

April 13, 2018

Chair and Members of the Planning Committee  
c/o Ms. Ida Bedioui  
Legislative Co-ordinator for the Planning Committee  
City Clerks Office  
1st Floor, Hamilton City Hall  
71 Main Street West  
Hamilton, Ontario, L8P 4Y5

Dear Chair and Members of the Planning Committee:

**Re: Official Plan Amendment and Zoning By-law Amendment for the Downtown Hamilton Secondary Plan (Wards 2 and 3) (PED18074)  
April 17, 2018 Planning Committee Meeting  
Sonoma Development Group Inc.  
71 Rebecca Street  
Proposed Thirty (30) Storey Residential Condominium**

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We are Planning Consultants for Sonoma Development Group Inc. ("Sonoma") the owner of 71 Rebecca Street in Downtown Hamilton. On April 17, 2018, the Planning Committee is holding a Public Meeting under the *Planning Act* to consider updates to the Downtown Secondary Plan ("DSP") and the Downtown Zones in Zoning By-law 05-200.

By way of background, in June of 2017, Sonoma submitted applications to amend the DSP and By-law 05-200 to permit a forty (40) storey, condominium residential building at 71 Rebecca Street, located north of the proposed John/Rebecca Community Park. Upon consultation with City planning staff and subsequent to the Public Information Meeting held on November 28, 2017, the proposal was revised to a thirty (30) storey building. The redevelopment of 71 Rebecca Street will bring with it remediation of a brownfield site and incentive to redevelop other brownfield sites and vacant properties downtown. All technical studies have been submitted, updated and reviewed and the applications have been in process for approximately ten (10) months.

As Committee and Council are aware, the review of the DSP was introduced to the public at a Public Information Centre in June 2011. At a Public Open House in February 2017, staff presented and explained the proposed updates. Extensive consultation took place, and the detailed Zoning By-law regulations were revised a number of times. The City-initiated updates are very positive for downtown redevelopment, including the proposed building at 71 Rebecca Street. We commend City staff on their work and for continually seeking input from various stakeholders throughout the process.

One significant update to the DSP and Zoning By-law is the increase in building heights permitted (maximum of 97 metres). Downtown Hamilton is an Urban Growth Centre and taller buildings will help the City achieve its intensification targets. Updated Downtown Zone regulations and the Tall Building Guidelines will help shape the fabric of downtown redevelopment.

As the City-initiated updates to the draft DSP and zones evolved and changed over the past ten (10) months, Sonoma has worked diligently with City staff and has made every attempt to comply with both the adopted revisions to By-law 05-200, which are not yet in effect and the proposed revisions in order to comply with the direction City staff are taking.

The City-initiated update to the DSP eliminates the need for an UHOPA for 71 Rebecca Street and the property will be rezoned to the Downtown Central Business District (D1) Zone. As noted above, Sonoma and its consultants have worked with staff to address all of the updated zone regulations as they have evolved and changed. At this point in time, only three (3) minor modifications are required to the proposed zoning regulations to facilitate the redevelopment of 71 Rebecca Street.

The three (3) minor modifications required are:

1. The previous version of the Downtown Zoning By-law Amendment required that a 3.0 metre building step back occur at a building base height of 11.0 metres, across the downtown area. The most recent revision included varying the height for the required step back based on the right-of-way widths of the abutting streets.

Given the right-of-way width of Rebecca Street, the new General Provisions section associated with the Downtown Zones requires a building step back of 3.0 metres at a height of 7.5 metres along Rebecca Street. For the proposed building, the step back of 3.0 metres occurs at a height of 9.25 metres, complying with the previous version of the draft Downtown Zoning By-law Amendment.

It is important to note that the building at 71 Rebecca Street will face three (3) streets and the height at which a step back must occur varies from 7.5 metres (Rebecca Street); 22 metres (John Street North) and 16 metres (Catharine Street North). In our opinion a step back at 9.25 metres is reasonable, appropriate and meets the general intent of the new General Provisions associated with the Downtown Zones.

2. The D1 Zone lot coverage maximum is 85%. Given that City staff has interpreted the covered sidewalk space (overhang of parking level above) to be part of the lot coverage calculation, the proposed lot coverage has been calculated at 98%.

Should the 'unenclosed' sidewalk space not be included, the lot coverage would be 84% and would not be exceeded. In our opinion the increase in the lot coverage is technical in nature and is reasonable, appropriate and meets the general intent of the updated D1 Zone regulations.

3. A few months ago, City staff requested that the parking levels within the proposed building be redesigned to include as many parking stalls as possible at the revised parking stall dimensions set out in By-law No.17-240, adopted on November 8, 2017 and under appeal. Even though the building was originally designed based on the parking stall dimensions currently in effect, the architect provided as many parking stalls as possible at the revised dimensions, while also maintaining the required number of parking stalls.

The proposed building will have 198 parking stalls plus 6 barrier-free stalls for a total of 204 stalls. This total meets the revised parking ratios proposed for the Downtown Zones.

Approximately 30% of the parking stalls to be provided meet both the updated width and length dimensions and 47% meet the updated length dimension. Approximately 80% of the total number of parking stalls to be provided are larger in area than the area currently required. The breakdown of parking stall sizes is shown on Attachment No. 1 to this letter.

We could argue that the 'in effect' parking stall dimensions should continue to apply to the proposed redevelopment. Other downtown redevelopments recently approved are based on the 'in effect' dimensions. However, Sonoma has worked with staff to provide increased parking stall sizes wherever possible.

We respectfully request that a new section be added to the Downtown Zoning By-law Amendment to capture the above-noted minor modifications for 71 Rebecca Street. Attachment No. 1 to this letter provides the wording for the proposed new section to be added to the Zoning By-law.

In our opinion, the modifications for 71 Rebecca Street are technical in nature and will not impact any surrounding existing or future land use. The inclusion of the zoning modifications for 71 Rebecca Street in the Downtown Zoning By-law Amendment will eliminate duplication in the planning process.

We thank you for your consideration of this matter and will be in attendance at the April 17, 2018 Planning Committee meeting to provide a brief presentation related to our request, and to answer any questions the Committee may have.

Yours truly,  
**WELLINGS PLANNING CONSULTANTS INC.**

A handwritten signature in black ink, appearing to read "Glenn J. Wellings". The signature is fluid and cursive, with a large loop at the end.

Glenn J. Wellings, MCIP, RPP

Copy: Sonoma Development Group Inc.  
Councillor Jason Farr, Ward 2 Councillor  
Steve Robichaud, Director, Planning and Chief Planner  
DPAI

## ATTACHMENT NO. 1

That SCHEDULE C – SPECIAL EXCEPTIONS of By-law 05-200 is hereby amended by adding:

xxx. For the lands zoned Downtown Central Business (D1) Zone identified on Map \_\_\_\_\_ of Schedule "A" - Zoning Maps and described as 71 Rebecca Street, the following special regulations shall apply:

- a) Notwithstanding Schedule "F" - Special Figure 15, a minimum 3.0 metre step back shall be required from the Rebecca Street building base façade height at 9.25 metres.
- b) Notwithstanding Section 6.1, Downtown Central Business District (D1) Zone, Subsection 6.13 e), the maximum lot coverage shall be 98%.
- c) Notwithstanding Section 5, Parking Regulations, Subsection 5.2 b) ii), the parking stall sizes within the parking structure shall be:
  - i) 59 parking stalls at 2.8 m x 5.8 m;
  - ii) 93 parking stalls at 2.6 m x 5.8 m;
  - iii) 36 parking stalls at 2.6 m x 5.5 m;
  - iv) 10 parking stalls at 2.8 m x 5.5 m;
  - v) 3 barrier-free parking stalls at 4.6 m x 5.8 m;
  - vi) 3 barrier-free parking stalls at 4.6 m x 5.5 m; and,Parking stall sizes at grade shall be:
  - vii) 4 car share parking stalls at 2.6 m x 5.5 m.