

**175 John Street North, Hamilton** (City File: UHOPA-23-012 / ZAC-23-027) {U/S File: 431-22}

**Response to Submission No.2 Comments**

Date: 2024-12-09

Agency / Department	Comment #	Comment	Responsible Party	Response
CoH Cultural Heritage (Emily Bent)	1	Staff recommend extending the masonry cladding across the first storey and suggest that the applicant consider additional masonry cladding on the upper storeys.	SRM	See revised <i>Prelim. Elevation Plans</i> . Brick masonry is proposed up to the 4th-storey.
	2	<b>Transportation Assessment – Revisions Required</b> The TIS states that the development will provide one bicycle repair station on-site. The site plan and floor plan that Transportation Planning reviewed need to identify the location of the bicycle repair station. The TIS stated in “Figure 12-Potential Bicycle Repair Station Location”.	SRM	See revised <i>Ground Floor Plan</i> for proposed bike repair station located outside of bike storage room.
	3	There is a discrepancy between existing traffic and background traffic. Existing southbound John Street North and Robert Street have 106 PM and 77 AM trips, and the background growth has 106 PM and 77 AM trips. There should be a difference between at a rate of 1% for 8 years should be an increase of 8 vehicles.	NexTrans	See revised <i>Transportation Impact Study</i> .
	4	7.3. Traffic Calming states that traffic calming is “not required on John Street North in the proximity of the proposed development at this time”. “At this time” indicates that traffic calming will be required, so at what time would traffic calming be required?	NexTrans	See revised <i>Transportation Impact Study</i> .
	5	8.1 Zoning By-law Vehicle Parking Requirements- Use the most up-to-date Zoning By-law. The 2009 Zoning by-law is out of date as of the time of the TIS update. The Traffic Consultant should be using the 2021 Zoning By-law 05-200. Further updates should be using current By-laws and policies.	NexTrans	See revised <i>Transportation Impact Study</i> . (However, note that CZBL No. 05-200 does not apply as the lands are bound by the former CZBL No. 6593)
	6	The proposed reduction in parking by 65% (77) parking spaces is aggressive. Please provide justification and reasoning for the proposed reduction in parking provided.	NexTrans / UrbanSolutions	<p>See revised <i>Transportation Impact Study</i>.</p> <p>Council has approved new parking regulations under CZBL 05-200. Therefore, this remark is inconsistent with Hamilton's new regulations / objectives, despite their applicability. But it's also inconsistent with the comment above as they're referring to different Zoning By-laws.</p> <p>Regardless, the site is highly walkable with close proximity to neighbourhood commercial + institutional uses, parkland, public service facilities, and local &amp; regional transit. Multi-unit apartment buildings also have lower dwelling occupant loads based on their correspondingly smaller unit floor areas which yields a lower parking demand than ground-related housing. Lastly, providing more housing in compact mixed-use neighbourhoods improves the viability to live a car-light, or car free lifestyle given the enhanced provisions for transit and local economic activity thanks to increased population density.</p> <p>See also, CMHC Research - "<i>Impact of minimum parking requirements for multi-family residential buildings on housing affordability</i>"</p> <p>Lastly, the recently approved parking regulations (05-200), only require 2 visitor stalls + 0.05 / unit. Thus, the proposed off-street parking supply well exceeds that which would now be required by Council.</p>
	7	8.3.3 Existing Modal Share; Transportation Planning notes that this development is technically not part of the Downtown area; it is outside the downtown area.	NexTrans	See revised <i>Transportation Impact Study</i> .
	8	The TIS states reduction in parking spaces makes the housing units more affordable. How many of the 126 units will be affordable housing?	UrbanSolutions	<p>Proposing '<i>more affordable</i>' housing does not imply the units will meet the strict Provincial (PPS) definition for '<i>affordable</i>'. Academic research has repeatedly shown off-street parking requirements are directly linked to less affordable housing stock.</p> <p>See CMHC Research - "<i>Impact of minimum parking requirements for multi-family residential buildings on housing affordability</i>"</p>
	9	10.1.3. The description of the Sidewalks and Pathways is describing a different area of the City of Hamilton.	NexTrans	See revised <i>Transportation Impact Study</i> .

CoH  
Transportation Planning  
(Bart Brosseau)

10	The AutoTURN Analysis MSU TAC-2017 has the vehicle colliding with the building. See Figure 3	NexTrans / SRM	See revised <i>Transportation Impact Study</i> & Swept Path diagrams.
11	Cannon Street and John Street the Traffic consultant has identified that there was a vehicle driving in the wrong direction on cannon and not identified as bicycles on the cycle track. (page 113 on the electronic pdf)	NexTrans	See revised <i>Transportation Impact Study</i> .
12	Appendix C Background Developments; The highlighted numbers below are incorrect number of trips.	NexTrans	See revised <i>Transportation Impact Study</i> .
13	<b>Neighbourhood Traffic Calming Options Report – Clarification Required</b> The Traffic Consultant stated in 7.3. Traffic Calming is “not required on John Street North in the proximity of the proposed development at this time”. “At this time” indicates that traffic calming will be required, so at what time would traffic calming be required?	NexTrans	See revised <i>Transportation Impact Study</i> .
	<b>Transportation Assessment – Revisions Required</b> 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:		
14	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	See revised <i>Swept Path</i> diagrams.
15	The Site Plan must be revised to include dimensions for the driving aisles in the underground parking.	SRM	The <i>Site Plan</i> does not illustrate sub-grade information. <i>Floor Plans - Level P1 - P2</i> provide typical 6.0 m drive aisles and <i>Level P2</i> has been updated to label the continued (6.0 m) drive aisle.
16	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 with structures/vehicles.	NexTrans / SRM	See revised <i>Transportation Impact Study</i> & Swept Path diagrams. The <i>Site Plan</i> does not illustrate sub-grade information.
17	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	UrbanSolutions / SRM	We're simultaneously being asked to comply with the bike parking requirements of CZBL 05-200 but not the corresponding car parking regulations. The new 05-200 parking regulations are currently not in force or effect because the property zone hasn't transitioned.  Regardless, the revised <i>Site Plan</i> & building plans comply with the Long-term and Short-term bike parking regulations of CZBL No. 05-200.
18	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	NexTrans / SRM	See revised building plans for long-term bike parking which complies with CZBL No. 05-200 (despite not being in force or affect).
19	Sidewalks and pedestrian pathways should be a minimum of between 2.5 metres, and up to 4.5 metres if possible	UrbanSolutions	Ok
20	Pedestrian walkways, bicycle paths, pedestrian amenities, and clear directional and wayfinding signage will promote connectivity to transit	UrbanSolutions	Ok
21	Ridesharing, carpooling, promoting active forms of transportation, as well as providing transit passes is encouraged to promote larger density sites.	UrbanSolutions	Ok
22	<b>Right-of-Way Dedications – Required</b> The Council Approved Urban Official Plan: Schedule C-2 - Future Right-of-Way Dedications. 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. 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. b. The Applicant’s surveyor is to contact Geomatics and Corridor Management to confirm the right-of-way dedication requirements. c. Subject to the satisfaction and approval of the Manager, Transportation Planning.	A.T. McLaren	An updated legal <i>Survey Plan</i> and <i>Draft Reference Plan</i> will be prepared in consultation with Geomatics staff, and the Owner’s surveyor & solicitor.
23	<b>Site Plan – Future Requirements</b> 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.	UrbanSolutions	Staff are supportive of a 3.44m visibility triangle. Confirmed in June 18th meeting with Transportation Planning Staff.
24	The Applicant/Owner must provide a turning plan that illustrates how vehicles will access the ramp down to the Underground Parking	NexTrans / SRM	See revised <i>Transportation Impact Study</i> & Swept Path diagrams.
25	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.	UrbanSolutions	The ramp starts over 35 m from the front lot line. The architect is aware of this requirement and the acceptable slope will be verified at the SPA stage.

	26	The turning plan for the MSU TAC-2017 is demonstrating the vehicle driving over the curb.	NexTrans / SRM	Refer to <i>Swept Path</i> diagrams (Figures 13-16) prepared by NexTrans. No vehicles breach curbs.
	27	Passenger car contacting structure.	NexTrans / SRM	See revised <i>Swept Path</i> diagrams (Figures 13-16) . (Note these are pavement markings not part of the structure.)
	28	<b>Special Conditions of Future Site Plan Approval – Required</b> 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 / UrbanSolutions	Ok. (SPA matter)
	29	As a Special Condition of Site Plan Approval, prior to application for any building permits, a letter of intent is required to be provided to be signed by the Owner indicating the intention to unbundle the cost of a parking stall from the cost of an individual residential unit.	UrbanSolutions	Ok. (SPA matter)
CoH Development Engineering (Matthew Gula)	30	As indicated in the hydraulic analysis and FSR, the existing 150 mm ~ watermain on John Street North is required to be replaced with a 200 mm Ø watermain from Cannon Street East to Robert Street to meet the development’s requirements. This should be shown on the servicing drawings.	Lanhack	See revised <i>Prelim. Servicing Plan</i> .
	31	As part of the detailed design, the plan and profile drawings of the proposed watermain replacement will be required.	Lanhack	Ok. (SPA matter)
	32	The provided information is satisfactory to support the Official Plan and Zoning Bylaw Amendment applications. We have no concerns from a water servicing perspective at this time, as long as the upgrades to the watermain as detailed above are implemented. Detailed design of the new 200mm watermain on John Street North and Form 1 documents for the proposed watermain, including updated demand calculations and hydraulic as appropriate, will be required as part of the Site Plan Approval.	Lanhack	Ok. (SPA matter)
	33	According to the FSR, the wastewater flow from the site is 6.76 L/s. However, Section 2.2 of the Stormwater Management Report indicated that the proposed sanitary flow from the site is 5.31 L/s. Please clarify this discrepancy at the Site Plan control stage.	Lanhack	Ok. (SPA matter)
	34	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.	UrbanSolutions	Ok. (SPA matter)
	35	Due to limited capacity in the sewer system among other factors, the applicant shall demonstrate that no long-term dewatering (due to groundwater) will be carried out and conveyed to municipal sewer infrastructure. Foundations/subsurface structures shall be designed/waterproofed accordingly.	Lanhack	Noted and to be demonstrated at SPA stage.
	36	<b>Development Engineering has no objection to the rezoning application moving forward subject to the following Holding Provision:</b> 1.2 Make satisfactory arrangements with the City’s Growth Management Division and enter into and register on title of the lands, an External Works Agreement with the City for the upgrades to the municipal watermain on John Street North between Cannon Street East and Robert Street, according to the FSR and WHAR accepted by the City’s Director of Development Engineering.	UrbanSolutions	Ok. (SPA matter)
CoH Forestry & Horticulture (Sam Brush)	37	Forestry does not approve the landscape plan revision #2, dated 2024-03-06 requiring additional information.	Whitehouse Urban Design	See revised <i>Prelim. Landscape Plan</i> . Further refinements can occur at SPA.
	38	Forestry supports the number of proposed street trees and spacing, soil volume calculations shall be shown on plan for each proposed street tree. Street trees shall be shown as 'To be selected and installed by the City of Hamilton Forestry section'	Whitehouse Urban Design	Ok. (SPA matter)
CoH Legislative Approvals (Sara Rogers)	39	It should be determined at a later date whether the subject lands are within / adjacent to a defined area of cost recoveries. Staff defer to Development Planning and / or Development Engineering Approvals for further comment	UrbanSolutions	Awaiting clarification from Engineering staff.
	40	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 the intent is to phase the Condominium, Schedules “G” and “K” as per the Condominium Act, would be required for future phases. If condominium, it should also be confirmed if the proposed parking and storage lockers will be unitized. Staff defer to Development Planning for further comment; and,	UrbanSolutions	TBD separately
	41	The Owner and Agent should be made aware that municipal addressing for the proposed development will be determined after Conditional Site Plan Approval has been granted.	UrbanSolutions	Ok.
CoH	42	1.5 m setback provided along Northern lot line abutting E-3 Zone Note: Applicant shall confirm a Planting Strip will be provided on the Submitted Drawings	Whitehouse Urban Design / SRM	See revised <i>Site Plan</i> and <i>Prelim. Landscape Plan</i>
	43	Insufficient Information Provided Note: Applicant shall confirm a Visual Barrier will be provided on the Submitted Drawings	Whitehouse Urban Design / SRM	See revised <i>Site Plan</i> and <i>Prelim. Landscape Plan</i>
	44	i. Canopy Insufficient Information Provided Note: Applicant has indicated a canopy to project into the Front Yard however no projection measurement has been provided on Architectural Package. It is unclear if the Canopy has been indicated on the “Zoning Sketch”. Applicant to confirm Canopy Projections	SRM / UrbanSolutions	See revised <i>Draft By-law, Zoning Sketch, Site Plan, and Prelim. Floor Plans</i>

<b>Zoning</b> (Liam Tapp)	45	Note: A transformer is permitted to be located within a Planting Strip as per Zoning By-Law Amendment, however applicant shall clearly indicate Plant Strip within site plan.	SRM	See revised <i>Site Plan</i>
	46	A wall travelling the entire length of the Barrier Free Spaces within parking garage appears to be longer than 1.15 metres. Additionally, columns adjacent to barrier free spaces appear to partially encroach into space on opposing side. A typical parking space on lower level of parking garage indicated to also have a wall travelling the entire length of the parking space and appears to be longer than 1.15 metres	SRM	See revised <i>Prelim. Floor Plans</i> . The accessible stalls are now located at-grade.
	47	Insufficient Information Provided Note: Applicant shall indicate parking surface material	SRM	Concrete / asphalt pavement. See revised <i>Prelim. Floor Plans</i>
	48	Loading Area indicated partially within required side yard for the portion of a building under 5.0 metres, adjacent to E-3 Zone	UrbanSolutions	The revised development plan was informed by feedback from the DRP and City Urban Design staff.
<b>CoH Sustainable Communities</b> (Melanie Pham)	49	Staff also note the original proposal was reviewed by the City's Design Review Panel at its meeting on May 11, 2023. The new proposal should be reviewed to confirm if the changes align with the Design Review Panel's feedback.	UrbanSolutions	The revised development plan is even more aligned with the DRP recommendations than in prior submissions.
	50	Staff encourage the provision of a mix of unit sizes to accommodate various household sizes, including units suitable for larger households. Sustainable Communities staff have no further comments.	UrbanSolutions	See revised <i>Prelim. Floor Plans</i> which now include family-sized, 3-bedroom units.
	51	The 12 storey height would still exceed the maximum height of 5 storeys and therefore the Official Plan Amendment would still be required, furthermore proposed 126 dwelling units would have a density of approximately 523 units per gross hectare and would exceed the 150 units per gross hectare maximum and would therefore still require an Official Plan Amendment.	UrbanSolutions	Ok
	52	As the built form is no longer considered to be a tall building the larger stepbacks associated with a tall building would no longer be applicable, a mid rise building typically requires a 3 metre setback for those portions of the building exceeding 22m in height, this is clearly being achieved from the north lot line, it appear that this is being achieved from the south but should be confirmed, as to the west it appears that parts for the building will be setback 3m but other parts particularly towards the south-west corner will not. Given the odd shape of the rear lot line there may be justification for a minor encroachment but to properly evaluate this it would prudent to have an accurate understanding of how much of the building will be less than 3m from the west lot line. The Architectural Concept plan does not appear to have all the need dimensions to fully evaluate the setbacks and stepbacks of the building, please include this information, it would also be helpful to have it illustrated the extend of the SW corner of that would be within 3m of the western lot line.	UrbanSolutions	Please refer to updated building plans, <i>Site Plan</i> and <i>Zoning Sketch</i> which illustrate larger yard setbacks. The southern side yard has increased to over 5.0 m, while the (south)west sideyard pinch-point has increased to 2.1 m coupled with the removal of west facing balconies.
	53	The design of the proposed development appear to have a 7 storey podium. It is noted that the ground floor does appear to project in the site plan and elevation plans but in reviewing the renderings the design of the ground floor and the storeys above does not appear to have the affect of breaking up the massing, either based on the limited stepback provided, the materiality being utilized, architectural features such as the wall at the end of the rows of balconies, amongst others, or a combination of all these factors. In reviewing the renderings the first clear break in the massing is after the 7th storey and gives the building the impression of having a 7 storey podium. A design with a 7 storey podium does not reflect the scale of the neighbourhood which as previous noted is predominately low density in scale, the height of the podium / building base should reflect this and should be clearly articulated. Furthermore as previously noted the angular planes show that the 7th storey encroaches into the angular plane, while there may be justification for the tower to encroach into the angular plane the building base should not encroach. To assist in determining an appropriate podium height it should be noted that the building base façade height for buildings along the portion of John Street North that is south of Cannon Street East is 16.0 metres which would be reflective of approximately four storeys. A four storey building base would be reflective and not out of proportions with the predominate low rise scale along John Street North, would not encroach into the angular plane and would be reflective of the building height that is currently permitted in the secondary plan 3-5 storeys. A setback of 3m beyond that base is typical, it is not however clear what the specific stepback beyond the proposed 7 storey podium is being proposed.	UrbanSolutions	The revised development concept includes a lower, and better defined 4-storey podium, complete with brick cladding in keeping with local traditional building material. A 3 m step-back above the podium has been provided for the 5th-floor upwards.
	54	The proposed development while identifying approximately 26% of the units as being 2 bedroom units does not include any 3 bedroom units as previously noted policy A.6.3.3.1.9 speaks to providing a broad mix of household types. Planning Committee and Council has placed a great deal of importance on the provision of larger family sized units and providing no three bedroom units would not be in keeping with the policy of providing a broad mix of household types and the direction of Planning Committee and Council. Furthermore the subject property is located within walking distance of existing schools and walking distance of multiple municipal parks including McLaren Park located immediately across the street and therefore represent an ideal location for family sized units.	UrbanSolutions	See revised preliminary <i>Floor Plans</i> which have increased the proportion of family-sized units by adding 3-bedroom units.
	55	It is noted that the comment response provided in the cover letter is identifying policies in the UHOP, the Draft OPA also mentions that the OPA is an amendment to the UHOP, it should be noted that because the subject property falls within the West Harbour Setting Sail Secondary Plan it is subject to a Non-Decision 113 and therefore are not included in the UHOP.	UrbanSolutions	Understood

56	The revised submission seek to remove the subject lands from the City of Hamilton Zoning By-law No. 6593 and incorporate the lands into the City of Hamilton Zoning By-law No. 05-200. Staff generally encourage bring lands into the new City of Hamilton Zoning By-law No. 05-200 whenever possible.	UrbanSolutions	We've tried proposing a site-specific No. 05-200 ZBA but are simultaneously being advised to use the No. 6593 by-law instead.  See revised <i>Draft By-law</i> which reflects the recommendation to stay under the E-district Zone.
57	The proposed zoning outlined in the draft By-law seeks to change the lands to a Site Specific Mixed Use Medium Density (C5) Zone. A C5 Zone is one of the zones within Section 10 of the 05-200 By-law which are commercial and mixed use zones. The existing designation of the lands is Medium Density Residential 1 and the proposed OPA keeps the Medium Density Residential 1 on the subject lands with only changes with respect to height and density. A Commercial zones (C5) would not be an appropriate zone for lands designated Medium Density Residential 1, as the C5 Zone permits uses including a range of commercial uses (retail, restaurants, medical clinics, amongst others) that would not be a use comply with the Medium Density Residential 1 designation which only permits a multiple dwelling. At present there is not currently residential only zone for medium density residential in 05-200 that would be appropriate given the applicable policies and therefore a zone under 6593 that would permit a multiple dwelling and a comparable height such as the E-2 should be considered.	UrbanSolutions	See revised <i>Draft ZBA</i> which now relies on the former CZBL No. 6593.
58	The Site Statistics on the concept plan identify that 0 parking is required and 40 are provided. The required parking rate of 0 appears to be based upon the recent council approved new parking requirements, however it is noted that those are not yet in effect and furthermore as those changes were specific to the 05-200 By-law would not apply to lands still under By-law No. 6593. Therefore the existing regulations under By-law No. 6593 would still constitute the required parking rates. This stated given the direction of council there would be merit for a modification to reduce the required parking rate from the current 1 per dwelling unit, however application of new reduce parking requirements is not intended to be reviewed in a vacuum and is intended to be implemented in conjunction with other requirements including minimum visitor parking requirements (2 + 0.05 per unit), higher rates of both short term (0.1 per unit) and long term (0.7 per unit) bicycle parking requirements, requirements for Electric Vehicle Parking Spaces (100% of proposed spaces, excluding visitor), amongst others. Therefore application of the other provisions should be included in any amending By-law, a review should be undertaken on whether the provision of visitor parking, bicycle parking, EV parking amongst others can be met, if they cannot be met should be outlined what can be provided, (Ex. if it is not possible to achieve 100% EV parking, would a different percentage be achievable).	UrbanSolutions	See revised <i>Draft ZBA, Site Plan</i> , and building plans. Long-term & short-term bike parking would comply with the new minimum standards of CZBL No. 05-200.  The EV parking requirements can be addressed at SPA stage.
59	The revised design of a 12 storey building around ½ of the proposed building massing along John Street North encroaches into the 45 degree build to plane. The building massing now proposed provide a 59 degree angle to 80% of the right-of-way. As previously noted there may be justification to warrant some encroaching of the tower into the build to plane, the building base should not encroach beyond this plane and instead should be of a scale the is reflect of the streetscape.	UrbanSolutions	The revised podium design has been informed by the John St angular plane, further improving the massing and streetscape of the proposal.
60	While the tall building guidelines would not apply the typical setback / stepback requirements as well as building base façade height for a mid-rise building would represent an appropriate best practice to apply to the revised mid-rise development.	UrbanSolutions	Ok
61	With respect to the potential stationary noise source that staff previous flagged, specifically the repair garages along Cannon Street East which for the development at 179-189 Catharine St N result in an acoustical impact which warranted a Class 4 noise classification, the response provided dBA Acoustics noted the distance between the subject property and 179-189 Catharine St N as being 85 metres and notes that Cannon Street East is 35m from the south façade of the proposed building. The response states that 179-189 Catharine St N is not a true representation of stationary noise sources for 175 John St N. No distance was provided in the response with respect to distance of the subject property from the repair garages along Cannon Street East.	dBA Acoustical Consultants	See revised <i>Noise Impact Study</i>
62	Staff noted 179-189 Catharine Street North in the initial comments to note that there were uses in the area in which their operation generated noise levels high enough to warrant that those lands needed to be reclassified to Class 4. The comments was not meant to imply that Class 4 was applied to the subject lands, the re-classification to class 4 for 179-189 Catharine St N was on a site specific basis only, it was however meant to note that an evaluation of those same noise sources be undertaken given the subject lands general proximity to those same uses.	dBA Acoustical Consultants	See revised <i>Noise Impact Study</i>
63	The response by dBA Acoustics states that 179-189 Catharine St N is closer to those repair garages than that of 175 John St N, and while that may be true for some of the garages such as the one at 83 Cannon Street East, the subject lands are of equal distance or even closer to the garage that is located at the NE corner of Cannon St E and John St N (63 Cannon Street East) and therefore may be impacted. There may be rational to justify why this is not an issues (ex. combination of the multiple garages, orientation of the repair doors, perhaps one generates greater noise levels than the other), that more detailed rational needs to be articulated. The addendum letter mentions reviewing the revised noise study for further details, however in review of the revised noise study staff were unable to locate the respective section where the detailed analysis on the stationary noise sources (repair garages) was undertaken.	dBA Acoustical Consultants	See revised <i>Noise Impact Study</i>
64	As staff will need to be able to articulate in the staff report, and to be able to clearly explain why the two situations are different, details including the setback of the subject lands from the repair garages and more detailed rational on the difference is needed.	dBA Acoustical Consultants	See attached <i>Response re: Noise Study Comments</i>

	65	Previous comments noted that the noise levels for the north façade were not provided and noted the L shaped terrace on the north side of the tower being an OLA. The response provided notes that the L shaped terrace is no longer being proposed and the revised noise study identifies the noise levels for the north façade, the combined noise levels on the north façade 59 dBA daytime and 52-53 dBA nighttime do exceed the 55 and 50 dBA levels respectively but represent noise levels that are less than other facades including the south and east facades. Therefore the matter of requiring noise levels for the northerly façade have been adequately provided and this comments has been addressed.	<b>dBa Acoustical Consultants</b>	Ok
	66	Staff did not see a RSC filling in the re-submission material provided therefore previous comments with respect to the RSC being dealt with by way of a Holding Provision would continue to be applied.	<b>UrbanSolutions</b>	Ok
	67	The (Shadow) study shows shadow beginning to be cast on McLaren Park at the 3:50 time period with increasing shadow impacts in the time periods after 3:50 p.m. with the larger degree of shadows shown at the 6:03 time period. The analysis provided in the shadow study includes a statement of no new shadows will impact McLaren Park, this statement does not seem to align with other statements being provided such as minor impacts between 3:50 p.m. and 5:50 p.m. nor what is shown in the shadow study itself.	<b>SRM</b>	See <i>SRM Architect's Comment Response</i> .
	68	The standard for shadows on a nearby park is that 50% sun coverage is retained through the day. The analysis in the sun study does not specifically state whether that standard is being achieved.	<b>SRM</b>	See <i>SRM Architect's Comment Response</i> .
	69	A (Wind Study) addendum prepared by GradientWind Engineers & Scientist dated October 5, 2023 outlines the changes in the proposed design and noted that it is expected to result in grade level wind comfort that is similar to or calmer than those observed in the original wind study. The addendum does not state whether previous uncomfortable conditions in the winter have been eliminated.	<b>Gradient Wind</b>	See <i>Wind Study Addendum</i> .
	70	The response provided (Re: Public consultation) did not include any information on how many parties accessed the microsite, nor how many interested parties reached out to the applicant's agent, nor provide any of the comments received. As this information would be outlined in any staff report and comments attached to that report this information is needed.	<b>UrbanSolutions</b>	See attached <i>Microsite Engagement Stats</i> . Updated public engagement analytics can be provided at the time of the statutory public meeting.
	71	Draft OPA will need to reflect that the lands are not under UHOP and the proposed Draft By-law will need to reflect a zone that complies to the designation under the West Harbour Setting Sail Secondary Plan, this would likely necessitate leaving the lands under the old City of Hamilton Zoning By-law No. 6593 possibly as a modified "E-2" District. Additionally if modification for reduced parking are to be considered based upon the new parking standards, the other provisions in the new parking standards, including visitor parking, bicycle parking, and EV parking amongst others should be applied in the new site specific zoning, if certain standards cannot be met it should articulated what can be achieved.	<b>UrbanSolutions</b>	See revised <i>Draft OPA &amp; Draft ZBA</i> .
	72	Additional details with respect to dimensions of setback and stepback need to be provided on the concept plans to assist in the evaluate the revised proposal.	<b>UrbanSolutions</b>	See revised <i>Zoning Sketches</i> for more clarity regarding setbacks.
<b>CoH Urban Design (Edward Winter)</b>	73	The rear yard set-back is very small considering there are units facing the property line. A mid-sized building should provide a 7.5m setback for rear yard. This will also provide consideration for the adjacent property to be developed.	<b>SRM / UrbanSolutions</b>	The effective rear yard setback is over 3.75 m as building has been narrowed which reduces impact of rear yard setback and corner unit balconies have been rotated to face the side yards instead.
	74	The podium is proposed at 7-storeys and surpasses the angular plane. Current best practices encourage matching the height of adjacent buildings with the podium massing, though in this case there is no established podium development adjacent to use a datum point it is recommended to reduce the height of the podium to fit under the angular plane and contemplate what is appropriate based on similar nearby side street conditions (example of Hughson Street North would suggest 3 to 4 storeys).	<b>SRM</b>	Please see revised architectural plans which establish a more pronounced, and lower podium structure.
	75	The tower portion of the proposed development (storeys 8-12 sit above the angular plane facing John Street. It is recommended to increase the step-back above the podium to decrease the visual presence of the upper storeys.	<b>SRM</b>	See <i>SRM Architect's Comment Response</i> .
	76	Similar to comments above regarding the rear yard massing – efforts should be made to respect future development by providing a larger set-back from the property line.	<b>SRM / UrbanSolutions</b>	The western side yard setback pinch-point has been increased, rear (western facing) wall balconies have been removed, and the building is skinnier which provides a larger southern side yard setback.
	77	Consider the balcony condition at the southwest corner of the proposed building and the angular property-line characteristics. The building's design might respond to this condition in overall massing or in the design of the units balcony (no-balcony, Juliet balcony, inset balcony).	<b>SRM / UrbanSolutions</b>	Please refer to response above.
	78	Confirm 50% sun coverage on adjacent park is retained through the day?	<b>SRM</b>	See <i>SRM Architect's Comment Response</i> .
	79	The wind consultants letter refers to and relies upon the previous wind study. Please include the previous study to be reviewed alongside the amending letter.	<b>UrbanSolutions</b>	The original <i>Wind Study</i> (dated 2022.12.01) was part of the initial submission and is reattached for reference.
	80	Given the comprehensive redesign of the proposal, it would be appropriate to provide an updated wind study that considers the new massing of the proposed building.	<b>Gradient Wind</b>	See <i>Wind Study Addendum</i> .
	81	Landscape Plan Concept (for INFO only – can be addressed at Site Plan Stage). Consider adding additional planting within the property extents in consideration of the potential road widening and the adjacent park to establish some critical mass of plantings / trees for the long-term condition of the streetscape.	<b>Whitehouse Urban Design</b>	Ok.