity to turn. We have noted this even on a Sunday afternoon at 12:30 pm. ( February 2024). These vehicular access points won't suffice for an additional 910 cars or more. The possibility to widen these roads is negated by the current homes who have little to no front yard space that would be needed and must be acquired for a street widening of Stone Church Rd. Children who use the crosswalks to and from school will be at risk if additional traffic is created by building this proposed apartment complex on this corner. The emergency fire station just north of the corner on Upper Wellington St. will be severely impacted by an increase in vehicles blocking its route to save lives of other Hamilton mountain residents.

The proposal is not compatible with our city's General Intensification Policies B2.4.1.4. This level of intensification is more appropriate to a transit hub where multiple forms of travel and routes converge ( ie. a Go station, the HSR hub at Limeridge Mall ). Two bus routes on two streets does not qualify as a transit hub.

The complex has been described as a fortress or a cruise ship in its proportions. As a large concrete and glass structure filled with people it creates a taxing strain on the local infrastructure. As our climate changes and rainfall events increase the load on the water, sewage and storm water underground pipes create a cautionary tale. The area's infrastructure will have great difficulty doing its job. In the winter of 2024 watermain pipes east of here broke causing a frozen flood on the street at the corner of Stone Church Rd and Upper Wellington St. This led to shutting down water use for a full day to area residents. Huge downpours of rain in the fall and spring in the last few years cause ponding on Upper Wellington Street south of Stone Church Rd between DiCenzo Dr. and Rymal Rd. Neighbours to the south of the easement on Sorrento Place have experienced basement flooding issues when over 20 mm of rain fell in 24 hours at a time when the proposed building site was covered in soybeans and open to ground absorption of the rain. How will the area respond to the concrete coverage of the acreage with a massive podium and 4 huge towers? It will surely create flooding of local homes and roadways in every direction as the concrete stands to block ground absorption.

Urban Hamilton Official Plan B2.4.1.4 section f has not been addressed by this proposal and it must be noted as a huge concern as outlined above.

B3.3.2.4 Urban Design Principals cause more concern. A large contributor to both the height and plan area is the podium. Although the podium shows in the elevations as residential, its greater use, based on the plan area, is a parking garage. There are 910 parking spaces, some of which are outside, but the majority of the spaces are in an above ground multi storey parking garage. The external sides of the garage have residential units and for the majority of these ( the non-corner units ) the only source of natural light will be through one external wall. The large scale of the above ground parking area eliminates any possibility of at grade green open space, except for a sliver of at grade space in a courtyard parallel to Stone Church. The podium top terrace does not deliver the same level of open air access and will probably need to be covered by artificial turf and plants in planters. Certainly not a welcoming place for children to play or people to walk their dog. A better approach would be to include stacked townhomes and a few lower storey towers with underground parking to allow plenty of at grade open space and reduce the massing at the site.

Although the developers report they don't currently know the target demographic for the apartment complex younger families are included.

Therefore the increase in the number of children to be housed by this massive apartment complex will cause serious issues for the local education system. Helen Detwiller School and St Marguerite d' Youville Catholic Elementary School are at their maximum capacity right now. Reports made by school council members and teachers tell of a lack of space to add additional portables at this Catholic School. This causes a great concern for building a massive apartment complex in its proposed location. Included in the future need for educational spaces will be the development green lighted for 300 townhouses north of these schools across Stone Church Rd at 311 and 313 Stone Church Rd E. and an additional 128 semi- detached houses and townhomes currently under construction south and west of this proposed complex. These schools will be bursting at the seams from these two areas alone.

Lastly a potential for increased crime in the neighbourhood is a concern as the complex will house 685 units and a possible 910 vehicles. We do not wish to have our local low to mid rise area set any precedent and change our area dynamics. Our mature neighbourhood doesn't need an urban form in our quiet suburban setting.

Sincerely,  
Janet Bard and Jim McCallum