



April 16, 2018

City of Hamilton
Planning Committee
71 Main Street West
Hamilton ON L8P 4Y5

Attention: Chair A. Johnson & Committee Members

Dear Mr. Johnson and Committee Members,

RE: Proposed Downtown Hamilton Secondary Plan and Downtown Zones
Submission on behalf of DiCenzo Construction Limited

WEBB Planning Consultants are retained by DiCenzo Construction Limited (DCL) to provide land use planning services for their properties throughout the City of Hamilton.

The City will be holding a Public Meeting on April 17th, 2018, to consider the adoption of proposed amendments to the Urban Hamilton Official Plan, the Downtown Secondary Plan and amendments to Zoning Bylaw No. 05-200 to implement broad reaching Policies and Regulations for Downtown Hamilton.

We have undertaken a review of the proposed UHOP, Secondary Plan and Zoning By-law Amendments on behalf of DCL and have noted the potential for impacts to lands that are owned by DCL within Downtown, in particular, 117 Jackson Street East. This property is proposed to be designated as Downtown Mixed Use and Zoned as "D1" Zone – Downtown Central Business District Zone. The property is subject to Holding Provisions No.'s 17, 19 & 20 which limit building height until such time as specified Conditions have been satisfied.

Based on our review of the proposed amendments, we have noted the potential for conflicts with the future development of 117 Jackson Street and it's intended use as a high density residential site. The specific concerns relate the incorporation of built form Regulations that are informed by the draft Tall Buildings Guidelines. While Policy states it is not the intent of the Guidelines to limit creativity and innovation in design, the incorporation of Regulations into the Zoning By-law may in fact have this effect.

We have noted potential concerns with the scope of the Holding provisions that apply to the property including the requirement to enter into Section 37 Bonusing Agreements as a Condition to achieving the maximum building height that is proposed in the draft Policies and Zoning Regulations. Policy acknowledges that the City needs to conduct additional work to develop an implementation protocol for Bonusing Agreements under Section 37 and for this reason we would suggest it is premature to adopt this approach.

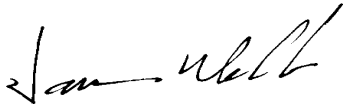
In summary, we would like to extend our congratulations to planning staff on bringing forward this significant component of the planning framework that will guide the future development of Hamilton's evolving downtown.

We will be in attendance at the Public Meeting scheduled for April 17th to monitor the consideration of the Staff Report and Recommendations and would respectfully request that we be provided written notice of the Committee and Council decisions on this matter.

Please contact our office immediately should you have any questions or require additional information regarding this submission.

Yours truly,

WEBB Planning Consultants Inc.

A handwritten signature in black ink, appearing to read 'James Webb', with a stylized flourish at the end.

James Webb, MCIP, RPP

cc: DiCenzo Construction Limited