



January 22, 2024

370-20

**Via Email**

Mr. Michael Fiorino,  
Planner II, Development Planning, Heritage and Design

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

Dear Mr. Fiorino:

**RE: 559 Garner Road East, Hamilton  
Official Plan & Zoning By-law Amendment Resubmission No. 2 (UHOPA-21-022 / ZAC-21-047)**

As you know, UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions), is the authorized planning consultant for Garner South M.D. Developments Inc. (Owner) and is pleased to provide the following Official Plan & Zoning By-law Amendment resubmission for the lands known municipally as 559 Garner Road East, in the City of Hamilton, on their behalf.

Since our last submission, Development Planning staff, Urban Design staff and our team have been in discussions surrounding the proposed retaining wall which runs along the northern property line. Urban Design noted several concerns with the retaining wall design, including the perceived difficulty to maintain the 0.9-metre-wide area between the retaining wall and the abutting property to the north. This concern is adequately addressed through the future maintenance of the property by either the property manager or condominium corporation. As with any area on a property, the maintenance of the 0.9 metre setback to the retaining wall will be assured by a responsibility of the property owner to keep the site clear of refuse and debris. Further, Urban Design requested that the guardrail proposed on top of the retaining wall be changed to a privacy fence to mitigate impacts from vehicle headlights. This change has been accommodated on the supporting material provided and a privacy fence is now proposed on top of the retaining wall. Urban Design also suggested that the parking garage floor be sloped to reduce the need for the retaining wall. However, this change is cost-prohibitive and overly onerous. The perceived impacts of the proposed retaining wall can be considered to be negligible when contemplating the build out of the abutting site to the north, which is proposed to establish a privacy fence and landscaping along their southern property line. A Perspective drawing and Section drawing of the retaining wall interface has been included in this submission for review.

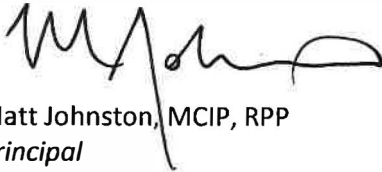
In support of the Official Plan Amendment and Zoning By-law Amendment resubmission, please find enclosed the following:

- One (1) copy of the Architectural Drawing Set inclusive of Sun/Shadow Study prepared by SRM Architects;

- One (1) copy of the Letter Certifying Proposed Grade of Parking Ramps prepared by SRM Architects;
- One (1) copy of the Retaining Wall Section Drawing prepared by SRM Architects;
- One (1) copy of the updated Master Comment Tracking Chart prepared by Project Team;
- One (1) copy of the draft Official Plan Amendment prepared by UrbanSolutions;
- One (1) copy of the draft Zoning By-law prepared by UrbanSolutions;
- One (1) copy of the Arborist Report prepared by Davey Resource Group;
- One (1) copy of the Tree Protection Plan prepared by Davey Resource Group;
- One (1) copy of the Landscape Plan prepared by MSLA;
- One (1) copy of the Functional Servicing Report prepared by Odan Detech Group Inc.; and,
- One (1) copy of the Grading & Servicing Plan prepared by Odan Detech Group Inc.

We look forward to working with you and your staff in the review of this application. Should you have any questions or require anything further, please do not hesitate to contact the undersigned.

Kind Regards,  
**UrbanSolutions**



Matt Johnston, MCIP, RPP  
*Principal*



Scott Beedie, MCIP, RPP  
*Planner*

cc: Garner South M.D. Developments Inc.