

February 14, 2022

WDG File: 008-20

Urban Solutions Planning and land Development

**Attention:** **Scott Beedie**  
By email to: SBeedie@urbansolutions.info

Project: 1842 King Street East  
File No: **ZAC-21-021**  
Comment Response#: 2

Document(s): Tree Protection Plan (2021-09-29)  
Landscape Plan (2021-09-29)  
Urban Design Brief (October 2021)

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Dear Mr. Beedie,

Below please find our responses to comments from the City on the above referenced documents.

**Tree Protection Plan Comments from Melissa Kiddie**

Comment: A TPP review fee is to be submitted to the City.

Response:  
Applicant will arrange for payment if not yet submitted.

Comment: *Tree Protection Measures (i.e. fencing): Trees that are proposed to be retained are to be protected with tree protection measures (i.e. fencing). These measures prevent injuries to trees (and their roots). A two-step process has been proposed for trees #32 (Black Walnut) and 65 (Mulberry). This approach is not supported since there will be changes required for the fencing and it is unclear how this will be implemented appropriately. Since these trees are located on the neighbouring property, they are to be protected through all phases of the development. Tree protection fencing is to be located at a minimum of 1 metre from the dripline of the tree.*

Response:  
The TPP has been adjusted, and the building footprint has been adjusted. Please also note that existing site conditions include an asphalt roadway within the subject land that is within the drip line of existing tree #32. The noted existing roadway is 5.3 meters off the trunk of tree #32. Vulnerable roots will not be close to the surface for the portion of canopy that hangs over the roadway, given that the asphalt and associated base courses will have prevented or obstructed root growth within their structure. Root growth which primarily growth of this tree is to the north, south and east of the trunk. Arborist recommendation for a Tree Protection Zone for this tree is 4.8m. The Tree Protection Plan has been updated to place tree protection fencing 1 meter outside of drip line of tree #32 except where the

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existing roadway runs under the dripline. At it's closest, the protection fencing is 4.8m off the trunk, or greater as recommended by the Arborist.

Tree #32 is a shared tree with respect to its trunk location straddling the property line. It is however, perceived as being privately owned by the adjacent landowner given the alignment of existing fencing that goes around the west side of the tree capturing it within the adjacent landowners fenced area.

Should it be determined that the adjacent landowner prefers or is amenable to removal of Tree #32, written confirmation of this approval will be provided to the City under separate cover, prior to removal.

Tree #65 is a shared tree recommended for removal to facilitate site servicing and grading. Under separate cover written approval by the adjacent landowner will be provided to the City. A notation to this effect has been added to the TPP.

Please also note that at trees 26, 27, and 28 the tree protection fencing is shown within the drip line of the tree. This is due to current conditions and replacement of a retaining wall at this location. The roots of these trees are currently limited in growth toward the west given the existence of a retaining wall within the dripline of these trees. In order to replace this retaining wall, the protection fencing must be as shown on the plan and we suggest that the trees can sustain this given their existing condition. Should it be determined that removal is preferred by the adjacent landowner, written confirmation of this approval will be provided to the City under separate cover, prior to removal. A notation to this effect has been added to the TPP.

*Comment: Tree Protection Plan (TPP) (drawing L2) has been prepared by Whitehouse Urban Design September 29, 2021. Based on this Plan, 67 trees have been inventoried. Of these, 54 will be removed. To ensure existing tree cover is maintained, 1 for 1 compensation is required for any tree (10 cm DBH or greater) that is proposed to be removed. Since 1 tree has been identified as dead, compensation would be required for 53 trees. To ensure that tree planting can be accommodated on site, appropriate setbacks (i.e. 3.0 metres) are required.*

Response:

As noted in the Comment above, 53 trees have been indicated on the TPP as the required 1:1 tree compensation planting. The Preliminary Landscape Plan illustrates the potential for the required compensation and more. Through the design development and site plan approval process, the specific number of proposed trees will be determined. Should a minimum of 1:1 not be achieved, cash-in-lieu will be provided. Appropriate setbacks on the site shall be provided.

#### **Landscape Plan Comments from Stephen Clark**

*Comment: Plans are required to note that "All trees to be planted on the City road allowance are to be selected and planted by the City of Hamilton Forestry section". All trees to be planted on the King Street East and Lawrence Roadside of property should be spaced at 6-8m do to overhead hydro and species are to be low growing. Plans should clearly note property lines, road widening strips and soil volumes at a min of 21 m3 for planting locations.*

Response:

As this Preliminary Plan is developed for Site Plan Approval, the above noted details will be addressed.

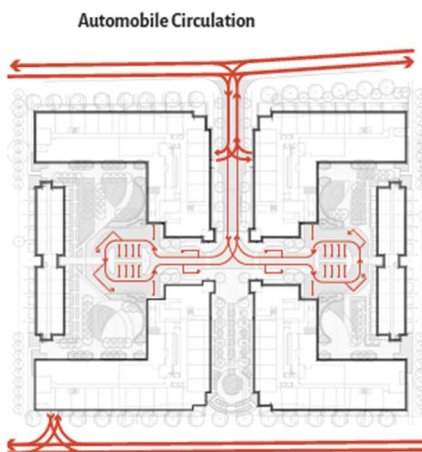
### Urban Design Comments from Ana Crueru

*Comment: Parking garage access*

*The proposed access road has a strong, character defining role in the site organization, establishing a strong view corridor through the site and functioning as a primary pedestrian access to the new neighborhood. If feasible, please consider relocating the garage access points from this road to the interior of the site or to King St and or Lawrence Rd, to avoid overlaps with pedestrian circulation and minimize their prominence in relation to the site layout.*

Response:

Proximity of the garage access points provides the opportunity to create a predominantly pedestrian environment through the bulk of the site. Once south of the access points, a relative few vehicles will enter the site, which would be for the 16 parking spaces, drop offs, and infrequent loading. Vehicular access to the parking garage is also available off Lawrence Ave., which does not require access into the site. In consideration of relocating the garage access points, it has been determined that this configuration is preferable for site layout and minimizing penetration of vehicles into the site, therefore minimizing interaction with pedestrians.



*Comment: Streetscapes*

*The internal road providing access to the new development should have sufficient clearance to provide a minimum 3m wide landscape buffer between apartment units at grade and the public sidewalk. Possibly deeper setbacks can be provided where the road widens.*

Response:

We understand this comment to refer to the private walkways on either side of the entry road. These sidewalks have been adjusted to provide an increased buffer between the units at grade and the walkway. Please note, ground floor units along the entry road do not have direct access from unit to entry road (only through the building).



*Comment: Please provide short term bicycle parking at a few locations on site to support active transportation.*

Response:

Short term bicycle parking has been provided as suggested.

*Comment: Built Form – Contextual compatibility*

*As per previous comments, staff recommend reducing the length of those building slabs facing public streets – or incorporating sun access breaks - as prescribed through the corridor design guidelines. Also please consider introducing stronger (i.e. deeper) elements of articulation horizontally to visually break up the slab length and better respond to the finer grain residential context in this area.*

Response:

A recess has been incorporated to reduce the visual length of the built form along street frontages. The built form is articulated to create a finer grain, stepping in and out in order to break down the massing.

*Comment: Consider lifting podium heights for the mid-rise buildings up to 3-4 storeys, in order to balance out height while retaining a low-rise character at street level.*

Response:

The podium height along King and Lawrence has been increased from 2 storeys to 3 storeys.

*Comment: A higher podium definition (at 3-4 storeys) should be considered for the mid-rise buildings where they face the internal street/mews, to balance the height of the building and break up its perceived height, for pedestrian comfort.*

Response:

Our original 2 storey base podium has been revised to a 3 storey base podium.

*Comment: As per previous comments, please look at opportunities to improve compliance with applicable angular planes (in respect to the street, at 80% ROW, and in respect to adjacent residential properties, at the property line).*

Response:

The massing for the King Street frontages has been reconfigured to fall within the angular plane by reducing the building height from 12 storeys to 9 storeys. The higher portion was relocated to be more centrally located within the site to be under the angular plane.

*Comment: The symmetry of the concept, at the proposed scale, generates the look of a major gateway, accentuated by the central internal mews and road. In the circumstances of a relatively varied, irregular, low to mid-rise urban fabric, without significant destinations, the effect appears somewhat institutional and out of context. Staff recommends offsetting some of the massing balance and symmetry between the 4 districts on site, to avoid this effect and help the new development blend in the neighborhood.*

**Response:**

The reconfigured massing of the King Street buildings resolves the concern about symmetry. The organization of the 4 buildings creates courtyards which organize the pedestrian and vehicular access to the site and building entries, as well as provide outdoor amenity for the residents that is directly adjacent to the indoor amenity areas. The buildings terrace downwards in height to the existing context to the east and west of the site.

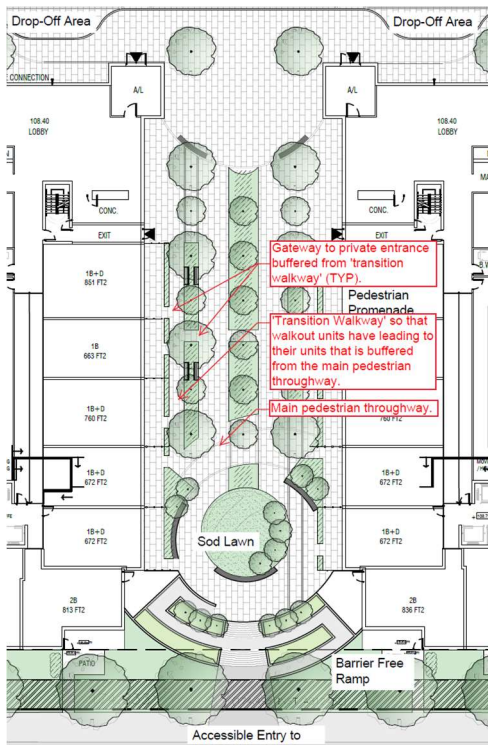
**Comment: Landscape Plan**

As per staff's previous recommendation, please consider enhancing the buffers between grade-related units facing the internal mews and public walkways to improve privacy and amenity for those residents at grade.

**Response:**

There is a hierarchy of space within the pedestrian promenade, as summarized below and annotated in the inserted sketch.

- Private space belonging to the associated ground floor walkout.
- Transition space, which is designed as a component of buffering between public and private space to permit those entering their private space to be able to do without walking directly into or out of the main pedestrian promenade. This also provides a neighbourhood feel for those living in the ground floor units, whereby they can move along the front of their unit and their neighbours with a degree of privacy that would not be available if they were accessed directly from the main promenade.
- Main promenade, which is designed to be wider than the transition walkway and, therefore, more intuitive for pedestrians as the primary north-south throughway.



Sincerely,  
WHITEHOUSE URBAN DESIGN INC.

Le' Ann Whitehouse Seely, OALA, CSLA  
Principal Landscape Architect