



April 16th, 2018

230-17

Via Email & Delivered

Chair and Members of Planning Committee

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 Chair and Members of Planning Committee:

**RE: Draft Downtown Secondary Plan and Zoning By-law Review
44 Hughson Street South, 75 James Street South and 9 Jackson Street East**

On behalf of LiUNA Local 837, UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is pleased to provide this second submission regarding the Draft Downtown Secondary Plan and Zoning By-Law review for lands municipally known as 44 Hughson Street South, 75 James Street South and 9 Jackson Street East.

On August 25th, 2017, UrbanSolutions submitted a letter outlining concerns with regards to the proposed land use designation in the draft Secondary Plan and draft Zoning By-law. We appreciate that some of these concerns have been addressed in current drafts wherein the subject lands are designated as "Downtown Mixed Use" as illustrated on Map B.6.1-1- Land Use Plan of the Downtown Secondary Plan. The City of Hamilton Zoning By-law No. 05-200 places the subject lands in the Downtown Central Business District (D1) Zone and Downtown Mixed Use – Pedestrian Focus (D2, H17, H19, H20). Map B.6.1-2 Maximum Building Heights designates the subject lands as "High-rise 1". Draft Schedule F of the Zoning By-law limits building height to 71 metres.

There are four outstanding areas of concern they are:

- Policy 6.1.4.37 of the Secondary Plan prohibits development from casting any net new shadow on Prince's Square located at 50 Main Street East;
- The various parking stall sizes applicable to structured parking facilities;
- The draft zoning proposes to split the zoning between the Downtown Central Business District (D1) Zone and Downtown Mixed Use – Pedestrian Focus (D2, H17, H19, H20) ; and,

- The proposed Holding Provisions applicable to the property (H19 and H20) require a Section 37 Agreement. This format of a Holding provision is premature until the City-wide Section 37 Bonusing Study noted in Staff Report PED18074 is complete.

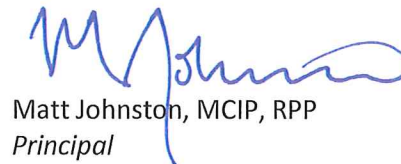
The aforementioned concerns can be addressed by allowing height above 71 metres using sun shadow analysis based on specific development proposals without need for an Official Plan Amendment to address Policy 6.1.4.37. Further the subject properties should be placed in one zone without the proposed Holding provisions.

Please feel free to contact the undersigned with any questions or comments.

Regards,
UrbanSolutions



Sergio Manchia, MCIP, RPP
Principal



Matt Johnston, MCIP, RPP
Principal

cc. Mr. Steve Robichaud, MCIP, RPP and Mses. Alissa Mahood, MCIP, RPP & Shannon McKie, MCIP, RPP, City of Hamilton
Messers. Joseph Mancinelli and Riccardo Persi, LiUNA Local 837
Mr. Shawn Marr, The Hi-Rise Group