

Presentation to Hamilton Planning Committee
Re: Proposed Development at 1494 Upper Wellington
Speaker: Helen Sardo

Good morning and thank you for the opportunity to speak today. My name is Helen Sardo, and I live near the proposed development at 1494 Upper Wellington. I'm here on behalf of a large and deeply concerned group of local residents. Many of us have already submitted letters outlining our objections, and we hope you've had a chance to review them.

This morning, I want to highlight just a few of the most urgent concerns we have — and most importantly, to ask that the City send legal and planning representatives to the Ontario Land Tribunal to oppose this development in its current form.

First, the scale and character of the development.

This is a neighbourhood of low-rise homes, seniors' residences, retirement apartments, and long-term care facilities. It's a quiet, community-oriented area. What's proposed by Valery Homes — two 20-storey towers with a four-storey podium — is completely out of scale with the surroundings. Even the City's own Design Review Panel found the proposal excessive in both height and massing, saying it fails to support the character of the existing community. They also point out that there is no inclusion of commercial spaces in the design to help foster the city's goal of a walkable, inclusive community.

This would not be gentle intensification — it would be a massive, abrupt, disruptive transformation that overwhelms the people who already live here. The intrusion on privacy as well as the level of intensification would be an overwhelming burden to this community.

Second, infrastructure and traffic.

Stone Church Road and Upper Wellington are already overburdened. During peak times, traffic is bumper to bumper. This is before hundreds of new residential units are added. Schools are over capacity. Local teachers have shared heartbreaking stories about the pressure they're under. And we all know about the critical shortages in family doctors, urgent care, and ER access. These may be provincial or federal issues, but the City has a responsibility to factor them in when assessing the impact of a proposal of this size.

Third, is the number of unanswered questions.

The City's own Planning Department has flagged many outstanding and critical issues that have yet to be addressed by the developer. Without answers to these issues, the proposal violates several regulatory requirements. The planning department has identified the following issues:

- **Sustainability:** The development lacks green infrastructure, potentially breaching Hamilton's planning and climate policies.
- **Wind Impacts:** There are unaddressed findings from the Wind Study which could violate urban design and safety standards.

- **Archaeology:** The Missing Stage 4 acknowledgment letter from the Ministry is a breach of the **Ontario Heritage Act**.
- **Parking Access:** Access from Stone Church Road East conflicts with Transportation Planning's requirement to use Upper Wellington.
- **Airport Zoning:** There is no legal airport zoning survey provided to confirm compliance with **Transport Canada Advisory Circular 602-003**.
- **Noise Mitigation:** Unconfirmed measures may breach City, Provincial (MECP), and Federal (Transport Canada) noise guidelines due to proximity to runway #24.
- **Servicing Report:** Missing updated sewer capacity analysis may violate municipal engineering standards.
- **Infrastructure Upgrades:** Without an External Works Agreement, the project can't proceed if upgrades are needed.

How can this be allowed to move forward to the Tribunal when so many core planning and procedural questions remain unanswered? Advancing this development without resolving these issues would be a **clear breach of multiple legal and regulatory frameworks**, exposing the project and city to appeals, enforcement actions, and legal liability. Approval under such conditions would be **premature and potentially unlawful**.

In case you have not heard me I will repeat this again:

How can this be allowed to move forward to the Tribunal when so many core planning and procedural questions remain unanswered? Advancing this development without resolving these issues would be a **clear breach of multiple legal and regulatory frameworks**, exposing the project and city to appeals, enforcement actions, and legal liability. Approval under such conditions would be **premature and potentially unlawful**.

Fourth, good faith negotiation was ignored.

City staff have already rejected Valery Homes' original proposal for two 20 storey towers. In fact, City staff worked hard to negotiate a compromise: a development scaled down to 10 and 12 storeys. But Valery Homes rejected that and is instead taking their original 20-storey proposal straight to the OLT even when they have not addressed the myriad of outstanding issues surrounding this development.

That's not good faith. That's pushing the community aside and hoping the City won't stand up for us.

So we ask you: Please don't let this happen without a fight.

We urge you — as our elected representatives and stewards of this city — to send legal counsel and planning staff to the Ontario Land Tribunal. Push back. Demand answers. And above all, help ensure that whatever is eventually built at 1494 Upper Wellington is something that works with our community — not against it.

Hamilton has worked hard to build a vision of thoughtful, sustainable growth. This proposal, in its current form, goes against that vision.

What's built at 1494 Upper Wellington will shape our community for generations. Please help us ensure it's something we can live with — not something we're forced to live under. Thank you again for your time, and for your service to our city.