



# BOUSFIELDS INC.

Project No.: 16180-3

October 13, 2017

**Sent VIA EMAIL**

Ida Bedioui, Planning Co-ordinator  
City of Hamilton  
71 Main Street West, 1<sup>st</sup> Floor  
Hamilton, ON L8P 4Y5

**Re: *Item 8.3 of the October 17, 2017 Planning Committee  
City of Hamilton – New Commercial & Mixed Use Zones  
883 & 999 Upper Wentworth St. and 508 & 520-524 Limeridge Road East***

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We are the planning consultants with respect to the above-noted property (herein referred to as the “the subject site”). On behalf of the ownership group (CF/Realty Holding Inc.), we request that the Planning Committee consider the following comments on the proposed C-4 Mixed Use High Density Zone that is proposed for the subject site.

Since the Proposed Commercial and Mixed Use Zones were originally presented to the Planning Committee, on June 6, 2017, we have had the pleasure of working with Planning Staff (namely Timothy Lee) to address our concerns. Notwithstanding these discussions, we continue to have certain concerns related to the draft zoning by-law amendment presented in Appendix “B” of Report PED16100(c), which are outlined as follows:

1. Special Exception 302 defines a *Motor Vehicle Showroom* as an establishment located internal to a building where new motor vehicles are displayed for the purpose of sale or leasing, and may include accessory retailing of souvenir merchandise, and shall not include the storage of motor vehicles and *Motor Vehicle Service Station*.

**Comment:**

In order to provide as much flexibility as possible, we respectfully request that the definition be revised to permit new **and/or used** motor vehicles to be displayed for the purpose of sale or leasing. Also, the **storage of motor vehicles** should be removed from this definition to avoid confusion, since interior storage (parking) of motor vehicles is permitted throughout the zone.

2. Special Exception 302 e) provides a modified minimum building height requirement for the subject site.

Comment:

In order to provide as much flexibility as possible, we respectfully request that this requirement be revised as follows:

- e) *Notwithstanding Subsections 10.4.3d)i) a minimum building height of 7.5 metres shall apply and 6.0 metres shall be provided for commercial buildings fronting along Upper Wentworth Street, Mall Road, and Limeridge Road East containing only one or more of the following uses and having a maximum Gross Floor Area of 1,400 square metres:*
  - i) *Financial Establishment;*
  - ii) *Personal Service;*
  - iii) *Restaurant; and,*
  - iv) *Retail.*

The proposed modification will allow for single storey commercial and/or mixed use buildings throughout the subject site as well as along it's public street frontage. In our opinion the proposed modification allows for flexibility in the zoning and would leave the built form design details to the more appropriate and required site plan control process.

3. We respectfully request that Special Exception 302 f) be modified as outlined below for clarity purposes:
  - f) *Notwithstanding Subsection 10.4.3g)iii), a minimum of one principal entrance for the entire site shall be provided within the ground floor façade in front of the Upper Wentworth Street and Limeridge Road East lot line, and an accessible walkway from the Upper Wentworth Street line and Limeridge Road East lot line to the entrance shall be provided and maintained.*
4. The proposed general provision 5.5 h) ii) states that each landscaped area or landscaped parking island shall have a minimum width of 2.8 metres and a minimum area of 10.0 square metres.

Comment:

In order to provide as much flexibility as possible, it is our opinion that this provision be revised, especially as it relates to the subject site, to require a minimum width of 1.5 metres. Details regarding the size and configuration of landscape areas are more appropriately left to the required site plan control process.

5. The proposed C4 Zone regulations includes a Maximum Building Setback (10.4.3 a)) from a Streetline.

Comment:

We understand that the intention of this provision is to bring buildings close to the street line, which is consistent with the Urban Hamilton Official Plan (UHOP) and good planning and urban design principles. However, applying this regulation to the subject site, which is considerably deep, creates many functional design issues that would require all new buildings along the street line and not allow for substantial (more than 10%) expansion of existing buildings on the subject site.

In our opinion, this provision should be revised, at a minimum for the subject site and possibly for all other deep C4 sites, to include a maximum building setback for all new buildings within 20 metres of a street line. This will allow for the evolution of the subject site and other large commercial sites to develop along the streets and internal lanes/driveways, which is consistent with the UHOP policy context.

In summary, thank you for the opportunity to comment on the proposed Commercial and Mixed Use Zones. We respectfully request that the Planning Committee consider the proposed modifications for the subject site. Also, we request to be notified of the City's decision on the proposed amendments.

Should you require any additional information, please do not hesitate to contact the undersigned.

Respectfully Submitted,  
**Bousfields Inc.**



David Falletta, MCIP, RPP  
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