431-22 - 175 John Street North, Hamilton (UHOPA-23-012 / ZAC-23-027)				
Commenting Agency	Comment No.	Comment	Responsible Consultant	Response
Natural Heritage (Jessica Abrahamse)	1	Natural Heritage: Please note that a Tree Protection Plan was not requested at the Formal Consultation stage of the planning process. As such, there is no requirement to continue to circulate Natural Heritage staff on this application.	UrbanSolutions	• Noted
	2	Archaeology: The subject property meets 2 (two) of the ten criteria used by the City of Hamilton and Ministry of Citizenship and Multiculturalism for determining archaeological potential: 1) In areas of pioneer EuroCanadian settlement; and, 2) Along historic transportation routes. These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the Planning Act and Section 2.6.2 of the Provincial Policy Statement apply to the subject application. Staff require that a written caution be added to any future site plan as follows: "Caution: Notwithstanding current surface conditions, the property has been determined to be an area of archaeological potential. Although an archaeological materials be found on the property the Ontario Ministry of Citizenship and Multiculturalism (MCM) should be notified immediately (416-212-8886). In the event that human remains are encountered during construction, the proponent should immediately contact both MCM and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-212-7499)."	SRM	• Note to be added for future Site Plan Approval Application.
Cultural Heritage (Chloe Richer)	3	 Built Heritage / Cultural Heritage Landscapes : The subject property is comprised of a circa 1972 building and is located within the Beasley Established Historical Neighbourhood, a complex neighbourhood with a rich history and strong identity, and a high concentration of cultural heritage resources. Accordingly, the following sections of the Urban Hamilton Official Plan, Volume 1, apply: B.3.4.1.3 B.3.4.2.1(g) B.3.4.3.6 In addition, the following sections of the West Harbour (Setting Sail) Secondary Plan, apply: A.6.3.3.3.1 A.6.3.3.7 	UrbanSolutions	• Please refer to Urban Design Brief Comment Response Letter prepared by Whitehosue Urban Design.
	4	Staff have reviewed the subject application and are supportive of the use of masonry cladding within the proposed design. However, staff request further information on the proposed kinetic metal screen on the podium, for example, through photographs of similar facades used in other Established Historical Neighbourhoods in Hamilton or in areas with a high concentration of cultural heritage resources in other municipalities. The applicant may submit this information in the form of an Addendum to the Urban Design Brief prepared by Whitehouse Urban Design, dated December 2022.	Whitehouse Urban Design	 No longer relevant due to a change in Building Elevation and façade design.

5	Notwithstanding that the subject property is located within the Beasley Established Historical Neighborhood, an area with a high concentration of cultural heritage resources, staff are of the opinion that the heritage attributes of the neighbourhood will not be significantly negatively impacted by the proposal. Staff have no further comments on the application as circulated.	UrbanSolutions	• Noted
6	Official Plan Amendment - DO NOT SUPPORT Zoning By-law Amendment – DO NOT SUPPORT Transportation Impact Study – SYNCHRO FILES OUTSTANDING Transportation Demand Management & Transit Oriented Design –MEASURES REQUIRED Right-of-Way Dedications – REQUIRED Site Plan – FUTURE REQUIREMENTS	UrbanSolutions	Noted
7	 Transportation Planning do not support the proposed development: As the site plan requires significant changes in-order to access the underground parking Parking space need to have adequate maneuvering 	SRM / NexTrans	Comment addressed through revised Concept Plan design.
8	Transportation Planning cannot support the Official Plan Amendment UHOPA-23-012 as there will have to be significant changes to the building in- order to access the underground parking.	UrbanSolutions	• Noted
9	Transportation Planning cannot support the Zoning By-law Amendment ZAC-23-027 as there will have to be significant changes to the building in- order to access the underground parking.	UrbanSolutions	• Noted
10	The Synchro supporting files for the analysis have not been provided and are required to be submitted for Transportation Planning to complete their review of the Transportation Impact Study.	UrbanSolutions	 Synchro files forwarded to Daniel Barnett and Transportation Planning March 7th, 2023. Updated Synchro files included with resubmission.
11	Transportation Impact Study provided is stamped by a Professional Engineer, however the stamp is not dated as required under the Professional Engineers Act, accordingly. The TIS shall be revised to ensure the document is stamped correctly.	NexTrans	• Revised Transportation Impact Study & Parking Analysis prepared by NexTrans Consulting Engineers has a dated stamp.
12	 Parking Assessment – Revisions Required: The Parking Assessment provided calculates the required parking under the Downtown Zone regulations (5.6.a.). The subject property however is not in the Downtown Zone, and the calculation must be done under 5.6 c. Resultingly, the proposed building requires 132 to 162 parking spaces which is not sufficiently provided in the current plan. Transportation Planning requires the Parking Assessment to be revised to use the calculation of Section 5.6.c.and to address this deficiency. This is currently addressed correctly in the Planning Justification Report, therefore the application does not require similar revisions. 	NexTrans	 Calculation from Section 5.6 c. has been reviewed and applied to updated analysis.
13	 The Site Plan submitted does not demonstrate proper functionality or is deficient in several areas regarding the layout of proposed parking and interactions with other components of the site accordingly. Transportation Planning requires the following revisions to the Site Plan before reconsidering approval: a. Waste collection vehicles shall enter and exit the site in a forward manner. A revised plan must illustrate Waste collection vehicles entering and exiting in a forward motion and shall not conflict with proposed parking stalls accordingly. 	SRM / NexTrans	• Comment addressed through revised Concept Plan design.
14	b. Based on the turning plans provided on the ground floor, the turning movements onto parking ramps cannot accommodate two-way flow. The plan must be revised to either show and accommodate one-way flows, or to show adequate space for two-way flows onto the ramps and generally turning through and onto the site.	SRM / NexTrans	Comment addressed through revised Concept Plan design.
15	c. The Site Plan must be revised to include dimensions for the useable portion of parking spaces. If a dimension is typical, it is acceptable to dimension only one space and label it as typical, while also dimensioning any spaces which are not typical.	SRM	• Typical space dimensions added to parking spaces on Site Plan.
16	d. The Site Plan must be revised to include dimensions for the driving aisles in the underground parking.	SRM	 Drive aisle dimensions added to Site Plan.
17	e. The Site Plan must be revised to illustrate a turning plan in the underground parking. Turning radii for the parking entrance and for ramps between levels may not be adequate. A turning plan must demonstrate adequate space for two-way flow or otherwise mitigate conflicts.	SRM / NexTrans	• Turning Plan provided in Transportation Impact Study prepared by NexTrans

	18	Transportation Demand Management & Transit Oriented Design – Measures Required Without setting precedent, Transportation Planning does not require a report to be submitted for this application. However, the following TDM and TOD measures are required: a. Provide short-term bicycle parking within the property limits as per the City of Hamilton Zoning By-Law 05-200 for the proposed land use type;	SRM	 Noted, revised Concept Plan provides Long Term bike parking indoors on ground floor and short term parking outdoors.
	19	b. Provide long-term bicycle parking that is secure and shielded from the elements as per the City of Hamilton Zoning By-Law 05-200 for the proposed land use type;	SRM	 Noted, Long Term bicycle parking provided indoors on ground floor.
	20	c. Parking should not be oversupplied and should be unbundled from the cost of purchasing/renting a residential unit;	UrbanSolutions / SRM	• Noted
	21	d. Sidewalks and pedestrian pathways should be a minimum of between 2.5 metres, and up to 4.5 metres if possible;	SRM	Noted
	22	e. Pedestrian walkways, bicycle paths, pedestrian amenities, and clear directional and wayfinding signage will promote connectivity to transit; and	SRM	• Noted
	23	f. Ridesharing, carpooling, promoting active forms of transportation, as well as providing transit passes is encouraged to promote larger density sites.	UrbanSolutions / Owner	• Noted
	24	Right-of-Way Dedications – Required John Street is to be 26.213 metres from Hunter Street to Barton Street as per survey plan P-821(A). The existing right-of-way at the subject property is approximately 20 metres. Approximately ±3.048 metres are to be dedicated to the right-of-way on John Street North.	UrbanSolutions	• 3.0 m R.O.W. widening provided
	25	a. A survey conducted by an Ontario Land Surveyor and at the Applicant's expense will determine the ultimate dimensions for the right-of-way widening.	UrbanSolutions	• Noted
	26	b. The Applicant's surveyor is to contact Geomatics and Corridor Management to confirm the right-of-way dedication requirements.	UrbanSolutions	• Noted
	27	c. Subject to the satisfaction and approval of the Manager, Transportation Planning.	UrbanSolutions	• Noted
	28	Site Plan – Future Requirements The site data chart needs to be updated as it is not consistent one area has 133 units another has 132 units.	SRM	• Noted
Transportation Planning (Bart Brosseau)	29	5.0 metres x 5.0 metres visibility triangles must be provided for the driveway access. They must be illustrated, dimensioned and identified on the site plan. Visibility triangles are between the driveway limits and the ultimate property line (right-of-way limit). No object or mature vegetation can exceed a height of 0.6 metres above the corresponding perpendicular centreline elevation of the adjacent street.	SRM	 5.0 m x 5.0 m visibility tirangle added to driveway access.
	30	For two-way operation onto municipal road, the driveway access width(s) must be 7.5 metres at the ultimate property line and curve radii minimum 6.0 metres.	SRM	• Noted
	31	Transportation Planning requires a minimum 6.0 metres long clearance from the ultimate property line to the entrance to the ramp/turn to the underground parking access to ensure that vehicles will not queue on John Street North while waiting to enter. The 6.0 metres clearance is to be on private property and will ensure one vehicle stacking.	SRM	 Comment addressed through revised Concept Plan design.
	32	Transportation Planning has concerns with the vehicles entering the site to access the ramp to the underground parking. The vehicles entering the site may queue along John Street North or block the sidewalk and interfering with pedestrians. There is poor visibility to enter the underground ramp and there are potential conflicts with vehicles internal to the site as illustrated.	SRM	• Comment addressed through revised Concept Plan design.

33	A turning plan has been illustrated on the site plan but demonstrates that large trucks have limited maneuverability in and out of the site. The Applicant/Owner is required to provide traffic control to allow vehicles in the load area to be able to turn around and leave in a forward manner. The current design will have the trucks backing out from behind a wall with no sightline for traffic entering the parking area and exiting the ramp to L2 parking.	SRM / NexTrans	 Comment addressed through revised Concept Plan design.
34	There is limited maneuvering of vehicles accessing the end parking spaces and accessing the ramps to the underground parking as illustrated in Figure 2.	SRM	• Comment addressed through revised Concept Plan design.
35	The vehicles accessing L2 parking are limited in their maneuvering they are crossing into the path of oncoming traffic while trying to access the parking levels as illustrated in Figure 3.	SRM	• Comment addressed through revised Concept Plan design.
36	The Applicant/Owner must provide a turning plan that illustrates how vehicles will access the ramp down to the Underground Parking. The vehicle that is used in the turning plan needs to be a standard vehicle not a small car.	NexTrans	 Comment addressed through revised Concept Plan design. Access to U/G ramp is now less crowded.
37	The first 7.5 metres of the driveway from the property line shall be a maximum 5% grade and thereafter shall be within a maximum 10% grade.	SRM	• Noted
38	Transportation Planning notes that a maximum grade percentage of 10% is required as per City of Hamilton Comprehensive Development Guidelines for parking garage ramps. The site plan indicates grades in excess of the 10% maximum. When the ramp grades do not conform to City Development Guidelines; as a Special Condition of Site Plan Approval, prior to application for any building permits, a letter certifying the design of the ramp will be required to be provided and signed by a Licenced Architect or Engineer, to the satisfaction of the Manager, Transportation Planning.	SRM	• Noted
39	Long-term permanent dewatering will not be permitted by the City. Foundation and underground levels should be designed accordingly.	UrbanSolutions / Lanhack	• Noted
40	Table 2.1 of the Wastewater Generation Report calculates population of the subject site based on using 2 people per bedroom which is in accordance with City standards for high-density developments (100+upha).	Lanhack	• Noted

	41	Table 2.1 of the Wastewater Generation Report calculates the total peak sanitary discharge rate including infiltration allowance per the requirements of the City's Development Guidelines Chapter E.1.5. No further comments.	Lanhack	• Noted
	42	Section 2.2 of the Stormwater Management Report calculates the 2-year pre-development discharge rate using a C value of 0.70 which is in accordance with the City's GISnet drainage area polygon. No further comments.	Lanhack	• Noted
	43	Section 2.2 of the Stormwater Management Report indicates that the total 100-year post-development storm discharge rate will be overcontrolled to account for the proposed peak sanitary discharge rate. This is in accordance with City standards in the combined sewer network. No further comments.	Lanhack	• Noted
	44	Water Servicing (Public Works – Hamilton Water) Water Demands: • The maximum day domestic water usage for the development, based on the approximate population-based approach, has been calculated as 3.14 L/s. This calculation is acceptable.	Lanhack / C3 Water	• Noted
	45	 Required Fire Flow: The required fire flow (RFF) has been calculated as 9000 L/min (150 L/s) using the Ontario Building Code (OBC) Fire Protection Water Supply Guideline. This calculation was based on a building volume of 51,971.70 m3, a water supply coefficient of 10, and a spatial coefficient of 2.0. Please note that the building floor area, building height, building materials, occupancy and exposure distances should be checked to be compliant with the RFF calculations at the site plan approval and building permit stages. The City's target available fire flow (AFF) for multi-residential land use is 150 L/s. 	Lanhack	• Noted
	46	 Available Fire Flow and Watermain Hydraulic Analysis: The hydrant test by Flowmetrix is missing from the appendices. Please provide a copy of the hydrant test for our records. 	Lanhack	 Hydrant Test by CIMA+ provided in Functional Servicing & Stormwater Management Report prepared by Lanhack.
	47	• Note that Table 4-4 says "true" in relation to meeting the fire flow, where we believe it should say "false".	Lanhack	Meets FF Criteria now says FALSE.
Development Engineering	48	• The proposed works could move ahead with commitment from the owner to upgrade to a 200 mm watermain on John Street.	UrbanSolutions / Owner	Noted
Development Engineering (Aaron Inrig)				
(Aaron Inrig)	49	Sanitary and Minor Storm Servicing (Public Works – Hamilton Water) Sanitary Sewer and Minor Storm Servicing: • The above reports and calculations are deemed satisfactory and HW does not have conditions on the subject development.	Lanhack	• Noted
(Aaron Inrig)	49 50	Sanitary and Minor Storm Servicing (Public Works – Hamilton Water) Sanitary Sewer and Minor Storm Servicing: • The above reports and calculations are deemed satisfactory and HW does not have conditions on the subject development. Stormwater Management • Staff does not have objection to the zoning approval for the subject application from stormwater management perspective.	Lanhack Lanhack	• Noted
(Aaron Inrig)	49 50 51	 Sanitary and Minor Storm Servicing (Public Works – Hamilton Water) Sanitary Sewer and Minor Storm Servicing: The above reports and calculations are deemed satisfactory and HW does not have conditions on the subject development. Stormwater Management Staff does not have objection to the zoning approval for the subject application from stormwater management perspective. Source Water Protection (Public Works – Hamilton Water) As a condition of approval to the satisfaction of Director, Hamilton Water, Source Water Protection would require a Hydrogeological Brief conducted by a qualified professional (P.Eng, P.Geo) that discusses soil/groundwater conditions to properly characterize potential dewatering needs. This brief should discuss seasonal high groundwater levels, excavation depths, dewatering calculations (on a L/s and L/day basis), and if dewatering is required, groundwater quality sampling to compare against Sewer Use Bylaw criteria. The majority of these information requests can be provided if the applicant requires a geotechnical report to support the development without duplication of effort. 	Lanhack Lanhack UrbanSolutions / Owner	Noted Noted Noted
(Aaron Inrig)	49 50 51 52	 Sanitary and Minor Storm Servicing (Public Works – Hamilton Water) Sanitary Sewer and Minor Storm Servicing: The above reports and calculations are deemed satisfactory and HW does not have conditions on the subject development. Stormwater Management Staff does not have objection to the zoning approval for the subject application from stormwater management perspective. Source Water Protection (Public Works – Hamilton Water) As a condition of approval to the satisfaction of Director, Hamilton Water, Source Water Protection would require a Hydrogeological Brief conducted by a qualified professional (P.Eng, P.Geo) that discusses soil/groundwater conditions to properly characterize potential dewatering needs. This brief should discuss seasonal high groundwater levels, excavation depths, dewatering calculations (on a L/s and L/day basis), and if dewatering is required, groundwater quality sampling to compare against Sewer Use Bylaw criteria. The majority of these information requests can be provided if the applicant requires a geotechnical report to support the development without duplication of effort. As information, in order to comply with City of Hamilton Sewer Use Bylaw standards and Temporary Sewer Discharge Permit requirements, discharge location (manhole ID), peak dewatering rate (L/s), and representative water quality will be required. It is recommended to consult with the Superintendent of Environmental Monitoring and Enforcement Group within Hamilton Water as early as possible in the approval process, given that additional review may be required by Hamilton. Water to verify the wastewater system could accept the quantity and/or quality of the discharge. Email sewerusebylaw@hamilton.ca to better understand water discharges to City infrastructure. If dewatering is expected to exceed 50,000 L/day, registration with the Environmental Activity Sector Registry or a Permit to Take Water from the Ministry of Env	Lanhack Lanhack UrbanSolutions / Owner Lanhack / UrbanSolutions	• Noted • Noted • Noted • Noted

	54	The Development Engineering Section recommends placement of a holding provision on the subject land, to remain in place until the Owner enters into and registers on title of the land, an External Works Agreement with the City to address the required upgrade to the municipal watermain on John Street North between Cannon Street East and Robert Street per the recommendations of the Watermain Hydraulic Analysis submitted by C3 Water Inc. dated November 17, 2022, all to the satisfaction of the City's Director of Development Engineering.	UrbanSolutions / Owner	• Noted
	55	The proponent has adequately demonstrated that the total storm and sanitary discharge rate from the subject site is less than the total allowable discharge rate calculated in accordance with City standards for the combined sewer network.	UrbanSolutions	• Noted
	56	The subject site is located within the Downtown Hamilton Community Improvement Project Area (CIPA) and as such: • CDSB is supportive of this proposal in terms of increasing Downtown's residential population and supporting the on-going revitalization of Downtown into a vibrant and attractive commercial district. CDSB staff do not comment on the appropriate scale of developments.	UrbanSolutions	• Noted
Commercial Districts and Small Businesses (Phil Caldwell)	57	 Within the Downtown Hamilton CIPA, the City offers various financial incentive programs to support redevelopment that contributes toward the revitalization of the area. Inquiries regarding the availability and potential eligibility of incentive programs with respect to this proposed development, subject to obtaining all necessary planning approvals, should be directed to: For our tax Increment-based financial incentive program which may also include increased incentives for developments which incorporate housing affordability and/or environmental sustainability measures, including District Energy Building Readiness, please contact Carlo Gorni at 905-546-2424 x2755 or carlo.gorni@hamilton.ca For information on low-interest financial loans for residential development construction, please contact Lisa Browett at 905-546-2424 x7519 or urstudent@hamilton.ca 	UrbanSolutions	• Noted
	58	• The applicant can be advised programs providing financial assistance for the investigation and/or remediation of potential soil contamination on the site may be available. For further information about the City's Environmental Remediation and Site Enhancement (ERASE) programs, please contact Phil Caldwell at 905-546-2424 x2359 or phil.caldwell@hamilton.ca	UrbanSolutions	• ERASE Study Grant Program Applicaton approved November 2023.
	59	• The applicant can be advised that more information on all currently available financial incentive and assistance programs can also be found at https://investinhamilton.ca/tools-data/financial-incentives/municipal-programs/	UrbanSolutions	• Noted
	60	• For more information about District Energy Readiness for new developments and the potential for connections to the Downtown Hamilton District Energy system, the proponent can be directed to contact either David Inkley (david.inkley@hcetechnologies.com) or Michael Crown (Michael.crown@hcetechnocligies.com). A copy of HCE's Design Guidelines for District Energy Readiness are also attached for the applicant's information.	UrbanSolutions	• Noted
Enbridge (Brad Davies)	61	This site is currently serviced with gas. Prior to redevelopment, the existing gas service will need to be abandoned. I suggest that the developer reach out to me directly to begin initial consultation. Urban sites present additional challenges when designing for gas servicing and clearances. When gas loads are known, we can conduct a capacity review on the available gas mains in the area. Note: It is recommended that submissions for gas servicing be applied for a minimum of 10 months in advance of the gas need date. 12 months if a gas main extension is required.	UrbanSolutions / Owner	• Noted
Growth Management (George Zajac)	62	It should be confirmed if tenure for the subject proposal will be a Condominium. Please note a PIN Abstract would be required with the submission of a future Draft Plan of Condominium application. If condominium, it should also be confirmed if the proposed parking and any proposed storage lockers will be unitized. Staff defer to Development Planning for further comment; and,	UrbanSolutions / Owner	• Noted
(,,,,,,,,,,	63	The Owner and Agent should be made aware that the addresses for this proposal will be determined after Conditional Site Plan Approval is granted.	UrbanSolutions / Owner	• Noted
	64	The site plan illustrates a single waste chute system. Large multi-residential buildings are required to have a waste separation system that includes three separate chutes, one for the separate collection of recyclable containers, recyclable papers, organic waste, and garbage. The chute for recyclable material must be equipped with a bi-sorter to divide material into fibres and containers. Additional information shall be provided on the proposed method to collect the four waste streams. The chute system will require appropriate safety measures and shall be restricted from public access.	SRM	• Private waste pickup will be used for this site.

65	The Waste Management Plan indicates that four front-end bins will be used for the collection of garbage; twenty 360-litre carts for the collection of recycling; and ten 120 -litre carts for organics, which is inconsistent with City's Waste Requirements for Design of New Developments for large multi-residential buildings. The collection service method must be consistent across all waste streams. Large multi-residential buildings greater then 6-storeys with waste chute systems are required to use front-end bin containers for the efficient collection of garbage, recycling, and organic waste materials. The Applicant is asked to clarify the level of service for the development.	SRM	 Private waste pickup will be used for this site.
66	 A development with 132 residential units will require sufficient waste containers to service all units as follows: 6 front-end bin containers (3 cubic yard size) for recycling collection. Separate front-end bin containers shall be provided for the collection of recyclable paper materials and recyclable container materials. 2 front-end bin containers (2 cubic yard size) for organic waste collection. 4 front-end bin containers (3 cubic yard size) for compacted garbage. Each front-end bin requires a minimum storage space of 5.0 m2. 	SRM	 Private waste pickup will be used for this site.
67	The Waste Management Plan indicates two separate internal waste storage rooms within the development. The size of the internal waste storage area designed to contain the front-end bin containers for garbage and carts for recycling, is 52.3 m2. The size of the second internal waste storage area designed to store carts for recycling and organics is 42.3 m2. A large multi-residential building with 132 dwelling units will require 70 m2 of space to store waste front-end bin containers for compacted garbage collection, recycling, and organics, and 10 m2 for storage of bulk waste and cardboard. Although the combined sizing of the two separate internal waste storage areas meets the City's requirements, the Applicant is required to clarify the service level for the development.	SRM	 Private waste pickup will be used for this site.
68	An internal storage room that is ventilated, rodent-proof and separate from the living space with adequate space to store the front-end bin containers for the building. The storage room must comply with the Ontario Building Code. Waste containers for collection of recyclable materials, organic waste and garbage must be placed near one another in a clean and well-lit location.	SRM	 Private waste pickup will be used for this site.
69	Information is required regarding how waste material will be moved from the waste storage area to the waste loading area.	SRM	 Private waste pickup will be used for this site.
70	The Waste Management Plan, Transportation Plan and the site plan do not indicate the size of the waste loading area. The loading area must be a minimum of 3.5 metres wide by 13 metres long.	SRM / NexTrans	 Private waste pickup will be used for this site. Loading area dimensions shown on Floor Plan
71	The Waste Management Plan and the site plan do not include information concerning the size of the waste staging pad to temporarily store the front- end bins on waste collection day. The staging pad will require at least 25 m2 of space.	SRM	• Private waste pickup will be used for this site.
72	The waste loading area requires additional information on the following: • The proposed waste loading area requires a vertical clearance of 7.0 metres.	SRM	• Private waste pickup will be used for this site.
73	The Transportation Plan and the site plan illustrate the waste collection vehicle backing up into entrance of the ramp for the L2 underground parking area. The travel path of the collection vehicle must be unobstructed and cannot be over areas used for other purposes.	SRM / NexTrans	 Comment addressed through revised Concept Plan design.
74	 Information is missing concerning the proposed travel route for the waste collection vehicles. The travel route requires the following information: Include turning radii for all turns The site plan illustrates a 6-metre access route width from the centre line for all internal roads which meets the City's requirements. Access routes shall have a minimum overhead clearance of 4.4 metres 	SRM	• Noted

Waste Management (Diane Butterworth)

	75	 The following requirements must be shown on the site plan to receive municipal waste collection: Loading and staging area shall meet the following requirements: the staging pad shall be at grade or not more than 1.0 metres above the loading area the loading and staging area shall be in an area which avoids potential conflicts with pedestrian or vehicle traffic Access roads shall meet the following requirements: access routes have a maximum grade of 8%. access routes have a minimum overhead clearance of 4.4 metres The road base over a supported structure must support of minimum of 35,000 kilograms and 6,000 kilograms point load. The loading area shall be constructed with a minimum of 0.02 metres of reinforced concrete. The vehicle travel path will require traffic safety signage, which includes: No parking signs will be installed along all loading areas, vehicle turnaround areas and along one-way drives which are part of the waste collection vehicle access route. 	SRM / Owner	• Private waste pickup will be used for this site.
	76	 The following notations must be included on the Draft Plan Approval: 1. An "Agreement for On-site Collection of Municipal Solid Waste" must be completed and executed in order to receive municipal waste collection for the residential dwellings on the private road. The developer is responsible for all waste removal up until the time that an "Agreement for On-site Collection of Municipal Solid Waste" is finalized, and municipal collection services are initiated. 2. The developer must provide a signed letter from a professional engineer certifying that the road base along the access route can support at least 35,000 kilograms. 3. Prior to the start of municipal waste collection service, the development must be free of construction debris and construction related activities. 	UrbanSolutions / Owner	• Noted
	77	Height Requirements: Non-Conforming NOTE: the applicant shall ensure that building height is calculated in accordance with the definition of building height in order to accurately confirm the height (metres). 	UrbanSolutions	• Noted
	78	Area Requirements: Side Yard Unable to Determine Compliance The distance between the 2 storey podium and the angled (side) lot line at the southwest corner of the lot has not been indicated. All other setbacks conform as amended. 	SRM	 Please refer to Zoning Sketch prepared by UrbanSolutions for setbacks.
	79	Landscaped Area Appears to Conform as Amended The Applicant shall ensure that the percentage provided does not include the area dedicated for road widening. 	SRM	 Landscaping Area is calculated exclsive of the road widening.
	80	Yard Encroachments - Balconies • Unable to Determine Compliance	SRM	 Please refer to Zoning Sketch prepared by UrbanSolutions for balcony encroachments.
Zoning (Matthew Stavroff)	81	Minimum Number of Parking Spaces • Non-Conforming as the required number of parking spaces are to be rounded up to the nearest whole number, the number of parking spaces does not conform. It is also recommended that the draft amending by-law further regulate and/or limit the number of spaces which may be provided in the form of small car / barrier free spaces.	SRM / UrbanSolutions	 Noted, parking ratio has been updated for revised Concept Plan.
	82	Minimum Number of Visitor Spaces Non-Conforming please note that based on this regulation, 26 of the 80 required parking spaces shall be reserved as visitor parking spaces. It is suggested that the applicant considered repealing this regulation for this site-specific zoning in order to facilitate this development. 	SRM / UrbanSolutions	• Noted
	83	Minimum Parking Space Size Unable to Determine Compliance please also be advised that it is recommended that the draft amending by-law also specify the minimum required size of a barrier free and small car space. 	SRM / UrbanSolutions	• Typical space dimensions added to parking spaces on Site Plan.

	84	Minimum Number of Loading Spaces Conforms as Amended It is recommended that the draft amending by-law should also specify the minimum required loading space size. 	UrbanSolutions	 Minimum Loading space required added to Draft Zoning By-law prepared by UrbanSolutions.
	85	We will request cash-in-lieu of parkland dedication as part of any future application.	UrbanSolutions / Owner	• Noted
Landscape Architecture (Meghan Stewart)	86	JV - The existing 150mm-dia. watermain on John Street North is scheduled to be replaced with a 200mm-dia. watermain along the frontage of the subject lands in 2025. Servicing to the site should be designed to take this upgrade into consideration. Scheduling of works should also be coordinated with Public Works to avoid conflicts with construction in the right-of-way.	UrbanSolutions / Owner	• Noted
	84	West Harbour (Setting Sail) Secondary Plan 19 storey tall building is in the opinion of staff not appropriate. Staff are of the opinion that there is merit to increase the maximum building height beyond the current maximum of 5 storeys and therefore encourage exploring revisions in the design to explore design with a lower maximum building height. 	SRM	• Building height has been reduced to 12 storeys.
	85	• Provisions for providing 3 bedrrom untis should be provided.	SRM	 The opportunity for 3 bedroom units was explored but did not work with our reduced height and massing.
	86	 Urban Design Proposed building encroaches into the 45^o built to plane at approximately the 7th storey, therefore the majority of the massing approximately 2/3 of the building will encroach into the built to plane. 	SRM / UrbanSolutions	• Please refer to revised Angular Plane Sketch prepared by UrbanSolutions and analysis of the new Angular Plan in Cover Letter.
	87	• The proposed design of the building base provides limited animation of the street, with a significant portion of the ground floor street façade consisting driveway / driveway ramps, whereas the lobby area is recessed behind other use such as the parcel/mail room thereby limiting animation of the street and the amenity area half of which is recessed behind a transformer thereby limiting animation of the street. The second floor along the street façade is comprised of parking rather than more active uses such as residential thereby further limiting the animation of the street. Active uses should be predominate along the ground floor to maximize the animation of the street and structured parking should be focused below grade and when provided above grade should be banded by active uses facing the public realm.	SRM	 Driveway access has been shifted north to allow for more animation of John St by the building façade. The lobby, indoor amenity spaces and a paved outdoor space now occupy the length of the façade along John St N. Transformer is has been moved to landscape area close to north property line and no longer takes up space along the building facade.
	88	• The vision of the Secondary Plan is for new development to not emulate these existing high rise apartments but to maintain the scale of development outlined in the Secondary Plan	UrbanSolutions	Height of proposed building has been reduced and is no longer equal to neighbouring existing high rise apartments.
	89	 City of Hamilton Zoning By-law No. 6593 Staff note that while a modification to the "E-3" district would be for 1 additional storey and an additional 3m, the current envisioned height in the secondary plan is 5 storeys and the current Zoning restricts the height to 8 storeys / 26m. The proposed increase therefore represents a significant modification from what is both permitted and envisioned. 	UrbanSolutions	• Proposed building height is now 12 storeys / 40.2m.
	90	• As outlined in the Secondary Plan section above the proposed development will result in a significant encroachment into the build to plane, with the build to plane intersecting the proposed building at approximately the 7th storey, therefore the existing height restriction in the by-law would result in approximately 1 storey encroaching into the build to plane whereas the proposed scale of development would result in approximately 2/3 of the building encroaching.	UrbanSolutions	 Please refer to revised Angular Plane Sketch prepared by UrbanSolutions and analysis of the new Angular Plan in Cover Letter.
	91	• In addition the proposed height would be considered to be a tall building and therefore the evaluation of tall building guidelines and appropriate setbacks and stepbacks for a tall building would need to be provided.	UrbanSolutions	• Height of proposed building has been reduced to 12 storeys and therefore no longer considered a tall building and is not subject to tall building guidelines.

92	• In the opinion of staff given the proximity of the property to the downtown, proximity to existing transit and through the provision of bicycle parking there is merit for a reduction in required parking, however it is the opinion of staff that the reduction being sought is not appropriate and therefore a higher parking ratio is required.	SRM / UrbanSolutions	• We are requesting more of a reduction in parking ratio. From 0.59 to 0.32, however bicycle parking has been increased from 70 spaces to 100 spaces. There is merit for this reduction in vehicle parking and focus on bicycle parking due to the sites location in the downtown core and excellent access to public transit.
93	• While section 4.3.2 is noted in the Planning Justification Report (PJR) an analysis of this section does not appear to have been provided with respect to this section of the Corridor Planning Principles and Design Guidelines. Nor does the PJR provide a detailed analysis of the angular plane sketch and provide detailed justification for the substantive encroachment being proposed.	UrbanSolutions	 Please refer to Cover Letter prepared by UrbanSolutions.
94	• The proposal does incorporates stepbacks of 3.0 metre or greater from the building base for the side yard and rear yard, for the front yard a 4.0 metre stepback is proposed for the majority of the façade is not being provided for the southerly most portion of the front façade.	SRM / UrbanSolutions	 Front yard setback increased from 0.5m to 2.05m the full length of the ground floor façade.
95	• The proposed development will incorporate a setback of at least 12.5m from the rear lot line but is providing less than 12.5m to the north and south lot lines, with the proposed 3.5m setback from the south represents a significant reduction in this required setback.	SRM / UrbanSolutions	Setbacks have been increased at all lot lines in revised Concept Plan.
96	• Greater in depth review of the stationary noise sources in the area is required. The acoustical analysis undertaken in respect to development at 179- 189 Catharine Street North located to the north east (backing on to McLaren Park) identified noise levels resulting from the auto repair garages along Cannon Street East that were significant enough that it warranted a Class 4 area re-classification for that development. As the distance of the proposed development from these noise sources is comparable to that of 179-189 Catharine Street North it is possible that similar noise impact may be experienced by proposed development. Given this a detailed review of the stationary noise sources is warranted.	dBA Acoustical Consultants	 Please refer to Noise & Vibration Study Comment Response
97	• As Class 4 area re-classification requires approval from Planning Committee and Council, the detailed review of the stationary noise sources should occur prior to the applications for OPA and ZBA being brought before Committee and Council, so that if Class 4 area re-classification is required it can be addressed at the same time.	dBA Acoustical Consultants / UrbanSolutions	 Please refer to Noise & Vibration Study Comment Response
98	• The receptor locations identify the south, east, and west, however the north elevation is not mentioned, the receptors are noted only by the façade and height but the receptor locations are not being identified on the Site plan. Staff also note that the proposed terrace patio is L shaped, given the shape of the terrace and it presence along multiple sides of the building multiple points for the OLA should be evaluated.	dBA Acoustical Consultants	 Please refer to Noise & Vibration Study Comment Response
99	• Additional evaluation of noise impacts is required to review and specifically identify all potential stationary noise sources that may impact the subject lands particularly the existing automotive repair garages in the area which have been identified in other applications in the area as having an acoustical impact.	dBA Acoustical Consultants	 Please refer to Noise & Vibration Study Comment Response
100	• While the guidelines base shadow impacts on the conditions at the equinox, the information for the conditions at the solstices is helpful in track the extent of the impacts over the course of the year.	SRM	 Please refer to revsied Sun Shadow Study prepared by SRM Architects.
101	• The shadow study uses a series of colours to try to depict various elements such as proposed shadow, by right shadows, amongst others, however the way they are being depicted on the mapping makes it difficult for staff to evaluate. In addition there are colours identified on the plan that are not referenced in the legend (ex. dark red areas are shown but it is not explained what the dark red area represents, or there is a teal colour shown but it is not explained what the teal colour represents).	SRM	 Please refer to revsied Sun Shadow Study prepared by SRM Architects.
102	• A revised addendum is required to better differentiate the different elements that are attempting to be demonstrated and to clearly identify the various elements shown, or alternatively the different elements could be provided on separate plans (ex. existing as of right shadow condition vs proposed shadow conditions) if it cannot be clearly articulated on a single plan.	SRM	 Please refer to revsied Sun Shadow Study prepared by SRM Architects.
103	• The balcony terrace identified in the wind study appears to be limited to just the north side of the proposed tower whereas the terrace shown on the concept plan shows the balcony terrace to both the north and west of the tower. Revision to the wind study is required to align with the full scope of the terrace and should identify more points covering a larger section of the terrace.	Gradient Wind	 Comment addressed through Wind Study Addendum dated October 5, 2023.
104	• An updated wind study is required to demonstrating how wind is being mitigated and demonstrate the resulting wind conditions based on the mitigation measures.	Gradient Wind	 Comment addressed through Wind Study Addendum dated October 5, 2023.

Planning (Daniel Barnett)

	Public Consultation Strategy			
105	• It should be clarified as to how members of the public will be informed of the project microsite. Additionally it is recommended that in addition to providing information to the public the microsite should also allow for members of the public to provide comments to the applicant respecting the	UrbanSolutions	 Please refer to Cover Letter prepared by UrbanSolutions. 	
	proposed development.			
106	Staff will required details as to the number of parties who accessed the microsite, how many interested parties reached out to the applicant's agent and any comments received by the applicant's agent through their public outreach	UrbanSolutions	• Noted.	
	Decing any contractor centred by the applicant's dependent of the point out reach			
107	Planning staff are also of the opinion that the proposed development does not respond to the context of the surrounding area, based on the proposed size of the size relative to the height, statack, landscaping and access of the proposed development	SRM / UrbanSolutions	• Comment addressed through revised Concept Plan design.	
	Planning staff are in agreement with the opinion that a revisions in the building design are appreciate including a reduction in building height and			
108	increase in setbacks/stepbacks, and increased opportunity for landscaping, would make for a more compatible development that responds to the	SRM / UrbanSolutions	 Comment addressed through revised Concept Plan design. 	
	Diagonal staff chare the concern with respect to the building massing significant encroachment to the build to angular plane			
109	• Planning start share the concern with respect to the building massing significant encroachment to the build to angular plane.	SRM / UrbanSolutions	 Please refer to revised Angular Plane Sketch prepared by UrbanSolutions and analysis of the new Angular Plan in Cover Letter. 	
110	• Planning staff share the concern with respect to the shadowing of McLaren Parking located across the street, particularly given that shadowing is to occur in the later part of the day when use of the park would likely be greatest on school / workday.	SRM / UrbanSolutions	Please refer to revsied Sun Shadow Study prepared by SRM Architects.	
111	• Planning staff share the concerns with respect to wind impacts and also encourage the use of architectural elements to address to uncomfortable wind conditions.	SRM / Gradient Wind	• Comment addressed through revised Concept Plan design.	
112	• Planning staff recognize that the site has merit for intensification, including intensification beyond the current limitations of the West Harbour Setting Sail Secondary Plan, however staff do not believe that the proposed development represent the appropriate scale of development. A reduction in scale including height and massing from what is proposed would be appropriate and allow for a more compatible development.	SRM / UrbanSolutions	 Comment addressed through revised Concept Plan design. 	
113	• The proposed development is not consistent with the policies of the West Harbour Secondary Plan respecting a comfortable and interesting pedestrian environment, as the proposed development does not provide for appropriate animation of the street within the proposed building base. Increased animation of the street by providing more active uses along the street both within the ground floor and in the balance of the building base is recommended.	SRM / UrbanSolutions	 Driveway access has been shifted north to allow for more animation of John St by the building façade. The lobby, indoor amenity spaces and a paved outdoor space now occupy the length of the façade along John St N. Transformer is has been moved to landscape area close to north property line and no longer takes up space along the building facade. 	
114	• Additional information, revisions to studies and reports are required including updated Wind Study, Noise Study, Sun Shadow Study, Public Consultation Response. Additionally, staff note that updated studies/reports and plans may be needed to reflect any revisions to the proposed development. A detailed comment response needs to be included in any future re-submission for this application.	UrbanSolutions	• Noted	
115	Site plan, Circulation and Layout The entrance to the underground parking ramp appears to be smaller than for the 2nd floor parking ramp. Please confirm vehicle movements. 	SRM	 Comment addressed through revised Concept Plan design. 	
116	• The 3rd floor roof terrace area (shaded tan) is quite a bit smaller than the outline of the 2nd level below- please confirm if the roof terrace is restricted to the shaded area or includes the larger roof area. If applicable provide details of the roofing material beyond the terrace extents.	SRM	 No longer relevant due to a change in Concept Plan design. 	
117	• The side-yard setback on the south property line struggles to provide transition and breathing space for future development with only 1m setback, and 3m set back above the 2nd storey with vertical structural fins stretching-outward and reducing the setback to approximately 1.5m	SRM	Comment addressed through revised Concept Plan design.	

	118	• The site plan does not show the adjacent residential tower to the north, nor provide a separation distance to the proposed tower.	SRM	 Setback to tower to north increased through revised Concept Plan design.
	119	Elevations, Massing, & Built-form There is little interaction with the street due to limited view from the ground floor and parking for the entire 2nd floor – Residential units would be appropriate to face John Street N. 	SRM	 Comment addressed through revised Concept Plan design.
	120	• The tower mass is broken into three components however the tallest mass also includes the mechanical penthouse and is located on the southeast. If the mechanical penthouse was centered over the tower, or on the southwest corner, the afternoon shadow impact would be reduced.	SRM	 Comment addressed through revised Concept Plan design.
Urban Design (Edward Winter)	121	• The angular plan along John St N has not been used to guide the design of the tower massing.	SRM	 Comment addressed through revised Concept Plan design. Please refer to revised Angular Plane Sketch prepared by UrbanSolutions and analysis of the new Angular Plan in Cover Letter.
	122	• There is a fair amount of blank wall area on the corners of the tower, confirm if additional windows would be possible– particularly on the east facing wall fronting John Street North and McLaren Park.	SRM	 Comment addressed through revised Concept Plan design.
	123	• Provide additional details of kinetic wall image and confirm if provisions will be made to limit associated noise produced by the moving metal parts.	SRM	 No longer relevant due to a change in Concept Plan design.
	124	Landscape Plan the two landscape planting areas (inside of the Road widening) are pushed out the edges away from where residents and guests will enter the building. The site plan should be reviewed for additional opportunities to include landscape plantings, particularly at grade and relating to the entrance, but also at Roof terrace levels where residents and their guests will appreciate. 	Whitehouse Urban Design	 Please refer to revised Landscape Plan prepared by Whitehouse Urban Design.
	125	• Green roofs and/or roof plantings with landscaping could be used to mitigate the storm water demand created by building roof surfaces – which could be appropriate when landscape areas are reduced.	Whitehouse Urban Design	 Revised Concept Plan provides additional landscape areas to assist with storm water drainage. No green roofs provided.
	126	 INFO ONLY: At future site plan confirm details of any roof-level landscaping as part of Landscape Plan submission. 	Whitehouse Urban Design	• Noted
	127	Wind Study Reviewed – INFO ONLY: At future site plan application, mitigation measures should be detailed to address expected wind impacts noted in the report. 	SRM	• Noted