



Wednesday, November, 5, 2014

Councillor Jason Farr
Hamilton City Hall
2nd floor - 71 Main St. West
Hamilton, Ontario
L8P 4Y5

Edward John
City of Hamilton
Planning and Economic Development Department
Development Planning, Heritage and Design – West Section
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5
Sent by email to: Jason.Farr@Hamilton.ca, Edward.John@hamilton.ca

Dear Sirs,

RE: File No: ZAR -14-030 – 98 James Street South (James Street Baptist Church)

1. History:

The Durand Neighbourhood Association (the “DNA”) has been engaged with this site since September 2013 when the developer requested a “partial demolition” of the church. The DNA is disappointed with the formal process with respect to the development of this site to-date. We were disturbed by the fact that a Site Plan proposal was never circulated prior to the request for a “minor alteration” which resulted in demolition of 80% of a heritage designated church. We were shocked that the DNA was not allowed to voice its concerns at the Heritage Permit Review meetings despite being in attendance. This was an unfair process to passionate heritage advocates such as the DNA and it poorly served the designated church.

The DNA has asked Councillor Jason Farr to address its concerns to appropriate City staff, specifically to emphasize that, *“demolition and the subsequent redevelopment cannot be considered independently.”* The DNA’s concerns were not heard as a result of the delegation of authority for “minor alterations” to the Director of Planning, which is authorized to approve such applications pursuant to bylaw 05-364 without consulting groups such as the DNA. This delegated authority is not constrained by the controversial nature of partial demolitions which should be referred to the full City heritage committee for thorough consideration. The DNA believes that the experience with this site demonstrates the faults with the delegated authority model used by the City.

Ultimately, in June 2014, 80% of the building was demolished. What remains is the east facade and tower.

2. Overall position:

James Street Baptist is mostly gone to the dismay of the DNA. However, the developer has produced a Site Plan proposal with the assistance of an architectural firm that assures the City that the designated facade of the church and other salvaged heritage materials will be preserved and incorporated into a 30-storey mixed-use development. The “DNA” supports the development in principal for the reason that we would abhor losing what is left of this designated heritage building. The DNA does not oppose intensification, nor does it have concerns with respect to the design of the above grade floors. This being said, we do have serious concerns as outlined below.

3. Issues and concerns:

The DNA is concerned with the proposed form of parking and the proposed modifications to the parking requirements under Zoning By-Law 05-200 Downtown Prime Retail Street (D2). We are concerned with the imbalance between the ambitious density and height of the proposed building and the disproportional reduction in parking space (33% parking per unit) that requires a significant Zoning Bylaw amendment. We feel such a reduction in parking spots will create numerous adverse effects for the neighbourhood, local businesses, and potential residents who purchase and or rent in this proposed development. Some of our specific concerns are:

(a) The proposed development cannot meet the required number of parking spaces. Currently 259 units are being proposed and only 98 spots are being provided. This is a shortfall of 95 parking spaces. The development also does not allow for visitor parking. This suggests that visitors to the building will place additional parking requirements on nearby lots and the already limited street parking. Unfortunately, the parking study circulated by the developer does not adequately address the spillover effects from visitors to the building. The following questions need to be addressed to ensure that the developer’s parking proposal will be a viable:

- Of the condominiums in Durand, how many residents own vehicles?
- What is the household composition?
- What is their current transit use?
- What is the visitor parking utilization?
- How many on street parking spots are there for 98 James South?
- What is the proximity of on street parking for 98 James Street South?
- In both the City and Private Parking Lots, what is the current availability in proximity to the proposed development?

- Are there waiting lists for Parking Spots in the City and Private Parking Lots?
 - What are the current Parking Requirements for similar condominiums in Burlington, Oakville and Mississauga?
- (b) The proposed reduction in provided parking may form a precedent for the area, resulting in increased pressure on limited available street parking and spur demand for more surface parking.
- (c) The DNA is concerned that the 33% parking per unit that is being proposed is not regular parking, but is being redefined to include Valet only, stacked vehicular parking, by way of mechanized lifts. This is a new concept to our city and certainly to the DNA. We have concerns on how this will work in a timely manner for loading and unloading of the vehicles baggage and occupants and how it may work in peak commuting periods. What are the limitations of the system? What happens when a car is unable to start on one of the lifts? Do they need to be jockeyed in and out of positions? Can an occupant retrieve an article from their car on the car stacker? Do the ramps have enough space for the Valets to pass in both directions going up or down the parking levels? How many Valets would be required at any one time of? What would be the costs to the residents to provide the Valet and maintenance of the stacker? Allowing such a form of parking would mark a precedent in the City and accordingly warrants careful attention and study from City staff.
- (d) Further, we feel the architect drawings lacked sectional drawings of the parking structure that would aid in an understanding of how the parking was achieved and the floor heights of the underground structure as it relates to the foundations of the surrounding buildings and remaining foundation of the designated church.

4. Conclusion:

The DNA understands the requirement for higher density to make the proposed development financially viable and to accommodate for the remedial works to the heritage church and allow for its ongoing maintenance in the future. However, we have concerns as a community that the parking proposed will be less than adequate.

The proposal for 98 James St relies heavily on its location for multiuse transit opportunities, which in principle is an environmentally laudable goal. However, proposing that only 33% of the condominium units will require a parking spot is not realistic for our City at this time. There is still a lack of basic commercial infrastructure such as grocery stores to accommodate the basic demands of a high density residential development downtown. It is also irresponsible to plan the parking requirements for this development on the basis of a speculative LRT project and continued use of the Go station on James street South, both of which have an uncertain future.

Until we have improved public transit, completed the construction of dedicated bike lanes, and provided the commercial amenities and infrastructure for a large influx of downtown residents, it would be unreasonable to allow such a shortage of parking requirements for residents and visitors. We feel there are many unanswered questions that warrant further investigation in relation to the parking. We do not want to see building occupants paying monthly dues to park

at other city lots,(if there are indeed parking spots available) or at the Go station where they would be taking spots away from other urban commuters. We would also not support the creation of additional surface parking lots which this development will likely spur.

If there had there been a Site Plan in place before the “designated approval” to demolish 80% of James Street Baptist Church, we would not be in this very difficult situation. On behalf of the Durand Neighbourhood Association, we ask that the Planning Staff and Council exercise their due diligence and address our questions and concerns.

Sincerely yours,
Janice Brown,
President, Durand Neighbourhood Association