



April 16th, 2018

230-17

Via Email & Delivered

Members of Planning Committee and Council

c/o Ms. Ida Bedioui
Legislative Coordinator

City Clerk's Office
City of Hamilton
71 Main Street West, 1st Floor
Hamilton, ON L8P 4Y5

Dear Members of Planning Committee and Council:

RE: Draft Downtown Secondary Plan and Zoning By-law Review

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) would like to take this opportunity to thank Planning Staff, in particular, Mses. Alissa Mahood and Shannon McKie for their commendable work in bringing forward the draft Downtown Secondary Plan and Zoning By-law.

The background work for any secondary plan process is a complicated, complex and dynamic process. Nowhere is this truer than when preparing one for Hamilton's downtown. The consultation process was thorough and engaging wherein constructive feedback was well received by the City that resulted in significant improvements the Secondary Plan and Zoning By-law.

While we consider the adoption of the Secondary Plan and passing of the Zoning By-law as a notable milestone for the Downtown, there is one item that we would like to bring to the attention of Council and City Staff. The March 19, 2018 release of the draft documents implements **Section 37 Agreements via the use of Holding Provisions** and this was not contemplated in the previously released draft in November, 2017. UrbanSolutions appreciates the merit of Section 37 Agreements and the value they can bring to the community. However, our concern relates the use of Holding provisions to secure such agreements in advance of the completion of the City-wide Section 37 review process noted in Staff Report No. PED18074.

It is our professional opinion that it is premature to apply Holding Provisions that require Section 37 Agreements when the City has not completed the related study nor established any protocol, provisions or guidelines similar to those that exist in municipalities who have been utilizing Section 37 of the *Planning Act* for some time. We can draw a comparison to the stakeholder engagement process as part of every 5 year review of the Development Charges By-law. A similar engagement process is warranted for Section 37 Agreements prior to enshrining them into the Zoning By-law.

UrbanSolutions looks forward to a continued productive working relationship with City staff to implement and see to it that the City's Downtown goals and objectives are realized.

Regards,
UrbanSolutions

A blue ink signature of Sergio Manchia, consisting of several horizontal strokes and a vertical line crossing them.

Sergio Manchia, MCIP, RPP
Principal

A blue ink signature of Matt Johnston, featuring a stylized 'M' and 'J'.

Matt Johnston, MCIP, RPP
Principal

cc. Messers. Jason Thorne, MCIP, RPP and Steve Robichaud, MCIP, RPP, City of Hamilton
Mses. Alissa Mahood, MCIP, RPP & Shannon McKie, MCIP, RPP, City of Hamilton