



City of Hamilton
PLANNING COMMITTEE ADDENDUM

Meeting #: 18-013
Date: September 4, 2018
Time: 9:30 a.m.
Location: Council Chambers, Hamilton City Hall
71 Main Street West

Ida Bedioui, Legislative Coordinator (905) 546-2424 ext. 4605

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6.10 To Repeal Official Plan Amendment By-law No. 107 and Approve Urban Official Plan Amendment; to Amend Zoning By-law No. 05-200; and to update all materials related to Draft Plan of Subdivision 25T-201507 to Correct Inadvertant Address Numbering Errors for

*6.10.a Written Comments re-submitted by Vince Farraiuolo, owner of 32 Parkside Drive

179

10. NOTICES OF MOTION

*10.1 Private Retail Cannabis Stores

185

4.1

Form: Request to Speak to Committee of Council

Submitted on Tuesday, August 28, 2018 - 2:35 pm

==Committee Requested==

Committee: Planning Committee

==Requestor Information==

Name of Individual: Alan Wilson

Name of Organization:

Contact Number:

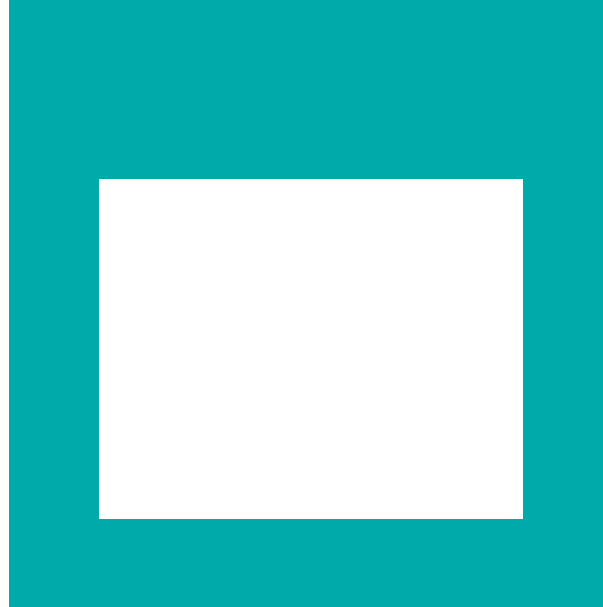
Email Address:

Mailing Address:

Reason(s) for delegation request: I wish to oppose the planned thru fare of Cartier Crescent

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No



WELCOME TO THE CITY OF HAMILTON

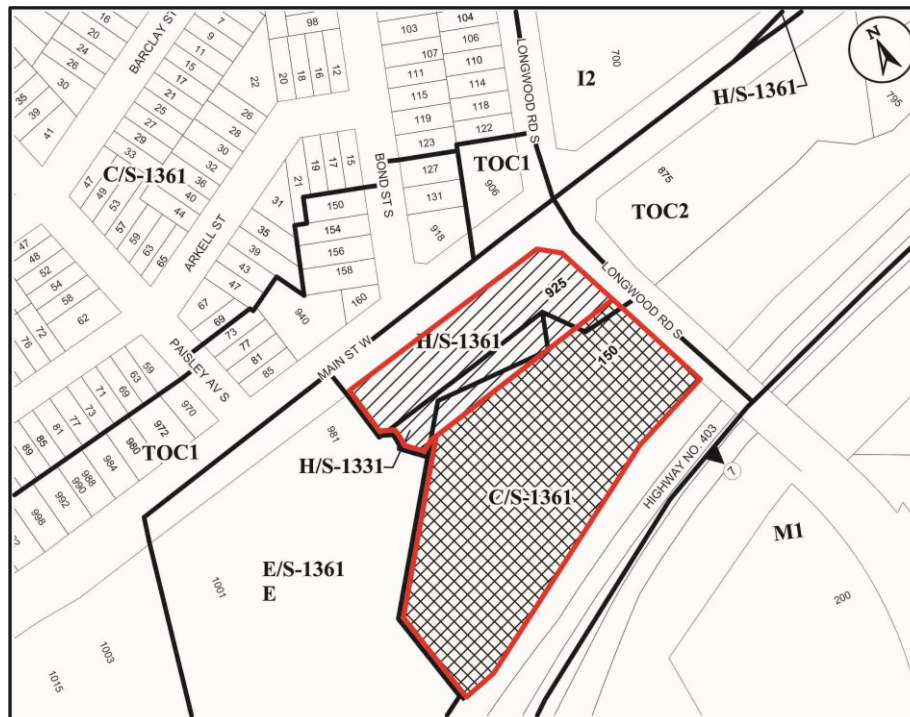
PLANNING COMMITTEE

September 4, 2018

PED18199 – (ZAC-16-029 / UHOPA-16-011)

Applications to Amend the Urban Hamilton Official Plan and
City of Hamilton Zoning By-law No. 6593 for Lands Located at
925 Main Street West and 150 Longwood Road South, Hamilton.

Presented by: Adam Lucas



● Site Location



Key Map - Ward 1

N.T.S.

Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
ZAC-16-029/UHOPA-16-011

Date:
August 9, 2018

Appendix "A"

Scale:
N.T.S.

Planner/Technician:
AL/NB

Subject Property

925 Main Street West & 150 Longwood Road South

Block 1 - Lands to be added to Zoning By-law No. 05-200 and zoned as a Transit Oriented Corridor Mixed Use Medium Density (TOC1, 703, H31) Zone

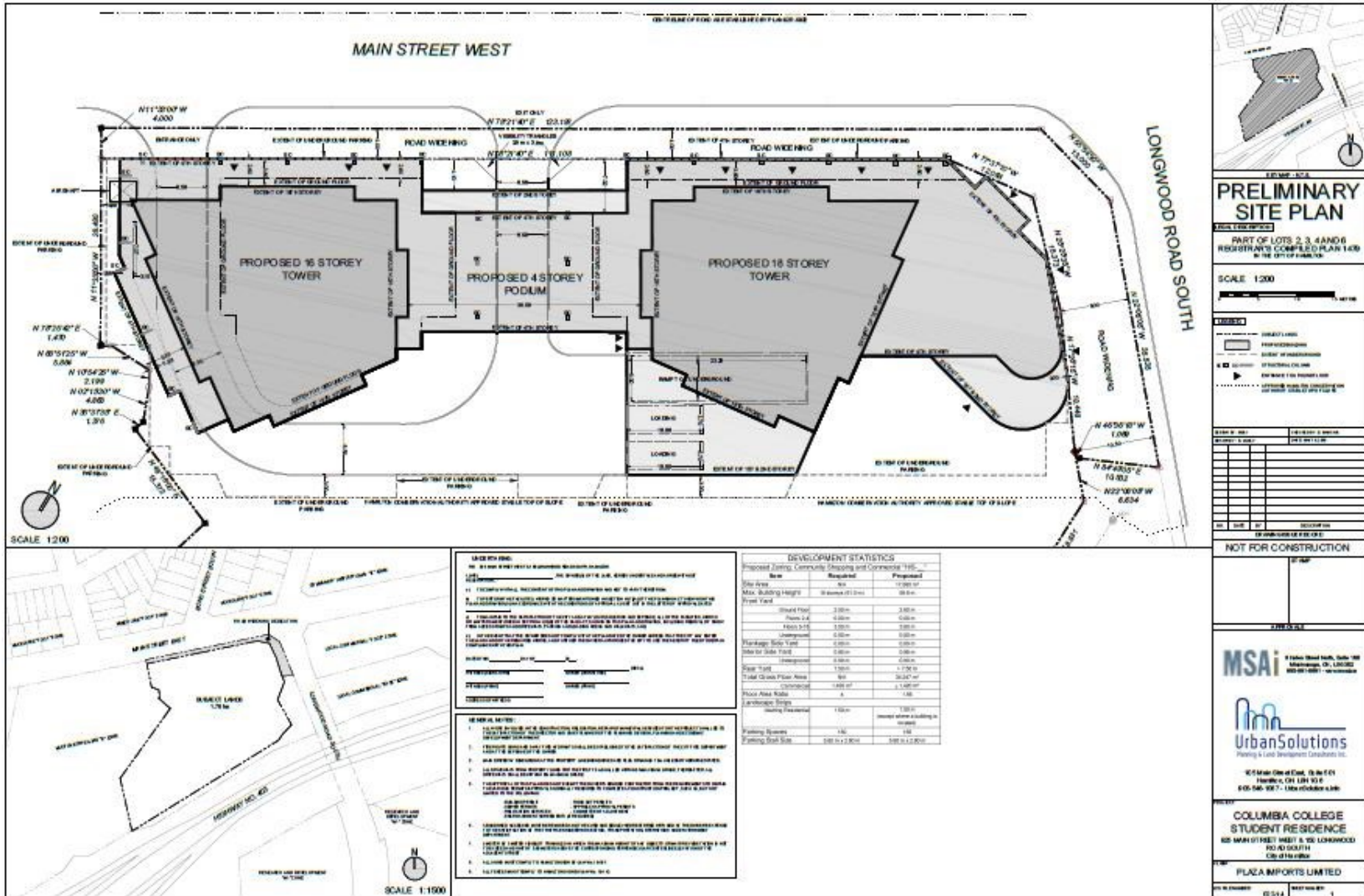
Block 2 - Lands to be added to Zoning By-law No. 05-200 and zoned as Conservation / Hazard Land (P5, 703) Zone

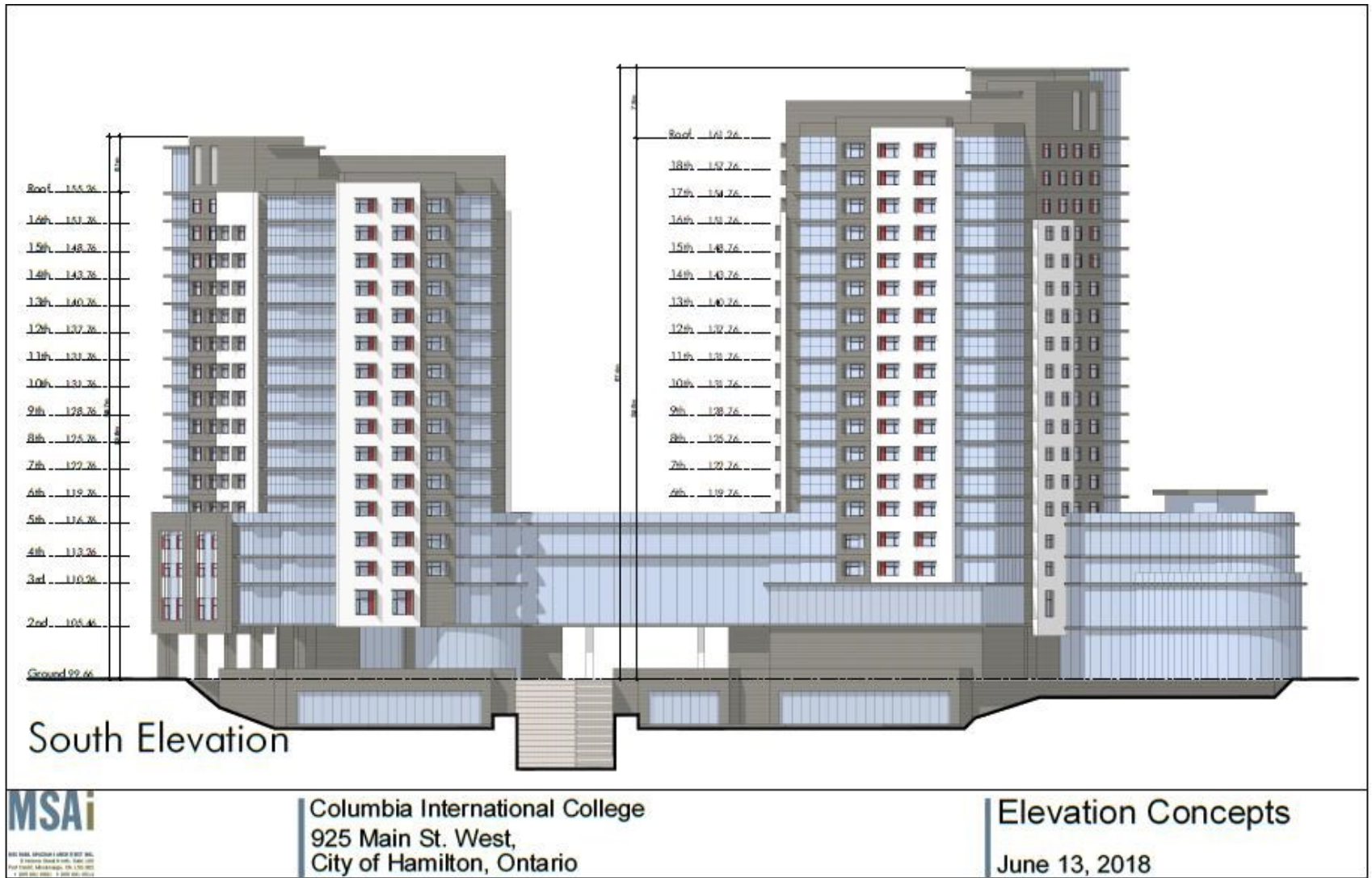


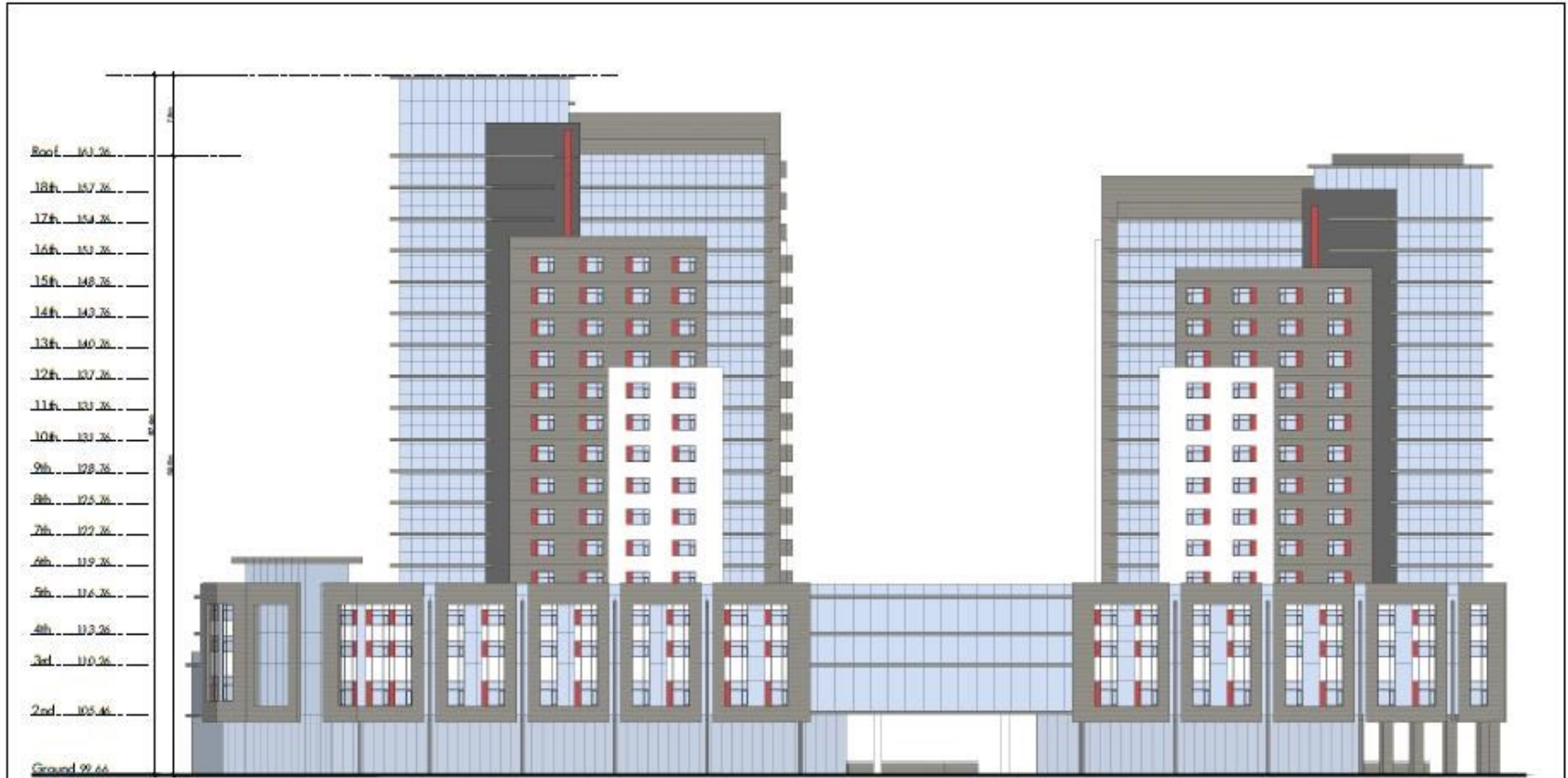
SUBJECT PROPERTY



925 Main Street West & 150 Longwood Road South, Hamilton





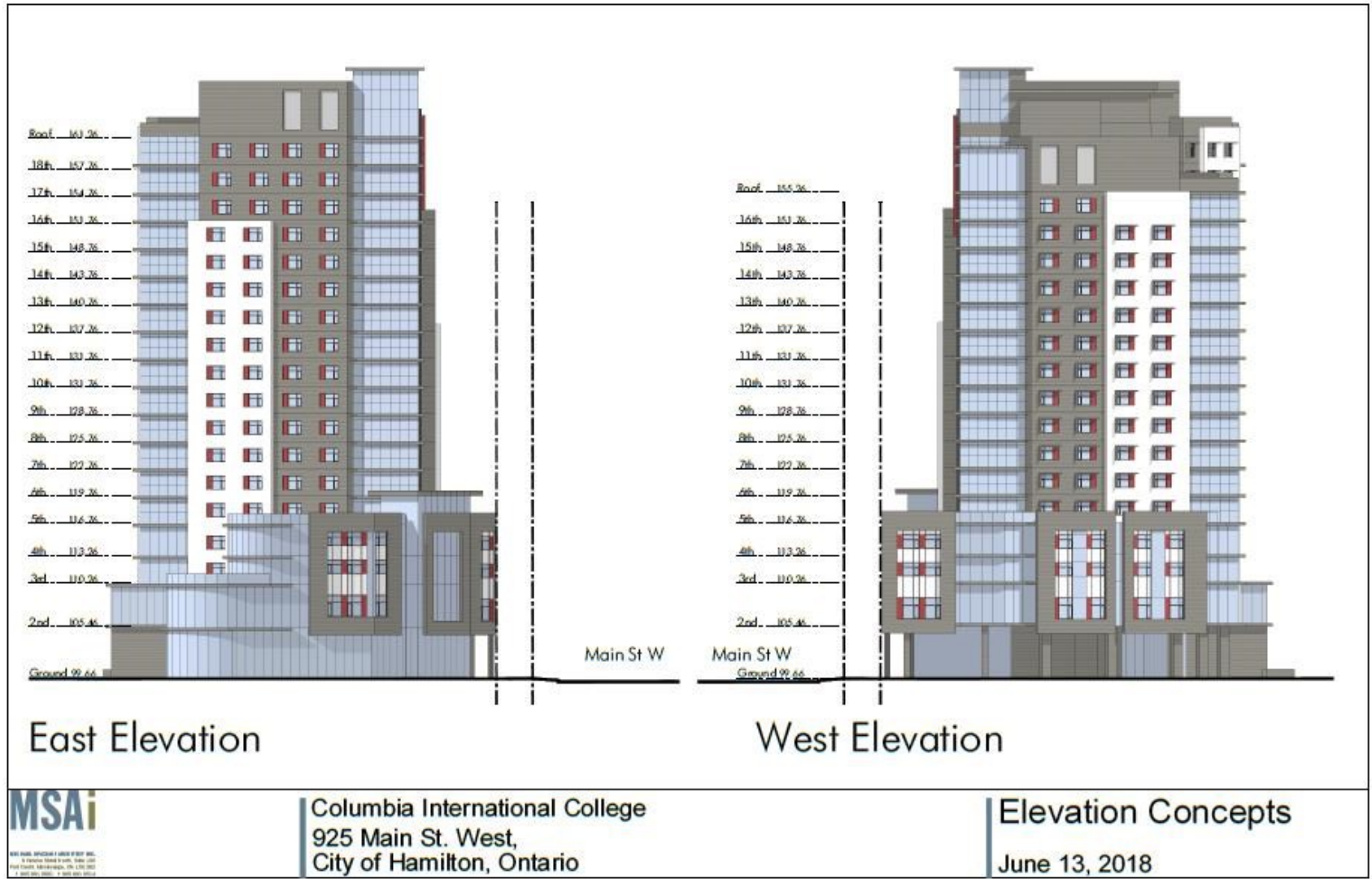


North Elevation



Columbia International College
925 Main St. West,
City of Hamilton, Ontario

Elevation Concepts
June 13, 2018





Looking easterly along Main Street West



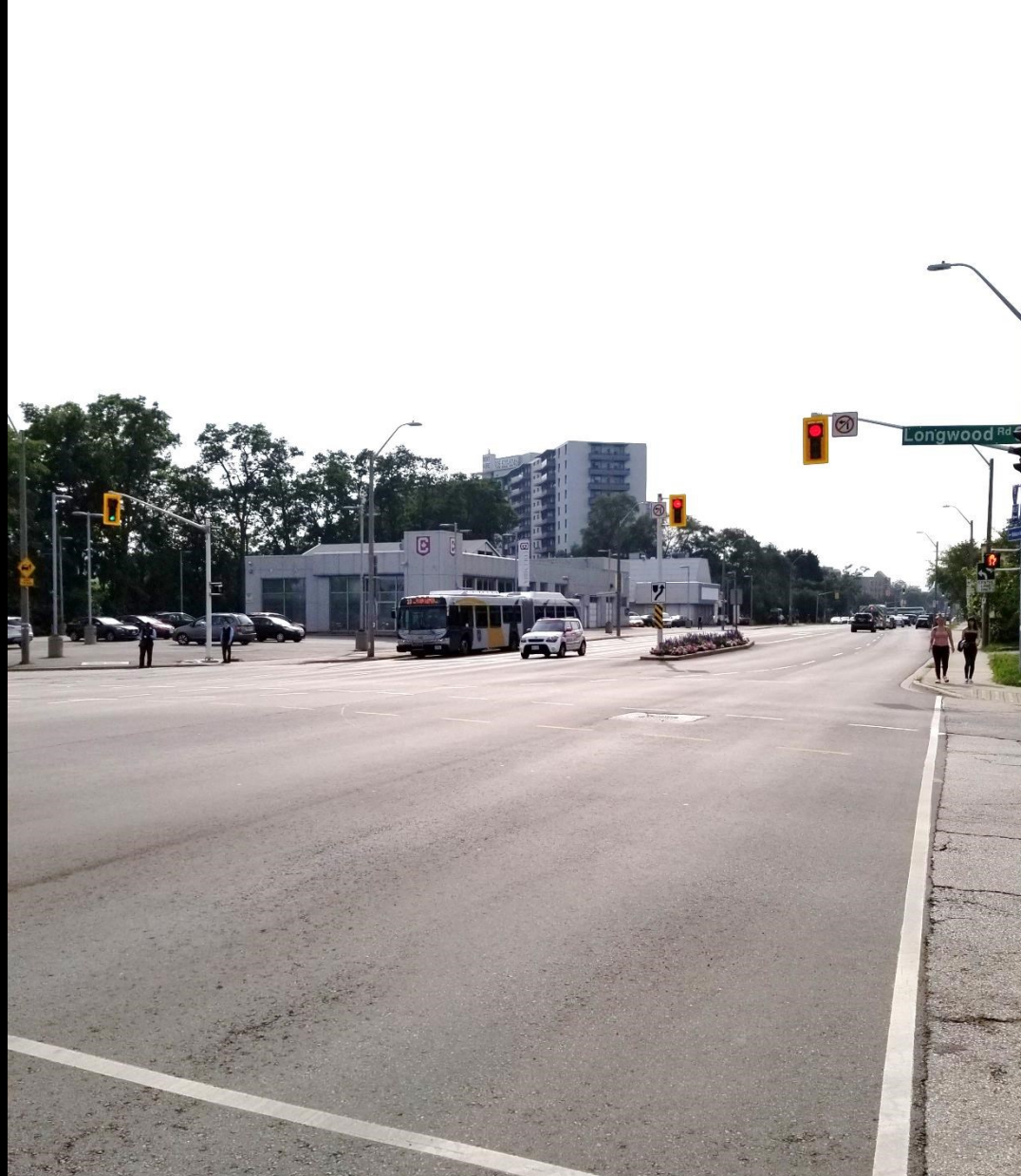
Looking westerly along Main Street West



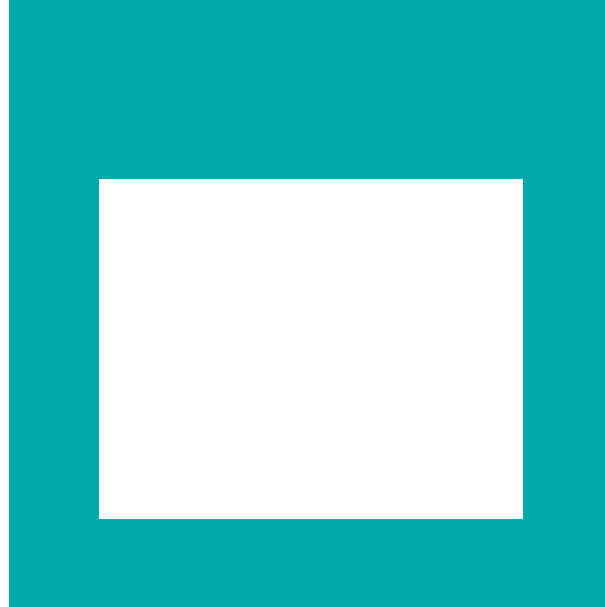
Looking southerly along Longwood Road South



Looking northerly along Longwood Road South



Looking southwesterly at the intersection of Main Street West and Longwood Road South



THANK YOU FOR ATTENDING

THE CITY OF HAMILTON PLANNING COMMITTEE

PLANNING COMMITTEE

Applications to Amend the Urban Hamilton Official Plan (UHOPA-16-11) and City of Hamilton - Zoning By-law No. 05-200 (ZAC-16-029), for Lands Located at 925 Main Street West & 150 Longwood Road South, Hamilton (PED18199)

Owner: Plaza Imports Limited c/o John Lecluse

Applicant: Columbia International College c/o Clement Chan

Agent: UrbanSolutions Planning & Land Development Consultants Inc. c/o Sergio Manchia, MCIP, RPP
Spencer McKay – UrbanSolutions
Amber Lindsay - UrbanSolutions
Ralph Dicenzo, Geotechnical Engineer – Landtek Limited

THANK YOU

UrbanSolutions would like to thank City of Hamilton staff for their hard work on this application from its inception in 2014:

Jason Thorne

Steve Robichaud

Anita Fabac

Kimberly Harrison-McMillan

Adam Lucas

Tony Sergi



PROJECT TEAM

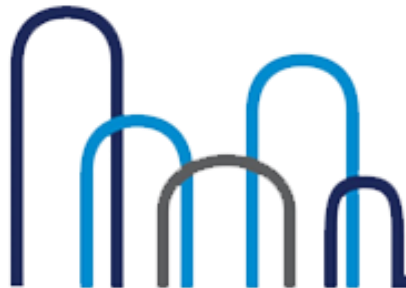


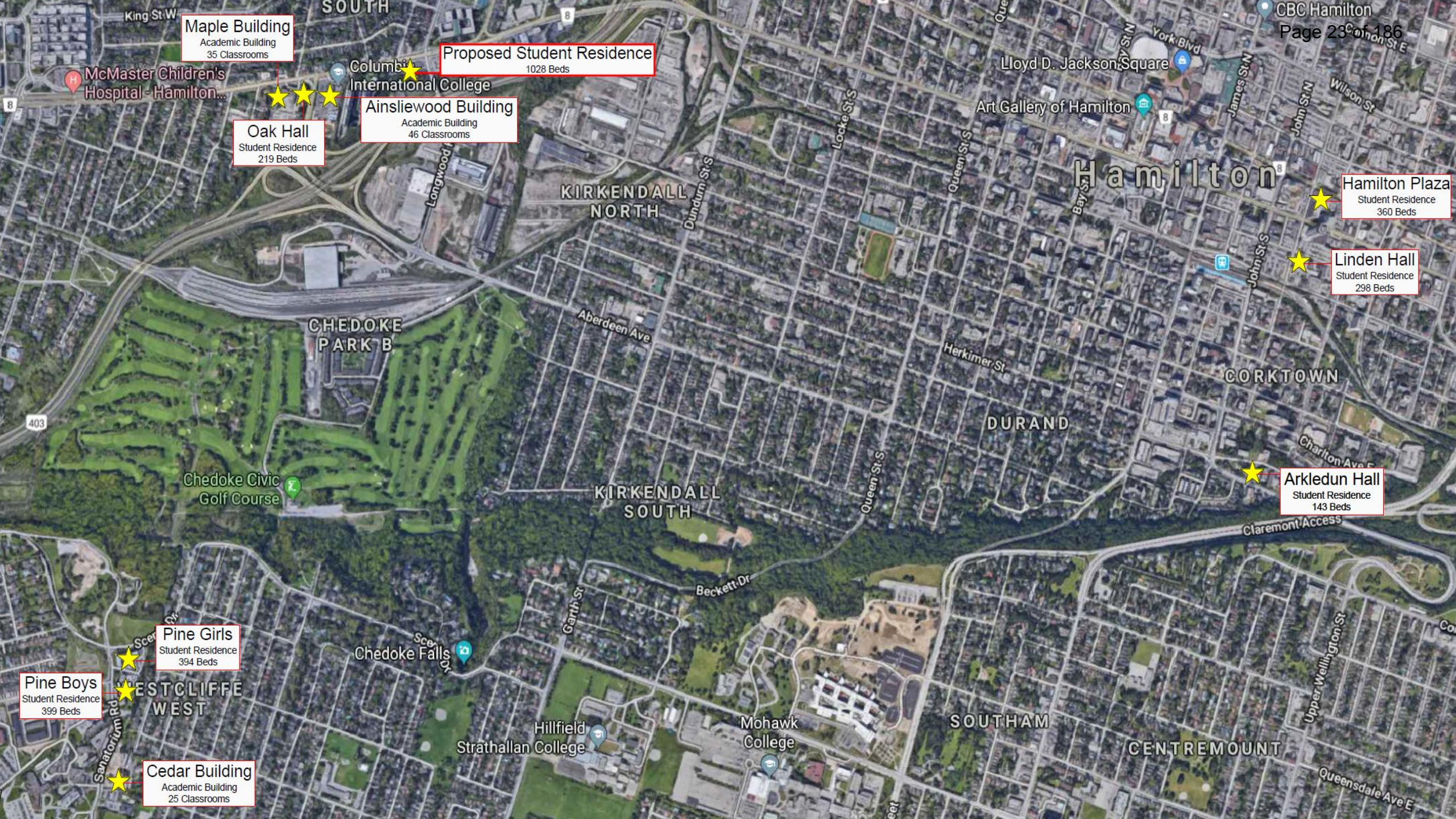
COLUMBIA INTERNATIONAL COLLEGE

Columbia International College (CIC) was founded in 1979 by Mr. Clement Chan. And now with his son Mr. Vincent Chan, it has now grown to become the largest private junior and senior boarding school in Canada, CIC has nearly 2,000 students representing over 100 countries. 100% of CIC's students are accepted to Universities and Colleges in Canada and around the world each year.



This institution has put Hamilton on the map again for its leadership in education.





Maple Building
Academic Building
35 Classrooms

Proposed Student Residence
1028 Beds

Oak Hall
Student Residence
219 Beds

Ainsliewood Building
Academic Building
46 Classrooms

Hamilton Plaza
Student Residence
360 Beds

Linden Hall
Student Residence
298 Beds

Arkledun Hall
Student Residence
143 Beds

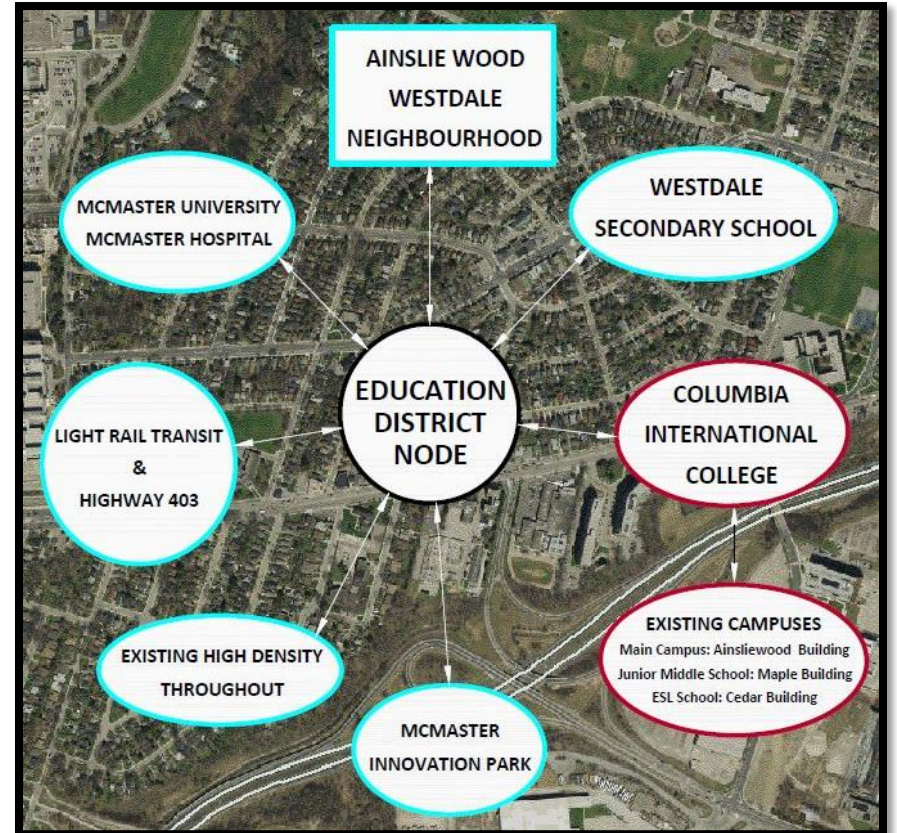
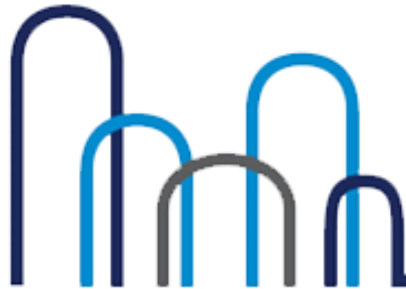
Pine Girls
Student Residence
394 Beds

Pine Boys
Student Residence
399 Beds

Cedar Building
Academic Building
25 Classrooms



EDUCATION DISTRICT NODE



AERIAL VIEW



September 4th, 2018

urbansolutions.info

CHEDOKE CREEK

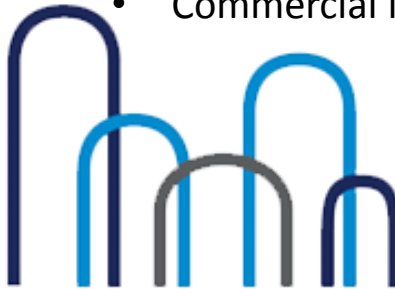


September 4th, 2018

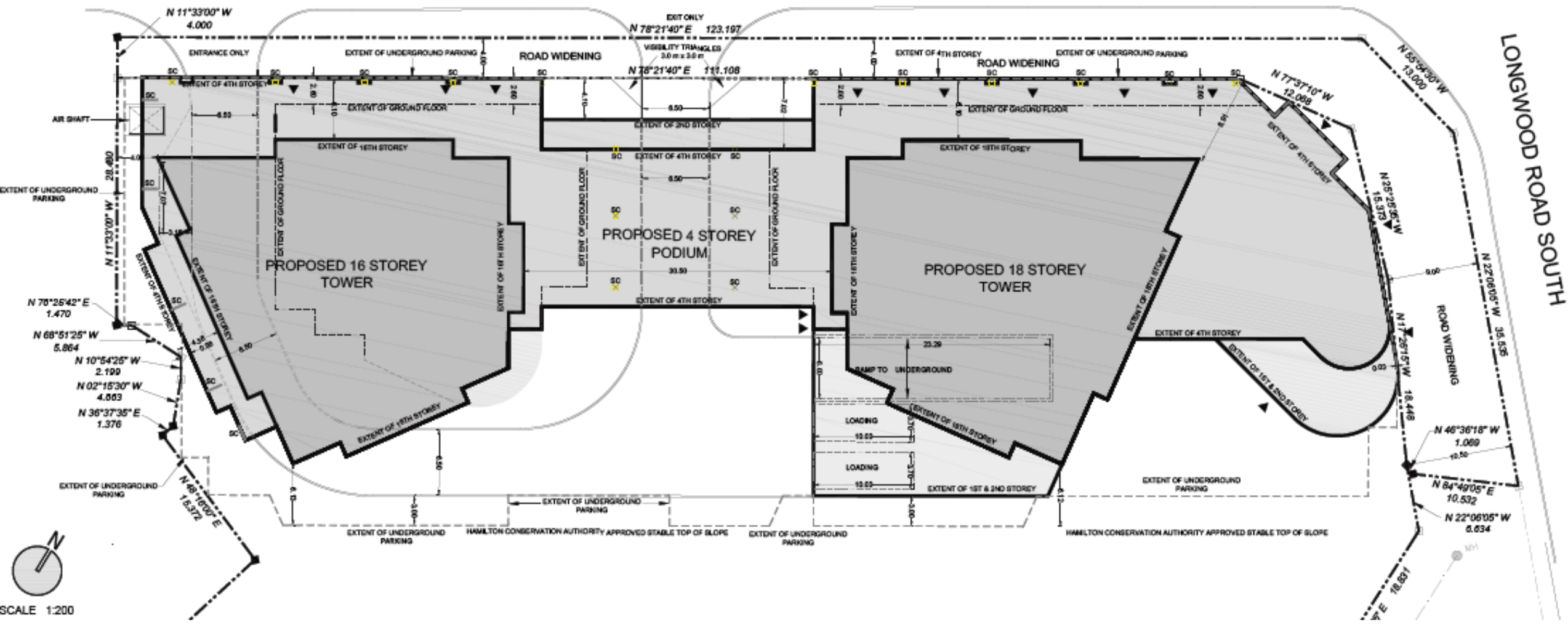
urbansolutions.info

DEVELOPMENT DETAILS

- With the design expertise of Mr. Michael Spaziani, Architect, our design has encompassed...
- Columbia International College student residence comprised of two (2) towers, 16 and 18 storeys linked via a four (4) storey podium
 - 1,024 beds – 512 units
 - 1,420 m² retail area (15,000 ft²)
 - 156 vehicular parking spaces (2 underground levels)
 - 105 bicycle parking spaces
 - 4 acres of recreational sport fields
- Amenities include study lounges, multi-purpose gym, cafeteria, outdoor terraces, and green roofs
- Commercial integration for student and public use



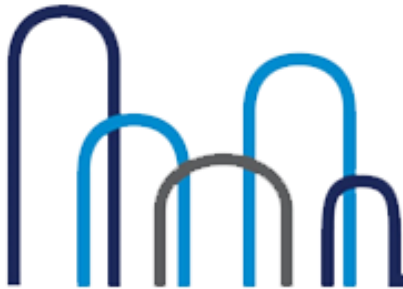
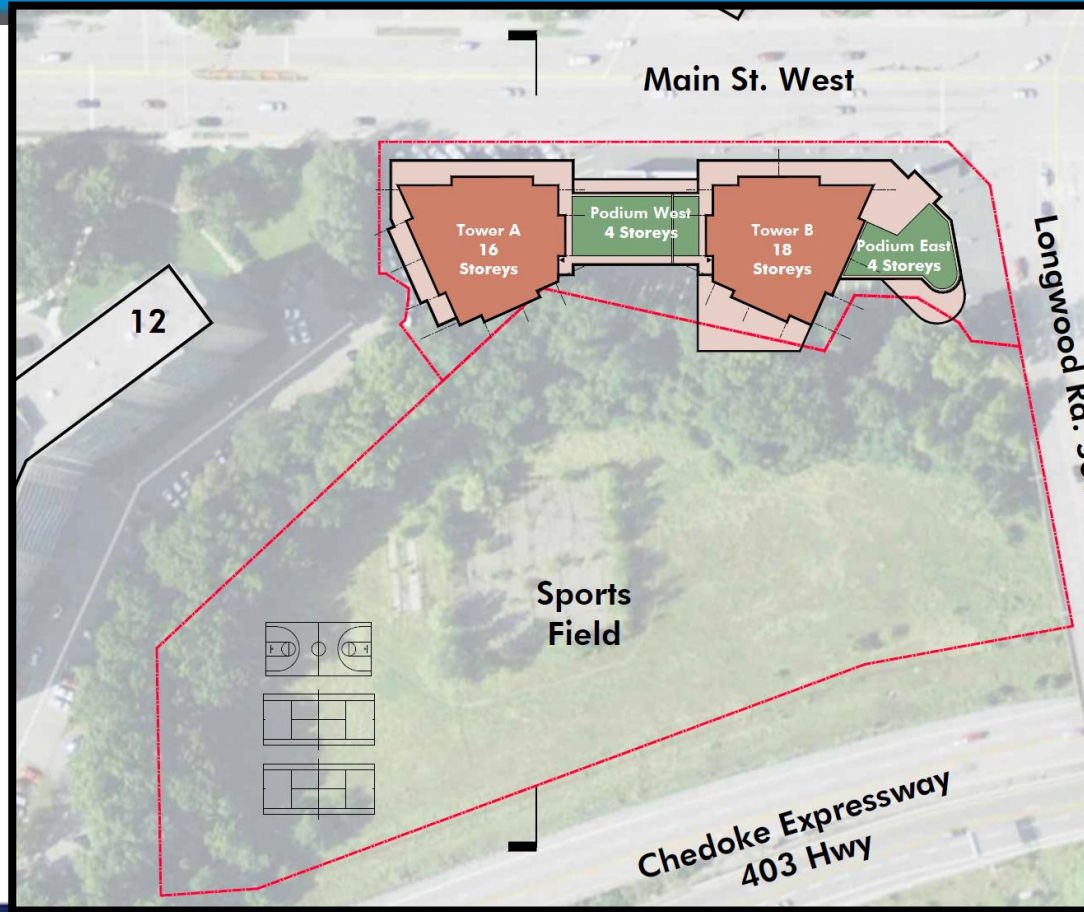
MAIN STREET WEST



September 4th, 2018

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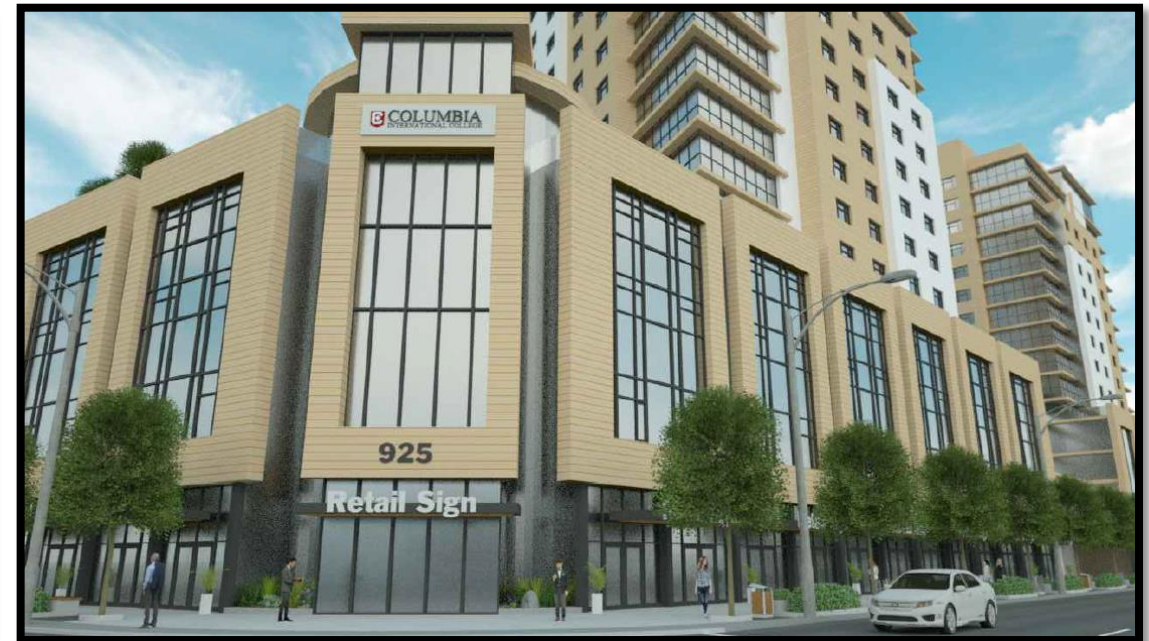
RECREATIONAL SPORTS FIELD



ARCHITECTURAL MASSING



Main Street Elevation



Main and Longwood Intersection

CHRONOLOGY

| | |
|--------------------------|---|
| October 29, 2014 | Formal Consultation process completed (FC-14-085). |
| July 6, 2015 | General Issues Committee approves PED15104 allowing 150 Longwood Road to be declared surplus lands. |
| April 15, 2016 | Applications for Official Plan and Zoning By-law Amendment submitted to the City of Hamilton (UHOPA-16-011/ZAC-16-029). |
| June 6, 2016 | Ainslie Wood Westdale Community Association board meeting. |
| September 8, 2016 | Design Review Panel meeting. |
| October 18, 2016 | Public Open House. |
| May 16, 2017 | Submission of the HCA permit application. |
| February 1, 2018 | Hamilton Conservation Authority board approves Permit No. 2018-04. |
| March 9, 2018 | Road Widening agreed to by LRT |
| May 18, 2018 | Submission of the Preliminary Site Plan Control application with updated Architectural Plans. |
| July 25, 2018 | Development Review Team meeting for Preliminary Site Plan. |
| September 4, 2018 | Planning Committee and statutory public meeting. |

SUPPORTING STUDIES

- Floodplain Assessment
- Planning Justification Report
- Urban Design and Massing Report
- Site Plan and Building Elevations
- Slope Stability/Geotechnical Report
- Natural Heritage Report
- Parking Study
- Functional Servicing Report
- Pedestrian Wind Assessment
- Environmental Noise Assessment
- Erosion and Sediment Control Plan
- Environmental Site Assessment

PUBLIC ENGAGEMENT



ELEVATION FROM 403

September 4th, 2018

Presentations & Meetings

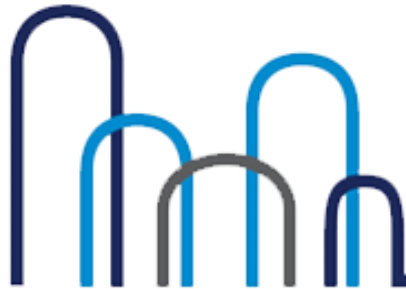
| | |
|--------------------------|--|
| June 6, 2016 | Ainslie Wood Westdale Community Association board meeting. |
| October 18, 2016 | Public Open House. |
| September 4, 2018 | Statutory public meeting. |

Microsite Statistics – Launched May 2016

| | |
|-------------------------|------|
| Individual Users | 754 |
| Page Views | 1653 |

THANK YOU

- Development in the Education Node
- Project over 375,000 ft²
- Over \$7,000,000.00 in Development Charges and Parkland Dedication fees
- Taxes generate approximately \$500,000.00
- This project is a Ward 1 and city wide winfall
- Creating opportunity for teachers, educational assistants, support staff, construction works, etc.
- Major development in the Transit Oriented Corridor to support future LRT
- Injection of 1,000 students into the local economy - indirectly \$5,000,000.00
- Assisting Westdale student housing issues





P.O. Box 89052
HAMILTON, ONTARIO L8S 4R5

Sept. 1, 2018

Re: Applications to Amend the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No. 6593 for Lands Located at 925 Main Street West and 150 Longwood Road South (PED18199)

Dear Chair and Members of the Planning Committee:

On behalf of Hamilton Naturalists' Club President Bronwen Tregunno and 600 HNC members, thank you for the opportunity to present our views on the Columbia International College plan to build a mixed-use student residence including two towers of 18 storeys and 16 storeys at Main and Longwood.

We recognize the value of Columbia College, the attractiveness of the site, and the importance of urban intensification. However, the location and scale of the project are controversial. We are opposed to the magnitude of the proposed development and the potential environmental consequences of slope reconstruction associated with the Chedoke Creek valley. Given the significance of this project, we also have serious concerns about the consultation and approval process as it has unfolded to date.

The HNC was surprised and disappointed when the Hamilton Conservation Authority gave conditional approval to the project on Feb. 1 despite the strong recommendations of Authority staff. The staff report recommended the development be refused as it does not comply with municipal, HCA or provincial policy in the regulated Chedoke Creek valley.

HCA staff estimated reconstruction of the valley slope would require about 1,440 dump truck loads of engineered fill. They cited potential public safety and property risks within valley lands susceptible to erosion hazards.

In approving the project, it was noteworthy that the Authority included the landowner entering into a Save Harmless Agreement regarding any liability for the development. I should mention that a civil servant with many years of experience in these matters suggested to me last week that such an agreement is not enforceable.

HCA staff noted the original concept consisted of a single 10-storey residential/commercial building limited to the 925 Main Street West property. We support the staff's conclusion that the larger, two-tower project is too much for the available land.

It is disconcerting that Planning and Economic Development Staff are now supporting an even larger development with 18 storey and 16 storey towers, certainly well beyond what was originally envisaged. The growing size of the development raises questions as to whether alternative locations that could be less controversial have been considered.

Hamilton Naturalists' Club is a non-profit organization dedicated to the study, appreciation and conservation of our wild plants and animals.
All work is freely done by Directors, Officers and Members.



Our concerns about the consultation and approval process to date relate to both the Conservation Authority and the City. First, the HCA. We definitely would have appreciated an opportunity to speak to the Authority before their decision. I believe many people, who would have otherwise tried to attend the meeting, were not aware of the issue when it came to a vote at the Authority.

Some proponents have suggested that the project should be approved since the Chedoke Creek valley has been heavily impacted by urban development and Highway 403. Chedoke Creek nonetheless has survived. In fact, the City's website description of the Chedoke Golf Course emphasizes the beauty of the "rolling parkland landscape" and the "stunning Niagara Escarpment."

We urge the HCA and the City to recognize the importance of this attractive escarpment stream as a valuable natural asset. Accordingly, we support efforts to naturalize more of the creek and the valley, rather than extensive reconstruction of the slope for development in a regulated creek valley.

In our view, the Conservation Authority's approval is inconsistent with its own positive Stewardship Action Plan for the Chedoke watershed. Cities are increasingly taking steps to improve the quality of life by restoring and opening creeks that were formerly channeled and buried by urban development.

The attitude toward urban streams is changing as people recognize how vital natural watercourses are. City residents appreciate the opportunity to enjoy the benefits of living near streams at a time of rapid growth and climate change. Hamilton can set an example for the province in enhancing the natural appeal and landscape of Chedoke Creek.

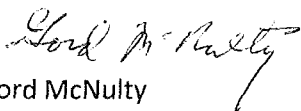
As a longtime donor to the Hamilton Conservation Foundation, I believe the HCA's approval of the proposed Columbia development, on the scale proposed, does not reflect the environmental leadership that I would expect of the Authority. Decisions such as this can, unfortunately, diminish the reputation of the HCA.

We also take issue with the short period of time between release of the Planning Staff recommendation and today's meeting. Such an abbreviated consultation period is problematic for citizens. It is difficult to review a lengthy, complex and long-awaited, I should add, Planning Staff report and prepare a submission in less than a week, particularly over the busy Labour Day weekend.

To date, public consultation by the Planning Staff and the applicants has focused primarily on property owners within 120 metres of the subject property. In our view, this issue is of such importance that more community feedback is needed. The proposed development has received some news media coverage but enhanced discussion and dialogue would be beneficial.

We urge the Committee to extend the consultation period and seriously consider a full public meeting, open to all interested citizens, who could share their views before the Committee votes on the Planning Staff's recommendation. Such a step would help to promote public confidence in how this issue is being managed to date.

Thank you.



Gord McNulty

Ontario Nature Representative, Hamilton Naturalists' Club

September 4, 2018
Planning Committee
Hamilton City Hall

I come before you this morning as a spokesperson for the landscape, in this case the landscape of Chedoke Valley and the creek that runs through it, where this proposed development would take place. My position is that the valley and creek are a living part of the natural heritage of the city, and should be respected as such.

In the report before you, there is little mention made of Chedoke Valley, or that the proposal involves filling in part of it. The valley wall is referred to as “the slope”, as though a valley no longer exists there. Given the fact that the 403 runs through and dominates it, this is perhaps not a surprise.

But Chedoke Valley does exist. It existed before the 403 came along, and it exists still. Its stories are embedded in the story of our city.

For instance. The brick of the first brick homes in Hamilton comes from brickyards in the valley that used the clay dug from its slope.

Ainslie Woods was the name of a well-known picnic grounds in Chedoke Valley, long before it became the name of a former school & neighbourhood and former school. People got there via the Hamilton-Dundas Railway, which ran down into the valley, crossed the creek, and climbed up the other side, on a line between Main Street and Aberdeen.

Columbia College’s towers will overlook those former picnic grounds.

They will also overlook the first playing grounds for Hillfield Strathallen College. And a zoo, which was also located in the valley.

The valley exists in story, and it also exists in fact. Our infrastructure proves it. The valley is the reason why Longwood Road needs a bridge. And why Main St and King St need bridges. Until the King St bridge was built in the 1920s, the area to the west of the valley, namely all of Westdale, was relatively remote, hard to get to, and urban growth moved east from downtown.

So that “slope” is more than meets the eye. It’s loaded with civic meaning. And though the 403 makes it hard to appreciate, Chedoke Valley and Creek do remain an active, working part of Hamilton’s natural heritage.

Chedoke Creek usually flows in obscurity, with few people aware of it, though it hit the news this summer after the massive spill from the Combined Sewer Overflow that sent raw sewage into it. The CSO, incidentally, is also built into the slope of the valley.

The E.coli is not the creek's fault. Rather, the creek makes storm runoff possible in the first place for the west mountain suburbs. The six creeks in the Chedoke Watershed join together in the channel that runs beside the 403, all of them having come from the west Mountain, mostly buried underground there, as the primary watercourses for the storm drain system, then falling over the Niagara Escarpment, where they contribute to the city's waterfall count.

The spring, or source for Chedoke Creek itself lies between Upper James and West 5th Street, under Jameston Ave just north of the Linc. That spring was what first attracted the United Empire Loyalist, Michael Hess, to settle here with his family in 1789.

The spring and the creek flow entirely in pipes underground now, down Upper James, across Buchanan Park and along West 23rd through Coloquhoun Park, and over the escarpment, but it still drains the same area of its natural watershed. All those streets and parking lots, and most of the houses, contribute their rain runoff to it.

I'm saying all this because I want to give you the idea that the built geography of the city, the buildings and infrastructure, follows and depends upon the natural geography.

Chedoke Valley may be a remnant of what it was originally, but it still exists. It is still a valley, and a creek still runs through it. Together they remain a vital part of our living, working, natural heritage. And should be respected as such.

Personally, I don't want to see any more of Chedoke Valley filled in at all, by this or any other development. I think it's wrong. Enough is enough. In this, I agree entirely with Gord McNulty and the Hamilton Naturalist's Club. More public consultation is necessary.

And if this development is to go forward, then I would urge the city to require two things. One, that as little of the valley is filled-in as possible; and two, that the design of the project honour and respect its location on the lip of and overlooking the valley, that it have "two front doors," so to speak, one facing Main St, the other facing the 403, so that unlike for instance the Spectator and other buildings, it does not show its hind-end to us as we drive by.

Thank you.

Respectfully,
John Terpstra

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BLG
 Borden Ladner Gervais

August 31, 2018

Delivered by Email

Mayor and Members of City Council
 City of Hamilton
 c/o Legislative Co-ordinator
 Planning Committee
 City of Hamilton
 71 Main Street West, 1st Floor
 Hamilton, ON L8P 4Y5

Dear Mayor and Members of Council:

**Re: Applications for Official Plan Amendment (UHOPA-16-11) and Zoning By-law Amendment (ZAC-16-029) (the “Applications”)
 925 Main Street West and 150 Longwood Road South (the “Subject Lands”)
 Comments from Wilstar Management Ltd. (“Wilstar”)**

We are counsel to Wilstar, the property manager and representative of the owner of lands known municipally as 981 and 1001 Main Street West in the City of Hamilton (the “Wilstar Lands”). The Wilstar Lands are immediately west of the Subject Lands and immediately east of the Columbia International College (“CIC”) campus at 1008 Main Street West. Together, these three parcels make up a block of land bounded by Main Street West to the north, Longwood Road South to the east, Highway 403 to the south and a Highway 403 off-ramp to the west.

We understand that CIC is seeking permission to redevelop the Subject Lands with a high-density form of temporary student lodging with retail uses at grade. Wilstar has a number of concerns with the proposed redevelopment, as outlined in this letter, and cannot support it in its current form.

As a preliminary matter, Wilstar is troubled by the fact that the City released its 78-page staff report that contains the details about the Applications only today, less than one business day before comments are to be submitted. This letter represents Wilstar’s preliminary comments on the Applications; Wilstar reserves the right to provide additional comments as more information becomes available.

The Wilstar Lands

Wilstar operates two twelve-storey purpose-built rental buildings on the Wilstar Lands containing 470 units. These buildings house a diverse population of families, seniors, professionals and students within 1-, 2- and 3-bedroom units. They provided needed rental housing in an area where this type of housing is scarce; only one other substantial rental building exists in the Westdale area.

Wilstar is in the midst of a substantial investment in refurbishing the buildings on the Wilstar Lands to better serve the residents of the community.

Unfortunately, both students and staff of CIC regularly trespass and loiter on the Wilstar Lands. In particular, groups of students congregate on the Wilstar Lands, primarily at the western entrance, to smoke, leaving cigarette butts and trash in their wake. This activity is highly disruptive to Wilstar's tenants and staff. Wilstar has reported this activity to CIC on several occasions but no satisfactory solution has been provided, and the issues persist.

Wilstar is concerned that the proposed redevelopment in its current form will exacerbate these concerns and destabilize the existing residential uses on the Wilstar Lands. As the proposed buildings are intended for student housing, and the Wilstar Lands are situated between the proposed housing and the CIC Campus, one can expect significantly more intrusions on the Wilstar Lands.

Stability of the Neighbourhood – Compatibility of the Proposed Development

The portion of the Subject Lands proposed for redevelopment is located within the Neighbourhoods designation in the Urban Hamilton Official Plan (the "UHOP") and is presently designated Local Commercial in the Ainslie Wood Westdale Secondary Plan (the "Secondary Plan").

Policies 2.6 and 2.6.7 of the UHOP provide that Neighbourhoods are regarded as stable areas. Changes that are compatible with the existing character or function of the neighbourhood are permitted. "Compatible" is defined as "land uses and building forms that are mutually tolerant and capable of existing together in harmony within an area. Compatibility should not be narrowly interpreted to mean "the same as" or even as "being similar to"."

Policy 3.6.7(d) of the UHOP directs that development provide adequate landscaping and buffering where required, and be compatible with existing and future uses in the surrounding area in terms of heights, massing and an arrangement of buildings and structure.

Similarly, the Secondary Plan identifies the Ainslie Wood Westdale area as a balanced stable community in which the diverse needs of all stakeholders are met. It directs that a diversity of suitable housing choice for families, students, seniors and others be provided (Policy 6.2.4(a)) and that conflicts between adjacent land uses be reduced by buffering and distance separation (Policy 6.2.4(f)).

Policy 6.2.5.5(b) of the Secondary Plan provides that the residential densities of High Density Residential 1 uses shall generally be 50-125 units per gross hectare. The Applications propose a density that is double the high end of this range. Policy 6.2.5.5(c) provides that redesignation to High Density Residential 1 uses may be considered on sites where compatibility with adjacent uses can be ensured.

The proposed development, in its current form, does not appropriately account for the potential for incompatibility with the development on the Wilstar Lands. Specifically, there is a significant risk that incidents of trespass by CIC students will increase when the Wilstar Lands become a conduit between the Subject Lands and the main CIC campus. The Applications therefore do not conform with the UHOP and Secondary Plan policies concerning land use compatibility and threaten the stability of the surrounding neighbourhood. This is especially problematic when the Wilstar Lands

make a substantial and necessary contribution to the rental housing stock in the area and houses positions of the community who may be more sensitive to the adverse effects noted above, including families with children and seniors. A fence or other permanent barrier, erected on the Subject Lands to the satisfaction of Wilstar, is required to mitigate this issue.

Creation of Complete Communities

The Growth Plan for the Greater Golden Horseshoe, 2017 (the “Growth Plan”) directs municipalities to ensure the creation of complete communities by requiring the provision of a range and mix of housing options and densities and diversification of existing housing stock.

The UHOP and the Secondary Plan incorporate the policy direction of the Growth Plan by providing that Neighbourhoods are intended to function as complete communities including the full range of residential dwelling types and densities as well as supporting uses intended to serve local residents (UHOP Policy 3.2.1).

The Applications propose a specific form of transient residential development that will serve only one private enterprise, CIC. Moreover, it appears that the needs of the student residents will be served almost exclusively by the development (e.g. through private meal plans), and so integration with and economic benefit to the broader community will be minimal. As such, the Applications do not contribute to the creation of a complete community and the proposed redevelopment is, in our view, not the form of residential development contemplated for the Neighbourhoods designation. Further, if seniors and families are discouraged from living at the Wilstar Lands due to conflicts with students, this critical policy direction is undermined.

Safety Concerns

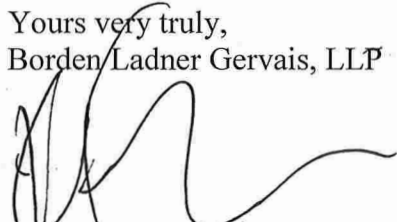
The Provincial Policy Statement, 2014 requires that new residential development maintain appropriate levels of public health and safety (Policy 1.4.3(e)).

The Wilstar Lands are surrounded by a heavily treed ravine-area that is partly adjacent to the Subject Lands. Wilstar is concerned that the proposed redevelopment will encourage acts of trespass that threaten public safety on its lands. It requires the Subject Lands to be developed with a permanent buffer and in a manner that discourages trespass activity.

Conclusion

Thank you for the opportunity to submit these comments on the Applications on behalf of Wilstar. Kindly notify us of any decisions or other developments made in respect of the Applications.

Yours very truly,
Borden/Ladner Gervais, LLP



Pitman Patterson
JPP:sa

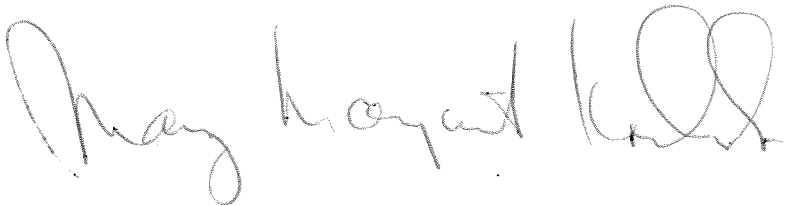
Mary Margaret Kachurowski
175 Hunter St. East
Hamilton, Ontario

Application by 1970703 Ontario Inc
For Official Plan Amendment for
Lands located at 154 Main St. East and 49 Walnut St. South
Hamilton (Ward 2)

Application UHOPA-18-018

1. Please notify me of the decision.
2. My concern is one of density and traffic congestion. 272 units and parking in the garage at that corner is a lot! Right now the traffic pile up in the morning and the afternoon can be brutal and I'm worried that with that many cars in the parking garage will make it much much worse. What will be the plan to ensure that the congestion doesn't create a log jam on that corner?
3. A 25 story building at that corner will dwarf the neighbourhood and be so out of place!!!! Is there no way to make the building smaller? Perhaps 3 with parking underground?

Thanks for receiving my concerns.



August 31, 2018

Office of City Clerk
City Hall
71 Main St. W., 1st Floor
Hamilton, Ontario, Canada L8P 4Y5

Re: Application to Amend the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No. 05-200 for Lands located at 154 Main Street East and 49 Walnut Street South, Hamilton (PED18196) (Ward 2)

While I am unable to attend this meeting, I respectfully request that my questions and following concerns be formally recorded.

My concerns related to the proposed amendment to the Official Plan and re-zoning of 154 Main and 49 Walnut stem from the way in which the new Downtown Secondary Plan ('DTSP') is used to justify the changes, but does not subject the land to any of the new requirements that would apply under the new DTSP.

The proposed site specific changes to the Official Plan to accommodate the commercial space at 49 Walnut St is justified by arguing that under the new (inactive) DTSP this land is zoned as Downtown Mixed Use. Thus the amendment to the Official Plan brings the zoning in line with the vision for this land that council has already approved. If we accept this justification, why is that vision limited to commercial space use?

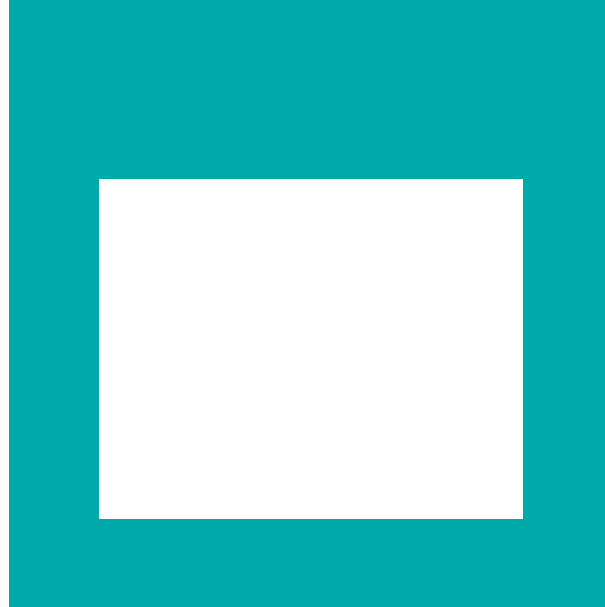
Under the new DTSP, Downtown Mixed Use includes additional requirements, including a holding condition for buildings higher than 12 stories. It identifies Downtown as an important site for increases to affordable housing stock, and inclusive and complete communities. Under the new DTSP the development would be required to ensure community benefit in order to be granted the height being requested.

I agree that councillors should stand by their vision of the new DTSP when considering new proposals. The commitment to affordable and inclusive communities is a central pillar of the vision of the new Downtown Secondary Plan. As such, I respectfully ask city staff and the committee why the same holding provisions that would be required under Downtown Mixed Use in the new DTSP are not included in the holding provisions for this by-law change.

As it stands, the proposed project does not fit within the broad vision of the new DTSP, thus approving these changes is tantamount to reversing Council's earlier decision. While I support the redevelopment of the land in question, I believe more needs to be done to ensure the project meets the needs of the Corktown neighbourhood and Downtown generally.

Kindly,

Jessica Merolli
166 Walnut St St



WELCOME TO THE CITY OF HAMILTON

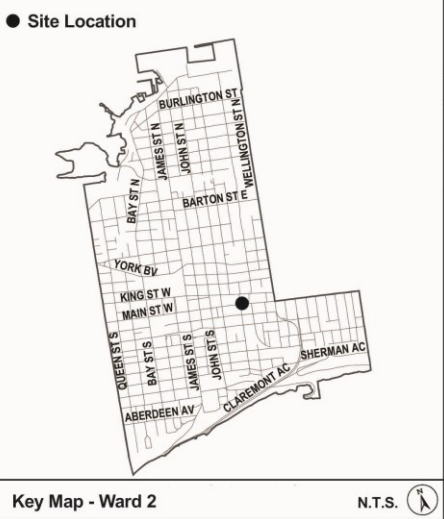
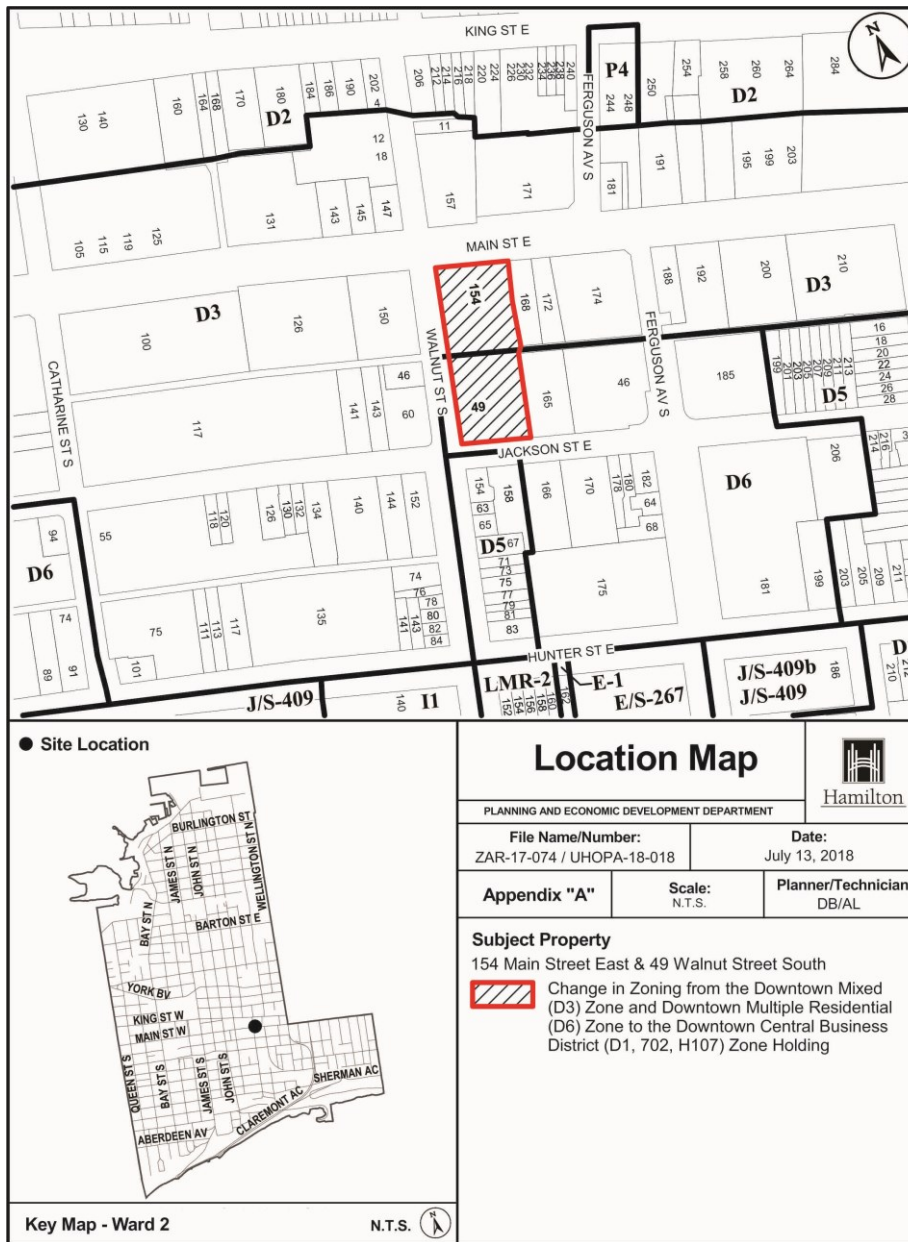
PLANNING COMMITTEE

September 4, 2018

PED18196 – (ZAR-17-074 / UHOPA-18-018)

Application to Amend the Urban Hamilton Official Plan and
City of Hamilton Zoning By-law No. 05-200 for Lands located at
154 Main Street East and 49 Walnut Street South, Hamilton.

Presented by: Daniel Barnett



Location Map



| | |
|---|-------------------------------|
| PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT | |
| File Name/Number: ZAR-17-074 / UHOPA-18-018 | Date: July 13, 2018 |
| Appendix "A" | Scale: N.T.S. |
| Planner/Technician: DB/AL | |

Subject Property
 154 Main Street East & 49 Walnut Street South

Change in Zoning from the Downtown Mixed (D3) Zone and Downtown Multiple Residential (D6) Zone to the Downtown Central Business District (D1, 702, H107) Zone Holding

Site Specific By-laws

To the Current By-law

- Change the zoning from the Downtown Mixed Use (D3) Zone and Downtown Multiple Dwelling (D6) Zone to the Central Business District (D1, 702, H107) Zone,



To the Council Approved By-law (18-114)

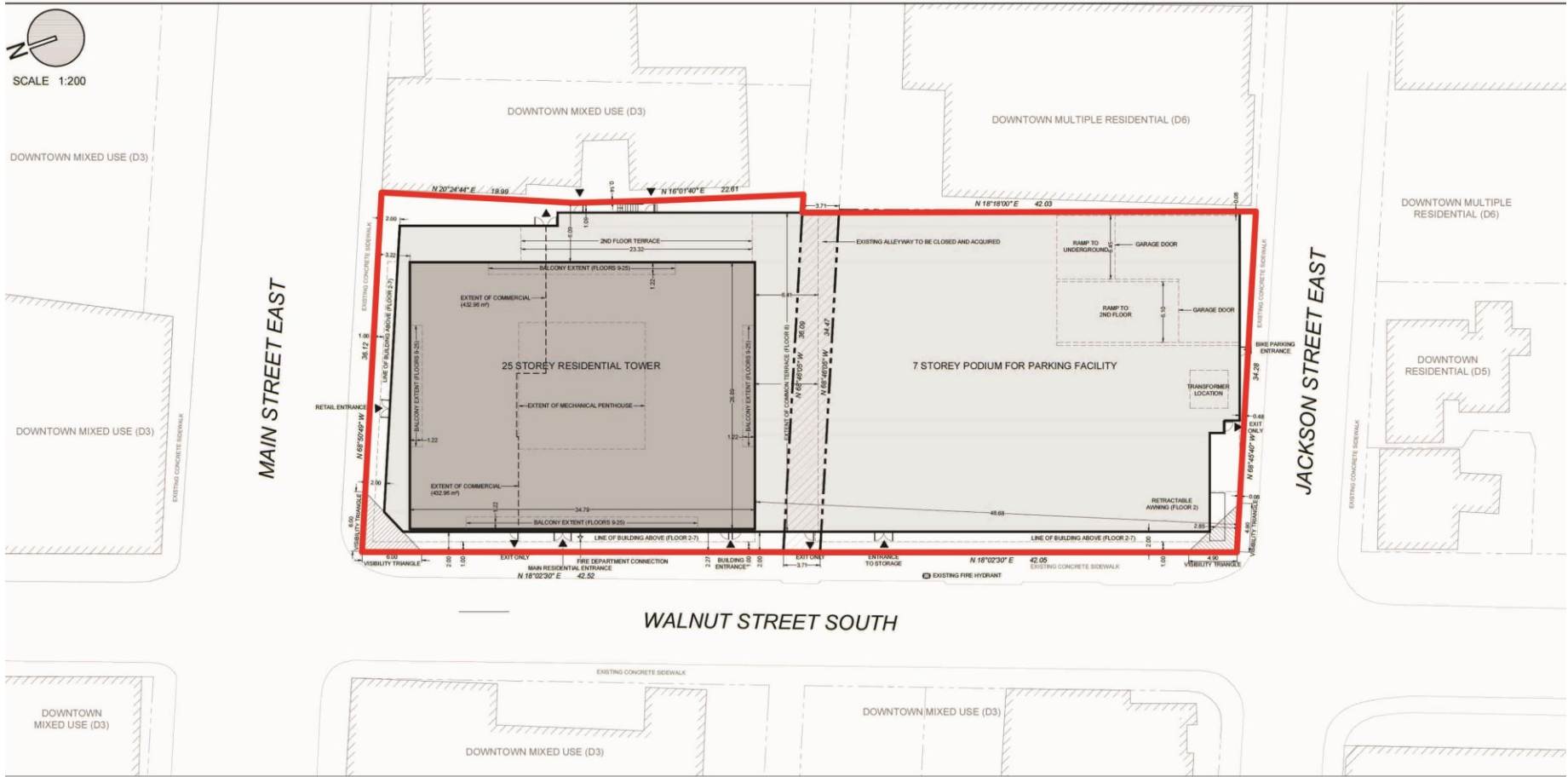
- Modification to the Downtown Central Business District (D1, H17) Zone to establish a site specific Downtown Central Business District (D1, 702, H17, H107) Zone

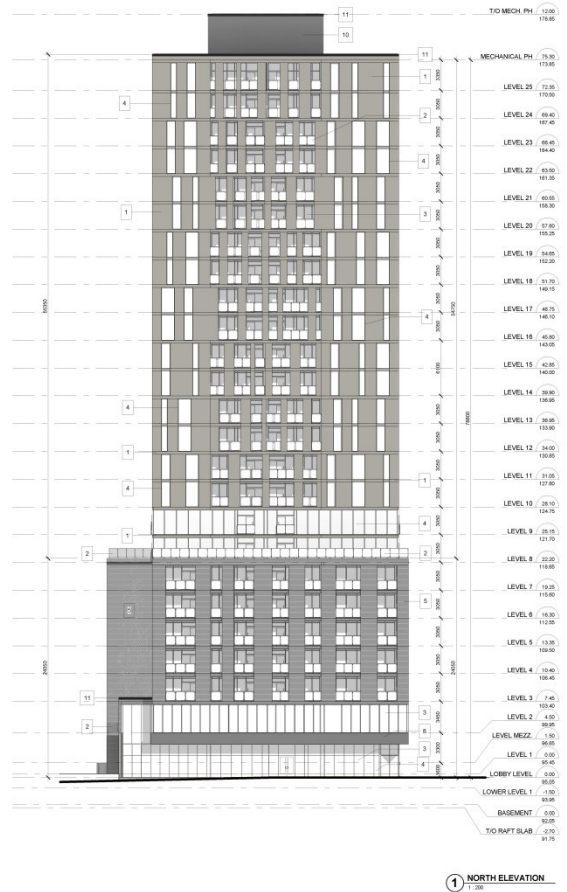
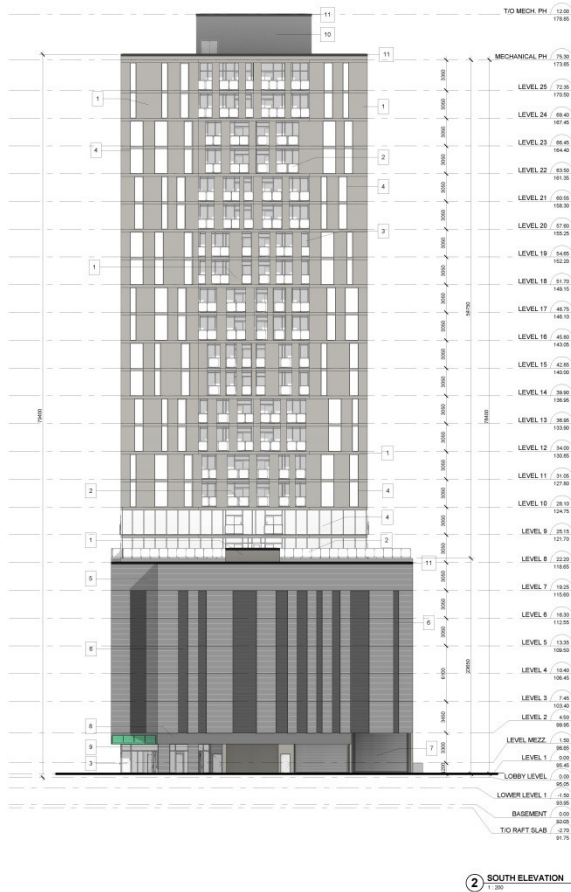
Holding

- 'H' Holding Provision to prohibit development of the lands, to be removed conditional upon the following:
 - The Owner entering into a Conditional Building Permit or receive a Record of Site Condition; and,
 - The Owner purchase the section of the alleyway required to implement the proposed development and merge the lands on title.



SUBJECT PROPERTY  **154 Main Street East & 49 Walnut Street South, Hamilton** 





- GENERAL ELEVATION NOTES**
1. THE APPROVED ELEVATIONS SHALL FORM THE BASIS FOR THE BUILDING PERMIT APPLICATION.
 2. ALL SITE LIGHTING SHALL NOT RESULT IN ANY GLARE OR SPILL LIGHT TO ADJACENT PROPERTIES OR PUBLIC VIEW.
 3. ALL PAINT FOR MECHANICAL EQUIPMENT SHALL BE FULLY FINISHED FROM PUBLIC VIEW AND SUBSEQUENT TO OCCUPANCY.
 4. BUILDING COLOURS MAY BE SUBJECT TO MINOR ADJUSTMENTS TO TONE AND/OR BRUSH.
 5. ANY PROPOSED SIGNAGE IS FOR ILLUSTRATION PURPOSES AND IS SUBJECT TO THE GOVERNING AUTHORITY SIGN BY LAW.

- MATERIAL LEGEND**
- 1 STAINED PRECAST CONCRETE WALL COLOUR- TBD
 - 2 STRUCTURAL GLASS CLAND PANEL
 - 3 CLEAR VISION GLASS
 - 4 SPANDREL GLASS PANEL
 - 5 PATTERN STAMPED, STAINED PRECAST CONCRETE WALL PANEL COLOUR - TBD
 - 6 LOUVRE WALL COLOUR TBD
 - 7 GARAGE DOOR
 - 8 ROOF CANOPY CLADDING
 - 9 EXIT DOOR
 - 10 CORRUGATED STEEL CLADDING COLOUR-TBD
 - 11 STEEL CAP FLASHING COLOUR TBD

| No. | Date | Revision |
|-----|------------|----------------|
| 1 | 2015-12-08 | ISSUED FOR IFA |

Project No. 18017
 Issue Date 2017-12-08
 Client TJM
 Designer MTV
 Issue Date 2017-12-08 1:54:05 PM

sr
ARCHITECTS INC.

Rancor
 154 Main Street, Hamilton

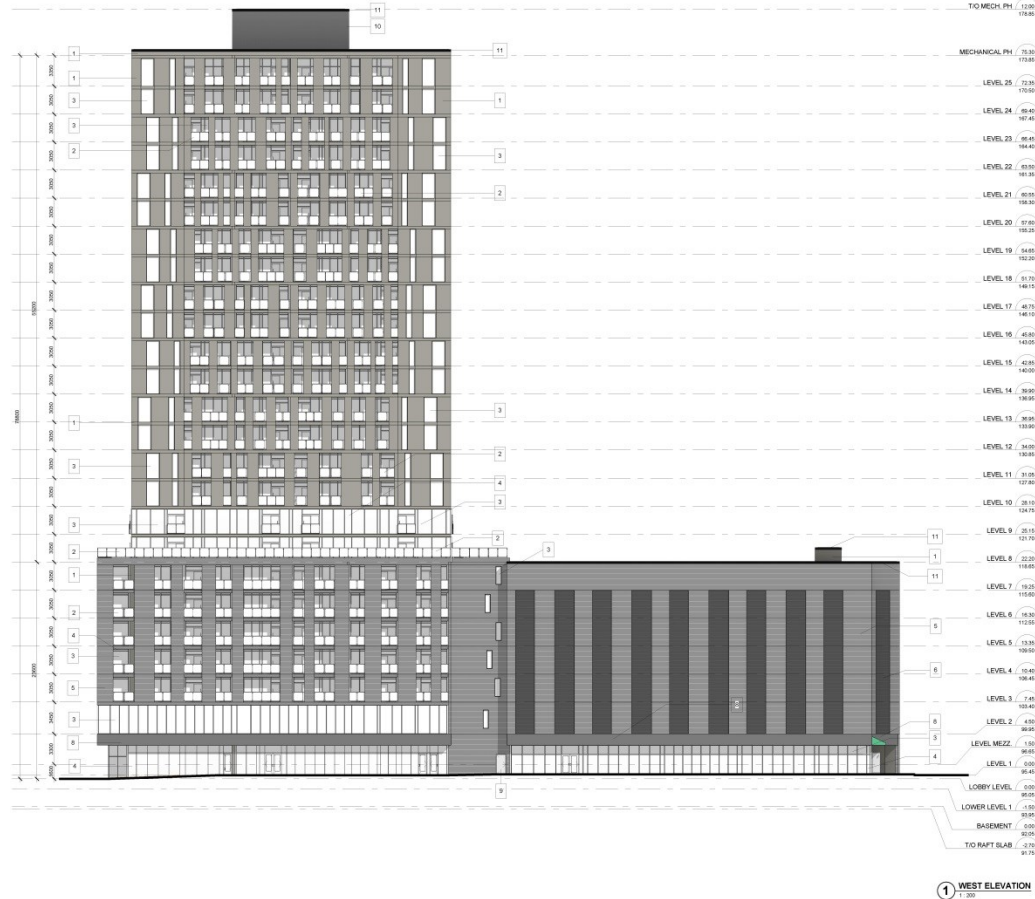
NORTH + SOUTH ELEVATIONS

Ontario Association of Architects
 Registered Professional Architect
 2017-12-08 1:54:05 PM

As indicated

DATE OF APPROVAL

A3.1 - r1



- GENERAL ELEVATION NOTES**
1. THE APPROVED BUILDING ELEVATIONS SHALL FORM THE BASIS FOR THE BUILDING PERMIT APPLICATION.
 2. ALL SITE LIGHTING SHALL NOT RESULT IN ANY GLARE OR BEING OBSTACLES TO NAVIGATING WATERWAYS OR PUBLIC SPACE.
 3. ALL ROOFTOP MECHANICAL EQUIPMENT SHALL BE FULLY SCREENED FROM PUBLIC VIEW AND ADJACENT RESIDENTIAL PROPERTIES.
 4. BUILDING COLOURS MAY BE SUBJECT TO MINOR ADJUSTMENTS BY THE MANOR SINCE.
 5. ANY PROPOSED SCHEME IS FOR ILLUSTRATION PURPOSES AND SUBJECT TO THE GOVERNING AUTHORITY SIGN OFF LANE.

- MATERIAL LEGEND**
- 1 STAINED PRECAST CONCRETE WALL COLOUR TBD
 - 2 STRUCTURAL GLASS GUARD PANEL
 - 3 CLEAR VISION GLASS
 - 4 SPANDREL GLASS PANEL
 - 5 PATTERN STAMPED, STAINED PRECAST CONCRETE WALL PANEL COLOUR - TBD
 - 6 LOUVRE WALL COLOUR TBD
 - 7 GARAGE DOOR
 - 8 ROOF CANOPY CLADDING
 - 9 EXIT DOOR
 - 10 CORRUGATED STEEL CLADDING COLOUR-TBD
 - 11 STEEL CAP FLASHING COLOUR TBD

| No. | Date | Revision |
|-----|------|----------|
| | | |

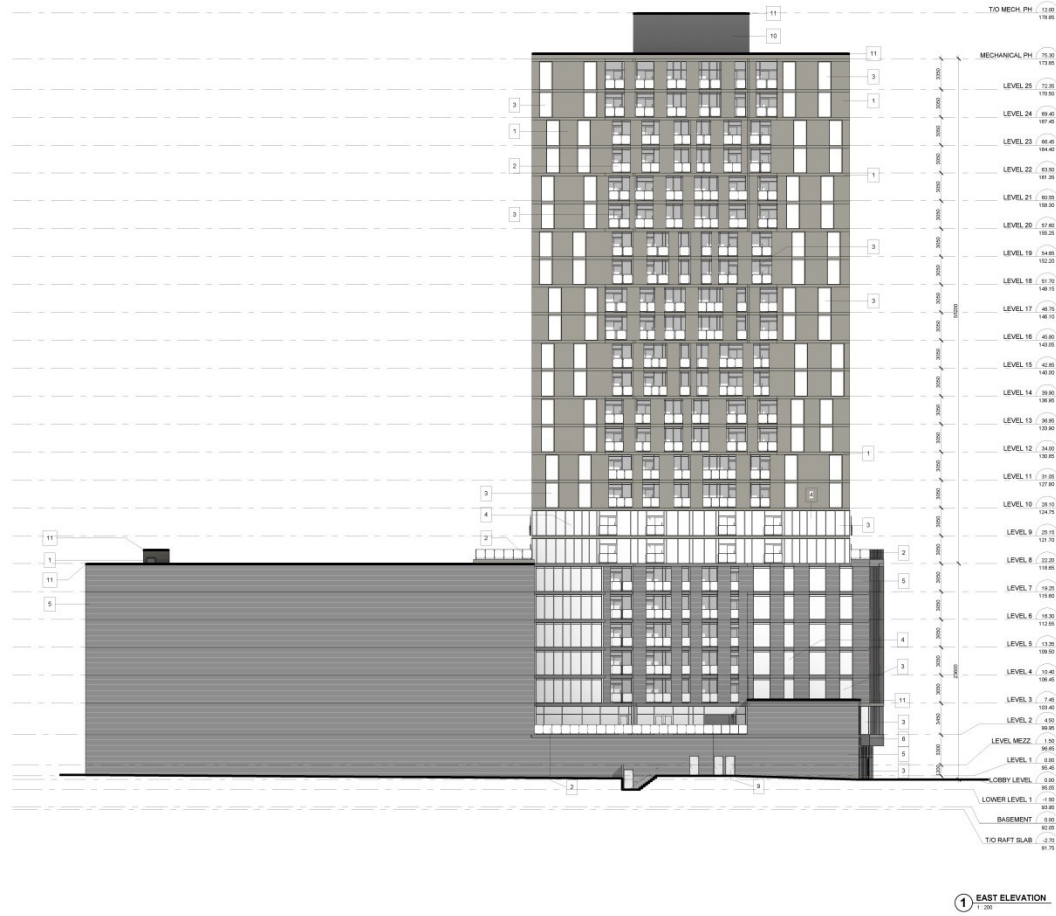
Project No: 18017
 Issue Date: 2017-12-08
 Client: TJM
 Designer: MYV
 Approval Date: 2017-12-08 1:55:26 PM

Vancor
 154 Main Street, Hamilton

WEST ELEVATION

Ontario Association of Architects
 As indicated
 SITE PLAN APPROVAL
 EDWARDS THOMAS & YOUNG
 2017-12-08 1:55:26 PM
A3.2

The information contained herein is for informational purposes only and does not constitute an offer of any financial product or service. It is intended for the use of the recipient only and should not be relied upon for any other purpose. The information is provided as a guide only and is not intended to be a substitute for professional advice. The recipient should consult with their professional advisor before making any decision. The information is provided as a guide only and is not intended to be a substitute for professional advice. The recipient should consult with their professional advisor before making any decision.



- GENERAL ELEVATION NOTES**
1. THE APPROVED BUILDING ELEVATIONS SHALL FORM THE BASIS FOR THE BUILDING PERMIT APPLICATION.
 2. ALL SITE LIGHTING SHALL NOT RESULT IN ANY GLARE OR SPILL OVER TO SURROUNDING PROPERTIES OR PUBLIC VIEW.
 3. ALL ROOF TOP MECHANICAL EQUIPMENT SHALL BE FULLY SCREENED FROM PUBLIC VIEW AND SURROUNDING RESIDENTIAL PROPERTIES.
 4. BUILDING COLOURS MAY BE SUBJECT TO MINOR ADJUSTMENTS IN TONE AND/OR SHADE.
 5. ANY PROPOSED SIGNAGE IS FOR ILLUSTRATION PURPOSES AND IS SUBJECT TO THE GOVERNING AUTHORITY SIGN OFF.

- MATERIAL LEGEND**
- 1 STAINED PRECAST CONCRETE WALL COLOUR - TBD
 - 2 STRUCTURAL GLASS GUARD PANEL
 - 3 CLEAR VISION GLASS
 - 4 SPANDREL GLASS PANEL
 - 5 PATTERN STAMPED, STAINED PRECAST CONCRETE WALL PANEL COLOUR - TBD
 - 6 LOUVRE WALL COLOUR TBD
 - 7 GARAGE DOOR
 - 8 ROOF CANOPY CLADDING
 - 9 EXIT DOOR
 - 10 CORRUGATED STEEL CLADDING COLOUR - TBD
 - 11 STEEL CAP FLASHING COLOUR TBD

| 2017-2018 ISSUED FOR SPA | | |
|--------------------------|------|----------|
| No. | Date | Revision |
| | | |


 Project: 15017
 Issue Date: 2017-12-08
 Designer: T.J.M.
 Drafter: M.V.
 File Date: 2017-12-08 1:58:40 PM

Vancor
 154 Main Street, Hamilton

EAST ELEVATION

Drawing Title: As indicated
 Scale: As indicated
 SITE PLAN APPROVAL
 EDWIN THOMAS ARCHITECTS
A3.3 - r1

The information contained in this document is for informational purposes only and does not constitute an offer of any financial product or service. It is intended for use by the recipient only and should not be distributed to any other person. The information contained in this document is confidential and may be subject to legal proceedings. The information contained in this document is confidential and may be subject to legal proceedings. The information contained in this document is confidential and may be subject to legal proceedings.



Subject property, as seen from Main Street East looking south east



Subject property and the alleyway, as seen from Walnut Street South looking north east



Existing surface parking lot at 49 Walnut Street South, as seen from Walnut Street South looking south east



Jackson Street East and the existing development along Jackson Street East, as seen from Jackson Street East looking east



Existing development at 154 and 158 Jackson Street East located to the south of the Subject property, as seen from Jackson Street East looking south west



Existing development at 152 Jackson Street East located to the south east of the Subject property, as seen from Jackson Street East looking south east



Jackson Street East and the existing development along Jackson Street East, as seen from Jackson Street East looking west



Existing development at 60 Walnut Street South, as seen from Walnut Street South looking west



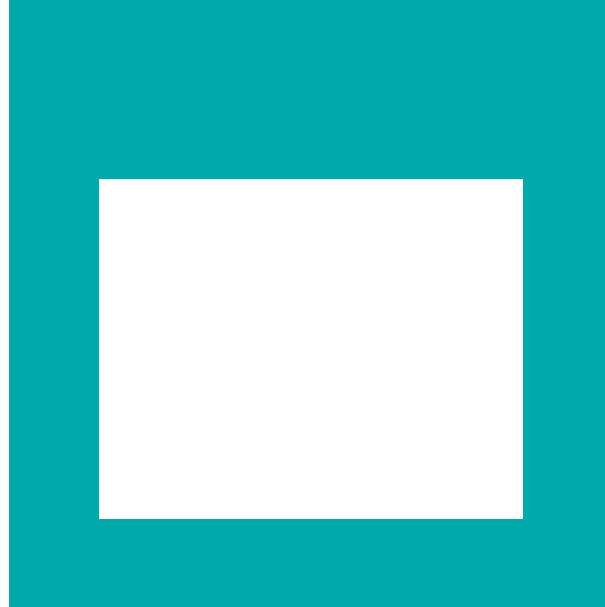
Existing development at 145 and 147 Main Street East located to the north west of the subject property, as seen from Main Street East looking north west



Existing development at 157 Main Street East located to the north of the Subject property, as seen from Main Street East looking north



Main Street East and the existing development along the south side of Main Street East to the east of the Subject property, as seen from Main Street East looking east



THANK YOU FOR ATTENDING

THE CITY OF HAMILTON PLANNING COMMITTEE

PLANNING COMMITTEE

Applications to Amend the Urban Hamilton Official Plan (UHOPA-18-018) and City of Hamilton Zoning By-law No. 05-200 (ZAR-17-074), for Lands Located at 154 Main Street East & 49 Walnut Street South, Hamilton (PED18196)

**Owner/Applicant: Vrancor Group & Brooklyn Contract Inc.
Darko Vranich & Marko Juricic & Milan Marsic**

Agent: UrbanSolutions Planning & Land Development Consultants Inc. c/o Sergio Manchia, MCIP, RPP
Spencer McKay - UrbanSolutions
Amber Lindsay - UrbanSolutions

THANK YOU

UrbanSolutions would like to thank City of Hamilton staff for their hard work on this application:

Jason Thorne

Steve Robichaud

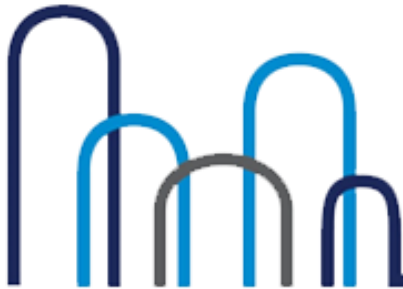
Anita Fabac

Kimberly Harrison-McMillan

Daniel Barnett

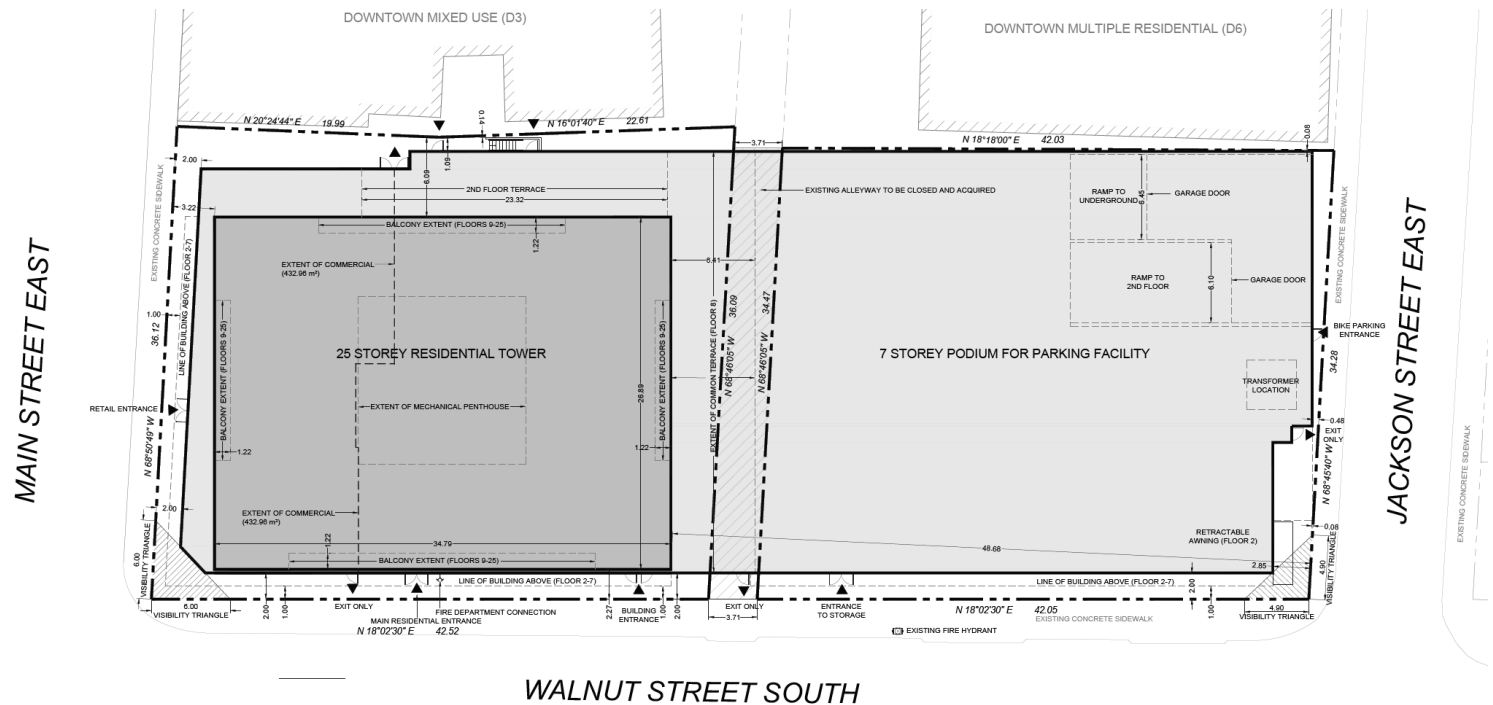


AERIAL VIEW

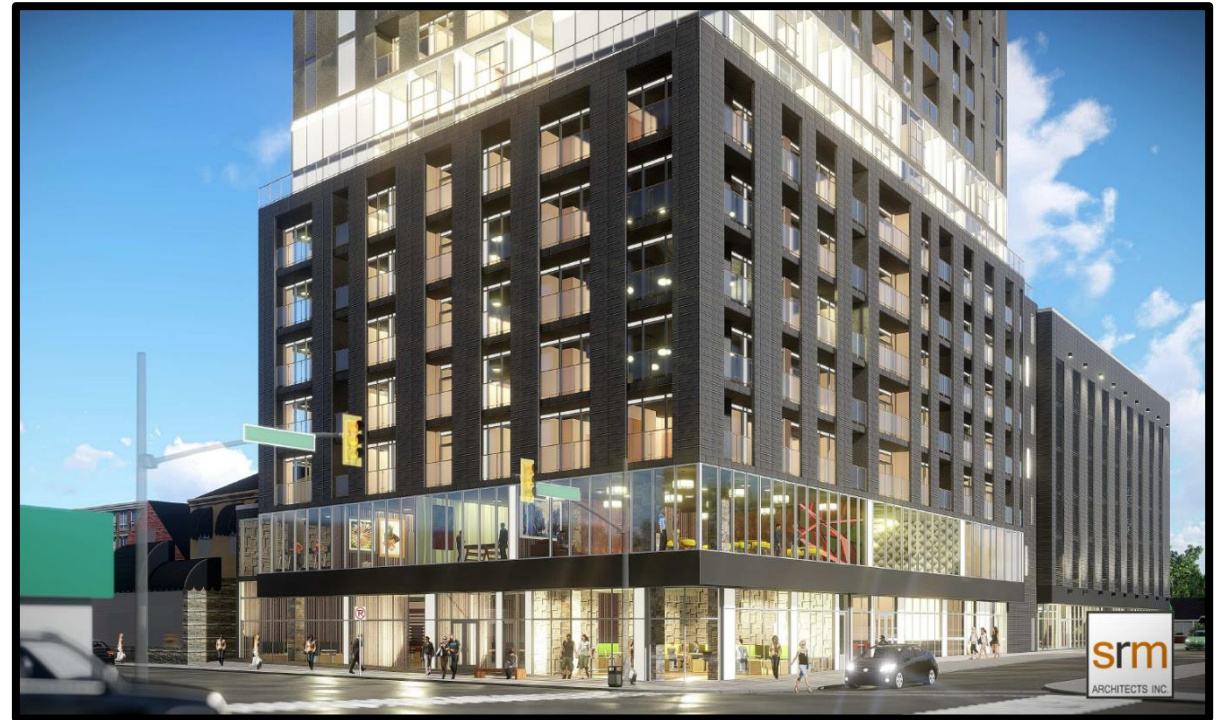


PROPOSED DEVELOPMENT

- 25 storey mixed use building and a seven (7) storey parking structure
 - 267 residential **RENTAL** units
 - 253 vehicular parking spaces
 - 85% tenant parking
 - 15% public parking (32 spaces)
 - 73 bicycle parking spaces
 - 825.9 m² commercial area



PROPOSED DEVELOPMENT



Note: Renderings to be revised to reflect road widening dedications and revised By-law as provided by staff.

PREVIOUS CONCEPT

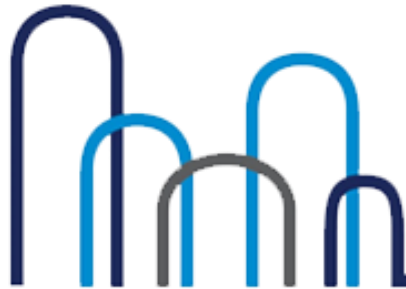


September 4th, 2018

urbansolutions.info

CHRONOLOGY

| | |
|--------------------------|---|
| June 21, 2017 | Formal Consultation process completed (FC-17-079) and Design Review Panel meeting. |
| October 11, 2017 | Application for Zoning By-law Amendment submitted to the City of Hamilton (ZAC-17-074). |
| December 14, 2017 | Submission of the Preliminary Site Plan Control application (PSR-18-009). |
| March 15, 2018 | Development Review Team meeting for Preliminary Site Plan. |
| June 13, 2018 | Application for permanent closure of alleyway approved by Council. |
| July 17, 2018 | Application for Official plan Amendment submitted to the City of Hamilton. |
| August 15, 2018 | Road widening requirements confirmed. |
| September 4, 2018 | Planning Committee and statutory public meeting. |



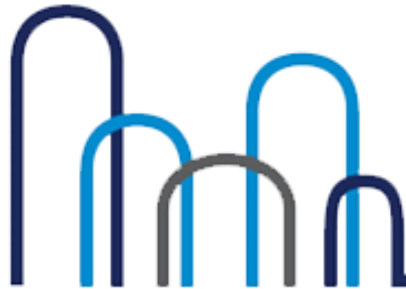
PUBLIC ENGAGEMENT

Presentations & Meetings

| | |
|--------------------------|---|
| October 19, 2017 | Presentation to Corktown Neighbourhood Association. |
| September 4, 2018 | Statutory public meeting. |

Microsite Statistics – Launched November 2017

| | |
|-------------------------|-------|
| Individual Users | 483 |
| Page Views | 1,585 |



THANK YOU

- Transitional change to the periphery of the core
- 25 Floors of **NEW RESIDENTIAL RENTAL STOCK**
- Commercial Parking Facility for the public
- Commencement of the revitalization of Jackson Street Corridor

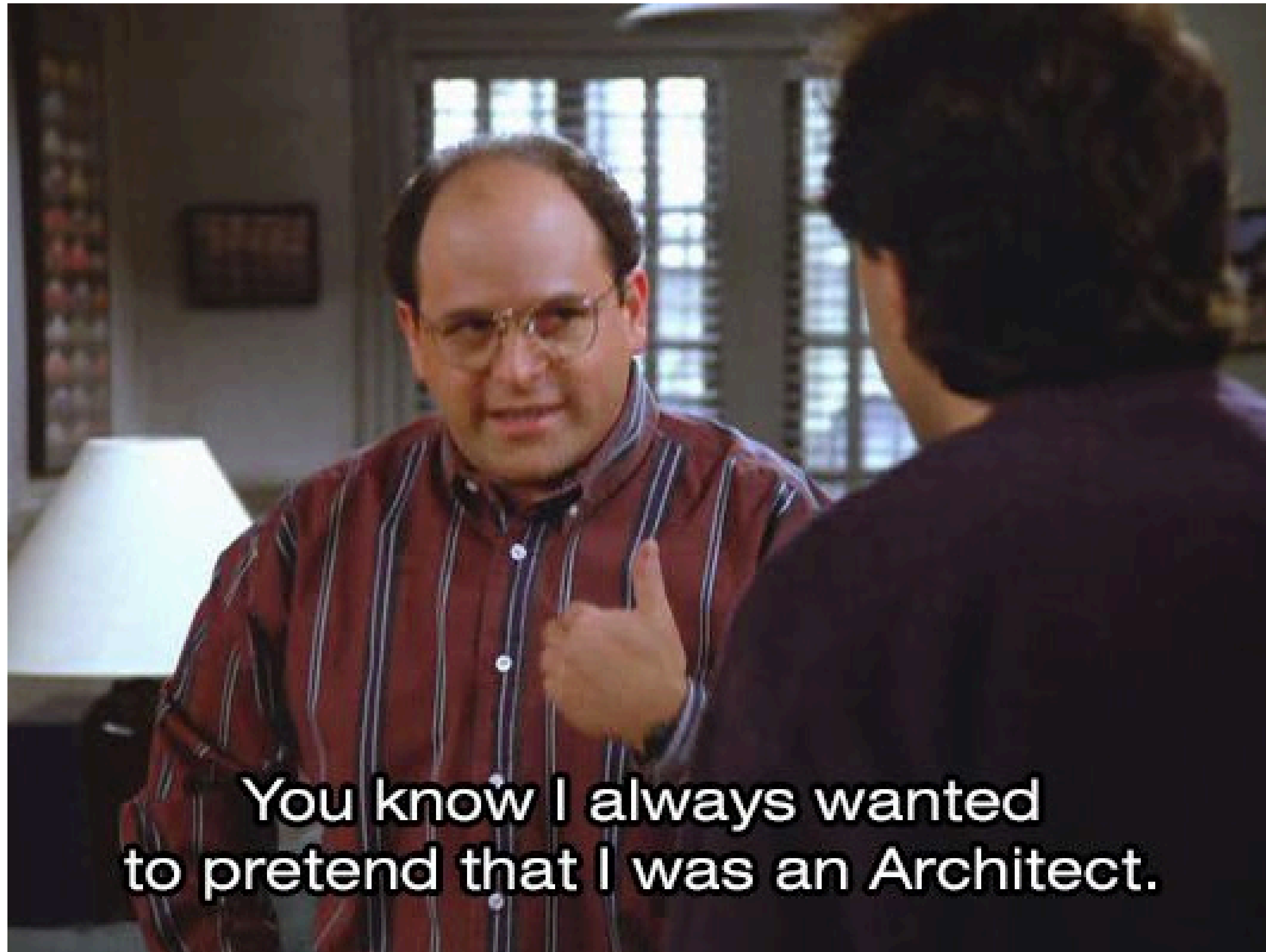


154 MAIN STREET EAST + 49 WALNUT STREET SOUTH

RENDER VS. FINAL BUILT FORM
OPPORTUNITIES FOR DESIGN & MATERIAL EXCELLENCE
DURING SITE PLAN CONTROL

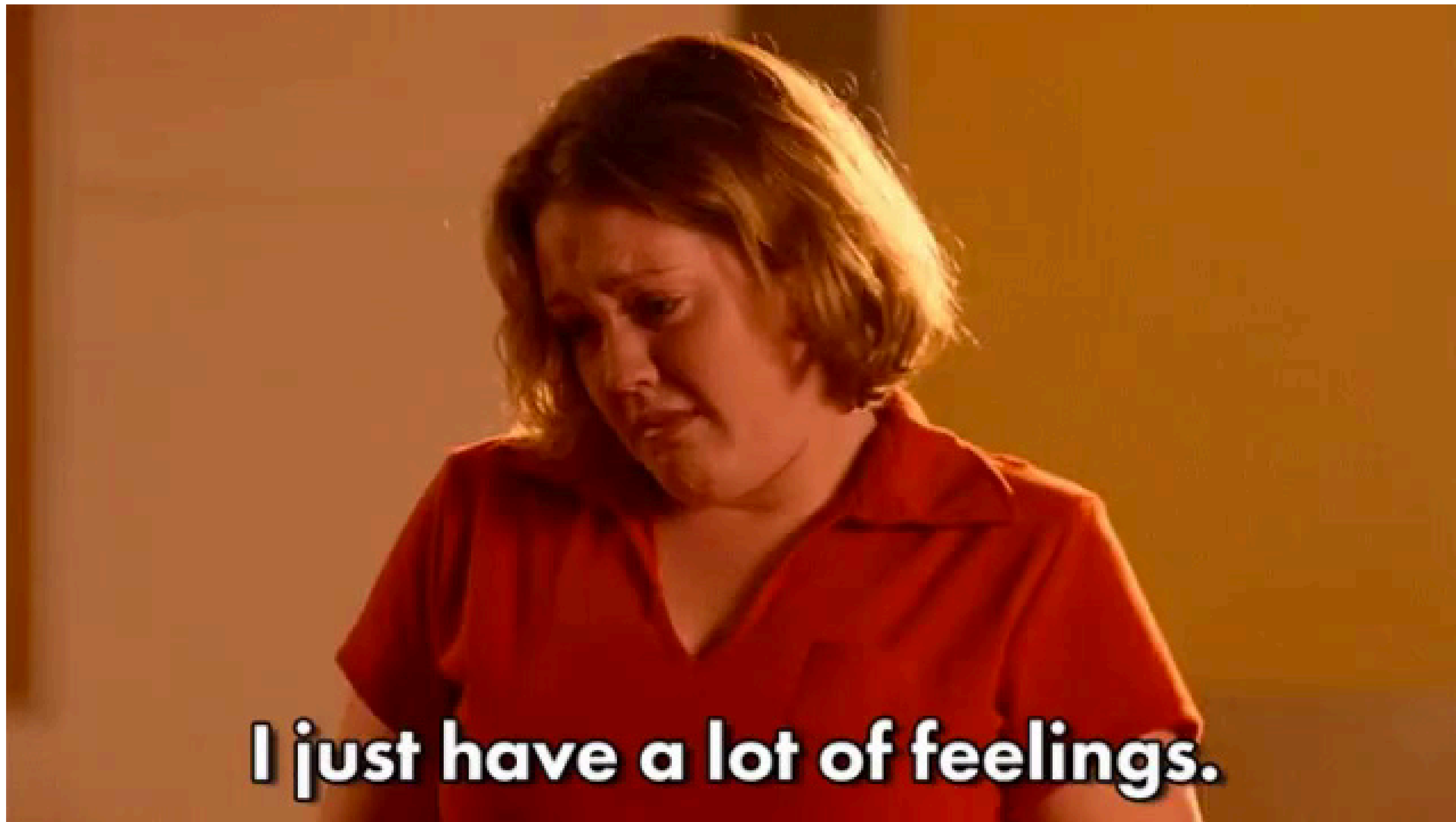


**DISCLOSURE:
I AM NOT AN
ARCHITECT**



**DISCLOSURE:
I AM NOT AN
ARCHITECT**

**I AM JUST A
DESIGNER
WITH A LOT
OF FEELINGS**



I just have a lot of feelings.





THE PROPOSAL

- **25 STOREY RENTAL APARTMENT BUILDING**
- **7 STOREY ABOVE GRADE PARKING STRUCTURE**
- **267 UNITS (318 BEDROOMS)**
- **TOWER FLOOR PLATE OF 942 SQUARE METERS**
- **TOTAL OF 274 PARKING UNITS PROVIDED**
- **(71 RETAIL SPACES, 203 RESIDENTIAL SPACES)**

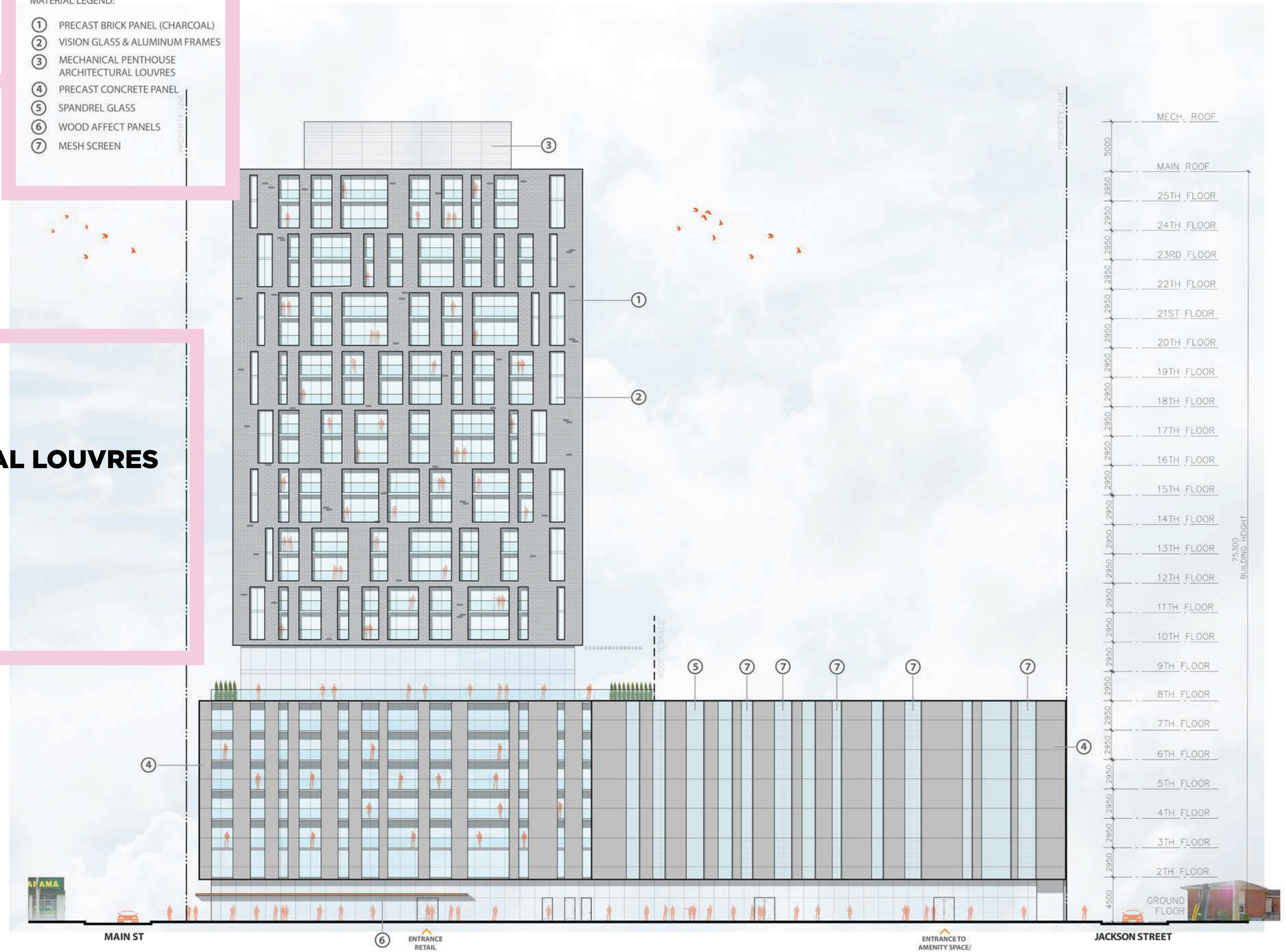
WZMH ARCHITECTS





- MATERIAL LEGEND:
- ① PRECAST BRICK PANEL (CHARCOAL)
 - ② VISION GLASS & ALUMINUM FRAMES
 - ③ MECHANICAL PENTHOUSE ARCHITECTURAL LOUVRES
 - ④ PRECAST CONCRETE PANEL
 - ⑤ SPANDREL GLASS
 - ⑥ WOOD AFFECT PANELS
 - ⑦ MESH SCREEN

- 1. PRECAST BRICK PANEL (CHARCOAL)**
- 2. VISION GLASS & ALUMINUM FRAMES**
- 3. MECHANICAL PENTHOUSE ARCHITECTURAL LOUVRES**
- 4. PRECAST CONCRETE PANEL**
- 5. SPANDREL GLASS**
- 6. WOOD AFFECT PANELS**
- 7. MESH SCREEN**



PRECAST BRICK PANEL?

PRECAST BRICK PANEL? LETS TAKE A CLOSER LOOK



PRECAST WITH BRICK VENEER INLAY

PANEL WALL SECTION



PRECAST WITH BRICK VENEER INLAY

DANIELS CITY FOR THE ARTS (TORONTO)

TOTAL PRECAST

TOTAL PRECAST

STRIK BALDINELLI MONIZ WINS BID TO DESIGN THE TALLEST TOTAL PRECAST CONCRETE BUILDING IN ONTARIO. “OUR STRUCTURAL DESIGN TEAM IS EXCITED TO BE WORKING ON THIS GROUND BREAKING PROJECT.” NOTES MIKE BALDINELLI MESC, P.ENG, LARGE BUILDING DIVISION PRINCIPAL @ SBM. “WHEN COMPLETED THIS BUILDING WILL BE THE TALLEST FREE STANDING TOTAL PRECAST BUILDING IN ONTARIO, TOPPING 26 FLOORS.” STUBBE’S PRECAST CONCRETE WILL BE THE SUPPLIERS. CONSTRUCTION IS SLATED FOR SPRING OF 2018.

SOURCE: [HTTP://WWW.SBMLTD.CA/RECENT-PROJECTS](http://www.sbmltd.ca/recent-projects) (11/9/2017)

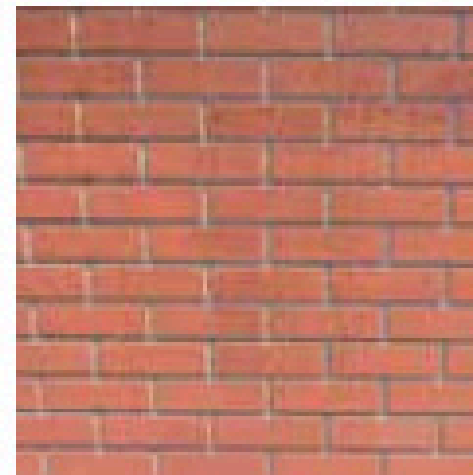
TOTAL PRECAST

STRIK BALDINELLI MONIZ WINS BID TO DESIGN THE TALLEST TOTAL PRECAST CONCRETE BUILDING IN ONTARIO. “OUR STRUCTURAL DESIGN TEAM IS EXCITED TO BE WORKING ON THIS GROUND BREAKING PROJECT.” NOTES MIKE BALDINELLI MESC, P.ENG, LARGE BUILDING DIVISION PRINCIPAL @ SBM. “WHEN COMPLETED THIS BUILDING WILL BE THE TALLEST FREE STANDING TOTAL PRECAST BUILDING IN ONTARIO, TOPPING 26 FLOORS.” STUBBE’S PRECAST CONCRETE WILL BE THE SUPPLIERS. CONSTRUCTION IS SLATED FOR SPRING OF 2018.

SOURCE: [HTTP://WWW.SBMLTD.CA/RECENT-PROJECTS](http://www.sbmltd.ca/recent-projects) (11/9/2017)

Mold Liners & Finishes

PRECAST WITH FORM LINER



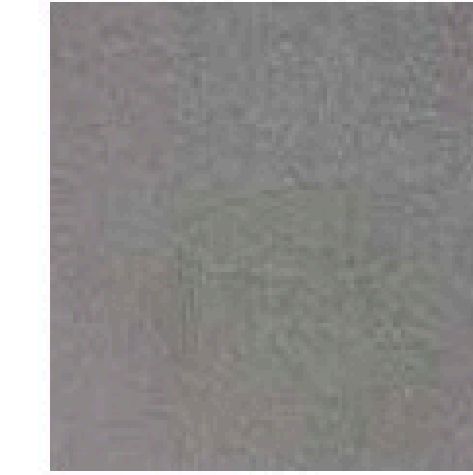
Modular Brick Textured



Modular Brick - Smooth



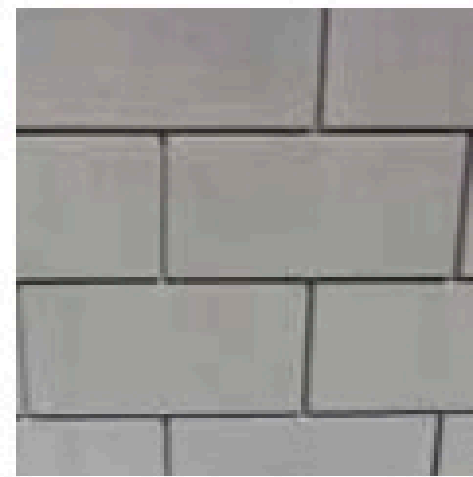
Modular Brick Smooth



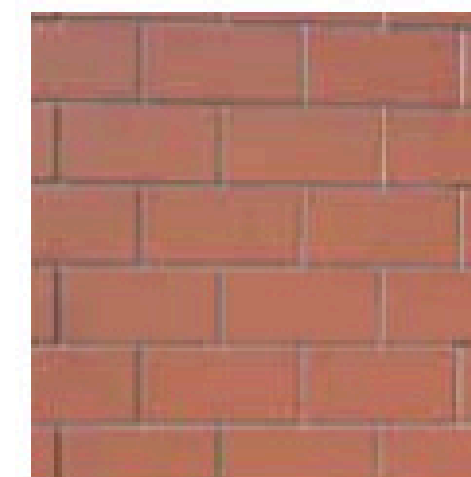
Textured Paint



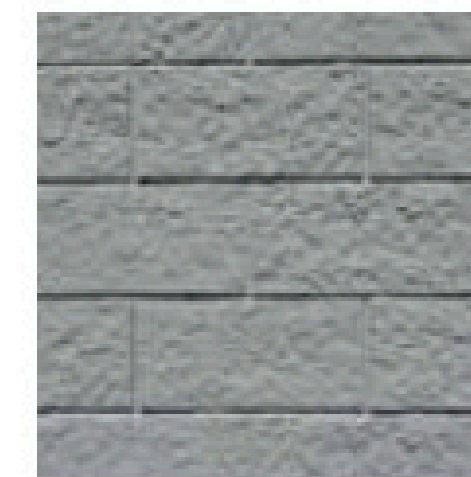
Non-Textured Paint



16 x 8 Block Textured



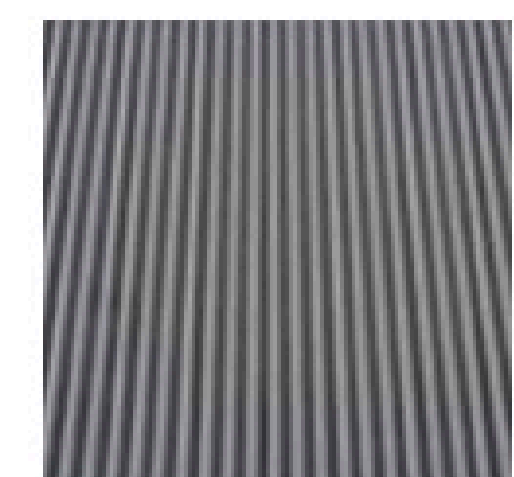
16 x 8 Block - Smooth



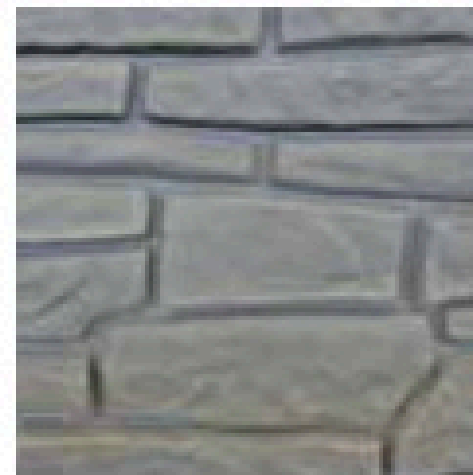
Split Face Block



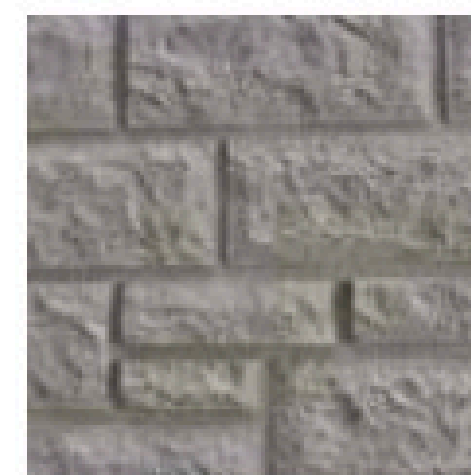
Revels



Fluted Rib



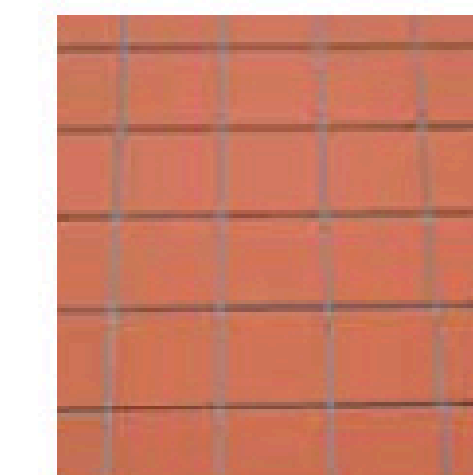
Drystack Fieldstone



Ashler Stone



Wood Grain



Tile - Smooth or Textured



Exposed Aggregate

• Available in any colour! Please contact us for your staining and paint options!

Further precast finishes are being worked on Today!

Contact us to learn more!

STUBBE'S CONCRETE WEBSITE

Accents / Specialty

Coatings & Stains

BASF Master Protect
HB300SB



PRECAST WITH FORM LINER

WALL PANEL FINISHES

- Mold Liner



PRECAST WITH FORM LINER



STUBBE'S CONCRETE WEBSITE

so

So

WHY DOES THIS MATTER?

4.2.9 Materials & Detailing

The selection of building materials may have a great impact on the overall expression of both individual buildings and of a neighbourhood as a whole. Therefore, all materials shall be selected based on the following criteria: heritage character, aesthetics, durability, energy efficiency, low environmental impact, and its overall quality.

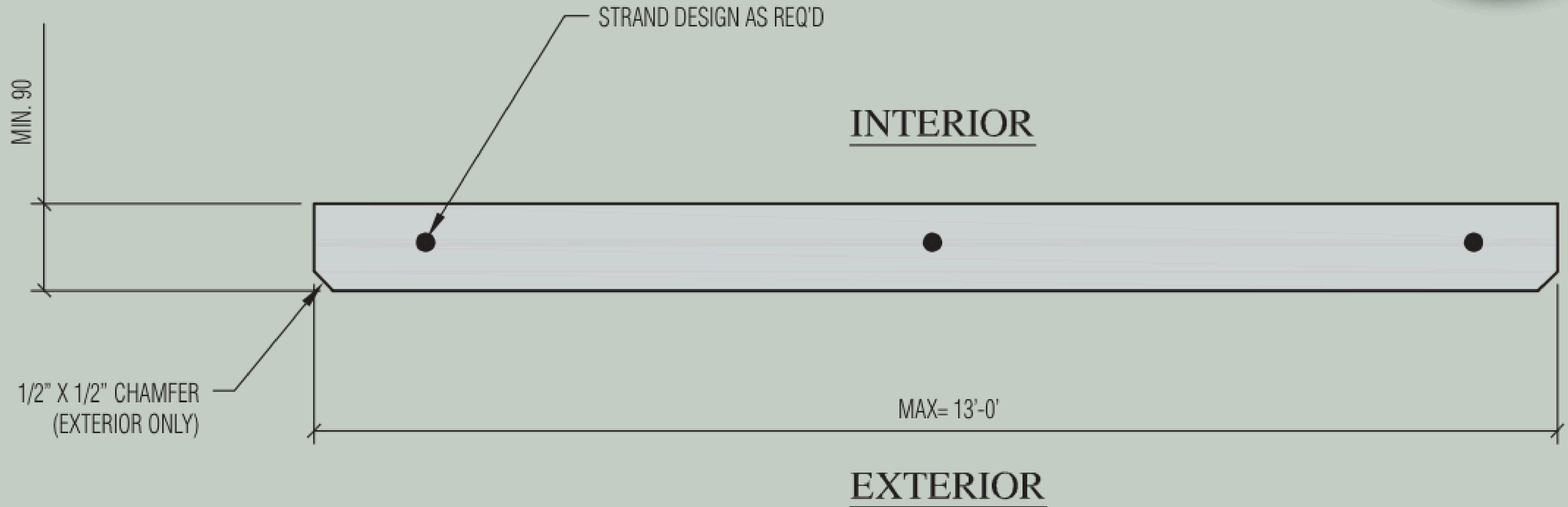
- a. Use beautiful, durable, high quality and sustainable materials;
- b. Materials shall be appropriate to their use and locational context, as well as be complementary with the expressions of the street as a whole, particularly at the *building base*;
- c. A variety of materials and colour palettes between blocks is encouraged to enhance visual interest along the street. Careful attention should be paid to the detailing, connection and juncture of the materials when it is being installed or implemented;
- d. Materials for floors above the base may differ from the first floor materials, and use the contrast as a means of articulating the different parts of the building. Nonetheless, compatibility and *transition* between materials shall be considered to respect the rhythm and proportions of the lower floors;
- e. Side and rear façades shall include materials of equal quality to the front façade;
- f. Materials that give the impression of low quality, inelegance or being outdated shall be avoided. This includes concrete blocks, residential-type metal siding, large quantities of highly reflective and mirror finishes for glazing, or finish effects that simulate another material;
- g. Avoid monotonous use of materials and flat detailing;
- h. Design the first 10-12 m to adhere to Bird Friendly best practices by incorporating sunshades or louvers, visual markers within large glazed areas, and non-reflective glazing to minimize the potential for bird strikes; and,
- i. Façade systems and materials are essential in the design of resource-efficient, high-performing, cost-effective buildings. Choose sustainable materials by:
 - i. prioritizing building materials and products that are extracted and manufactured within the region; and,
 - ii. developing a life cycle assessment of the building to determine the holistic environmental impacts of material selection for structure and assembly.

4.2.9 Materials & Detailing

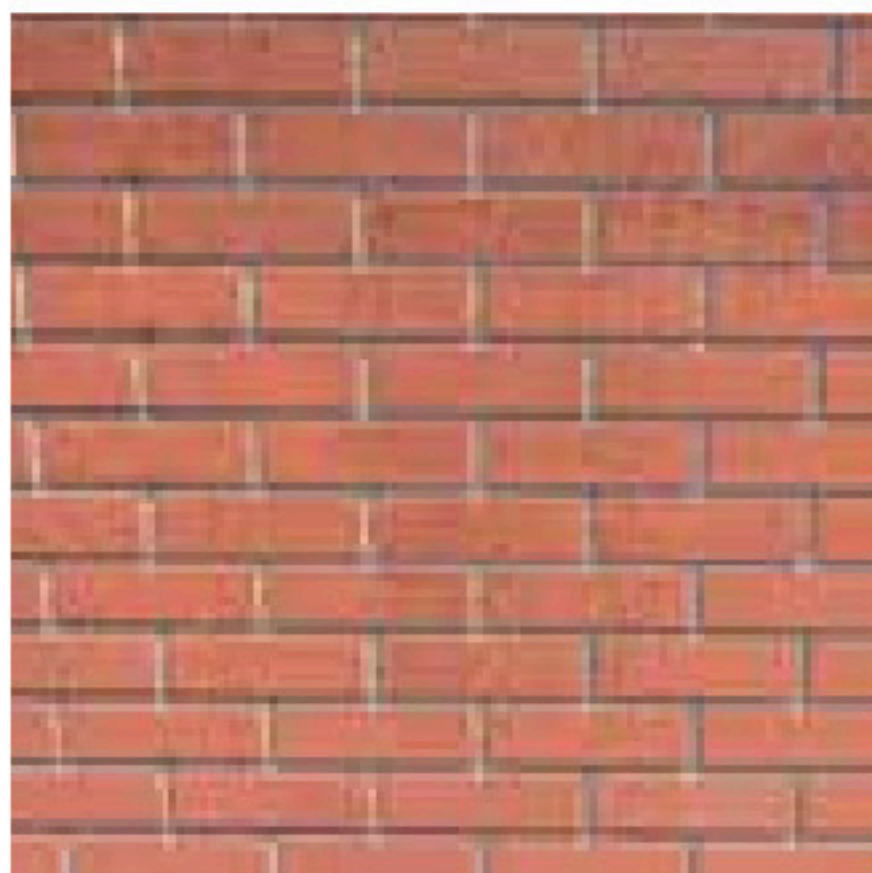
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Wall Panel Sections



Mold Liners & Finishes



Modular Brick Textured



Modular Brick - Smooth



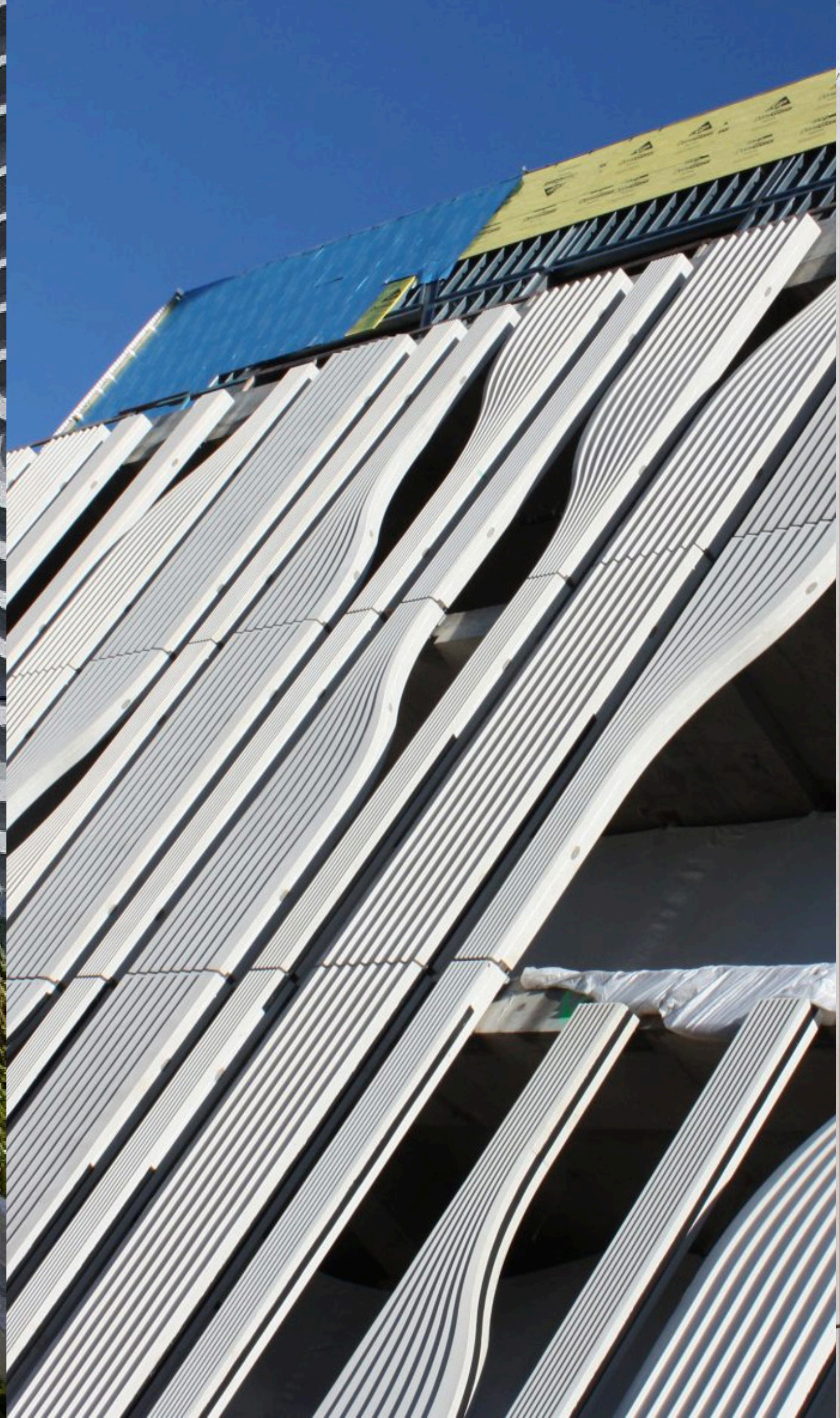
Modular Brick Smooth





**IT'S
NOT
GOING
TO
LOOK
LIKE
THIS**

CONCRETE IS PRETTY AMAZING



HOWEVER

HOWEVER

BRICK OR STONE?





so

So

WHAT CAN WE DO ABOUT IT



PRECEDENTS

- 1. 432 Park Avenue, New York City, Rafael Vinoly
- 2. The Bryant, New York City, David Chipperfield
- 3. 101 Warren Street New York City, SOM architects





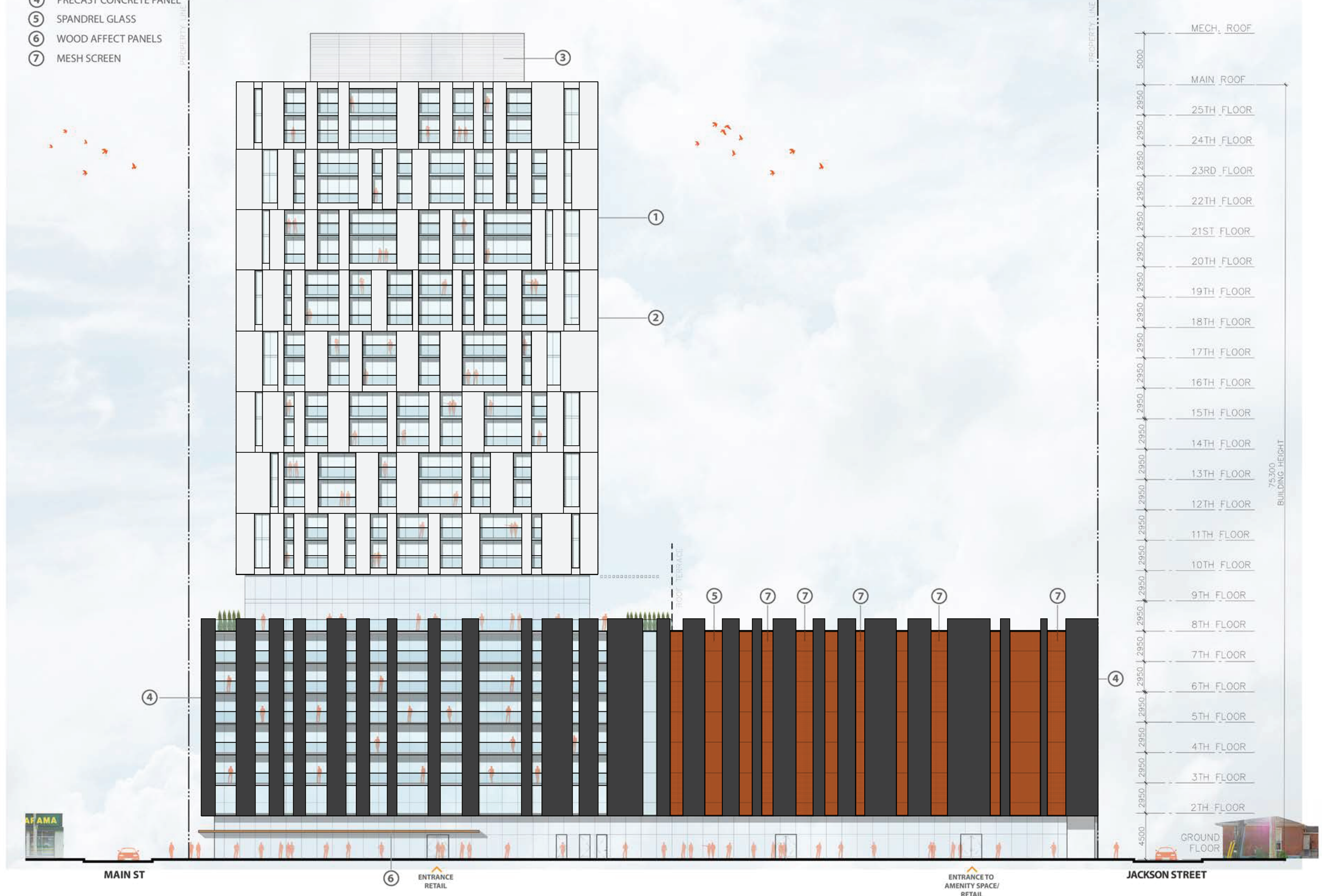


**KEEP IT
SIMPLE,
STUPID!**



I'm an architect.

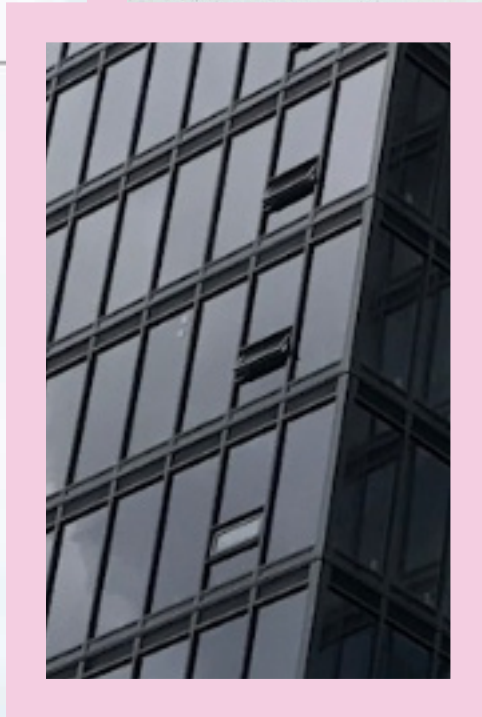
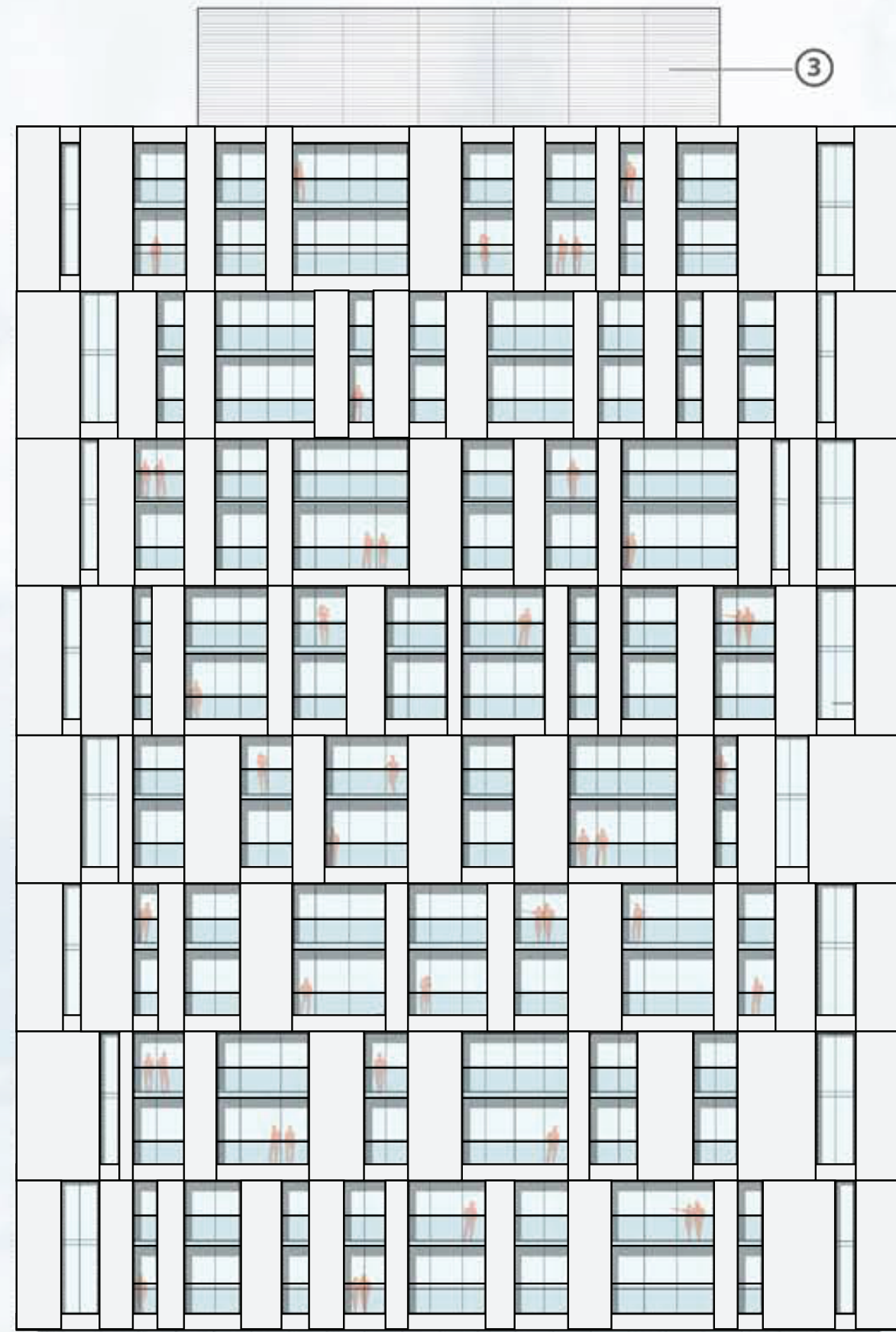
- ④ PRECAST CONCRETE PANEL
- ⑤ SPANDREL GLASS
- ⑥ WOOD AFFECT PANELS
- ⑦ MESH SCREEN



- ④ PRECAST CONCRETE PANEL
- ⑤ SPANDREL GLASS
- ⑥ WOOD AFFECT PANELS
- ⑦ MESH SCREEN

PROPERTY LINE

PROPERTY LINE



- MECH. ROOF
- 5000
- MAIN ROOF
- 25TH FLOOR
- 24TH FLOOR
- 23RD FLOOR
- 22TH FLOOR
- 21ST FLOOR
- 20TH FLOOR
- 19TH FLOOR
- 18TH FLOOR
- 17TH FLOOR
- 16TH FLOOR
- 15TH FLOOR
- 14TH FLOOR
- 13TH FLOOR
- 12TH FLOOR
- 11TH FLOOR
- 10TH FLOOR
- 9TH FLOOR
- 8TH FLOOR
- 7TH FLOOR
- 6TH FLOOR
- 5TH FLOOR
- 4TH FLOOR
- 3TH FLOOR
- 2TH FLOOR
- 4500
- GROUND FLOOR

75,300 BUILDING HEIGHT



MAIN ST

⑥

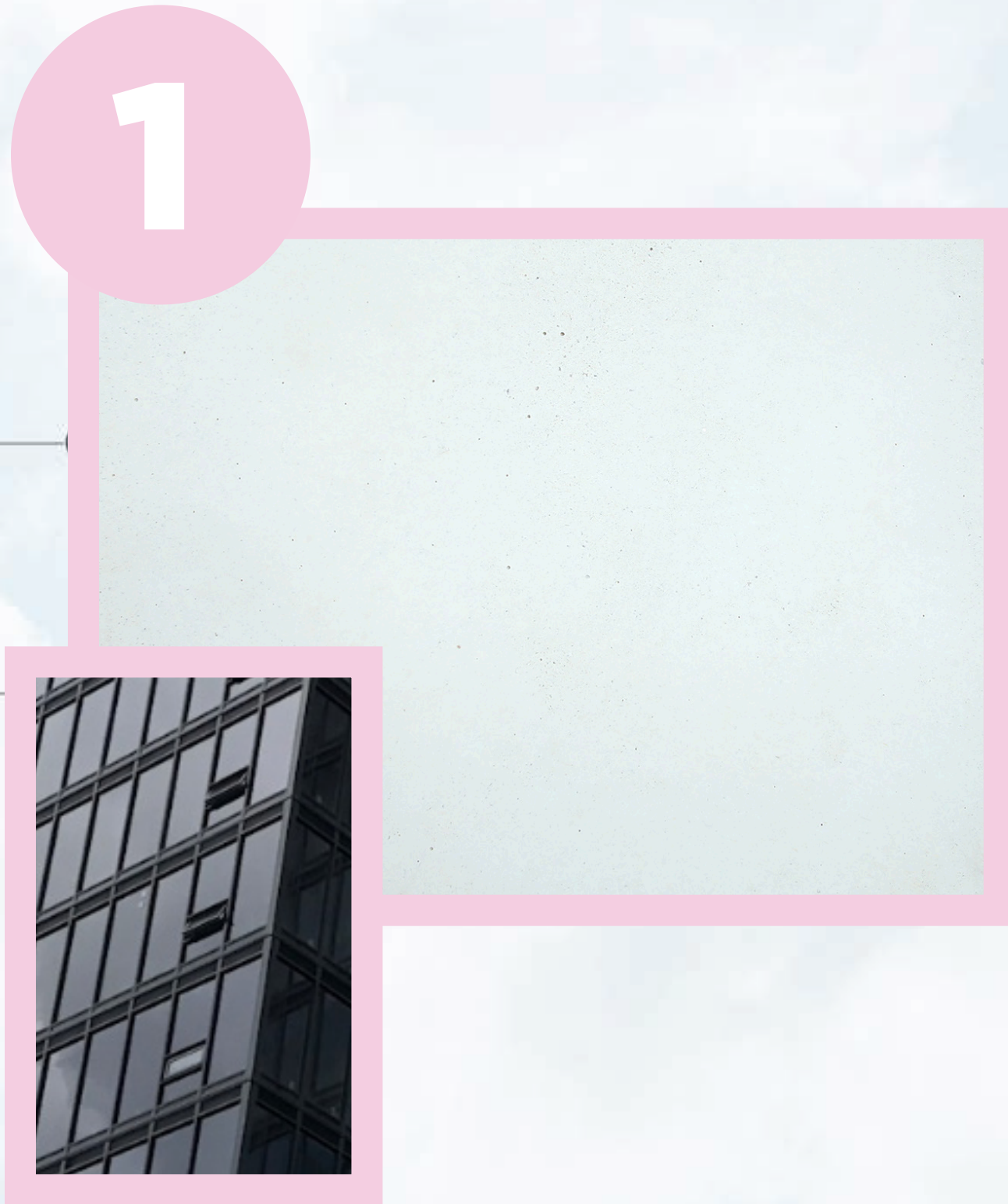
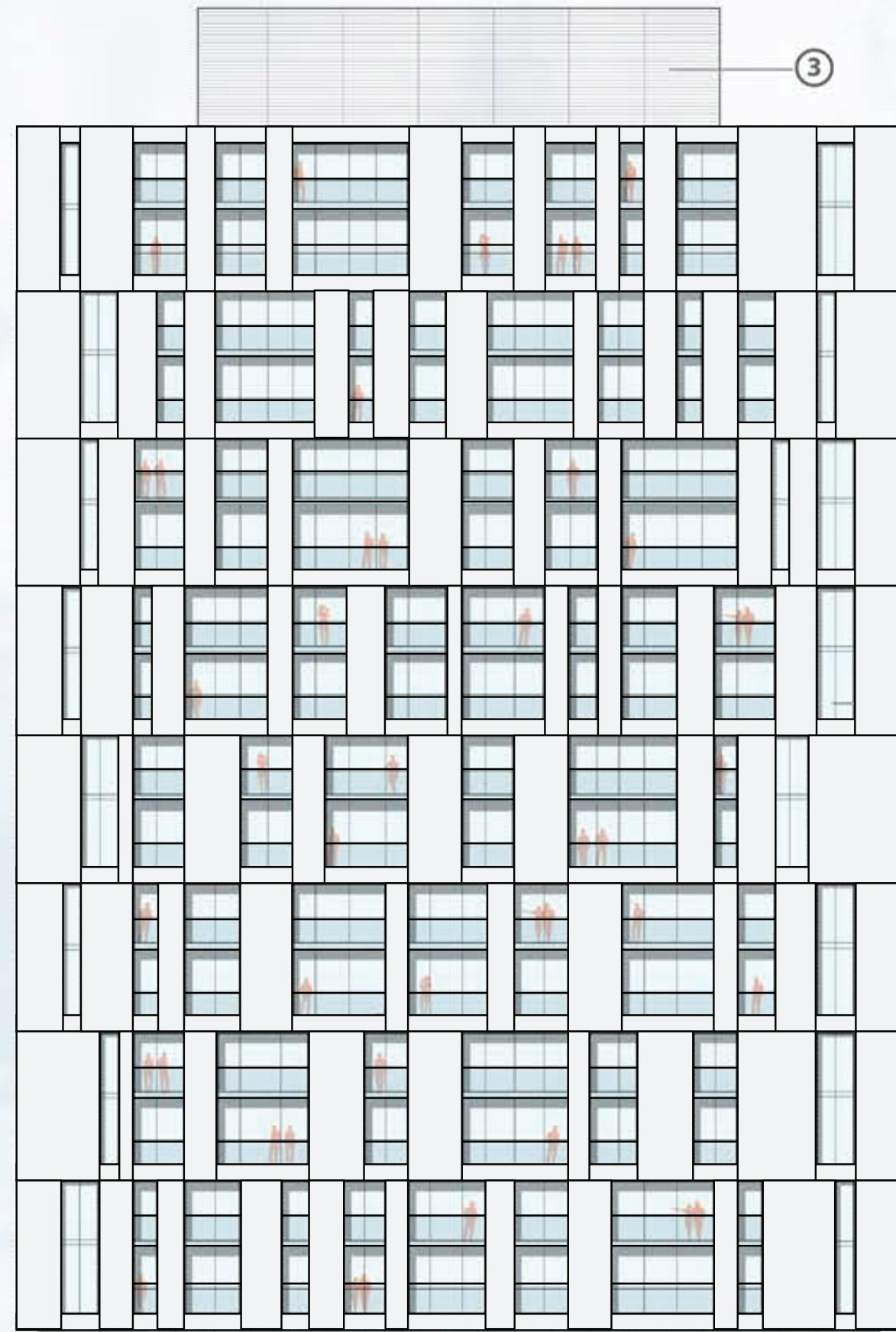
ENTRANCE RETAIL

ENTRANCE TO AMENITY SPACE/ RETAIL

JACKSON STREET



- ④ PRECAST CONCRETE PANEL
- ⑤ SPANDREL GLASS
- ⑥ WOOD AFFECT PANELS
- ⑦ MESH SCREEN



- MECH. ROOF
 - 5000
 - MAIN ROOF
 - 25TH FLOOR
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 - 23RD FLOOR
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 - 2TH FLOOR
 - 4500
 - GROUND FLOOR
- 75,300 BUILDING HEIGHT



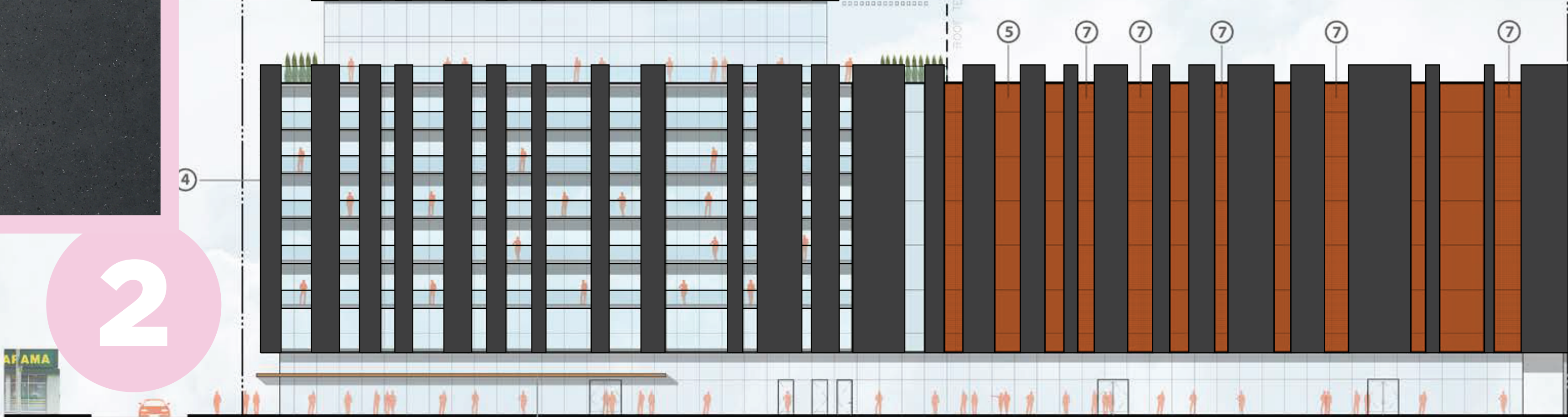
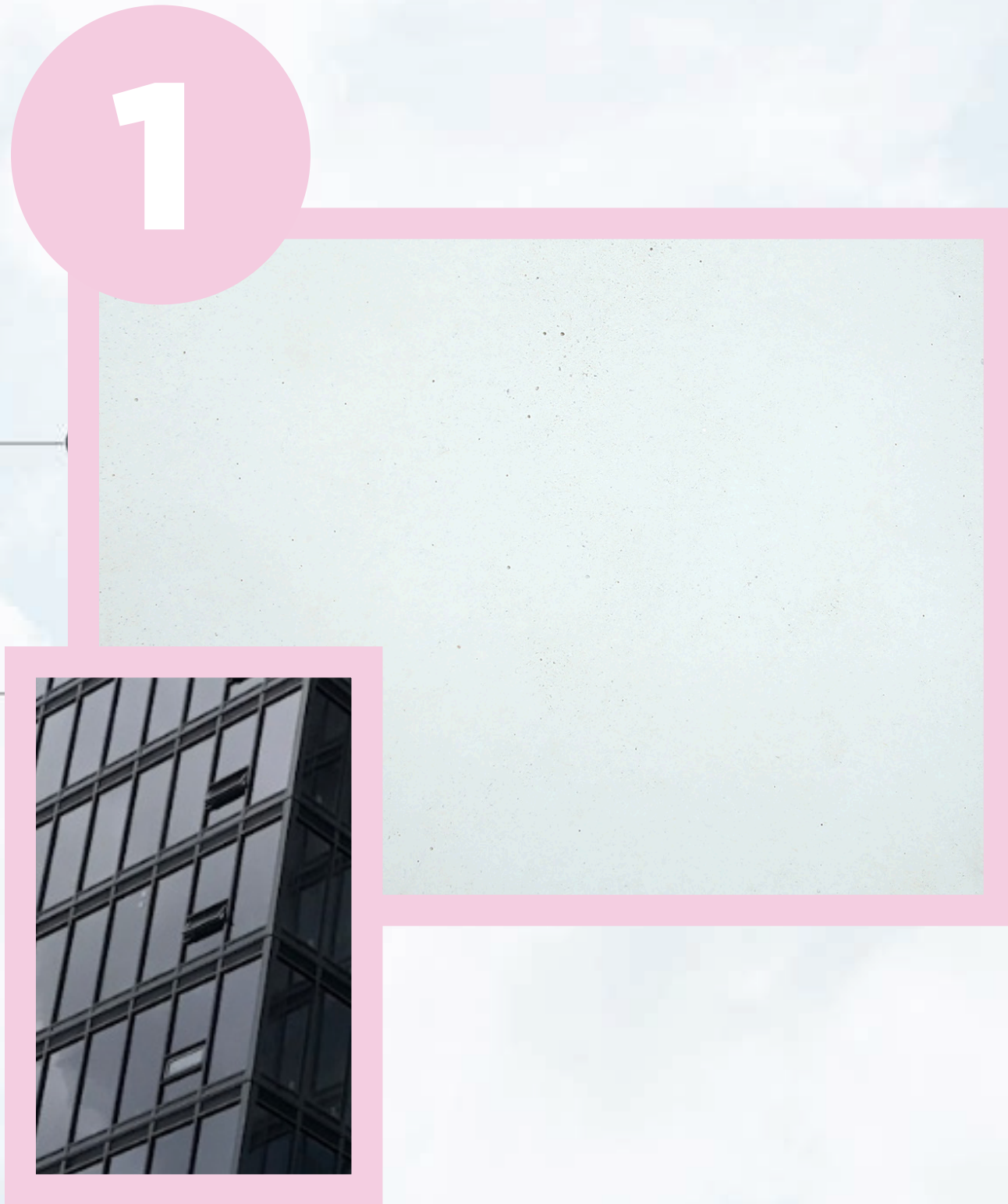
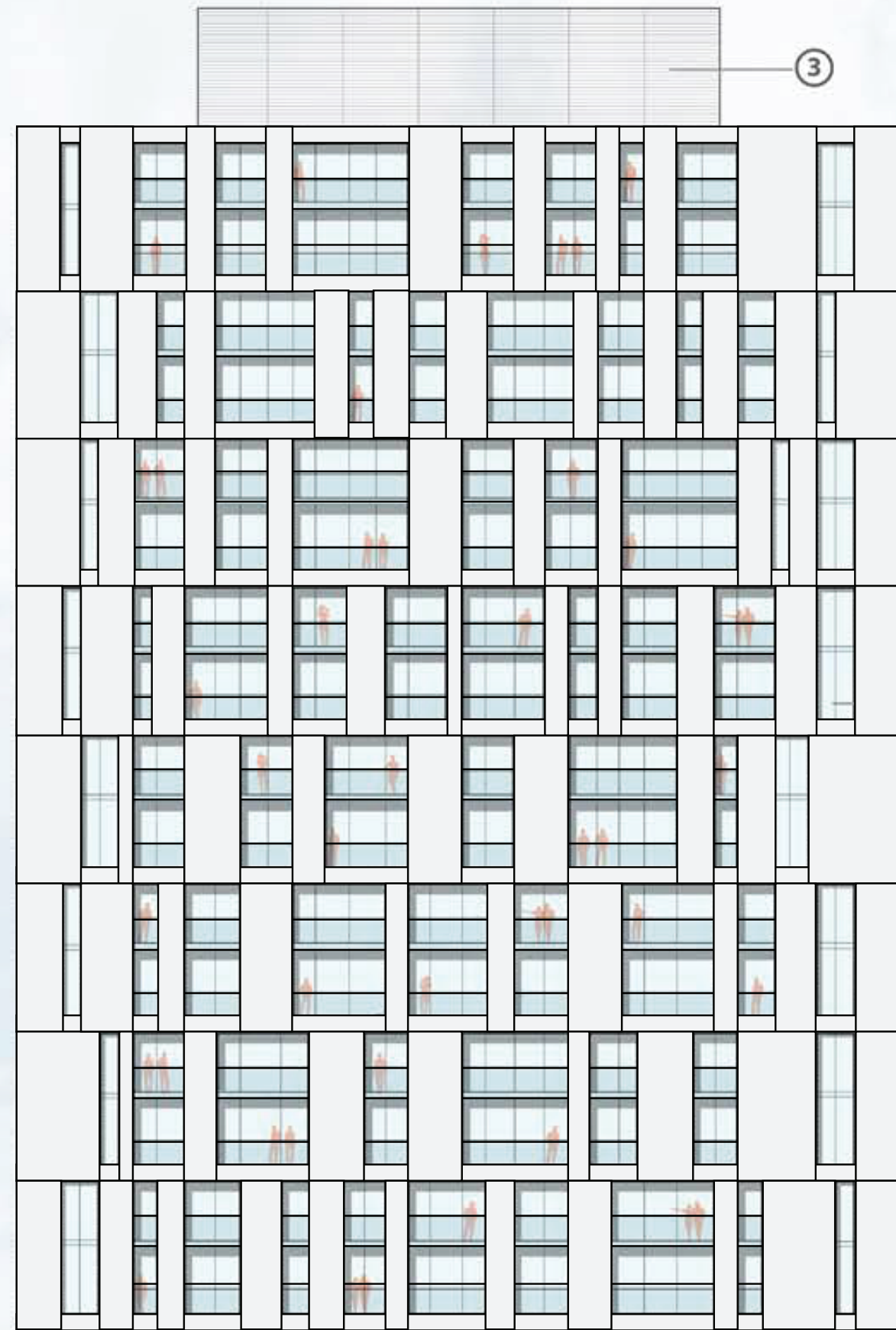
MAIN ST

⑥ ENTRANCE RETAIL

ENTRANCE TO AMENITY SPACE/ RETAIL

JACKSON STREET

- ④ PRECAST CONCRETE PANEL
- ⑤ SPANDREL GLASS
- ⑥ WOOD AFFECT PANELS
- ⑦ MESH SCREEN



2

MAIN ST

⑥

ENTRANCE RETAIL

ENTRANCE TO AMENITY SPACE/ RETAIL

JACKSON STREET

3

GROUND FLOOR

2TH FLOOR

FLOOR

FLOOR

2950

2950

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5000

MECH. ROOF

PROPERTY LINE

③

1

④

⑤

⑦

⑦

⑦

⑦

⑦

ROOF TERRACE

TO CONCLUDE

TO CONCLUDE



TO CONCLUDE



**PRECAST CAN
LOOK GREAT**

TO CONCLUDE



**PRECAST CAN
LOOK GREAT**

***mouthing* YAS QUEEN!**

TO CONCLUDE



JUST NOT WHEN ITS PRETENDING TO BE BRICK OR STONE

05/27/2014

TO CONCLUDE



(screaming)



JUST NOT WHEN ITS PRETENDING TO BE BRICK OR STONE

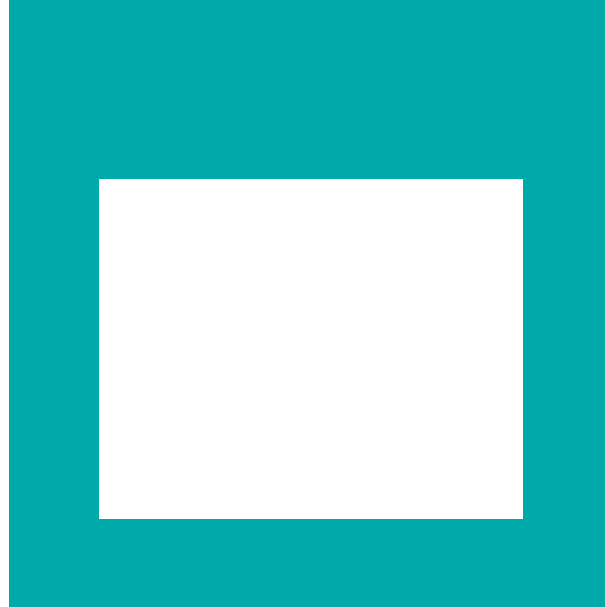
05/27/2014



George Costanza

Architecture

**THANK
YOU**



WELCOME TO THE CITY OF HAMILTON

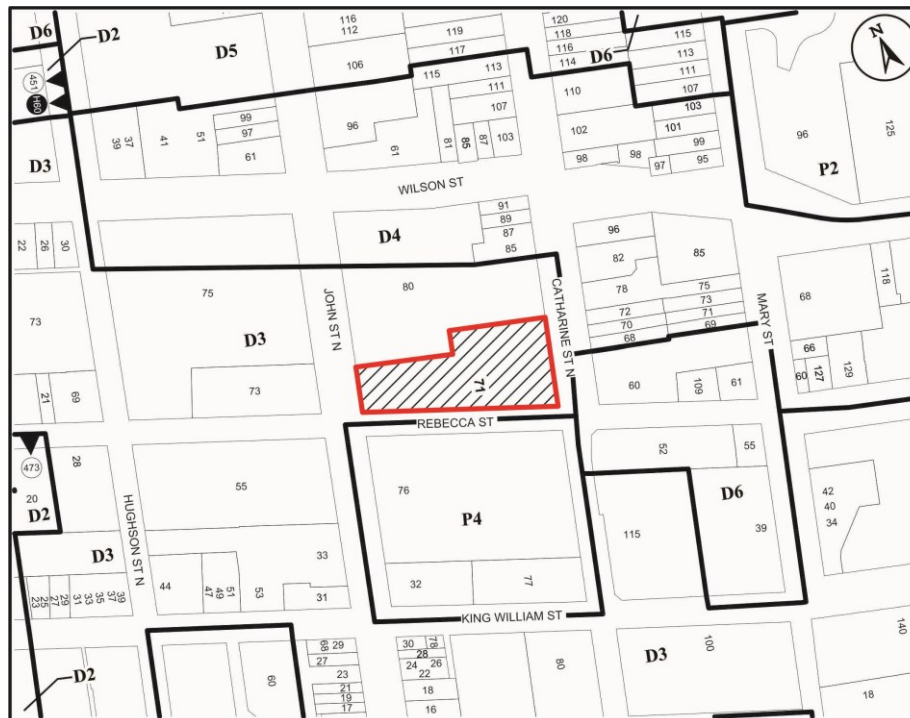
PLANNING COMMITTEE

September 4, 2018

PED18195 – (ZAC-17-053 & UHOPA-17-023)

Applications for an Amendment to the Urban Hamilton Official Plan and Zoning By-law No. 05-200 for Lands Located at 71 Rebecca Street, Hamilton.

Presented by: George T. Zajac



● Site Location



Key Map - Ward 2

N.T.S.

Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
 ZAC-17-053 & UHOPA-17-023

Date:
 July 12, 2018

Appendix "A"

Scale:
 N.T.S.

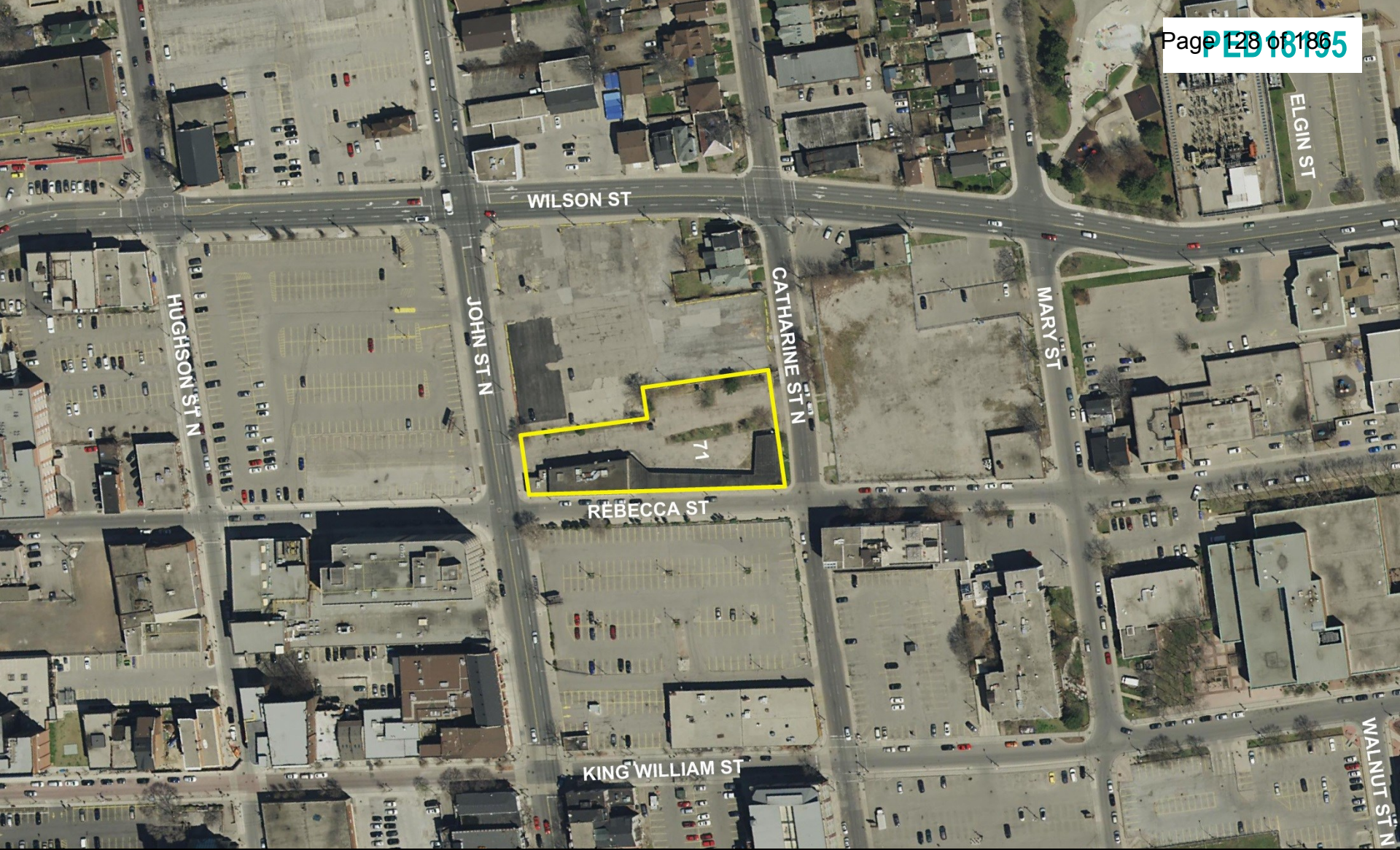
Planner/Technician:
 GZ/NB

Subject Property

71 Rebecca Street



Change in Zoning from the Downtown Mixed Use (D3) Zone to Downtown Central Business District (D1, 701, H105) Zone



SUBJECT PROPERTY  71 Rebecca Street, Hamilton



Looking north at the subject property



Looking southwest at the Alectra building



Looking south at the existing municipal parking lot



Looking east along Rebecca Street



Looking south along Catherine Street North



Looking north along Catherine Street North



At the rear of the subject property looking south



Looking south along John Street North



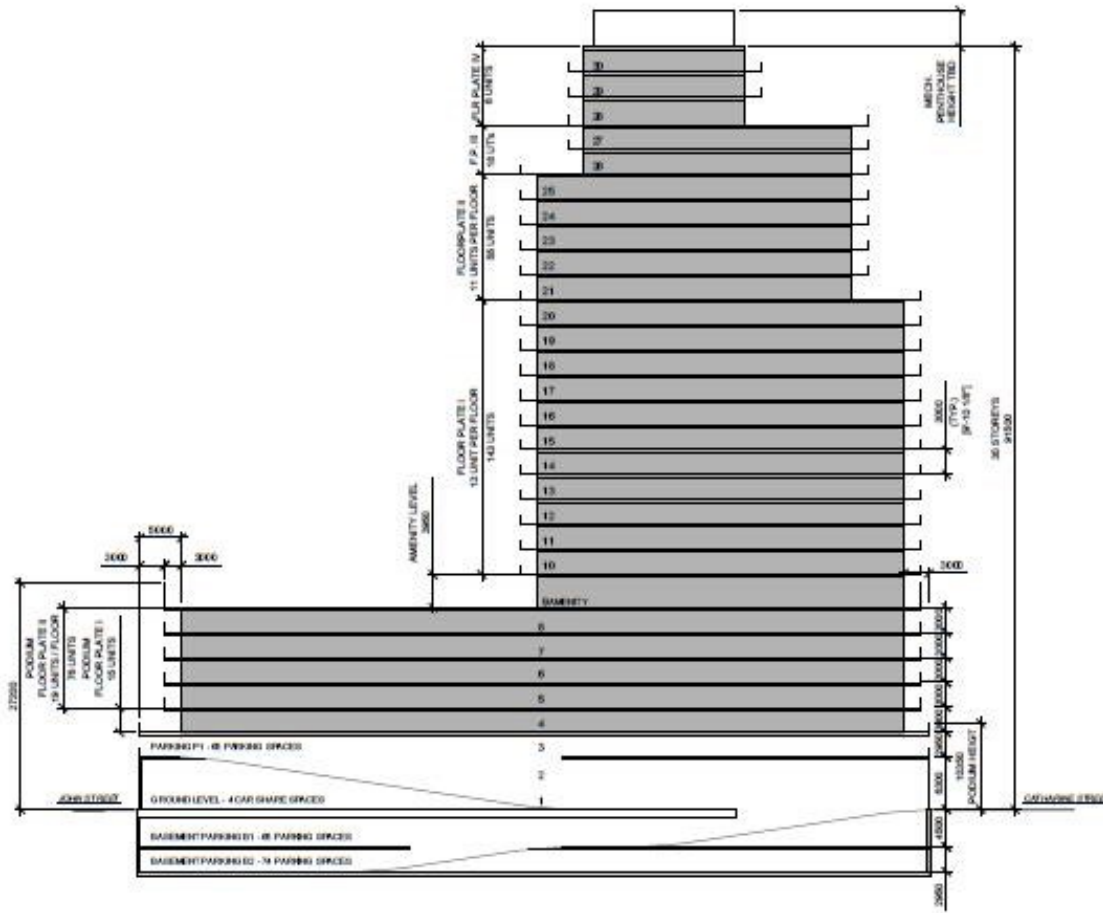
Looking west at John Street North



Looking south along John Street North

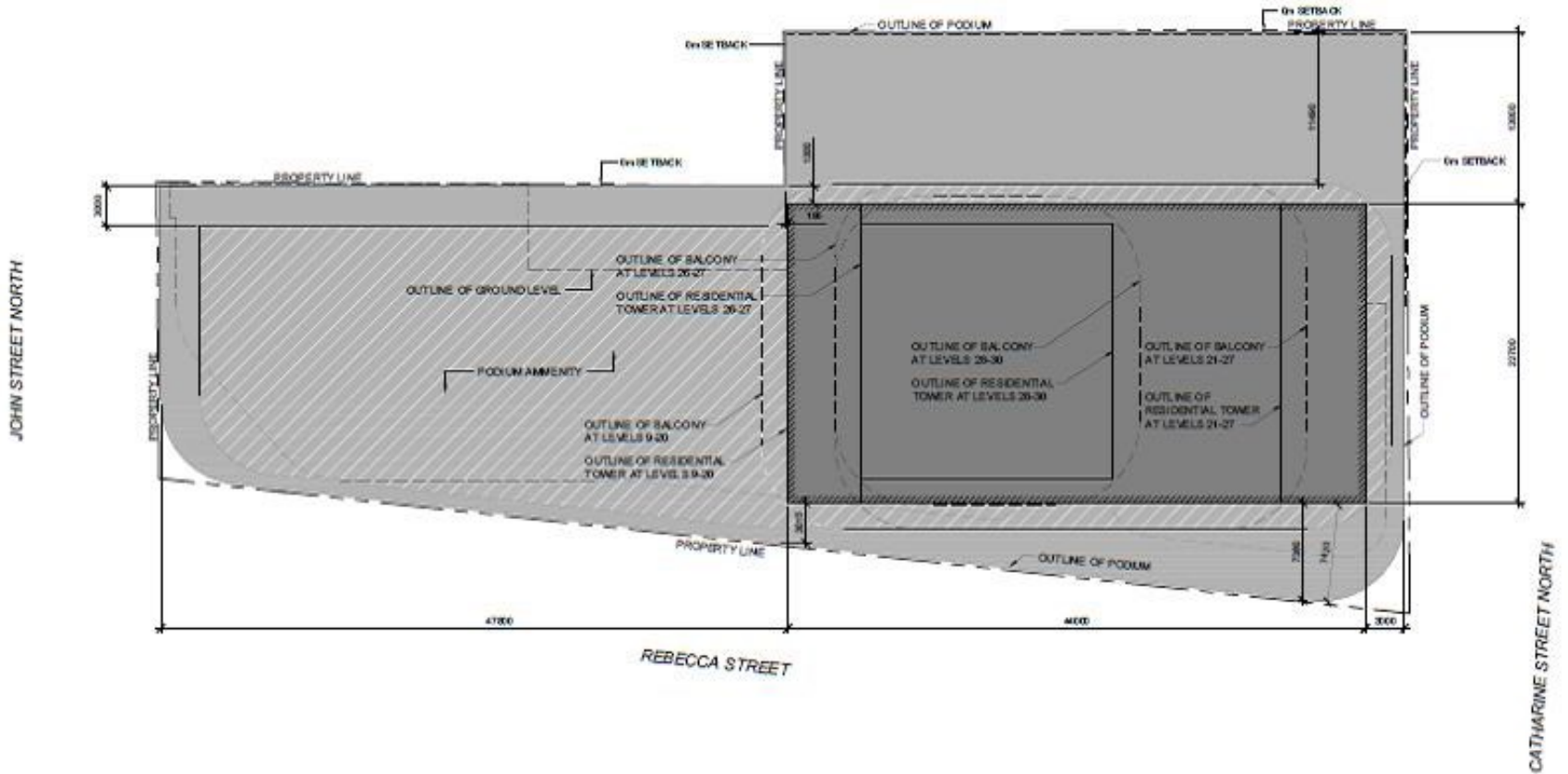


Looking east along John Street North at the rear of the subject property



SONOMA DEVELOPMENT GROUP
71 REBECCA STREET MIXED USE
 SCHEMATIC SECTION
 Project No. 11642
 Date: 02/04/18

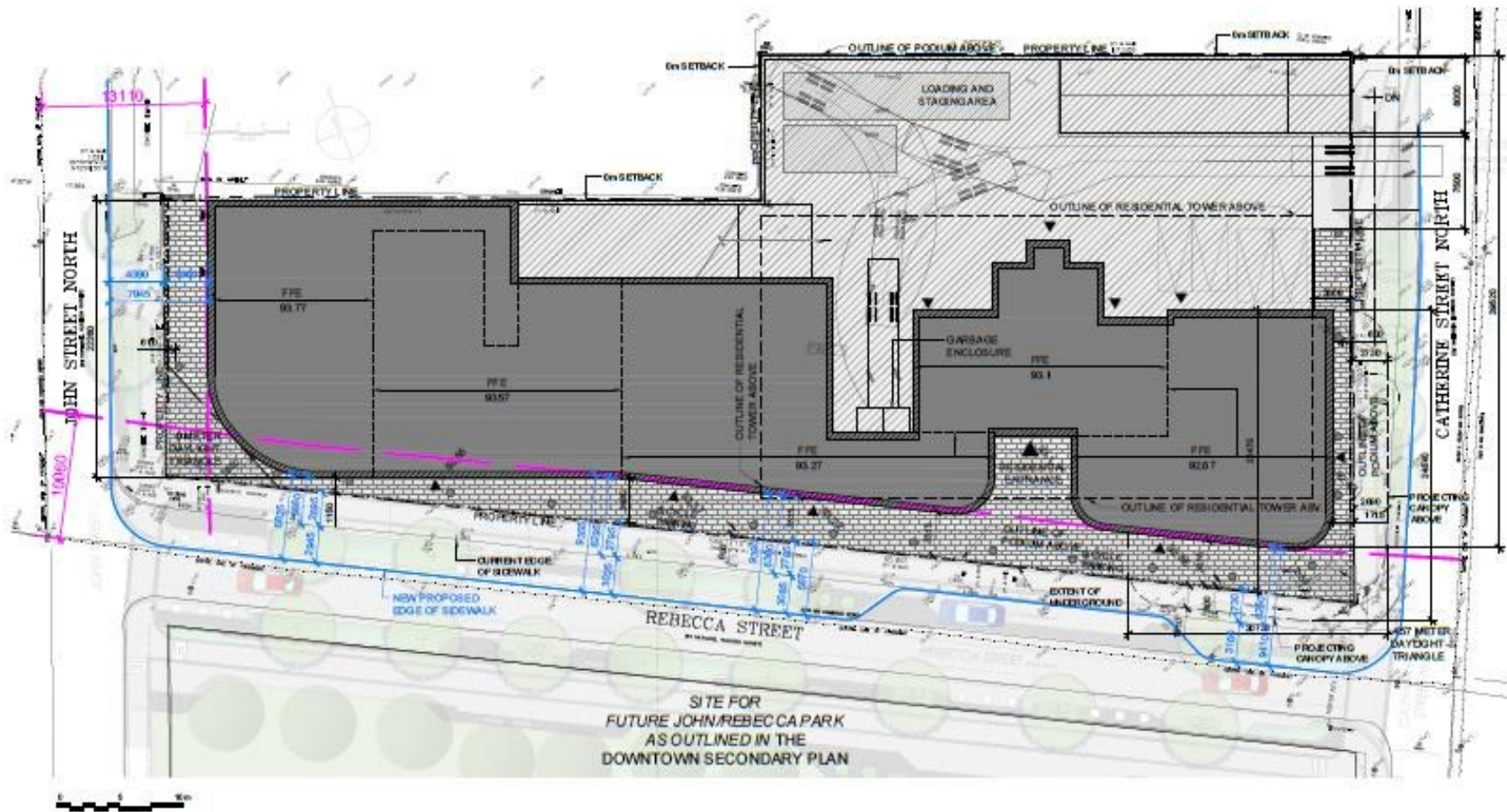




PROPOSED SITE PLAN - TOWER LEVEL
 1:300

71 REBECCA STREET DEVELOPMENT
 HAMILTON, ON





**SONOMA DEVELOPMENT GROUP**
71 REBECCA STREET MIXED USE
PROPOSED SITE PLAN / WOODNERP
Scale: 1:200
Date: 08/18/2017





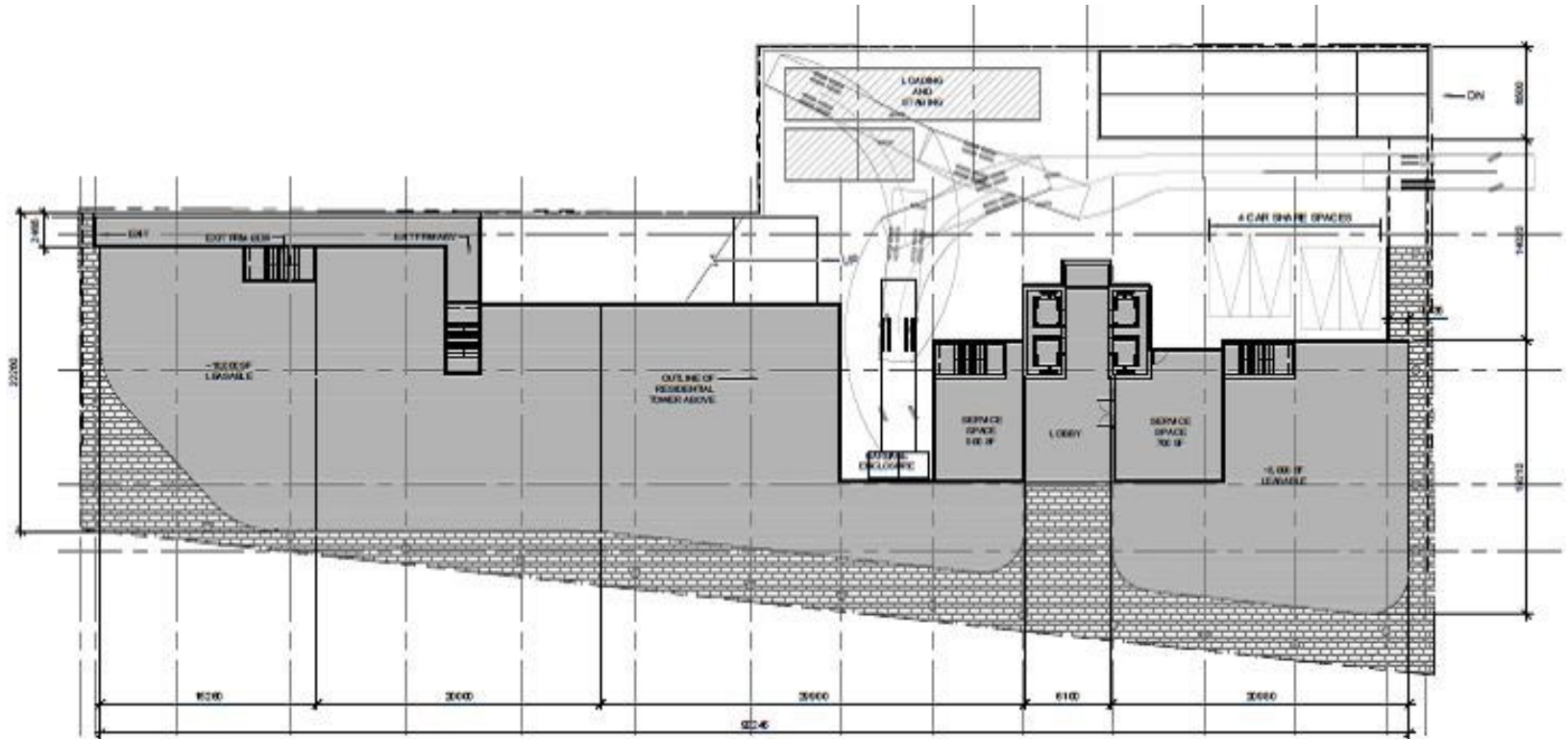

SONOMA DEVELOPMENT GROUP
71 REBECCA STREET MIXED USE
BASEMENT BI PLAN
Scale: 1/8" = 1'-0"
Project No: 11642 Date: 08/04/20






SONOMA DEVELOPMENT GROUP
71 REBECCA STREET MIXED USE
BASEMENT FLOOR PLAN
Scale: 1/8" = 1'-0"
File No: 11642 Date: 07/20/2018





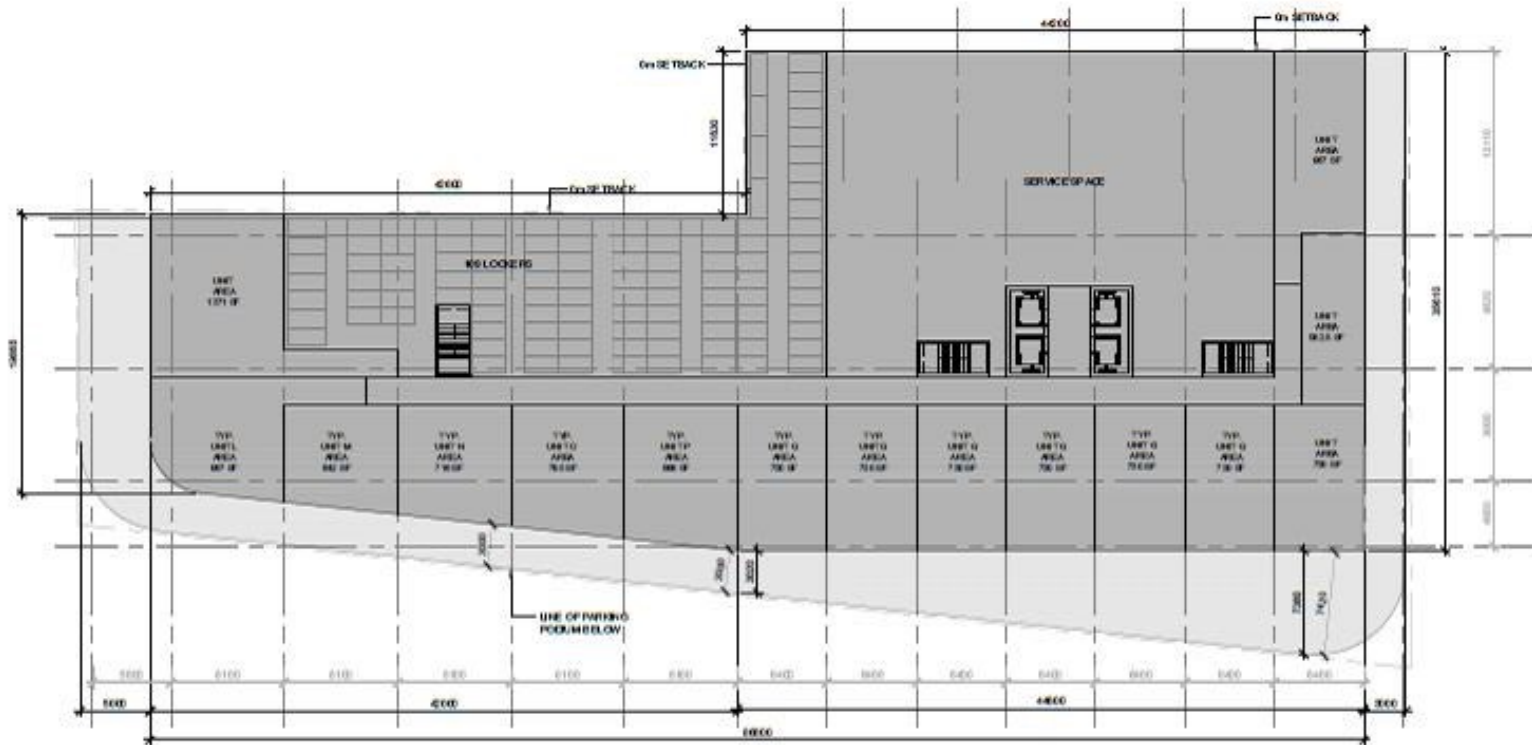

SONOMA DEVELOPMENT GROUP
71 REBECCA STREET MIXED USE
LEVEL 1 PLAN
Scale: 1/8" = 1'-0"
Date: 01/20/18





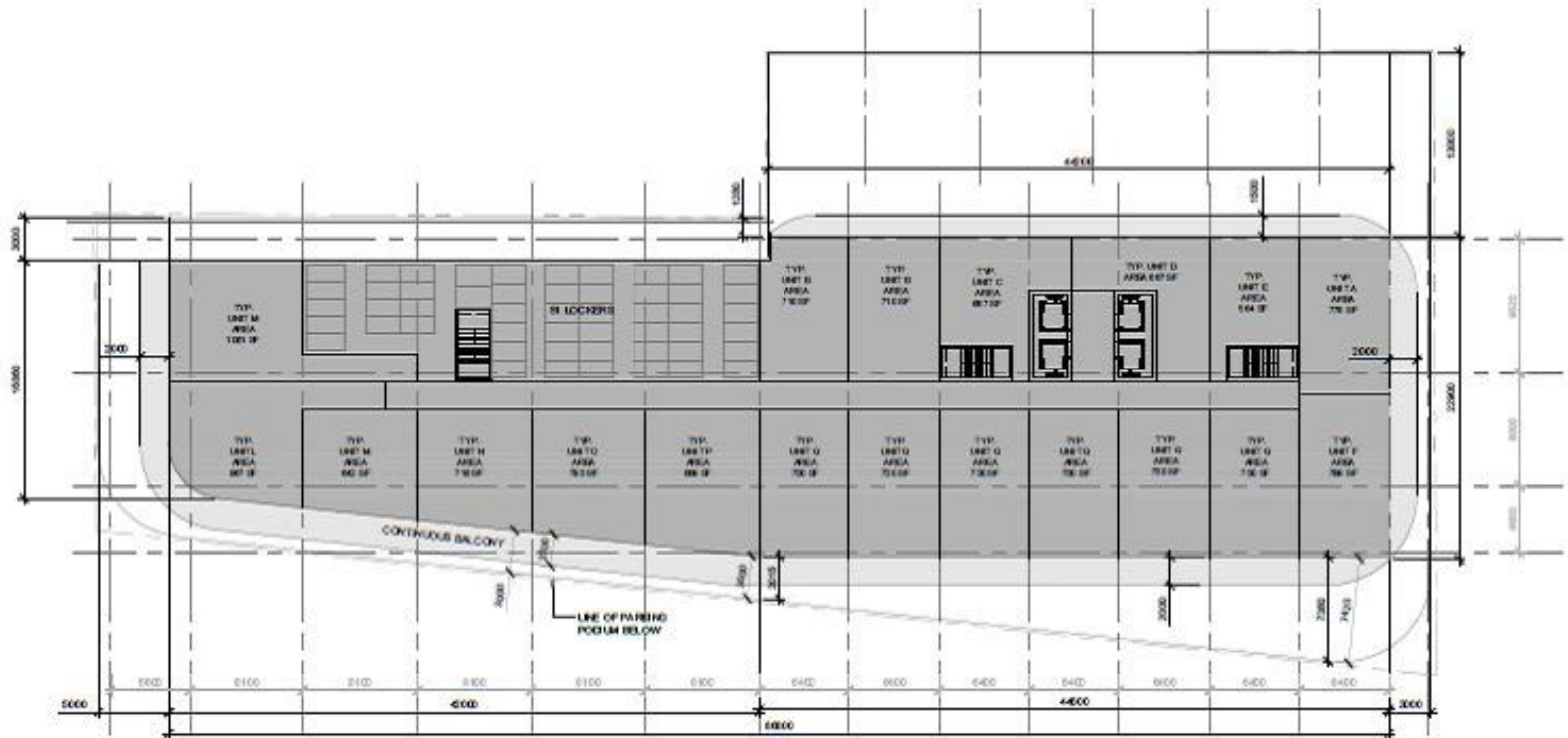

SONOMA DEVELOPMENT GROUP
71 REBECCA STREET MIXED USE
PARKING LEVEL P1 PLAN
Scale: 1/8" = 1'-0"
Project No: 11642 Date: 2018-04-28





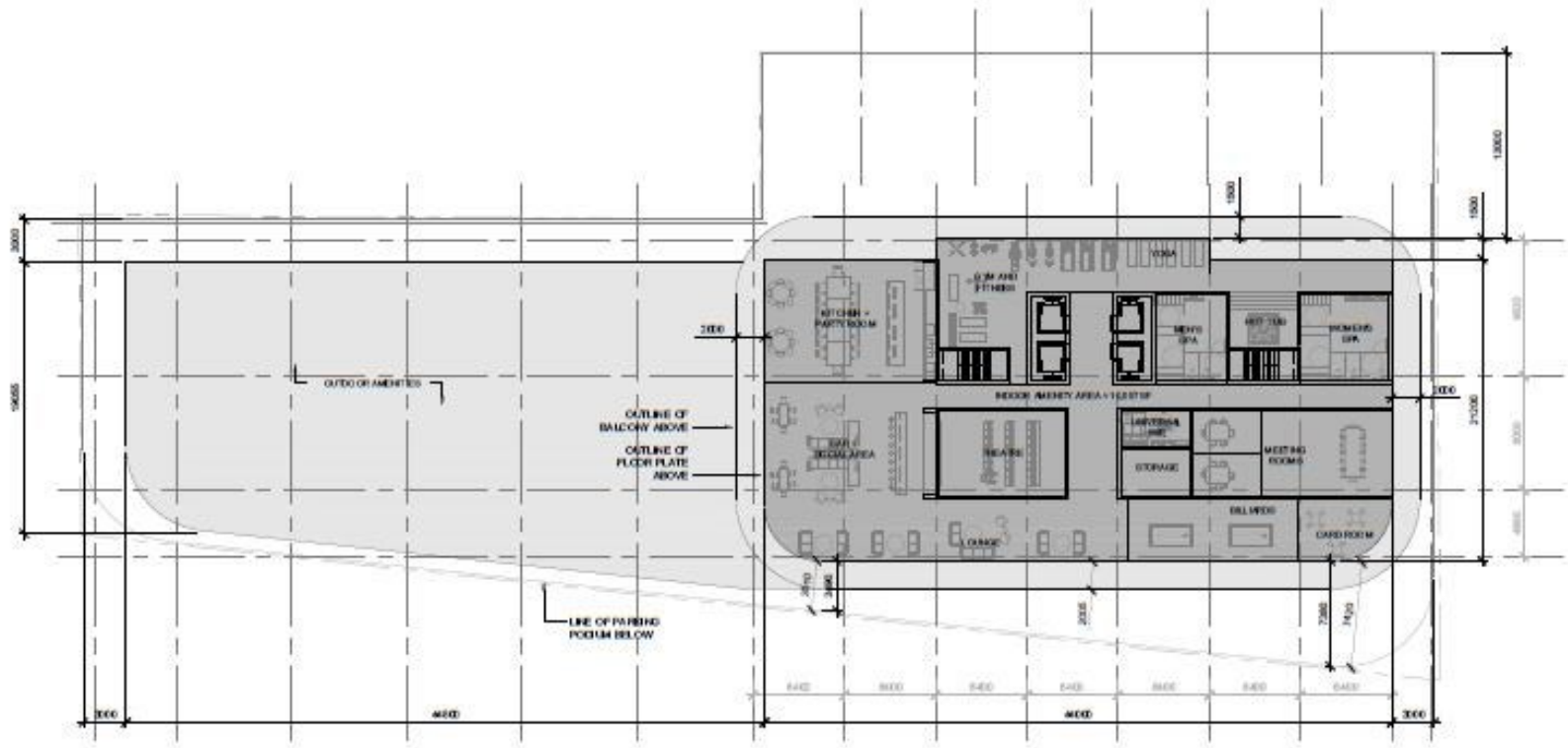

SONOMA DEVELOPMENT GROUP
71 REBECCA STREET MIXED USE
 RESIDENTIAL POOL LM I
 Scale: 1/8" = 1'-0"
 Project No.: 11642 Date: 2/28/2018






SONOMA DEVELOPMENT GROUP
71 REBECCA STREET MIXED USE
 RESIDENTIAL PODIUM II
 Scale: 1/8" = 1'-0"
 Project No: 11642 Date: 07/24/2018

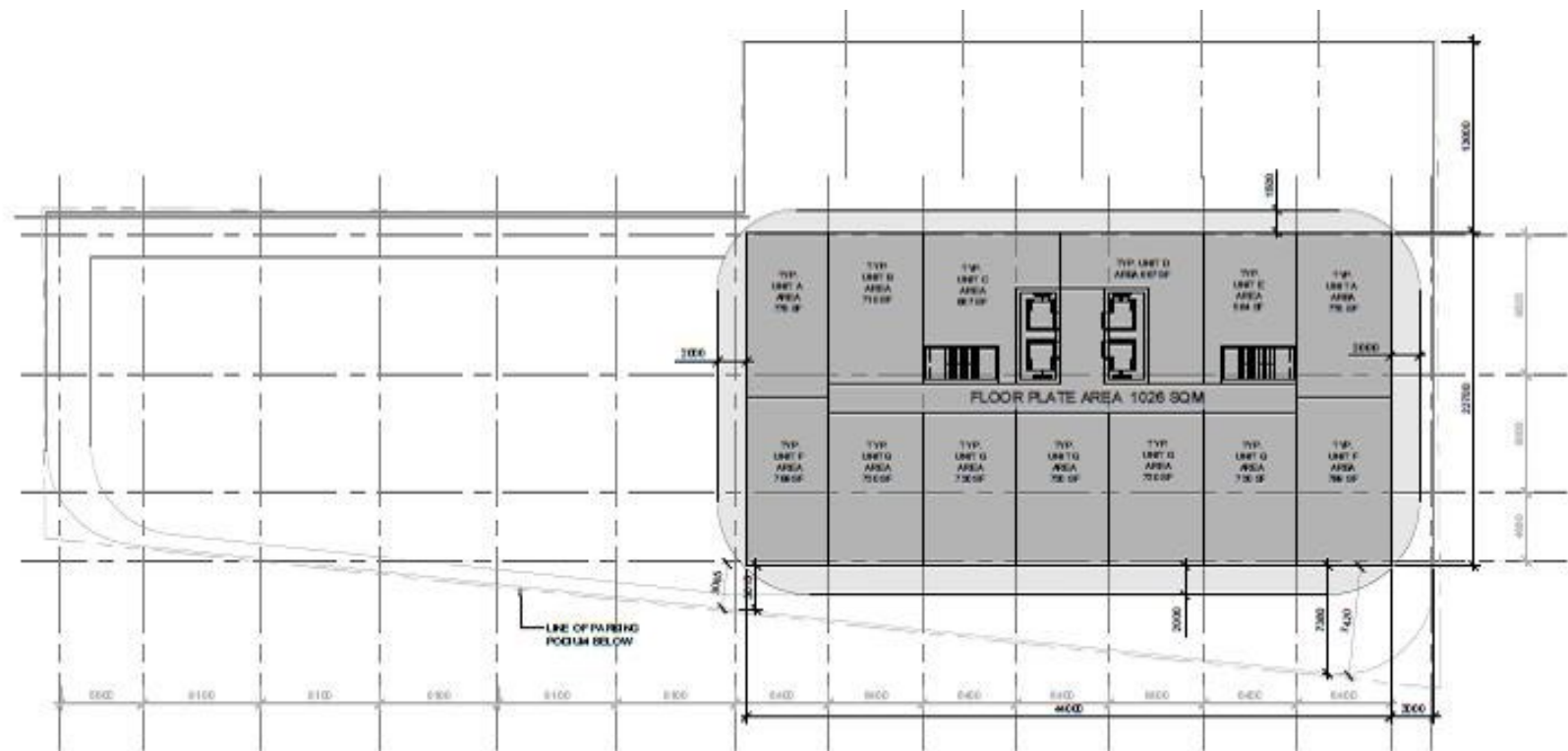




SONOMA DEVELOPMENT GROUP
71 REBECCA STREET MIXED USE
AMENITY LEVEL

Scale: 1:500
Project No: 11642
Date: 05/09/20

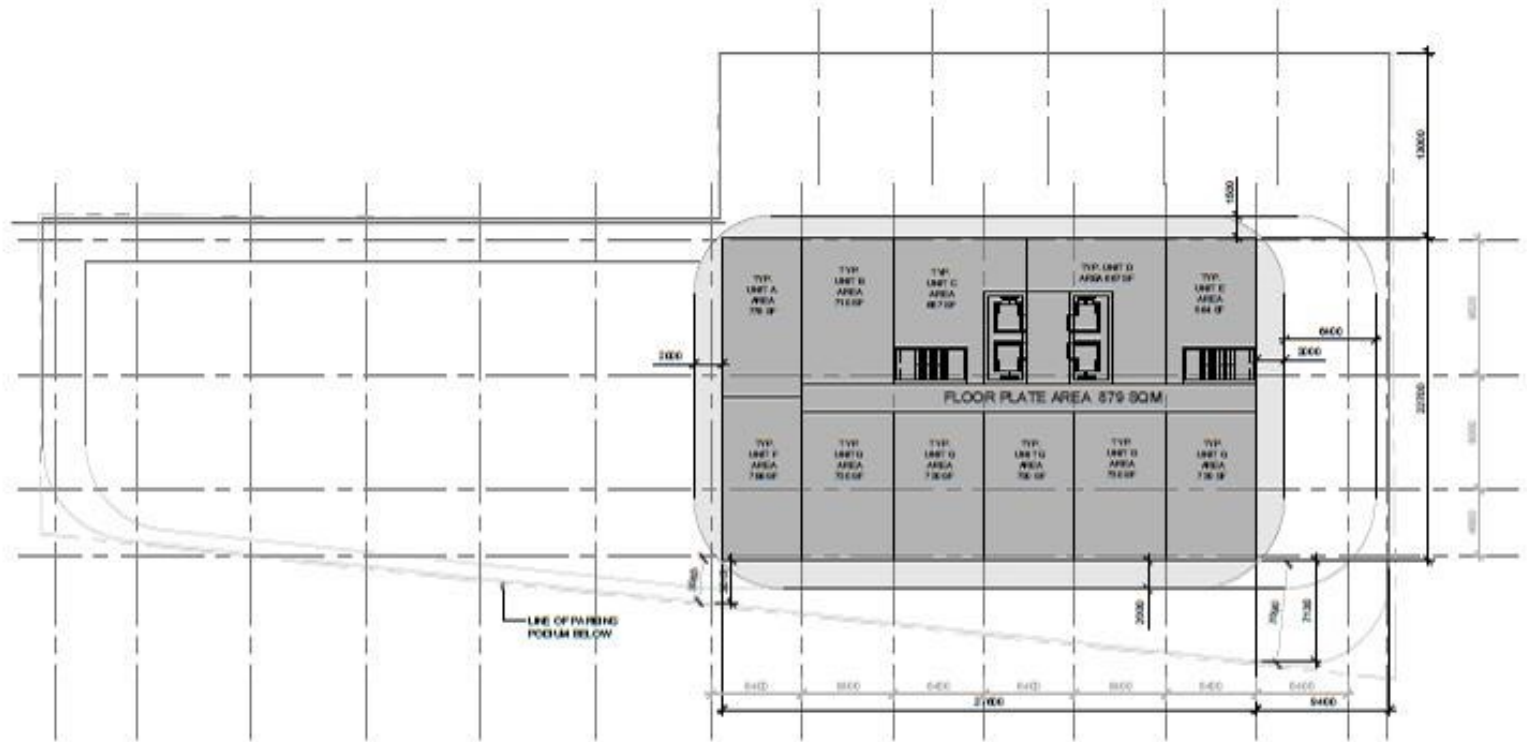






SONOMA DEVELOPMENT GROUP
71 REBECCA STREET MIXED USE
 RESIDENTIAL TOWER FLOORPLATE I
SCALE: 1/8" = 1'-0"
PROJECT NO. 11642 DATE: 02/09/20

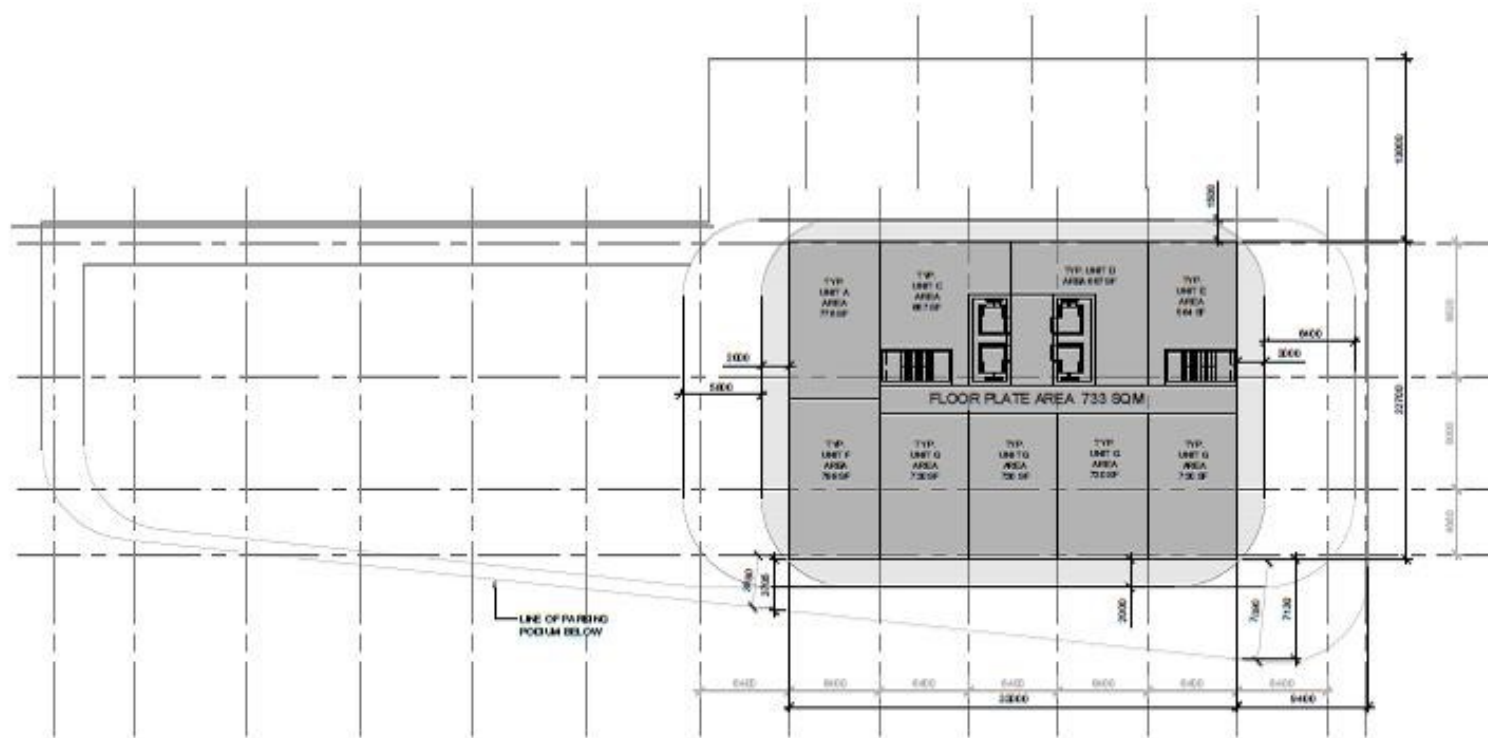




SONOMA DEVELOPMENT GROUP
71 REBECCA STREET MIXED USE
 RESIDENTIAL TOWER FLOORPLATE E

Project No. 11642
 Date: 08/20/20

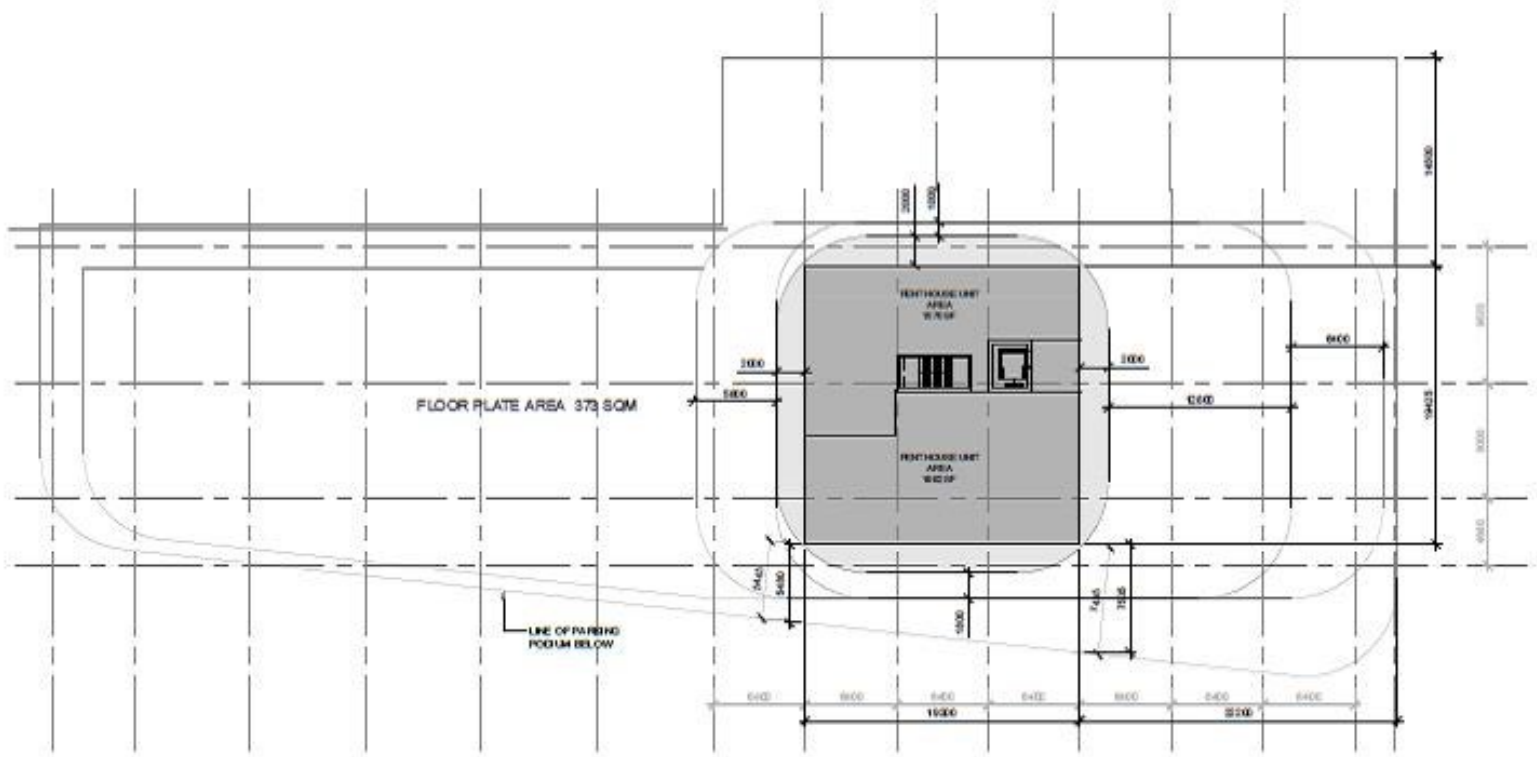




SONOMA DEVELOPMENT GROUP
71 REBECCA STREET MIXED USE
RESIDENTIAL TOWER FLOORPLATE II

Sheet 108
11642
Date: 08/20/20

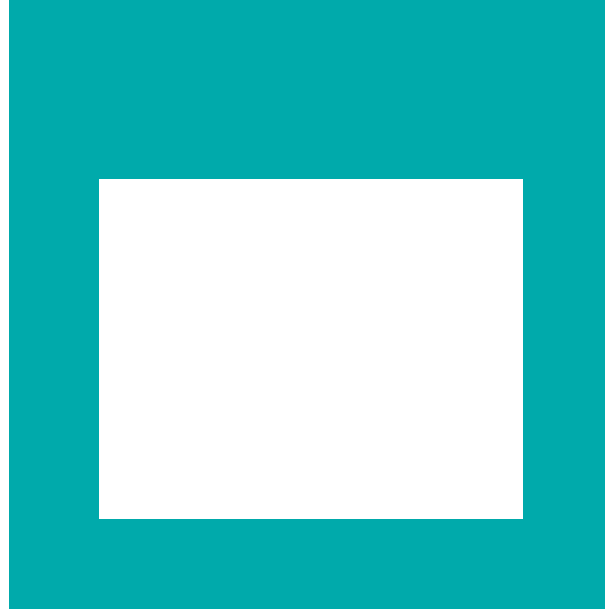




SONOMA DEVELOPMENT GROUP
71 REBECCA STREET MIXED USE
RESIDENTIAL TOWER FLOORPLATE IV

Project No. 11042
Scale: 1/8" = 1'-0"
Date: 2018-04-20





THANK YOU FOR ATTENDING

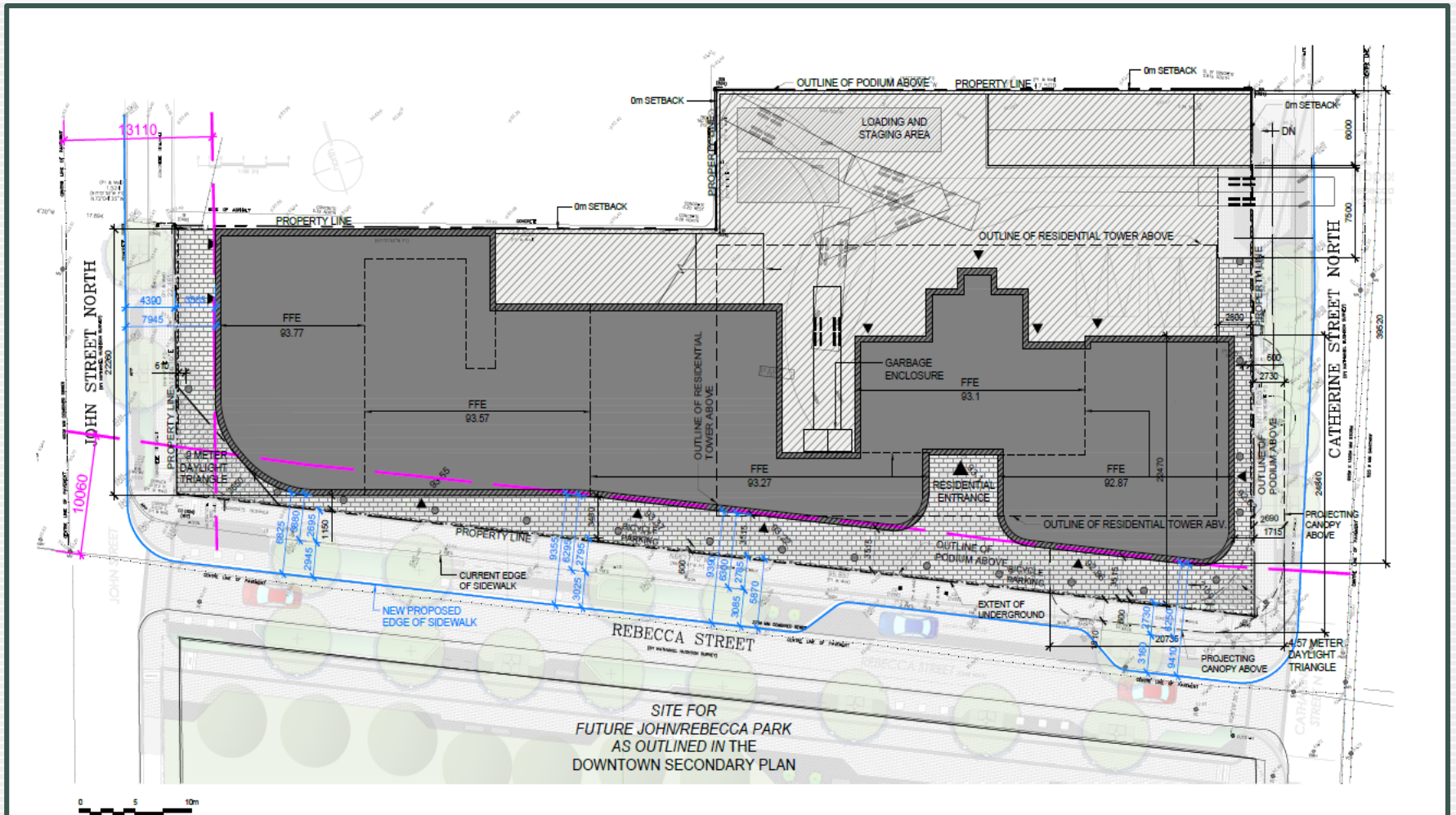
THE CITY OF HAMILTON PLANNING COMMITTEE

30 Storey Residential Condominium 71 Rebecca Street



SEPTEMBER 4, 2018
PLANNING COMMITTEE
CITY OF HAMILTON





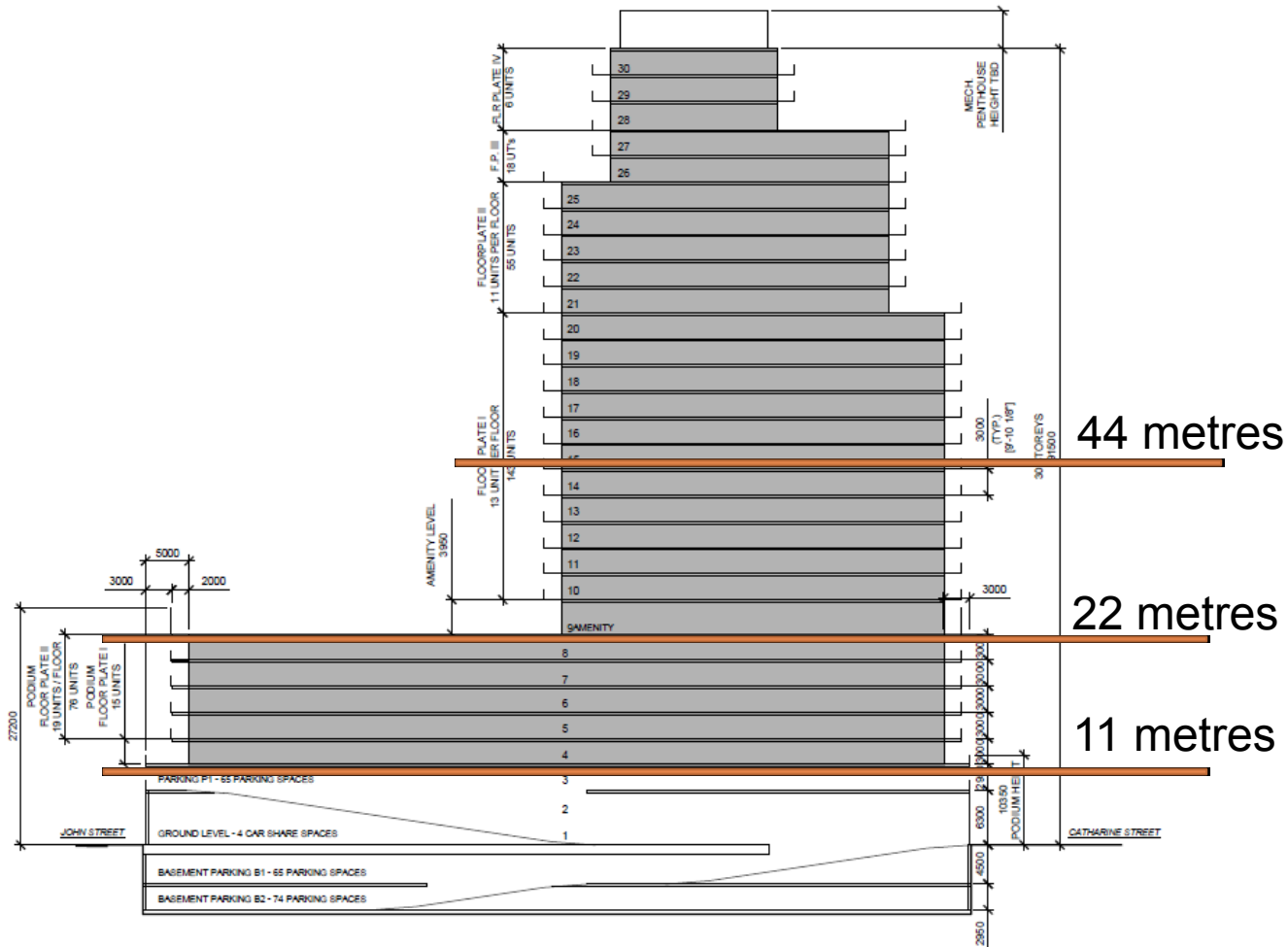
SITE FOR
 FUTURE JOHN/REBECCA PARK
 AS OUTLINED IN THE
 DOWNTOWN SECONDARY PLAN

SONOMA DEVELOPMENT GROUP
 71 REBECCA STREET MIXED USE
 PROPOSED SITE PLAN / WOONERF

Scale: 1:300
 Project No: 11642
 Date: 2019-08-07

Pedestrian Street and Community Park

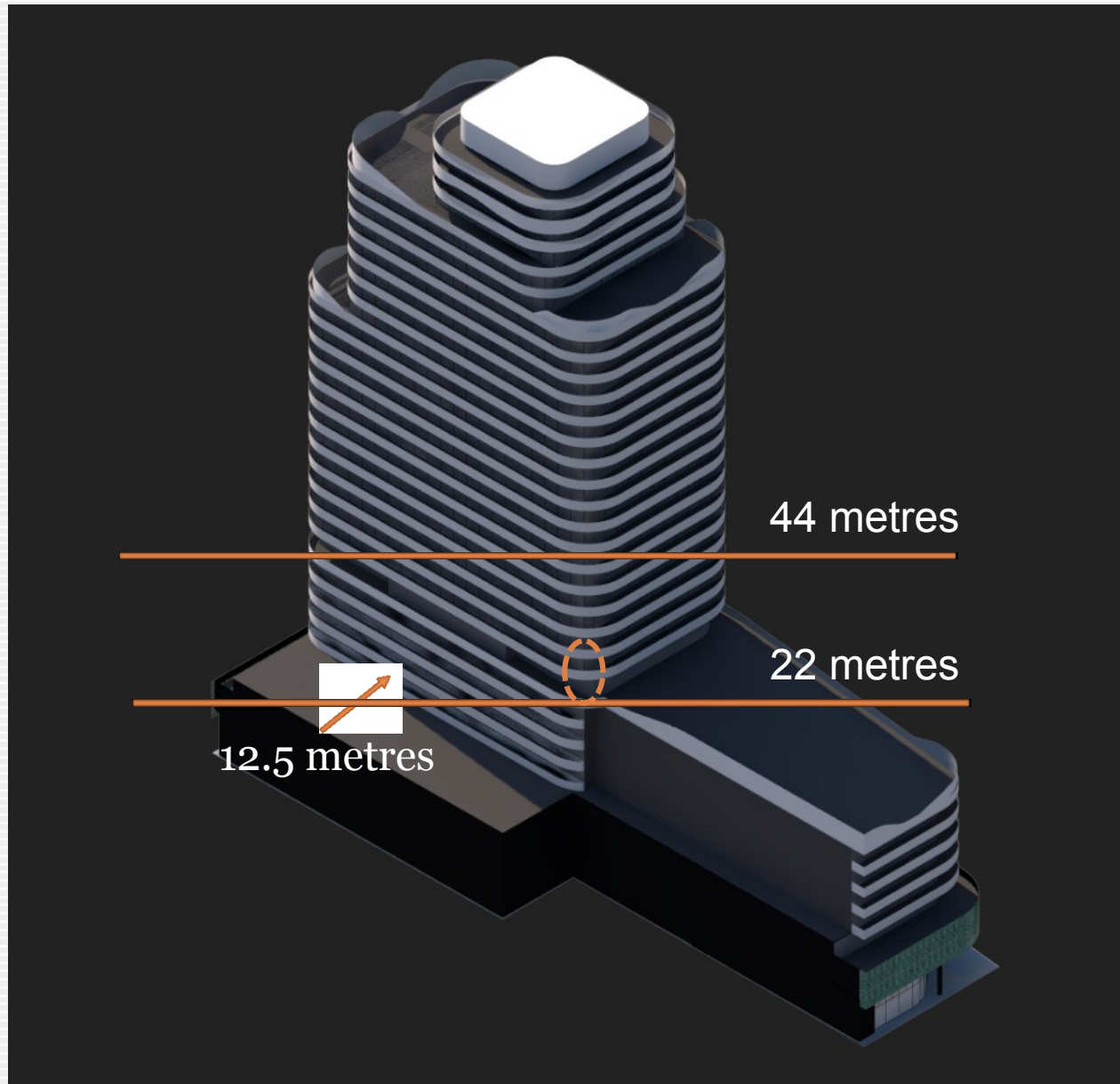


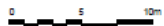
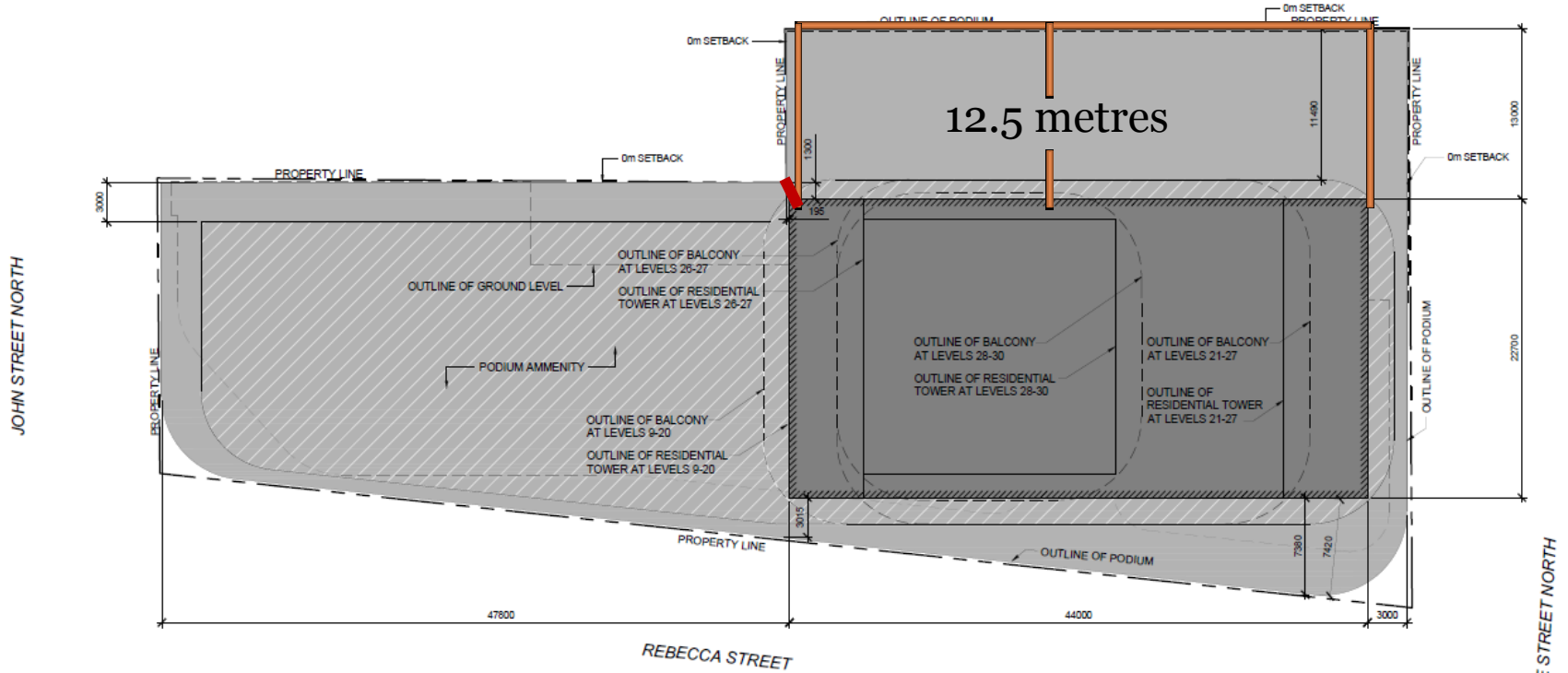


SONOMA DEVELOPMENT GROUP
71 REBECCA STREET MIXED USE
 SCHEMATIC SECTION

Project No:
 11642

Scale: 1:500
 Date: 2018-04-20





PROPOSED SITE PLAN - TOWER LEVEL
1:300

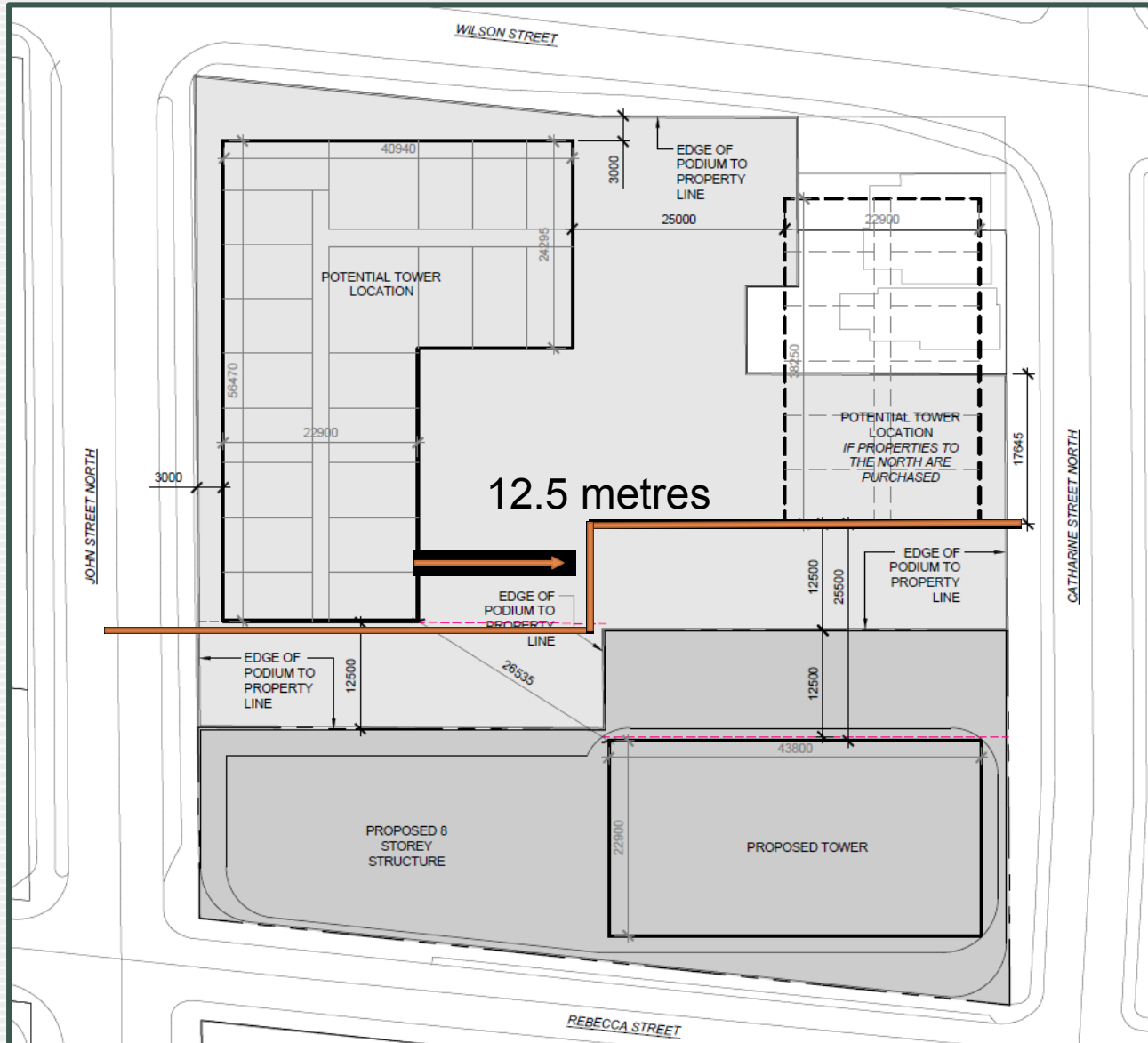


71 REBECCA STREET DEVELOPMENT
HAMILTON, ON



2017-07-21

Potential Tower Locations at 80 John Street North



September 4, 2018 – Planning Committee

- **Mr. Chairman, I do have a brief presentation prepared but I request that I speak after all delegations are heard, in the event that I need to address a question or comment raised by others**
- **The development applications for 71 Rebecca Street were filed in June of 2017, during the City's review of the Downtown Secondary Plan and zoning**
- **The General Provisions section of the new Downtown Zoning By-law, which address building setbacks, did evolve and change between October 2017 and March 2018**
- **We worked together with staff to ensure the building met as many of the zoning regulations as possible**
- **We come before you today with a 30 storey building that conforms to the new Downtown Secondary Plan policies, including those policies pertaining to development across from the Community Park**
- **The building requires only 3 modifications to the zoning regulations for the Central Business District D1 Zone**
- **As stated in the staff report, the 3 modifications relate to the size of parking stalls; lot coverage and building setbacks for the northwest corner of the tower.**
- **The underground parking area was redesigned to meet the revised parking stall sizes adopted by Council in November 2017, to the greatest extent possible**
- **47% of the total stalls meet the new size and the remainder are variations on the stall size to make them as large as possible**

- **The lot coverage is 84% but a zoning interpretation advised us that the covered sidewalk, supported by the columns at grade are included in lot coverage; hence the 100% coverage being requested and supported by staff**
- **The tower portion of the building at the rear lot line must be setback 3 metres at 22 metres and 12.5 metres at 44 metres**
- **99.9% of the rear elevation is setback 12.5 metres at approximately 14 metres in height with the exception of the corner of the building kitty corner to the rear property line which is setback approximately 1.5 metres. A modification is required to recognize the irregular nature of the rear lot line.**
- **If the new Downtown Secondary Plan and zoning had not been appealed, we would be before the Committee of Adjustment for the 3 modifications and a Site Plan application**
- **The staff report also recommends waiving of the road widening for Rebecca and John Streets such that a pedestrian street can be constructed and integrated with the new Community Park**
- **The staff report states: “the proposed Woonerf will provide a comfortable pedestrian environment and a complementary buffer to, as well as frame the proposed John / Rebecca park.”**

Thank you and I would be pleased to answer any questions the Committee may have.

Modifications to in Effect D3 Zone

1. Deem Rebecca the front lot line
2. Reduction in parking spaces
3. No planting strip adjacent to a street line and car share parking area
4. Reduction in parking stall sizes (if 17-240 was in effect)

Modifications to New D1 Zone (adopted May 9, 2018 but under appeal)

1. Building setbacks
2. Lot coverage
3. Parking Stall sizes

0.3108 hectares, excluding the daylight triangle to be dedicated to the City.

Applicant Public Information Meeting held on November 28, 2017 circulated to over 1,000 owners

May 2018 Secondary Plan

- Tall Buildings policies
- Shadowing and Sunlight
- Wind
- Transition in scale
- Policies for development across from the Community Park
- Views

Page 22 of 30 of the staff report states the design review panel advised the site is appropriate for a tall building. The idea of a Woonerf is quite engaging and an exciting element of the proposal

B.6.1.4.23 All tall building shall meet the following requirements: [a) through f)]

- c) Providing adequate space between towers shall: ii) protect development potential of other sites within blocks

B.6.1.4.36 Proposed development shall allow for a minimum of 50% sun coverage at all times of the day as measured on March 21st to September 21st on public plazas, existing and planned parks, and open spaces, school yards and playgrounds

- d) as building heights increase, greater setbacks may be required from the tower to the lot line to achieve the intent of Policy B.6.1.4.23 c)

Staff report states: “there are no impacts on the new John/Rebecca Community Park at any time during the year.” (Page 19 of 30)



August 31, 2018

BY E-MAIL

Ida Bedioui, Legislative Co-ordinator
City Clerks Office, 1st Floor
71 Main Street West
Hamilton, ON L8P 4Y5

sleisk@casselsbrock.com
tel: 416.869.5411
fax: 416.640.3218
file # 49694-2

Dear Ms. Bedioui:

Re: Amendments to the Rural And Urban Hamilton Official Plans and Zoning By-law 05-200

We are the solicitors for The Green Organic Dutchman Ltd. ("TGOD"), owner of the property municipally known as 1915, 1995 and 1997 Jerseyville Road West in the City of Hamilton (the "Property"). Since 2016, TGOD has been licensed operator of a facility for the growing and harvesting of medical marihuana on the Property.

While our client is pleased to see the City taking steps to update its policies to bring them into conformity with changes to legislation, and support the revised definition of a "Cannabis Growing and Harvesting Facility", our client has a number of concerns with the proposed changes to the Rural Hamilton Official Plan and Zoning By-law No.05-200, respecting cannabis growing and harvesting facilities, aquaponics and greenhouses. In particular, TGOD is concerned with the proposed policies for Building Setbacks (Rural Area) and Separation Distances from Sensitive Land Uses (Rural and Urban Areas).

The Ministry of Municipal Affairs and Housing and the Ontario Ministry of Agricultural Food and Rural Affairs have confirmed that a Medical Marihuana Growing and Harvesting Facility is classified as an agricultural use. Staff Report PED18194 also confirmed that cannabis production for either a medical or recreational purpose is considered the same land use. The existing setback for a Medical Marihuana Growing and Harvesting Facility is 20 metres. There is no proper planning justification for increasing the setback to 30 metres for cannabis facilities in the A1 (Agricultural) and A2 (Rural) zones, as there is no such restriction for general agriculture uses. Moreover, the proposed 150 m separation distance from sensitive land uses is excessive, given the wide range generally applied by other municipalities of 70 to 150 metres. Moreover, in our view, no evidence has been provided, nor any actual study undertaken, which demonstrates that a 150 m buffer is appropriate or necessary, and there is no such restriction for general agriculture uses. It is our view that there is therefore no planning basis for imposing the foregoing increased land use planning restrictions on a Cannabis Growing and Harvesting Facility, which should be subject to the same restrictions as general agriculture or greenhouse uses.



Furthermore, in our view, the amendments proposed do not go far enough to adequately support the practical greenhouse growing of cannabis. In particular, as cannabis is an agricultural crop (as noted above), amendments should be made to permit an increased lot coverage of 70% for greenhouses used to grow cannabis, consistent with other agricultural greenhouse operations.

We request to be sent written notice of any decision of the City of Hamilton in respect of the proposed amendments to the Official Plans and Zoning By-law. Please also be advised that Land Use Planner, John Ariens, will attend and make delegations on behalf of TGOD at the Public Meeting on September 4, 2018.

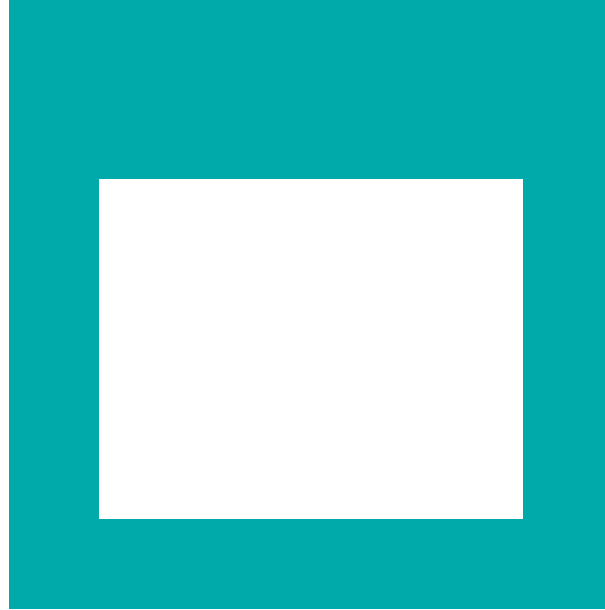
Yours truly,

Cassels Brock & Blackwell LLP

A handwritten signature in blue ink, appearing to read "Signe Leisk", is written over the printed name of the firm.

Signe Leisk

SL/MW



WELCOME TO THE CITY OF HAMILTON

Cannabis Growing and Harvesting Facilities Official Plans and Zoning By-law 05-200 Proposed Changes

September 4, 2018 – Planning Committee Meeting

Context and Background

Planning Committee Report – June 2019

- Staff presented 3 options to Planning committee for changes to the definition and regulations for medical marihuana growing and harvesting facility in both the Official Plans and Zoning By-law No. 05-200
- Committee/Council took no action on the report

Context and Background (cont'd)

October 2018

- The consumption and sale of cannabis will become legal in Canada
- Regulations are required to ensure the planning regulations that apply to medical marihuana growing and harvesting facility extend to the cannabis growing and harvesting (definition used by senior level of governments)

Existing Federal Requirements

Cannabis Act

- Allows for the growing and harvesting of cannabis
- Sales are to be controlled by the Provinces

Access to Cannabis for Medical Purposes Regulations (ACMPR)

- Regulations still exist

Provincial Regulations

- Ontario has decided the initial sale of cannabis will be on-line only through the Ontario Cannabis Store
- April 2019 – a new model for the sale of cannabis will take effect once public consultations are completed

Key Highlights – Rural (RHOP), Urban Hamilton Official Plan (UHOP), Zoning By-law 05-200

- Definitions – replace *medical marihuana* growing and harvesting facility with *cannabis* growing and harvesting facility and to include reference to licence, permit or authorization that has been issued under applicable federal law. (RHOP, UHOP, By-law)

Key Highlights – Rural (RHOP), Urban Hamilton Official Plan (UHOP), Zoning By-law 05-200

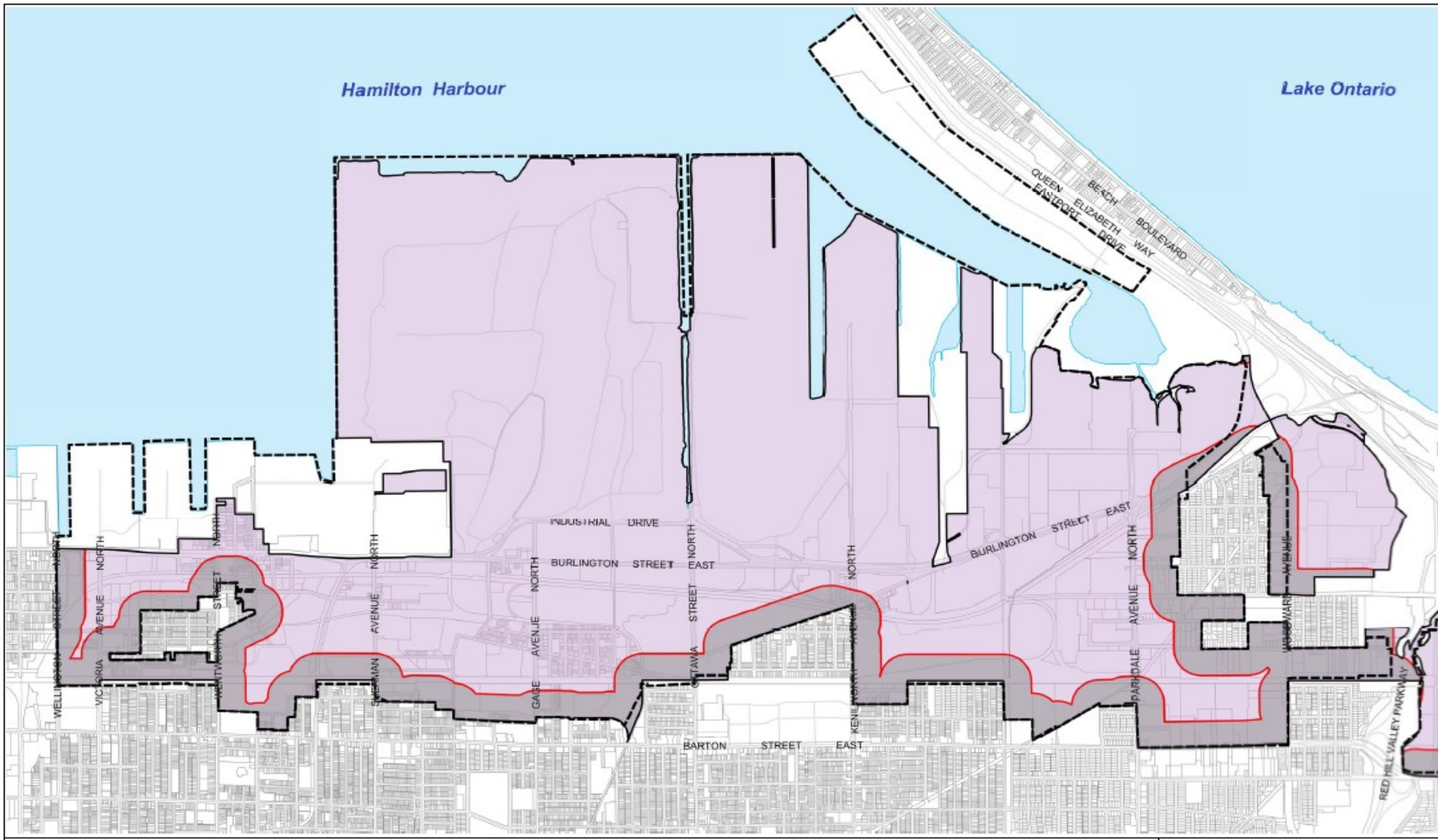
- Use permitted in following zones:

| Urban Zone | Rural Zone |
|-----------------------------|--|
| General Business Park (M2) | Agriculture (A1) Zone, |
| Prestige Business Park (M3) | Rural (A2) |
| General Industrial (M5) | Conservation /Hazard Lands (P6) (existing buildings only) |
| Light Industrial (M6) | Extractive Industrial (M12). |

Key Highlights – Rural (RHOP), Urban Hamilton Official Plan (UHOP), Zoning By-law 05-200 (cont'd)

- Add policy to require appropriate setbacks from a sensitive land use (RHOP, UHOP)
- Require a 150 metre setback from a cannabis growing and harvesting facility to an existing sensitive land use or a specific zone boundary (By-law)

Note small correction to by-law, attached as Appendix “C”, is required to ensure this regulation applies to new and existing buildings.



Key Highlights – Rural (RHOP), Urban Hamilton Official Plan (UHOP), Zoning By-law 05-200 (cont'd)

- Add a new policy to require an odour/dust, light transportation studies as part of an OPA, Zoning By-law amendment and site plan application, as appropriate (RHOP, UHOP)
- Housekeeping Changes – term cannabis, consistent side yard setbacks

Questions?

6.10(a)

From: Vince Ferraiuolo []
Sent: August 30, 2018 11:38 AM
To: Bedioui, Ida <Ida.Bedioui@hamilton.ca>
Subject: Re: September 4 Planning Committee agenda

Hello Ida,

Thank you for the update.

Can you please confirm you will be re-submitting my planners comments to this planning committee.

Planner Terrance "Urban in Mind"

Thanks, Vince J. Ferraiuolo



Professional Urban Planning, Land Development & CPTED Consultants

Date: June 16, 2018

To: Legislative Co-Ordinator, Planning Committee
City of Hamilton
71 Main Street West, 1st Floor
Hamilton, ON L8P 4Y5

RE: Comments in Regards to Planning Applications UHOPA-18-012, ZAC-15-039, & 25T-201507

Dear City Staff, Planning Committee, and Council,

This letter has been developed on behalf of the owner of **32 Parkside Drive** (Mr. Vince Ferraiuolo), to support the future development of the lands known as 32 Parkside Drive, as described to the City in the Formal Consultation Application made June 1, 2018, and previously held Formal Consultation on June 15, 2011.

This letter addresses concerns by the owner of 32 Parkside Drive, as they relate to the subject applications (**25T-201507**, **UHOPA-18-012**, and **ZAC-15-039** for the lands municipally known as 56, 74, 78, 90, 96, 100 and 56 Parkside Drive – Flamborough).

The intent of this letter is to ensure:

- 1) That water, stormwater and waste water services within Parkside Drive are extended to the applicant's property line (i.e. full extent of frontage), so that 32 Parkside may connect to these services without having to construct new infrastructure in front of the applicant's lands. The City's policy of oversizing should provide the framework for this infrastructure.

- 2) That existing drainage rights to the abutting ditch located to the immediate west of 32 Parkside Drive, will continue to remain both functional and available for stormwater discharge of 32 Parkside drive.

This request for the continuation of water, stormwater, and waste water servicing across adjacent subject properties frontage (on Parkside Drive) is in the public interest, allow for orderly development of abutting land and mitigates any adverse impacts on adjacent properties and roadways (of future redevelopment). The infrastructure works are also a necessary component of the current re-construction of Parkside Drive.

In addition, the property at 32 Parkside Drive currently enjoys 'Riparian Rights' to the existing ditch to the immediate west of the property. Unless suitable drainage can be designed (given the property's elevations and southerly slope) the owner of 32 Parkside Drive would be reluctant to release his current rights for site drainage.

On this basis, we respectfully request that:

- A condition be added to any subdivision agreement requiring the applicant to extend full municipal services westerly, to the full extent of the Parkside Drive frontage; and,
- That the applicant not be permitted to impact or redesign the existing drainage ditch to the immediate west of 32 Parkside Drive, unless suitable and agreeable drainage design can be achieved.

These above requests/concerns are supported by the attached City policies (Items A-E):

Sincerely,



Terrance Wm. Glover, RPP, CPT,
Principal,
Urban in Mind, Professional Urban Planning, Land Development & CPTED Consultants

~ City of Hamilton Policy & Communication Attachments ~

A. City of Hamilton Urban Official Plan

Chapter C – City Wide Systems and Designations

C.5.0 Infrastructure

5.3.12 Water and wastewater systems shall be designed and constructed in accordance with the specifications and standards of the City, provincial guidelines, and other applicable standards, regulations and guidelines.

5.4.9 a) *Development* and/or *redevelopment* shall be connected to, or serviced by, a storm water drainage system or other appropriate system such as ditches, or any other techniques acceptable to the City, Conservation Authorities, or the Province and/or detailed in a Storm Water Master Plan or other relevant study;

Chapter E – Urban Systems and Designations

E.5.0 - Employment Area Designations

5.1.2 Maintain an adequate supply of zoned and serviced employment lands of varying parcel sizes in various locations to meet the City's projected employment growth forecast and to promote economic development and competitiveness.

5.2.7 General Provisions

5.2.7.1 The following provisions apply to all lands designated Employment Area – Industrial Land, Employment Area – Business Park, Employment Area – Airport Employment Growth District, and Employment Area – Shipping and Navigation on Schedule E-1 – Urban Land Use Designations (OPA 35): 5.2.7.1g)

New *development*, including expansion to existing *development*, shall be planned with regard to existing and planned transportation and servicing infrastructure.

Chapter F - Implementation

1.7 Site Plan Control

1.7.1 Site plan control shall be used to achieve the following planning objectives:

a) minimize the impact of development on adjacent properties;

3.1.5 Storm Water Management Plans

3.1.5.1 In cases where a storm water management plan is being prepared for lands within the urban boundary, the following matters shall be addressed to avoid, minimize and/or mitigate storm water volumes, contaminant loads and impacts to receiving water courses:

c) minimizing the disruption of pre-existing natural drainage patterns, wherever possible; and, Engineering Guidelines for Servicing Land Under Development Applications

B. City of Hamilton Engineering Guidelines for Servicing Land Under Development Applications (December 2012)

2.4.1.7 Storm Drainage Area Plan

5. If the external drainage area is large, it may necessitate the preparation of an external drainage area plan. External drainage area plans may be prepared at a smaller scale, but shall show the existing ground contours to beyond the limit of the drainage area. Planned street patterns (if available) shall be shown to determine the route of the future sewers.

2.4.2 Sanitary Sewer Design Criteria

2.4.2.1 General Requirements

The following criteria are recommended minimum requirements for the design of sanitary sewers within the City. Sound engineering judgment of the Engineer shall always prevail in the actual design.

Sanitary sewers shall be designed to service the lands within the subdivision and any external drainage areas as may be required.

2.4.2.2 Location

Municipal sanitary sewers shall be located within the City's public rights-of-way.

2.4.3 Storm Sewer Design Criteria

2.4.3.1 General Requirements

Storm sewer systems in the City of Hamilton shall be designed and constructed in accordance with the City's "Criteria and Guidelines for Stormwater Infrastructure Design, 2007".

Storm sewers shall be designed to service all the lands within a proposed development as well as any external drainage areas that are dependent on the sewers within the proposed development.

C. City of Hamilton Site Plan Guidelines (Sept 2003):

"Comprehensive stormwater management solutions which address multiple properties are encouraged to provide for the efficient use of land resources and to minimize long-term public and private maintenance costs."

D. City of Hamilton Comprehensive Development Guidelines and Financial Policies Manual (2017):

"Site grading must consider relationships with adjacent properties. Changes to site grades must not adversely impact adjacent properties, especially with respect to drainage."

- *Site grading should match the grades of adjacent properties. If grading on adjacent properties is required, consent of that owner is required.*
- *Site grading and drainage should produce zero negative impacts on adjacent properties, roads and ditches.”*

E. City of Hamilton Site Plan Guidelines (Sept. 2003):

“3.6 Proposed site grading must consider relationships with adjacent properties. Changes to site grades must not adversely impact adjacent properties, especially with respect to drainage.”

“4. Existing drainage courses and storm sewers on site should be intercepted and incorporated into the new design.”

10.1

CITY OF HAMILTON NOTICE OF MOTION

Planning Committee: September 4, 2018

MOVED BY COUNCILLOR J. PARTRIDGE.....

Private Retail Cannabis Stores

WHEREAS recreational cannabis will be legalized in Canada as of October 17, 2018;

WHEREAS the Province of Ontario has indicated that the Ontario Cannabis Store website will be the only legal option for purchasing recreational cannabis once it becomes legalized on October 17, 2018;

WHEREAS the Province of Ontario has indicated that it will be introducing legislation that would open up a regulated private retail model for cannabis that would launch by April 1, 2019;

WHEREAS the Province of Ontario is currently consulting on the scope of its proposed legislation for a regulated private retail model for cannabis;

WHEREAS the Province has indicated that the new legislation will include some form of “opt out clause” that municipalities may exercise within a very limited time window;

WHEREAS it is not yet determined what regulatory authorities municipalities will have for the regulation of private retail cannabis stores other than their existing zoning powers which in Hamilton generally would permit this use in any commercially zoned property; and

WHEREAS there will be a very limited amount of time for the City of Hamilton to put in place any local regulations with respect to private retail cannabis stores, including the potential use of the “opt-out clause”, prior to the opening of retail stores on April 1, 2019;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to prepare a report with recommendations with respect to the regulation of private retail cannabis stores in the City of Hamilton for the first Planning Committee meeting of the new term of Council;
- (b) That the report outline options for Council’s consideration for the potential application of the Province’s proposed “opt-out” clause;

- (c) That the Mayor write to the Premier, appropriate Ministers and Ministries, and to the Association of Municipalities of Ontario, to communicate to them that it is the City's position that the Province's approach to the regulation of private cannabis retail stores in Ontario must ensure that municipalities have the ability to regulate the following in a manner that is appropriate to the municipality:
- separation distances from sensitive land uses such as parks, schools, daycares and healthcare facilities
 - over-concentration of dispensaries in one area of the city
 - the total number of dispensaries city-wide and within particular areas of the city
 - general issues of urban design such as location of entrances and transparency of facades
 - on-site advertising and signage
 - hours of operation
 - property standards compliance
 - ability to restrict or prohibit operations by operators that routinely violate municipal standards such as noise, nuisance or property standards.