



Hamilton

Planning and Economic Development Department  
Development Planning, Heritage and Design  
71 Main Street West, 5<sup>th</sup> Floor, Hamilton ON L8P 4Y5  
Phone: 905.546.2424 - Fax: 905.546.4202

## Formal Consultation Document

Meeting Date: September 14, 2022 File No: FC-22-110  
Owner: Hamilton Coliseum Place Inc. c/o Aaron Collina  
Applicant: Bousfield Inc. c/o David Falletta  
Agent: Same as Applicant

### PROPERTY INFORMATION

**Address and/or Legal Description:** 89 Park Street North and 84 York Boulevard

**Lot Frontage (metres):** 46.0 metres (York Boulevard), 63.0 metres (Vine Street), 92.0 metres (Park Street)

**Lot depth (metres):** 46.0 – 63.0 metres

**Lot Area(m<sup>2</sup>):** 4,900.00 square metres

**Urban Hamilton Official Plan Designation:** Downtown Urban Growth Centre /  
Downtown Mixed Use Area

**Downtown Hamilton Secondary Plan Designation:** Downtown Mixed Use, High Rise  
2

**Zoning:** Downtown Central Business District (D1) Zone

**Description of current uses, buildings, structures and natural features on the subject lands:**

The subject lands contain Philpott Memorial Church which is included on the City's Register of Properties of Cultural Heritage Value or Interest as a non designated property and associated surface parking lot.

**Brief description of proposal:**

The applicant proposes to construct a new mixed use building consisting of two, 30 storey towers above a five storey podium with a total of 697 square metres of ground floor commercial along York Boulevard and Vine Street. A total of 693 residential dwelling units and 393 parking spaces are proposed.

**APPLICATIONS REQUIRED**

Rural Hamilton Official Plan Amendment	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Urban Hamilton Official Plan Amendment	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Local Official Plan Amendment	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Zoning By-law Amendment	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Subdivision	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Condominium (Type: )	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Site Plan (Type: DA (Site Plan))	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Consent	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Variance(s)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Other	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

**Note:** The City of Hamilton is in the process of creating a new comprehensive Zoning By-law for the entire City. The new Zoning By-law is being prepared in phases by Land Use topic. New Rural, Commercial and Residential zoning may be implemented which could be different than the current zoning. Accordingly, additional applications may be required. If a Building Permit has not been issued by the City prior to the new zoning coming into effect, the approved site plan may be affected, related to zoning compliance, which may require further planning approvals (i.e. Minor Variance, Zoning Amendment, etc.).

**FEES REQUIRED**

City of Hamilton:	Zoning By-law Amendment (H Removal) .....\$ 5,920.00 Site Plan Control (DA).....\$25,350.00 Minor Variance.....\$ 3,465.00 MINUS Formal Consultation Credit.....\$ 1,260.00 TOTAL application fees.....\$33,475.00
Conservation Authority Review Fees:	N/A
Other:	Tariff of Fee (to be paid following site plan approval) Residential (subject to change depending on time of approval) \$1,005.00 for units 0 -10 .....\$10,050.00 \$605.00 for units 11-50.....\$24,200.00 Non-residential \$10.00 per square metre (697.0 m <sup>2</sup> ) .....\$ 6,970.00 TOTAL Tariff of Fees.....\$41,220.00
TOTAL:	\$74,695.00

**Notes:**

- Formal Consultation fee may be credited towards a future application

- *Notwithstanding the fees noted above, all fees are payable based on the rate in the fee schedule by-law in effect on the date the payment is made.*
- *Further fees may be required at a later date as per the fee schedule.*
- *Separate cheques are payable to the City of Hamilton and the applicable Conservation Authority.*
- *A Cost Acknowledgement Agreement for potential costs at the Ontario Municipal Board may also be required.*

## **DESIGN REVIEW PANEL**

The Design Review Panel shall provide urban design advice to Planning Division staff on Planning applications with respect to complex Zoning and Site Plan applications in the following Design Priority Areas:

- (a) Downtown Hamilton Secondary Plan Area;
- (b) Areas of Major Change and Corridors of Gradual Change within the West Harbor Secondary Plan Area;
- (c) Primary Corridors as shown on Schedule E – “Urban Structure” of the Urban Hamilton Official Plan;
- (d) Any other large scale projects that may impact the physical environment functionally and/or aesthetically.

The Director of Planning or his or her designate may waive projects from the review of the Design Review Panel, if the project is not deemed to have the potential to significantly impact the physical environment functionally and/or aesthetically.

Design Review Panel review required?      ☒ Yes      ☐ No

## **REQUIRED INFORMATION AND MATERIALS**

All identified reports, studies, and/or plans must be submitted before an application is deemed complete. Unless otherwise noted, 5 copies of each item and an electronic digital file in PDF locked file format must be submitted.

<b>Reports, Studies, Plans</b>	<b>Required</b>	<b>Staff Responsible for providing guidelines or terms of reference</b>
<b>Background Information</b>		
Survey Plan	<input checked="" type="checkbox"/>	Development Planning – Jennifer Allen, Ext. 4672 [Site Plan Control Stage – Submission Requirement]
Concept Plan	<input type="checkbox"/>	
<b>Planning</b>		

Affordable Housing Report/Rental Conversion Assessment	<input type="checkbox"/>	
Draft OPA, and By-laws	<input type="checkbox"/>	
Land Use/Market Needs Assessment	<input type="checkbox"/>	
Planning Justification Report	<input type="checkbox"/>	
Site Plan and Building Elevations, Underground Parking Plan.	<input checked="" type="checkbox"/>	Development Planning – Jennifer Allen, Ext. 4672  Urban Design – Ana Cruceru, Ext. 5707  [Site Plan Control Stage – Submission Requirement]
Urban Design Report / Brief	<input checked="" type="checkbox"/>	Urban Design – Ana Cruceru, Ext. 5707 [Site Plan Control Stage – Condition of Approval]
<b>Cultural</b>		
Archaeological Assessment	<input type="checkbox"/>	
Cultural Heritage Impact Assessment	<input checked="" type="checkbox"/>	Cultural Heritage – Chloe Richer, Ext. 7163 [Site Plan Control Stage – Submission Requirement]
<b>Environmental</b>		
Aggregate Resource Assessment	<input type="checkbox"/>	
Aggregate/Mineral Resource Analysis	<input type="checkbox"/>	
Air Quality Study	<input type="checkbox"/>	
Channel Design and Geofluvial Assessment	<input type="checkbox"/>	
Chloride Impact Study	<input type="checkbox"/>	
Cut and Fill Analysis	<input type="checkbox"/>	
Demarcation of top of bank, limit of wetland, limit of natural hazard, limit of Environmentally Significant Area (ESA), or limit of Conservation Authority regulated area	<input type="checkbox"/>	
Environmental Impact Statement (EIS)	<input type="checkbox"/>	
Erosion Hazard Assessment	<input type="checkbox"/>	
Fish Habitat Assessment	<input type="checkbox"/>	
Floodline Delineation Study/Hydraulic Analysis	<input type="checkbox"/>	
General Vegetation Inventory (GVI)	<input type="checkbox"/>	
Impact Assessment for new Private Waste Disposal Sites	<input type="checkbox"/>	
Karst Assessment/Karst Contingency Plan	<input type="checkbox"/>	
Landscape Plan	<input checked="" type="checkbox"/>	Development Planning – Jennifer Allen, Ext. 4672  Urban Design – Ana Cruceru, Ext. 5707

		Forestry – Sam Brush, Ext. 7375  Natural Heritage – Jessica Abrahamse, Ext. 1231  [Site Plan Control Stage – Condition of Approval]
Linkage Assessment	<input type="checkbox"/>	
Meander Belt Assessment	<input type="checkbox"/>	
Nutrient Management Study	<input type="checkbox"/>	
Odour, Dust and Light Assessment	<input type="checkbox"/>	
Restoration Plan	<input type="checkbox"/>	
Shoreline Assessment Study/Coastal Engineers Study	<input type="checkbox"/>	
Slope Stability Study and Report	<input type="checkbox"/>	
Species Habitat Assessment	<input type="checkbox"/>	
Tree Management Plan/Study	<input checked="" type="checkbox"/>	Forestry – Sam Brush, Ext. 7375 [Site Plan Control Stage – Condition of Approval]
Tree Protection Plan (TPP)	<input type="checkbox"/>	
<b>Environmental/Servicing and Infrastructure</b>		
Contaminant Management Plan	<input type="checkbox"/>	
Record of Site Condition (RSC)	<input checked="" type="checkbox"/>	Development Planning – Jennifer Allen, Ext. 4672 [Site Plan Control Stage – Condition of Approval]
Erosion and Sediment Control Plan	<input checked="" type="checkbox"/>	Development Engineering Approvals – Aaron Inrig, Ext. 4196 [Site Plan Control Stage – Condition of Approval]
Hydrogeological Study / Report	<input checked="" type="checkbox"/>	Development Engineering Approvals – Aaron Inrig, Ext. 4196 [Site Plan Control Stage – Condition of Approval]
Grading Plan	<input checked="" type="checkbox"/>	Development Engineering Approvals – Aaron Inrig, Ext. 4196 [Site Plan Control Stage – Condition of Approval]
Master Drainage Plan	<input type="checkbox"/>	
Stormwater Management Report/Plan and/or update to an existing Stormwater Management Plan	<input checked="" type="checkbox"/>	Development Engineering Approvals – Aaron Inrig, Ext. 4196 [Site Plan Control Stage – Condition of Approval]

Soils/Geotechnical Study / Report	<input checked="" type="checkbox"/>	Development Engineering Approvals – Aaron Inrig, Ext. 4196 [Site Plan Control Stage – Condition of Approval]
Sub-watershed Plan and/or update to an existing Sub-watershed Plan	<input type="checkbox"/>	
<b>Financial</b>		
Financial Impact Analysis	<input type="checkbox"/>	
Market Impact Study	<input type="checkbox"/>	
<b>Servicing and Infrastructure</b>		
Recreation Feasibility Study	<input type="checkbox"/>	
Recreation Needs Assessment	<input type="checkbox"/>	
School Accommodation Issues Assessment	<input type="checkbox"/>	
School and City Recreation Facility and Outdoor Recreation/Parks Issues Assessment	<input type="checkbox"/>	
Functional Servicing Report	<input checked="" type="checkbox"/>	Development Engineering Approvals – Aaron Inrig, Ext. 4196 [All Applications]
Servicing Options Report	<input type="checkbox"/>	
Water and Wastewater Servicing Study	<input type="checkbox"/>	
<b>Land Use Compatibility</b>		
Agricultural Impact Assessment	<input type="checkbox"/>	
Dust Impact Analysis	<input type="checkbox"/>	
Land Use Compatibility Study	<input type="checkbox"/>	
Landfill Impact Study	<input type="checkbox"/>	
Minimum Distance Separation Calculation	<input type="checkbox"/>	
Noise Impact Study	<input checked="" type="checkbox"/>	Development Planning – Jennifer Allen, Ext. 4672 [Site Plan Control Stage – Condition of Approval]
Odour Impact Assessment	<input type="checkbox"/>	
Sun/Shadow Study	<input checked="" type="checkbox"/>	Development Planning – Jennifer Allen, Ext. 4672  Urban Design – Ana Cruceru, Ext. 5707  [All Applications]
Vibration Study	<input checked="" type="checkbox"/>	Development Engineering Approvals – Aaron Inrig, Ext. 4196 [Site Plan Control Stage – Condition of Approval]
Pedestrian Level Wind Study	<input checked="" type="checkbox"/>	Development Planning – Jennifer Allen, Ext. 4672

		Urban Design – Ana Cruceru, Ext. 5707  [All Applications]
<b>Transportation</b>		
Cycling Route Analysis	<input type="checkbox"/>	
Transportation Impact Study	<input checked="" type="checkbox"/>	Transportation Planning – <a href="mailto:Transportation.Planning@hamilton.ca">Transportation.Planning@hamilton.ca</a> [All Applications]
Parking Analysis/Study (if parking reduction is proposed)	<input type="checkbox"/>	Development Planning – Jennifer Allen, Ext. 4672 [Site Plan Control Application]
Pedestrian Route and Sidewalk Analysis	<input type="checkbox"/>	
Roadway/Development Safety Audit	<input type="checkbox"/>	
Modern Roundabout and Neighbourhood Roundabout Analysis	<input type="checkbox"/>	
Neighbourhood Traffic Calming Options Report	<input type="checkbox"/>	
Transit Assessment	<input type="checkbox"/>	
Transportation Demand Management Options Report	<input type="checkbox"/>	
<b>Cost Recoveries</b>		
Cost Acknowledgement Agreement	<input type="checkbox"/>	
<b>DRP Submission Requirements</b>	<input checked="" type="checkbox"/>	DRP Coordinator, <a href="mailto:drp@hamilton.ca">drp@hamilton.ca</a> [Site Plan Control Stage – Prior to Conditional Approval]
<b>Public Consultation Strategy</b>	<input type="checkbox"/>	
<b>Other:</b>	<input type="checkbox"/>	
Floor Plans / Parking Plan	<input checked="" type="checkbox"/>	Development Planning – Jennifer Allen, Ext. 4672 [Site Plan Control Application – Submission Requirement]
Materials Palette	<input checked="" type="checkbox"/>	Urban Design – Ana Cruceru, Ext. 5707 [Site Plan Control Stage – Condition of Approval]
Visual Impact Assessment	<input checked="" type="checkbox"/>	Development Planning – Jennifer Allen, Ext. 4672  Urban Design – Ana Cruceru, Ext. 5707  [All Applications]

Watermain Hydraulic Analysis	<input checked="" type="checkbox"/>	Development Engineering Approvals – Aaron Inrig, Ext. 4196 [Site Plan Control Stage – Condition of Approval]
Site Servicing Plan	<input checked="" type="checkbox"/>	Development Engineering Approvals – Aaron Inrig, Ext. 4196 [Site Plan Control Stage – Condition of Approval]
Servicing Permit(s)	<input checked="" type="checkbox"/>	Development Engineering Approvals – Aaron Inrig, Ext. 4196 [Site Plan Control Stage – Condition of Approval]
Pre and Post Development Storm Drainage Plans	<input checked="" type="checkbox"/>	Development Engineering Approvals – Aaron Inrig, Ext. 4196 [Site Plan Control Stage – Condition of Approval]
Wastewater Assessment	<input checked="" type="checkbox"/>	Development Engineering Approvals – Aaron Inrig, Ext. 4196 [Site Plan Control Stage – Condition of Approval]
Construction Management Plan and Review Fee	<input checked="" type="checkbox"/>	Development Engineering Approvals – Aaron Inrig, Ext. 4196 [Site Plan Control Stage – Condition of Approval]
Shoring Plans / Agreement	<input checked="" type="checkbox"/>	Development Engineering Approvals – Aaron Inrig, Ext. 4196 [Site Plan Control Stage – Condition of Approval]
Ground Settlement Report (if required)	<input checked="" type="checkbox"/>	Development Engineering Approvals – Aaron Inrig, Ext. 4196 [Site Plan Control Stage – Condition of Approval]
External Works Agreement or Security Deposit (whichever is applicable)	<input checked="" type="checkbox"/>	Development Engineering Approvals – Aaron Inrig, Ext. 4196 [Site Plan Control Stage – Condition of Approval]
Required and Available Fire Flow – RFF Forms	<input checked="" type="checkbox"/>	Development Engineering Approvals – Aaron Inrig, Ext. 4196 [Site Plan Control Stage – Condition of Approval]



## ADDITIONAL INFORMATION

Additional Agencies to be contacted: N/A

Comments:

- The subject site is located within the Downtown Hamilton Community Improvement Project Area (CIPA). In accordance with the Council decision dated May 27, 2020, all required building permits for the proposed development must be issued within 15 months from the date of Conditional site plan approval.
- A high rise building shall be designed in accordance with the Downtown Hamilton Secondary Plan policies and the Downtown Hamilton Tall Building Guidelines.
- The Philpott Memorial Church is included on the City's Register of Property of Cultural Heritage Value or Interest as a non-designated property, it is included in the City's Place of Worship Inventory, and is located in the Central Established Historical Neighbourhood.
- The Owner is required to give 60 days notice to the City of their intention to demolish or remove a building or structure on their property as per Section 27(9) of the *Ontario Heritage Act*.
- Staff strongly encourage exploring adaptive reuse of this cultural heritage resource and integration into the proposed development.
- The lands are subject to holding provisions "H17", "H19" and "H20". The holdings contain specific conditions that must be satisfied before development can occur on the subject lands including the submission of a Shadow Impact Study, Pedestrian Level Wind Study, Visual Impact Assessment, Traffic Impact Study, Functional Servicing Report.
- In accordance with Figure 15 – Schedule F of Zoning By-law 05-200, the required building base façade height is 18.5 metres along York Boulevard and 16.0 metres along Park Street North and Vine Street. A Minor Variance will be required for the proposed building base façade height of 18.0 metres.
- The Applicant will be responsible for any road improvements that are identified in association with their development (left turn lanes, right turn lanes, centre median, etc.) all at their cost.

- Any design, road work and modifications to the related municipal infrastructure will be fully at the expense of the Applicant. The Applicant is advised that should any modifications be required to the traffic control signals and/or pavement markings and/or signage because of the development, they must be completed by a qualified traffic signal/pavement markings design consultant and fully at the expense of the Applicant.
- The requirement for the right-of-way dedication along York Boulevard, and the required 12.19 metre by 12.19 metre daylighting triangle at York Boulevard and Park Street North will be dependent on whether Philpott Memorial Church is retained.
- A 4.57 metre by 4.57 metre daylighting triangle dedication will be required at Park Street North and Vine Street.
- The proposed driveway access to York Boulevard shall be limited to outbound only movements through the installation of pavement markings and signage.
- The curve radii of any proposed driveway access shall not encroach beyond the extension of the adjacent property line. The entirety of the curb shall be contained within the limits of the subject property.
- The inclusion of TDM initiatives are strongly encouraged.
- Short term and long term bicycle parking shall be provided in accordance with Zoning By-law No. 05-200.
- The applicant shall revise the site plan to include the necessary details to demonstrate compliance with municipal waste collection requirements in order to be eligible for municipal waste collection.

***PLEASE BE ADVISED OF THE FOLLOWING:***

- 1. The purpose of this document is to identify the information required to commence processing a complete application as set out in the Planning Act. Formal Consultation does not imply or suggest any decision whatsoever on behalf of City staff or the City of Hamilton to either support or refuse the application.*
- 2. This document expires 1 year from the date of signing or at the discretion of the Director of Planning.*

3. *In the event this Formal Consultation Document expires prior to the application being accepted by the City, another document may be required.*
4. *If an application is submitted without the information and materials identified in this Formal Consultation Document the City may deem such an application incomplete and refuse to accept the application.*
5. *In accordance with the Planning Act, it is the policy of the City of Hamilton to provide public access to all Planning Act applications and supporting documentation submitted to the City. Therefore, the information contained in an application and any documentation, including reports, studies and drawings, provided in support of an application, by the owner, or the owner's agents, consultants and solicitors, constitutes public information and will become part of the public record. With the filing of an application, the applicant consents to the City of Hamilton making the application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.*
6. *It may be determined during the review of the application that additional studies or information will be required as a result of issues arising during the processing of the application.*
7. *The above requirements for deeming an application complete are separate and independent of any review under the Ontario Building Code (OBC) as part of the Building Permit review process. In the event that a building permit application does not comply with the OBC, a letter outlining the deficiencies or areas of non-compliance will be issued to the owner and/or agent. Formal consultation and building permit review are separate and independent processes.*

## ACKNOWLEDGEMENT

I/We hereby acknowledge the above noted statements and understand that the identified reports, studies, plans and fees are required to deem any required application(s) complete.

I/We further acknowledge that this letter shall not be modified or edited.

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Owner Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant (I have the authority  
to bind the Owner)

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Agent (I have the authority  
to bind the Owner)

\_\_\_\_\_  
Agent Signature

\_\_\_\_\_  
Date

**SIGNATURES**

\_\_\_\_\_  
Rino Dal Bello



\_\_\_\_\_  
Sept 28/22

\_\_\_\_\_  
Planning Staff

\_\_\_\_\_  
Planning Staff Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jennifer Allen



\_\_\_\_\_  
09/28/22

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Planning Staff

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Planning Staff Signature

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Date

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Engineering Staff

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Engineering Staff Signature

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Date

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Other Staff or Agency

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