



SHAPING GREAT COMMUNITIES

December 18, 2015

Melanie Pham MCIP, RPP
Planner 1, Community Planning
Planning and Economic Development Department
71 Main Street West, 6th Floor
Hamilton ON L8P 4Y5

Dear Melanie:

Re: Invitation to Provide Comments
Draft Guidelines for Planning Justification Reports

Thank you for providing GSP Group with the opportunity to comment on your draft set of guidelines for Planning Justification Reports pursuant to your correspondence dated December 10, 2015.

We have reviewed the guidelines and consider them to be reasonable and appropriate. The only minor issue we would like to make note of pertains to the requirement to provide a draft OPA and/or Zoning schedule with the submission. From our experience, the City has never used the draft sketches we have provided regardless of whether they have been prepared to reflect the standard used by the City; on all occasions a new schedule was prepared. On this basis, we have found the preparation of these schedules to be an inefficient use of time.

With respect to the four "additional changes" you are proposing, we provide the following comments for your consideration:

1. Amendments to Official Plan policies regarding exemptions or reduction in standard road widenings to provide additional clarity and consistent standard of review for applicants and staff:
Comments: We are fully supportive of this amendment as this requirement has caused a number of developers we have represented to back-out of purchases in the past. For example, we have had clients who were interested in developing along Main Street West, but were unable to do so because of the substantial road widening requirement which would have eliminated close to half of the depth of the property.

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20
YEARS
1995 - 2015

2. Exemptions from providing road widenings for certain types of minor developments:
Comments: GSP Group is also supportive of providing exemptions from providing road widenings for certain types of minor developments as well. This is especially relevant for properties along main streets where buildings has been constructed to the street line.
3. Adding three items to the materials that can be requested with the submission of a complete application: Community consultation, advice from the Design Review Panel, and a Right of Way Impact Assessment:
Comments: With respect to “advice from the Design Review Panel”, this requirement necessitates clarification. It is our understanding the Design Review Panel provides “comments”, not advice, that Planning Staff consider as a part of their overall review of an application. We suggest that the work “advice” be changed to “comments”. In addition, clarification is required with respect to what the DRP is to provide their comments on. We suggest that DRP should not comment on OP or ZBL conformity.

Overall, we have concerns with the duplication of effort and evaluation being undertaken by the City with respect to Urban Design. While we fully support good urban design, the City’s UHOP has many urban design policies that we are required to demonstrate conformity with. Proponents are required to submit Urban Design Reports to demonstrate conformity and appropriate integration into the community. There are also numerous design guidelines that we are required to follow. This translates to planners, architects, and urban designers all providing comments on the design of a development proposal. Specifically, an application can receive Urban Design comments from the Planning Section, Urban Design Section, and DRP which can result in conflicting recommendations.

We suggest that should this be identified as an application requirement that the FC document clearly articulate at the FC stage, what the Design Review Panel is to comment on and that application requiring DRP review be specifically restricted to a type and location of development within the City to provide better certainty to the development community. In addition, submission requirements to the DRP need to be better articulated.

Finally, the requirement and nature of a “Right of Way Impact Assessment” is not clear. What would this assessment include? Who would be required to prepare the assessment i.e. what area of expertise - planner, engineer, traffic consultants?

4. Establishing guidelines for Community Consultation Meetings:

Comments: We look forward to the provision of Guidelines for Community Consultation meetings; however, if the City intends to be involved in this aspect of development applications, we suggest that City planning staff be authorized to attend these meetings and be able to respond to basic questions related to existing policy/zoning. For example, in some municipalities, the municipal planner attends the community meeting and provides the basic planning information associated with the development i.e., OP designation, Zoning, etc., and confirms what approvals are required to provide for the development. They provide no opinion, they simply state the facts. This would require no additional research for municipal staff beyond Formal Consultation which would likely have occurred prior to the Community Consultation session. The proponents' consultant would then proceed to describe and justify the proposed uses. In this way, the community is presented with information they can "trust" and rely upon followed by the applicant's proposal.

Will the guidelines stipulate how the meeting is required to be advertised, the duration and time of the meetings, etc.? Will separate consultation be required for resident groups?

GSP Group is not supportive of overly specific guidelines, but would rather the form and type of consultation carried out, be left to the proponent/consultant.

We trust the comments provided will be of assistance to you, and thank you again for the opportunity to provide input.

Regards,

GSP Group Inc.



Brenda Khes MICP, RPP
Associate – Senior Planner

cc: Steve Robichaud, Director of Planning and Chief Planner, Planning and Economic Development Department

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January 8th, 2016

VIA E-MAIL (Melanie.Pham@hamilton.ca)

Ms. Melanie Pham, MCIP, RPP
Planner I, Community Planning
Planning and Economic Development Department
71 Main Street West, 6th Floor
Hamilton, ON L8P 4Y5

**RE: DRAFT GUIDELINES FOR PLANNING JUSTIFICATION REPORTS
CITY OF HAMILTON**

Ms. Pham,

As you may be aware, the Canadian Association of Certified Planning Technicians ("CACPT") is a not-for-profit, self-governing body dedicated to maintaining high standards for Planning Technicians across the country and we currently have over 500 members across Canada. Our original charter was issued in 1978 and we became a not-for-profit corporation with the Federal Government in 1994. We continue to play an important role in the field of planning. Our members are specialized and skilled in urban design; GIS, drafting and land use planning, and are in demand in a variety of fields, including private industries and government agencies.

Membership in the Association attests to the fact that your employee has achieved a particular level of expertise and can perform the responsibilities required of the technician working in a planning office. Membership is gained through a combination of education and experience. As a full member he/she may use the title Certified Planning Technician ("CPT" designation) after their name to indicate their status in the field of planning technology and their professional affiliation with this Association. Like other professional Associations we have a code of ethics, as well as a governing By-law. In addition, our Association has experienced much growth and expansion across the country, demonstrating that the CPT designation is a recognized and valued asset to both the employee and employer.

Further to your invitation of December 10th, 2015 to provide comments on the Draft Guidelines for Planning Justification Reports, we do not disagree on the proposed content of the guidelines, however, it is our opinion that Certified Planning Technicians should also be permitted to author and sign Planning Justification Reports within the City of Hamilton. Our members have

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the education, experience and designation much like Registered Professional Planners to prepare such Reports. Further, Certified Planning Technicians have been qualified at the Ontario Municipal Board to provide evidence as expert witnesses on various matters, including Technicians within the City of Hamilton's employment.

We ask that this revision to the guidelines be considered and that we are notified of any upcoming Committee/Council meetings and/or decisions regarding this matter.

If you require additional information, please do not hesitate to contact the undersigned at 905.975.5099 or director@cacpt.org.

Thank you for your time and consideration.

A handwritten signature in black ink, appearing to be 'G. Zajac', with a stylized flourish at the end.

George T. Zajac, CPT, MCIP, RPP
Executive Director, CACPT
GZ/

cc: Executive Members of Council, CACPT, via e-mail
Ms. Cathy Burke, Administrative Assistant, CACPT, via e-mail
Ms. Diane LeBreton, Registrar, CACPT, via e-mail



January 11, 2016

Via Email

Melanie Pham, MCIP, RPP
Planner I, Community Planning

City of Hamilton
71 Main Street West, 6th Floor
Hamilton, ON L8P 4Y5

Dear Ms. Pham,

RE: Draft Guidelines for Planning Justification Reports, City of Hamilton

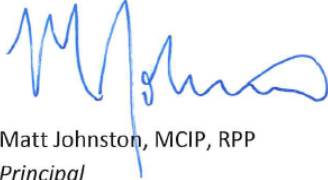
Thank you for providing UrbanSolutions Planning and Land Development Consultants Inc. (Urban Solutions) with the opportunity to review the Draft Guidelines for Planning Justification Reports. As proposed, the guidelines will provide clarity on the requirements and expectations of the City as they relate to Planning Justification Reports. We also support the initiative of requiring a Registered Professional Planner to sign and stamp reports which will ensure reports are consistent with the standards and Code of Practice of the Ontario Professional Planners Institute.

As noted in the draft document, failure to adhere to the guidelines may result in a report being considered unsatisfactory and a submitted application being deemed incomplete. As such, it is our opinion that the Formal Consultation process should identify the relevant and appropriate policies to be considered in the Planning Justification Report. In addition, given that some of the content required within a Planning Justification Report is of a subjective nature, we trust that an application will not be deemed incomplete based on the opinions provided within Section D. Policy and Planning Analysis and/or Section E. Summary/Conclusion.

We understand that as part of this project the City is also considering amendments to road widening policies, adding items to the materials that can be requested with the submission of a complete application, and establishing guidelines for Community Consultation meetings. These items are of particular interest to UrbanSolutions and we would appreciate the opportunity to review and comment on these proposed changes.

Again we appreciate the opportunity to participate in this process and we commend staff for pursuing this initiative. We request to be notified of when these amendments will be reviewed by Planning Committee. Please feel free to contact us with any questions.

Regards,
UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Victoria Coates
Planner

Cc: Mr. Sergio Manchia, UrbanSolutions

Wellings Planning Consultants Inc.
Land Use Planners

January 13, 2016

Ms. Melanie Pham, MCIP, RPP
Planner I, Community Planning
City of Hamilton
Planning and Economic Development Department
71 Main Street West, 6th Floor
Hamilton, Ontario
L8P 4Y5

Dear Melanie:

**Re: Draft Guidelines for the Preparation of a Planning
Justification Report - City of Hamilton**

Thank you for providing us with the opportunity to comment on the draft guidelines for the preparation of a planning justification report ("PJR"). I have reviewed the draft guidelines and provide the following comments.

The purpose of a PJR, in my opinion, is generally to provide relevant background information; an analysis of compliance/consistency with the governing provincial and local policies; a professional planning opinion on the intended land use or policy matter; and whether such matter constitutes good planning. It is not a tool for municipal planners to circumvent their own, independent planning review and analysis.

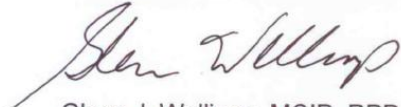
The guidelines attempt to differentiate between the levels of planning justification required for various types of applications but do not, in my opinion, fully capture the essence of these differences. For example, if an application seeks to amend the Official Plan, then the expectation in my experience is a PJR that is very comprehensive containing a thorough analysis of Provincial and local policies and all technical requirements. The end result is a very detailed PJR. However, for a rezoning application that implements an approved Official Plan, the level of planning analysis in my opinion should be much less as in these cases there is seldom any concern with conformity/consistency with Provincial policy and the planning issues tend to be more local in nature. In these cases, I agree with the draft guidelines that a Planning Justification Brief ("Brief") is more appropriate especially when an Official Plan change is not involved. There should however be no requirement for a PJR or Brief for site plan or subdivision applications where there is no related Official Plan and/or Zoning By-law application(s) hence no conformity/compliance issues with the implementing planning documents. In these cases, the principle of land use has been established and a standard cover letter to accompany the site plan application should suffice.

While I have no difficulty with the requirement that a PJR or Brief be signed by a Registered Professional Planner, I would recommend that you review this requirement in conjunction with the enabling legislation as there may be inconsistencies. Does "signed and stamped" mean that all qualified planners must obtain a stamp from OPPI?

A PJR/Brief is an expression of a planner's professional opinion and comprises a professional level of judgement. As such, I would caution the City against the rigid, robotic application of guidelines. While I understand the need to develop guidelines to ensure a certain level of analysis and competence, guidelines are not policy. It should be fairly obvious if a PJR/Brief is deficient and there has clearly not been an effort put forth to address the key planning and policy issues. However a disagreement in opinion, approach or conveyance of information in a PJR/Brief is not sufficient rationale to deem an application incomplete. While City staff may consider a PJR/Brief unsatisfactory for a variety of reasons, it should not necessarily lead to the conclusion that an application(s) is incomplete.

Thank you again for the opportunity to provide comments and I would appreciate if you could keep me posted on your progress in finalizing these guidelines.

Yours truly,
WELLINGS PLANNING CONSULTANTS INC.



Glenn J. Wellings, MCIP, RPP.