

Mailing Address: 71 Main Street West, 5th Floor Hamilton, Ontario Canada L8P 4Y5 www.hamilton.ca

Planning and Economic Development Department
Development Planning, Heritage and Design
71 Main Street West, 5th Floor, Hamilton ON L8P 4Y5
Phone: 905-546-2424 Fax: 905-546-4202

June 06, 2017

File: FC-17-052

Urban Solutions Planning and Land Development Consultants Inc. c/o Katie Rauscher, Planner 105 Main Street East, Suite 501 Hamilton, ON, L8N 1G6

Dear Ms. Rauscher:

RE:

Formal Consultation Meeting – Application by Urban Solutions Planning and Land Development Consultants Inc. on Behalf of Spallacci Contracting Ltd. for Lands Located at 299-307 John Street South and 97 St. Joseph's Drive, Hamilton (Ward 2)

Please find the attached Formal Consultation Document from the Development Review Team Meeting held on May 10, 2017, which identifies the required items that must accompany a future Urban Hamilton Official Plan Amendment application, Zoning By-law Amendment application, Standard Plan of Condominium and Site Plan Control application in order to deem the applications complete, in accordance with the Planning Act.

As part of the Formal Consultation Process, signatures by the Owner(s) and Agent/Applicant are required. Please return a signed copy of the Formal Consultation Document to the Development Planner. Should you wish to proceed with the submission of an Official Plan Amendment application, Zoning By-law Amendment application, Standard Plan of Condominium and Site Plan Control application for this proposal, please enclose a copy of the signed Formal Consultation Document with your applications.

If you have any questions or require assistance at any time throughout the development process, please feel free to contact Kimberley Harrison-McMillan at 905.546.2424 ext. 2222 or by e-mail at Kimberley.Harrison-McMillan@hamilton.ca, or myself at ext. 1258.

Re: Formal Consultation Meeting, Proposal for Lands Located at 299-307 John Street South and 97 St. Joseph's Drive, Hamilton

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Yours truly,

Anita Fabac, MCIP, RPP

Manager of Development Planning, Heritage and Design

Planning Division

KHM:ct Attachment

CC:

Spallacci Contracting Ltd.

c/o Frank Spallacci

1 James Street South, 8th Floor

Hamilton, ON, L8P 4R5



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Formal Consultation Document

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Meeting Date: May 10, 2017	File No:	FC-17-052
Owner: Spallacci Contracting Ltd. (c/o Frank Spallacci)	
Applicant: Urban Solutions Planning and Land Develo	pment Consi	ultants Inc.
Agent: Sergio Manchia, Katie Rauscher		
PROPERY INFORMATION		
Address and/or Legal Description: 299-307 John Stree	et South, and	97 St. Joseph's
Drive		
Lot Frontage (metres): 118.13 m Lot depth (metres): <u>71.4m</u>	Lot Area(m²): <u>0.85</u>
Regional Official Plan Designation:n/a		
Rural Hamilton Official Plan Designation: n/a		
Urban Hamilton Official Plan Designation: "Neighbourh	noods" (High	Density Residential)
Local Official Plan Designation: n/a		•
Other Plan Designation: n/a		
Zoning: "E/S-1512" (Multiple Dwellings, Lodges, etc.)		
Dwellings, Lodges, etc.) District, Zoning By-law No. 65		
Description of current uses, buildings, structures and n	atural featur	es on the subject
lands: Site is occupied by a five (5) storey multiple dwe	elling	M. C. W. C. C. C.
Brief description of proposal: The proposal is to devel		. , ,
dwellings consisting of 23, 27 and 31 storey residenti to create 968 units and underground parking for 1,0		
proposal also includes at-grade commercial (510 squ		
townhouses along John Street South.		
APPLICATIONS REQUIRED		
Rural Hamilton Official Plan Amendment	Yes	No ⊠
Urban Hamilton Official Plan Amendment	Yes	
Local Official Plan Amendment	Yes	□ No ⊠

Zoning By-law Amendment (Complex)	Yes 🛚	No 🗌
Subdivision	Yes 🗌	No ⊠
Condominium (Standard)	Yes 🛚	No 🗌
Site Plan (Major)	Yes 🛚	No 🗌
Consent	Yes 🗌	No ⊠
Variance(s)	Yes 🗌	No ⊠
Other (NEC Review and Commission Meeting to be determined)	Yes ⊠	No 🗌

Note: The City of Hamilton is in the process of creating a new comprehensive Zoning By-law for the entire City. The new Zoning By-law is being prepared in phases by Land Use topic. New Commercial and Residential zoning may be implemented which could be different than the current zoning. Accordingly, additional applications may be required. If a Building Permit has not been issued by the City prior to the new zoning coming into effect, the approved site plan may be affected, related to zoning compliance, which may require further planning approvals (i.e. Minor Variance, Zoning Amendment, etc.).

FEES REQUIRED

City of Llamilton	Urban Hamilton Official Plan Amendment
City of Hamilton:	
	(\$17,955) + Zoning By-law Amendment
	(\$22,260) + Draft Plan of Condominium
	(without public process) (\$89,405) =
	\$129,620 - \$1,085 = (Formal Consultation
	fee) = \$128,535 x 0.75 (combined
	application fee) = \$96,401.25
Conservation Authority Review Fees:	n/a
Other:	Site Plan Approval (\$9,275)
	Tree Protection Plan (\$570)
TOTAL:	Combined UHOP Amendment, Zoning By-
	law Amendment and Draft Plan of
	Condominium (\$96,401.25); plus, Site Plan
	Approval (\$9,275), and Tree Protection Plan
	(\$570) = \$106,246.25

Notes:

- Formal Consultation fee may be credited towards a future application.
- Notwithstanding the fees noted above, all fees are payable based on the rate in the fee schedule by-law in effect on the date the payment is made.
- Further fees may be required at a later date as per the fee schedule.
- Separate cheques are payable to the City of Hamilton and the applicable Conservation Authority.

 A Cost Acknowledgement Agreement for potential costs at the Ontario Municipal Board may also be required.

DESIGN REVIEW PANEL

The Design Review Panel shall provide urban design advice to Planning Division staff on Planning applications with respect to complex Zoning and Site Plan applications in the following Design Priority Areas:

- (a) Downtown Hamilton Secondary Plan Area;
- (b) Areas of Major Change and Corridors of Gradual Change within the West Harbor Secondary Plan Area;
- (c) Primary Corridors as shown on Schedule E "Urban Structure" of the Urban Hamilton Official Plan;
- (d) Any other large scale projects that may impact the physical environment functionally and/or aesthetically.

The Director of Planning or his or her designate may waive projects from the review of the Design Review Panel, if the project is not deemed to have the potential to significantly impact the physical environment functionally and/or aesthetically.

Design Review Panel review required?	oxtimes Yes	☐ No
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REQUIRED INFORMATION AND MATERIALS

All identified reports, studies, and/or plans must be submitted before an application is deemed complete. Unless otherwise noted, 5 copies of each item and an electronic digital file in PDF locked file format must be submitted.

Reports, Studies, Plans	Required	Staff Responsible for providing guidelines or terms of reference
Background Information		
Survey Plan		At OPA / Rezoning stage: K. Harrison-McMillan, Senior Project Manager - Urban Team, ext. 2222
Concept Plan		At OPA / Rezoning stage: K. Harrison-McMillan, Senior Project Manager - Urban Team, ext. 2222
Planning	1	

Affordable Housing Report/Rental Conversion Assessment	
Draft OPA, and By-laws	At OPA / Rezoning stage: K. Harrison-McMillan, Senior Project Manager - Urban Team, ext. 2222
Land Use/Market Needs Assessment	
Planning Justification Report	At OPA / Rezoning stage: K. Harrison-McMillan, Senior Project Manager - Urban Team, ext. 2222
Site Plan and Building Elevations	At Site Plan Approval Stage: K. Harrison-McMillan, Senior Project Manager - Urban Team, ext. 2222
Urban Design Report	At OPA / Rezoning stage: Provide a Scoped Urban Design Brief. See Terms of Reference and Comments in FC Document. (M. Kerrigan, Urban Designer, ext. 1291 and K. Harrison- McMillan, Senior Project Manager - Urban Team, ext. 2222)
Cultural	
Archaeological Assessment	
Cultural Heritage Impact Assessment	At OPA / Rezoning stage: A Scoped CHIA should be included in the Urban Design Brief (C. Tyers, Cultural Heritage Planner, ext. 1202
Environmental	
Aggregate Resource Assessment	
Aggregate/Mineral Resource Analysis	
Air Quality Study	
Channel Design and Geofluvial Assessment	
Chloride Impact Study	
Cut and Fill Analysis	

Demarcation of top of bank, limit of wetland, limit		
of natural hazard, limit of Environmentally		
Significant Area (ESA), or limit of Conservation		
Authority regulated area		
Environmental Impact Statement (EIS)		
Erosion Hazard Assessment		
Fish Habitat Assessment		
Floodline Delineation Study/Hydraulic Analysis		
General Vegetation Inventory (GVI)		
Impact Assessment for new Private Waste Disposal Sites		
Karst Assessment/Karst Contingency Plan		
Landscape Plan		Condition of Site Plan Approval Stage: K. Harrison-McMillan, Senior Project Manager - Urban Team, ext. 2222
Linkage Assessment		
Meander Belt Assessment		
Nutrient Management Study		
Odour, Dust and Light Assessment		
Restoration Plan		
Shoreline Assessment Study/Coastal Engineers Study		
Slope Stability Study and Report		
Species Habitat Assessment		
Tree Management Plan/Study		
Tree Protection Plan (TPP)		At OPA / Rezoning stage; C. Plosz, Natural Heritage Planner, ext. 1231 and S. Brush, Urban Forestry, ext. 7375
Environmental/Servicing and Infrastructure		
Contaminant Management Plan		
Record of Site Condition (RSC)		
Erosion and Sediment Control Plan		Condition of Site Plan Approval stage: S. Sial, Development Coordinator, Development Engineering – Site Plan Team, ext. 1354
Hydrogeological Study		
Grading Plan	\boxtimes	Condition of Site Plan Approval stage:

		S. Sial, Development Co- ordinator, Development Engineering – Site Plan Team, ext. 1354
Master Drainage Plan		
Stormwater Management Report/Plan and/or update to an existing Stormwater Management Plan	×	Condition of Site Plan Approval stage: S. Sial, Development Coordinator, Development Engineering – Site Plan Team, ext. 1354
Soils/Geotechnical Study	\boxtimes	Condition of Site Plan Approval stage: S. Sial, Development Coordinator, Development Engineering – Site Plan Team, ext. 1354
Sub-watershed Plan and/or update to an		
existing Sub-watershed Plan		
Financial		
Financial Impact Analysis		
Market Impact Study		
Servicing and Infrastructure		
Recreation Feasibility Study		
Recreation Needs Assessment		
School Accommodation Issues Assessment		
School and City Recreation Facility and Outdoor		
Recreation/Parks Issues Assessment		
Functional Servicing Report	\boxtimes	At OPA / Rezoning stage: S. Sial, Development Co- ordinator, Development Engineering – Site Plan Team, ext. 1354
Servicing Options Report		
Water and Wastewater Servicing Study	\boxtimes	Condition of Site Plan Approval stage: S. Sial, Development Coordinator, Development Engineering – Site Plan Team, ext. 1354
Land Use Compatibility		
Agricultural Impact Assessment		

Dust Impact Analysis		Condition of Site Plan Approval stage: Dust Mitigation Plan R. Finkenbrink, Public Health, ext. 5820
Land Use Compatibility Study		
Landfill Impact Study		
Minimum Distance Separation Calculation		
Noise Impact Study		At OPA /Rezoning stage: Victoria Cox, Urban Designer - Urban Team, ext. 2222
Odour Impact Assessment		
Sun/Shadow Study	\boxtimes	At OPA /Rezoning stage: (M. Kerrigan, Urban Designer, ext. 1291
Vibration Study		
Wind Study	\boxtimes	At OPA /Rezoning stage: (M. Kerrigan, Urban Designer, ext. 1291
Transportation		
Cycling Route Analysis		
Transportation Impact Study		At OPA / Rezoning stage: S. Lucas, Project Manager, Geomatics and Corridor Management, ext. 4575
Parking Analysis/Study		
Pedestrian Route and Sidewalk Analysis		
Roadway/Development Safety Audit		
Modern Roundabout and Neighbourhood Roundabout Analysis		
Neighbourhood Traffic Calming Options Report		
Transit Assessment		
Transportation Demand Management Options Report		At OPA / Rezoning stage: T. Wolsey, TDM Coordinator, ext. 2553
Cost Recoveries		
Cost Acknowledgement Agreement		At OPA / Rezoning stage: K. Harrison-McMillan, Senior Project Manager - Urban Team, ext. 2222
DRP Submission Requirements		At OPA / Rezoning stage:

	K. Harrison-McMillan, Senior Project Manager - Urban Team, ext. 2222
Public Consultation Strategy	At OPA / Rezoning stage: K. Harrison-McMillan, Senior Project Manager - Urban Team, ext. 2222
Other: Niagara Escarpment Commission Visual impact Assessment	At OPA / Rezoning stage: Jim Avram, Planner and Linda LaFlamme, Landscape Architect (905) 877 7452
Pest Control Plan	Condition of Site Plan Approval stage: C. DeBenedet, Public Health Inspector, ext. 7596
Storm Sewer Agreement and/or Joint Use Agreement	Condition of Site Plan Approval stage: S. Sial, Development Coordinator, Development Engineering – Site Plan Team, ext. 1354
Storm Drainage Area Plan	Condition of Site Plan Approval stage: S. Sial, Development Coordinator, Development Engineering – Site Plan Team, ext. 1354
Right-of –Way Assessment	At OPA / Rezoning stage: K. Harrison-McMillan, Senior Project Manager - Urban Team, ext. 2222
Construction Management Plan	Condition of Site Plan Approval stage: R. Shebib, Project Manager, Geomatics and Corridor Management, ext. 4575

ADDITIONAL INFORMATION

Additional Agencies to be contacted: Niagara Escarpment Commission (re. Visual Impact Assessment)

Comments: Hamilton Water (dewatering and underground parking at rezoning stage)

The proposal to develop a complex of three residential towers on a common podium on the subject lands would require a UHOP Amendment and a Zoning By-law Amendment because the proposed density of 1,132 units per hectare is significantly higher than the density of 500 units per hectare prescribed for the Central Area.

The proposal is significant in terms of its scale and density. Particular attention should be provided with respect to the following matters:

1. Urban Design and Public Realm - The proposal will require an Urban Design Brief, Wind Assessment and Sun Shadow Study. The proposed building order would create height impacts along the slope of John Street South as the taller buildings are along the top of the slope and closest to the Escarpment. Consideration should be given to changing the order of the building height such that the taller buildings are located further from the Escarpment. Concerns with height, overshadowing and building bulk may require adjustments to the building design to reduce the floorplate, provide step-backs and / or transitions. In addition, the Scoped Urban Design Brief must address the proposed development within the context of the designated heritage property located at 65 Charlton Avenue East.

As well, consideration to streetscape improvements in conjunction with the Streetscape Master Plan which includes buffers between the site and road, enhanced lighting, safe pedestrian environment including pedestrian amenities, street trees and Urban Braille. Sidewalks to a width of 3.5 metres may be required along John Street South because of high pedestrian activity. Bicycle lanes are required along Charlton Avenue East.

2. Density and Intensification – The proposed density would be 1,132 units per hectare which is 226% greater than the maximum density of 500 square metres that is permitted in Central Hamilton for High Density residential uses under Policy E.3.3.6 of the UHOP. The location is also outside of the Downtown Hamilton Secondary Plan area, which is the location of the City's highest densities. The creation of residential density and intensification of the magnitude proposed in an area outside of the Downtown may not be supportable. Criteria for residential intensification to be examined is provided in Policies B.2.4.1.4 and B.2.4.2.2 of the UHOP. The Planning Justification Report would need to examine how the proposal complies with the residential intensification criteria and provide reasons why the proposed level of density and intensification would be appropriate.

- Visual Impacts The proposal will require a Visual Impact Assessment (VIA) to determine if the proposed buildings would be suitable for development along the base of the Escarpment or if they would contribute to diminished views and changes to the character of the surrounding neighbourhood. Impacts to the Escarpment views such as "skylining" in which the building height would exceed the height of the Escarpment would be of particular concern to the City and the NEC. Prior to the submission of the rezoning, it is recommended that the applicant's consultant for the VIA liaise with the City's Urban Designer and the NEC to determine the range of views that should be examined for this proposal.
- 4. Loss of Rental Units the loss of rental units and in particular, affordable rental units would need to be addressed in the Planning Justification Report with reference to Policy B.3.2.5 of the UHOP. The proponent should contact Kirsten Maxwell in the Housing Division concerning the existing agreement under the Canada Ontario Affordable Housing Program.
- 5. Servicing A Functional Servicing Report is required to address major changes to the water, stormwater and sanitary systems. The proposal would substantially increase perviousness related to storm water and increase surface drainage. A SWM Design Brief based on quality and quantity control and storm drainage area plan would also be required as part of the submission to assess the proposal. The existing drainage conditions and a suitable drainage outlet would need to be identified as well as the seasonally high water table to confirm that the proposed underground parking will not interact with the groundwater table.
 - As the proposal requires underground parking, consultation with the Superintendent of Environmental Monitoring and Enforcement Group within Hamilton Water should be as early as possible to verify the wastewater system would be acceptable for the quantity and quality of the discharge. Please refer to Development Engineering comments for specific details including additional requirements at the Site Plan Control stage.
- 6. Traffic The proposal would require a Traffic Impact Study (TIS). The scope of the TIS should be confirmed with Corridor Management early in the process. The proposed driveway location may need to be reviewed to better align with the existing residential driveway located at 81 Charlton Ave East and this should also be a minimum distance of 55 metres from John Street South.
- 7. Road Widenings The proposed widenings are significant and include widenings of 8.19 m on John Street South, 3m on Charlton Avenue East and daylighting triangles of 12.1 m x 12.1 m on John Street South and Charlton Avenue East and John Street South and St. Joseph's Drive. Corridor Management has advised that these widenings should be maintained for infrastructure purposes such as additional lanes, cycling, sidewalks, boulevards, etc. as well as for underground

utilities such as water, sewer, gas, hydro, and telecom. If the proposal cannot be further modified to meet the widening requirements, a Right-of-Way Assessment can be submitted for consideration.

8. Tree Protection – The proposal would significantly remove existing vegetation and would require a Tree Protection Plan at the rezoning stage. Compensation would be typically required based on 1:1 for trees that are to be removed.

PLEASE BE ADVISED OF THE FOLLOWING:

- 1. The purpose of this document is to identify the information required to commence processing a complete application as set out in the Planning Act. Formal Consultation does not imply or suggest any decision whatsoever on behalf of City staff or the City of Hamilton to either support or refuse the application.
- 2. This document expires 1 year from the date of signing or at the discretion of the Director of Planning.
- 3. In the event this Formal Consultation Document expires prior to the application being accepted by the City, another document may be required.
- 4. If an application is submitted without the information and materials identified in this Formal Consultation Document the City may deem such an application incomplete and refuse to accept the application.
- 5. In accordance with the Planning Act, it is the policy of the City of Hamilton to provide public access to all Planning Act applications and supporting documentation submitted to the City. Therefore, the information contained in an application and any documentation, including reports, studies and drawings, provided in support of an application, by the owner, or the owner's agents, consultants and solicitors, constitutes public information and will become part of the public record. With the filing of an application, the applicant consents to the City of Hamilton making the application and its supporting documentation available to the general public, including copying and disclosing the application and it supporting documentation to any third party upon their request.
- 6. It may be determined during the review of the application that additional studies or information will be required as a result of issues arising during the processing of the application.
- 7. The above requirements for deeming an application complete are separate and independent of any review under the Ontario Building Code (OBC) as part of the Building Permit review process. In the event that a building permit application does not comply with the OBC, a letter outlining the deficiencies or areas of non-compliance will be issued to the owner and/or agent. Formal consultation and building permit review are separate and independent processes.

SIGNATURES

Kim Harrism - McMillun Planning Staff	Planning Staff Signature	June 6, 2017 Date
Anita Fabac Planning Staff	Ctataba Planning Staff Signature	Jul 6/17 Date
Engineering Staff	Engineering Staff Signature	Date
Owner	Owner Signature	Date
Applicant (I have the authority to bind the Owner)	Applicant Signature	Date
Agent (I have the authority to bind the Owner)	Agent Signature	 Date
Other Staff or Agency	Signature	Date
Other Staff or Agency	Signature	Date
Other Staff or Agency	Signature	Date

requirements. Plans and Architectural Elevations illustrating the proposal must be provided).

2.1.1 Site Design

Description of site design and specific site design components such as: building location(s), building entrance(s), vehicular and pedestrian circulation, waste management collection, loading, storage and utility areas, proposed grading, stormwater management items, noise attenuation, lighting, signage, etc.)

2.1.2 Building Design

Description of proposed built form (design, proportions, heights, roofline,)
 massing, façade treatments, materials, etc.)

2.1.3 Landscape design

Description of functional landscape requirements

2.1.4 Constraints

- o Provide a brief discussion regarding the design constraints (i.e. lot size, grading,) natural heritage impacts, etc.)
- 2.2 Analysis of proposal and recommendations (Provides a professional analysis of the proposal):
 - **2.2.1** Describe how the proposal is guided and informed by the applicable design requirements. Refer to summaries and findings in Section 1.3.2 (above)
 - 2.2.2 Analyze how the proposal fits into the existing context. Include a description of the proposed building setbacks, heights, and key interfaces
 - 2.2.3 Analyze how the proposed building is designed to be sensitive to the existing and planned neighborhood)
 - **2.2.4** Analyze how the proposed landscape design enhances the aesthetics and function of both the site and neighborhood
 - 2.2.5 Describe any other considerations, such as (but not limited to): public realm) upgrades, accessibility, safety, heritage resources, natural heritage, etc.
 - 2.2.6 Provide professional recommendations that will ensure the general intent of the applicable urban design policies and guidelines are achieved.
 - If applicable, provide draft zone provisions, conditions of approval, etc.

3.0 CONTRIBUTIONS

Design Briefs should typically demonstrate how development proposals are scaled and designed with respect to adjacent built forms and spaces within the neighborhood context. The Brief should also illustrate the derivation of building setbacks and heights, the choice of exterior materials for new construction and the appropriateness of proposed hard and soft landscape elements.

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