

February 7, 2020

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**Via Delivered**

James Van Rooi, MCIP RPP  
Planner I, Development Planning, Heritage and Design

City of Hamilton  
71 Main Street West, 5<sup>th</sup> Floor  
Hamilton, ON L8P 4Y5

RECEIVED  
FEB 07 2020

Dear Mr. Van Rooi,

**RE: 73-83 Stone Church Road West & 1029 West 5<sup>th</sup> Street  
Resubmission for UHOPA-19-08/ZAC-19-029**

Following our April 23, 2019 submission for the subject applications, UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) has received comments from the municipal departments and external agencies regarding the applications and hosted a Neighbourhood Information Meeting with area residents. In response to the comments received, please find the following documents enclosed:

- Five (5) copies of the revised Concept Plan prepared by UrbanSolutions;
- Five (5) copies of the revised draft Official Plan Amendment and Zoning By-law prepared by UrbanSolutions;
- Five (5) copies of the Concept Evolution Sketch prepared by UrbanSolutions;
- Five (5) copies of the revised architectural drawing package prepared by KNYMH;
- Five (5) copies of the Urban Design Brief Addendum prepared by KNYMH;
- Five (5) copies of the updated Sun/Shadow Study prepared by KNYMH;
- Five (5) copies of a Supplementary Shadow Analysis prepared by UrbanSolutions;
- Five (5) copies of the Functional Servicing report prepared by WalterFedy, revised January 14, 2020;
- Five (5) copies of the Existing Conditions and Removals Plan prepared by WalterFedy, revised January 10, 2020;
- Five (5) copies of the Grading Plan prepared by WalterFedy, revised January 10, 2020;
- Five (5) copies of the Servicing Plan prepared by WalterFedy, revised January 10, 2020;
- Five (5) copies of the Erosion and Sediment Control Plan prepared by WalterFedy, revised January 10, 2020; and,
- Five (5) copies of the Details and Notes Plan prepared by WalterFedy, revised January 10, 2020.

Notable changes to the Concept Plan are described as follows and outlined on the enclosed Concept Evolution Sketch:

- The landscape strip abutting the southern property line has been increased from 0.7 metre to 1.7 metres.
- The eastern yard has increased from +/- 2.0 metres to 7.5 metres.
- The number of units has decreased from 237 to 226 and as a result, the density has decreased from 343 units per hectare to 327 units per hectare.
- The addition of a landscaped amenity space to the centre of the courtyard, and the addition of a common amenity terrace at the fifth floor.
- The parking area setback from West 5<sup>th</sup> Street has increased from 11.3 metres to 29.3 metres and the landscaping at the southwest site corner increased.
- The number of parking spaces decreased from 241 to 226 with the corresponding unit reduction. The ratio remains at 1.0 parking space per dwelling unit.

In keeping with the Public Consultation Strategy Guidelines submitted in support of the initial Official Plan Amendment and Zoning By-law Amendment applications, a Neighbourhood Information Meeting was held for area residents in collaboration with the Ward Councillor on September 19, 2019 at Barton Stone United Church. The comments received during this meeting, as well as those received in writing, are summarized below and followed by a Planning Comment.

### **Traffic & Parking**

Residents indicated that the area currently has an issue with traffic congestion, specifically at the intersection of Stone Church Road West and West 5<sup>th</sup> Street during peak commuting times. There were concerns raised that the proposed density would further aggravate the existing issue. In addition, participants had concerns regarding the safety of the existing pedestrian infrastructure. Some participants expressed the opinion that the proposed parking ratio is insufficient for a 'car dependent' area.

*Planning Comment* – NexTrans prepared a Transportation Study in support of the planning applications. This report confirmed that the study intersections and proposed accesses are expected to operate at acceptable levels of service at the recommended optimized traffic signal operations. The existing conditions, irrespective of the proposal, could be mitigated with changes to the traffic light signalization timing at the intersection of Stone Church Road West and West 5<sup>th</sup> Street. Note the proposed parking ratio exceeds the minimum requirements of the Zoning By-law No. 05-200. In addition, the number of units and thus the number of parking spaces has also decreased with this resubmission.

### **Notice Circulation & Process**

Several participants indicated that they did not receive notice of the meeting until two (2) days prior, and others indicated that they did not receive a notice despite being within 120 metres of the subject lands.

*Planning Comment* – UrbanSolutions circulated the Neighbourhood Invitation Meeting invitation to all mailing addresses within 120 metres of the subject lands on August 16, 2019. Councillor Danko's office provided the invitation to select addresses that were not included on the UrbanSolutions circulation, outside of the 120 metre radius, several days in advance of the meeting.

## **Infrastructure & Site Servicing**

Concerns were raised as to whether the current infrastructure can accommodate the proposed density. There were concerns expressed by participants that if the servicing capacity was not in place, that it would have adverse impacts on the water pressure of the surrounding buildings.

*Planning Comment* – The enclosed revised Functional Servicing Report prepared by WalterFedy confirms that the existing sanitary sewers and watermains will provide sufficient flow and pressures to support the proposed development in terms of sanitary, fire, and domestic water demands.

## **Overdevelopment**

Some comments received expressed a belief that the proposal represents the overdevelopment of the site resulting from the replacement of current undeveloped area with buildings or pavement. As a result, efforts have been made to incorporate additional landscape area in the revised Concept Plan. The total amount of landscape area has increased from 16% of the lot area in the initial concept, to 24% in the current concept. Introducing additional landscape area helps to reduce the urban heat island effect of the proposed development by introducing more permeable surface area.

## **Construction**

There were concerns identified that the construction would be a nuisance for neighbours in terms of safety, noise, traffic, and dust. Participants also expressed concerns that any blasting required for the installation of foundations and underground structures would have a negative impact on the existing buildings.

*Planning Comment* – The Geotechnical Investigation prepared by Soil-Mat and submitted with the initial application does not indicate that blasting would be required as a construction method. Instead, mechanical rock splitting equipment is recommended. A detailed Geotechnical Investigation and Construction Management Plan will be prepared, reviewed and approved by the City at the Site Plan stage to ensure construction activities are mitigated in terms of their impact on the surrounding residents.

## **Compatibility**

Concerns were raised that the building height and massing would have negative impacts on the surrounding area in terms of privacy and overlook. There were comments that the proposed built form is not compatible with the neighbourhood character and some participants suggested that a townhouse product would be more appropriate for the site. Participants expressed the belief that this type of development is more suitable for the downtown core. Concerns were also identified that the proposed development would have nuisance effects on the future dementia care facility currently under construction directly south of the subject lands.

*Planning Comment* – Compatibility in terms of building height and massing is suitable for the site, as described in the Planning Justification Report, Urban Design Brief and Sun/Shadow Study provided with the initial application submission. This resubmission has introduced a significant increase to the easterly side yard setback to ensure a compatible relationship with the property to the east and allow for any future intensification of the church site, which is anticipated as it is in close proximity to Upper James

Street, a Primary Corridor and Major Arterial road in the UHOP and the location of a future higher order transit route.

With regard to the dementia care facility that is currently under construction at 1041 West 5<sup>th</sup> Street, there are surface parking areas located north of the dementia care facility and south of the proposed building, which creates a building separation of approximately 38 metres. Therefore, the site activities are not expected to have any nuisance effects for the future residents of the dementia care facility. The proposed drive access and location of the underground parking ramp will not have any adverse impacts on the facility for this same reason.

Enclosed materials include a revised Sun/Shadow Study and Supplementary Sun/Shadow Analysis which demonstrate that the updated building envelope satisfies the City's criteria for evaluating shadow impacts within a corridor planning area.

### **Tenure**

Some attendees suggested that the proposed rental tenure was not appropriate for the area and would drive down property values. Participants were of the opinion that a rental tenure would proliferate crime in the area.

*Planning Comment* – The proposed rental tenure implements Section B.3.2.1.6 of the UHOP, which provides direction to increase the mix and range of housing types, forms, tenures, and densities within the urban area, where the subject lands are located. As expressed by City Planning staff to Council in the past, there is no evidence to suggest the proposal would have a negative impact on property values nor does it play a role in evaluating land use planning decisions. In addition, the idea that rental housing proliferates crime is irrational and inconsistent with the expressed objective of Council to improve the City's rental housing stock.

### **Community Benefit**

The final theme captured in the public comments received reflect a concern that the proposal would not benefit the broader community.

*Planning Comment* – It is our opinion that the proposed development would benefit the community in several ways, as we expressed during the Neighbourhood Information Meeting. The proposal will increase the rental housing supply and contribute to the municipal tax base which is utilized for public education, firefighting, policy services, libraries, infrastructure improvements etc. In addition, the developer will be required to pay development charges and parkland dedication at the Building Permit stage of the approvals process. Development charges recover the growth-related costs associated with the capital infrastructure needed to service new development, and parkland fees provides the City with funds to be used towards park development in the City. Therefore, the proposal will provide substantial benefit to the immediate neighbourhood, and to the City of Hamilton more broadly.

We trust the enclosed is in order; however, please feel free to contact the undersigned with any questions.

Regards,  
**UrbanSolutions**



Matt Johnston, MCIP, RPP  
*Principal*



Amber Lindsay, MCIP, RPP  
*Planner*

cc: Councillor John-Paul Danko, Ward 8, City of Hamilton (via email)  
Mr. Ted Valeri, T. Valeri Construction Limited  
Mr. Sergio Manchia, UrbanSolutions Planning & Land Development Consultants Inc.