



September 3, 2018

258-17

Via Email & Delivered

Honorable Mayor and members Council
c/o
Ms. Ida Bedioui, B.A., AMCTO
Legislative Co-ordinator

City of Hamilton
71 Main Street West, 1st Floor
Hamilton, ON L8P 4Y5

Dear Honorable Mayor and members of Council:

**RE: Official Plan Amendment Application No. UHOPA-17-023
Zoning By-law Amendment Application No. ZAC-17-053
71 Rebecca Street, Hamilton**

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) is the authorized planning consultant acting on behalf Kaneff Properties Limited, owner of 80 John Street North, and we are pleased to submit this letter regarding the subject *Planning Act* applications at 71 Rebecca Street in Hamilton.

On November 28, 2017, UrbanSolutions attended the Public Information Meeting hosted by the proponent at 95 King Street East in Hamilton. This was a valuable meeting that provided an opportunity to obtain a better understanding of the development proposal and the nature of the applications.

Subsequently to that meeting, on March 2, 2018, the undersigned submitted comments and concerns on behalf of Kaneff Properties Limited.

After completing a review of Planning and Economic Development Department Staff Report No. PED18195 dated September 4, 2018, the following summarizes the outstanding concerns Kaneff Properties Limited has with the development proposal and the related draft Official Plan Amendment and draft amending Zoning By-law. These concerns primarily stem from the proposed reduction from 12.5 metres to 1.0 metre for the portion of the building exceeding 22.0 metres in height.

On Page 26 of the staff recommendation report, City staff state this reduction from 12.5 metres to 1.0 metres has merit because the modification should not hinder the future development of the Kaneff lands.

This is incorrect.

The proposed orientation of the 30 storey building does not appear to respect the new Downtown Secondary Plan Zoning By-law approved by Council in May, 2018 and new Tall Building Design Guidelines recommended by City of Hamilton staff and endorsed by Council. This new Secondary Plan and new guidelines are the new position established by Council to require 25 metres between tall buildings.

As proposed, the reduced setback to 1.0 metre results in 30 storeys of massing that is simply too close to 80 John Street North. It then requires a setback of any tall buildings on 80 John Street to increase from 12.5 metres to 24 metres to maintain 25 metres between any towers. The resulting built form and massing, contrary to the staff report, does hinder the future development of the lands owned by Kaneff. This adverse impact must be addressed prior to Council's decision on subject *Planning Act* applications.

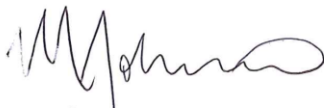
The City of Hamilton Design Review Panel also highlighted this concern and this is summarized on Page 22 of the staff report when the Panel advised "The applicant and City staff need to consider the potential impacts of the proposed development on future neighbouring developments."

Kaneff Properties Limited requests and insists the aforementioned concerns be addressed in advance of a Council decision regarding the proposal.

It is premature to approve the subject applications in advance of addressing these adverse impacts. As proposed the Official Plan Amendment and amending Zoning By-law are inconsistent with the Provincial Policy Statement. They do not conform to the Growth Plan for the Greater Golden Horseshow and they do not conform to the Urban Hamilton Official Plan, existing Secondary Plan and the new recently approved new Downtown Secondary Plan pending approval from the Local Planning Appeal Tribunal. While these policy documents support compatible forms of intensification, this proposal is incompatible given the aforementioned adverse impacts.

In accordance with the *Planning Act*, please provide the undersigned with written copy of any Council decision for this matter.

Regards,
UrbanSolutions



Matt Johnston, MCIP, RPP
Principal

- cc. Mses. Anna-Maria Kaneff and Kristina Kaneff, Kaneff Properties Limited (via email)
Councillor Jason Farr, Ward 2, City of Hamilton
Mr. Jason Thorne, MCIP, RPP, City of Hamilton (via email)
Mr. Steve Robichaud, MCIP, RPP, City of Hamilton (via email)
Mr. Drew Hauser, McCallumSather (via email)
Messer's. Sergio Manchia, MCIP, RPP, & Spencer McKay, UrbanSolutions (via email)