

**CONSULTATION – DEPARTMENTS AND AGENCIES**

<b>Department/Agency</b>	<b>Comment</b>	<b>Staff Response</b>
<ul style="list-style-type: none"> <li>• Hamilton Fire Department, Healthy and Safety Communities</li> <li>• Corporate Real Estate, Economic Development, Planning and Economic Development Department.</li> <li>• Hamilton Conservation Authority,</li> <li>• Waste Policy and Planning Section, Waste Management Division, Public Works Department</li> <li>• Hamilton Street Railway, Transit Planning</li> </ul>	No objections or concerns.	Noted.

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<p>Division, Department of Public Works</p> <ul style="list-style-type: none"> <li>Hamilton Conservation Authority</li> </ul>		
<p>Development Engineering Section, Growth Management Division, Planning and Economic Development Department</p>	<ul style="list-style-type: none"> <li>Mid-Spencer/Greenville Rural Settlement Area Subwatershed Study, Aquafor Beech Limited, April 2016 established the requirement of a wet pond for stormwater quantity and quality control for the site however, the proposed stormwater management design has not considered a wet pond for the proposed development. Revisions to the stormwater management design, as per the Subwatershed Study, are required.</li> </ul> <p><b>Stormwater Management Report</b></p> <ul style="list-style-type: none"> <li>The design shall demonstrate how the erosion and water balance requirements as per the subwatershed study will be achieved. Retention</li> </ul>	<p>The subject lands are located within the Greenville Rural Settlement Area Plan which was the subject of the Mid-Spencer/Greenville Rural Settlement Area Subwatershed Study. Staff recommends the following Holding 'H' Provisions be applied to the subject lands and be addressed prior to development:</p> <p>a) An updated stormwater management design is submitted and approved.</p>

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	<p>target volumes must also meet the recommendations of the City of Hamilton Green Standards and Guidelines.</p> <ul style="list-style-type: none"> <li>• Generally, it is not best practice to use Modified Rational Method for calculating storage for large sites like this one. Please also provide storage determined through hydraulic modeling to determine the required storage. In addition, with regards to the hydraulic modelling: <ul style="list-style-type: none"> <li>• SWMF shall be designed considering governing/conservative storm distribution; several temporal storm distributions (Chicago 3hr, 6hr, 12hr and SCS 6, 12 &amp; 24hr Type II) should be used to determine governing design storm for allowable flow and storage volume determination. Please provide a table summarizing the model results including predevelopment flows, post development flows and required storage volume for all storm distribution.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>b) An updated servicing study is submitted and approved to confirm is adequate area is provided for the private sewage system and if water demand can be met.</li> <li>c) An updated hydrogeological assessment is submitted and approved.</li> <li>d) An updated chloride impact assessment is submitted and approved.</li> </ul> <p>Staff have included the recommended Holding 'H' Provisions as part of the draft Zoning By-law attached as Appendix "C".</p>

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	<ul style="list-style-type: none"> <li>• Oil Grid Separator sizing shall be based on TSS Particle Size Distribution. Please note Stormceptor models cannot achieve standalone 80% TSS removal. As per comment 1 above, a wet pond is required that will provide Level 1 quality control.</li> </ul> <p><b>Sourcewater Protection:</b></p> <ul style="list-style-type: none"> <li>• While the Hydrogeology Report was provided, the previous comments have yet to be addressed, and an updated finalized report must be provided addressing all of previous comments as follows: <ul style="list-style-type: none"> <li>• Based on the information provided, the proposed paved surfaces would be approx. 2.5 ha (24,629.24 m<sup>2</sup>). The property is located within a Wellhead Protection Area (WHPA) Q and a Highly Vulnerable Aquifer (HVA). It is noted based on Drawing 10252-3 titled "Servicing Plan, Proposed Development Part</li> </ul> </li> </ul>	

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	<p>of Lots 7 &amp; 9, Concession 2, Moxley Road, City of Hamilton” by J.H. Cohoon Engineering Limited, dated March 15, 2023, File No.: 10252, that the proposed structures would be serviced by a common septic system and water supply well.</p> <ul style="list-style-type: none"><li>• A Hydrogeological Assessment prepared by a Qualified Professional (P.Geo., P.Eng.) should be provided.</li></ul> <p><b>Water Supply</b></p> <ul style="list-style-type: none"><li>• The water supply assessment should include an assessment of the daily water demand for all on-site water takings and the capability of the water supply well and aquifer (quantity and quality) to meet such requirements without unreasonably interfering with the well supplies of existing users in the area.</li></ul>	

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	<ul style="list-style-type: none"><li data-bbox="632 302 1335 553">• If a Permit to Take Water (PTTW) from the Ministry of the Environment, Conservation and Parks (MECP) is required, all technical documents shall be circulated to Source Protection Planning for review and comments.</li><li data-bbox="632 578 1335 773">• As per Ontario Regulation 903, if any wells on site are to be abandoned, they should be decommissioned by a licensed water well contractor.</li></ul> <p data-bbox="632 854 810 878"><b>Wastewater</b></p> <ul style="list-style-type: none"><li data-bbox="632 967 1335 1276">• Given that the rezoning would include conversion to allow several commercial uses, the total combined daily sewage flows from all uses onsite would likely require an Environmental Compliance Approval (ECA) from the MECP.</li><li data-bbox="632 1308 1335 1390">• The applicant shall demonstrate on a site plan that the minimum clearance requirements for</li></ul>	

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	<p>the sewage and water supply components as required under Section 8 of the Ontario Building Codes (OBC) are maintained.</p> <p><b>Chloride Impact Assessment</b></p> <ul style="list-style-type: none"> <li>As the property is located within a Highly Vulnerable Aquifer, and the proposal would include an increase in the paved surfaces by 2.5 ha, the applicant will be required to prepare a Chloride Impact Assessment by a Qualified Professional (P.Geo., P.Eng.).</li> </ul> <p><b>WHPA-Q</b></p> <ul style="list-style-type: none"> <li>As the property is located within a Wellhead Area Protection Area (WHPA) Q, the applicant is advised that Halton-Hamilton Source Protection Plan policies may apply.</li> </ul>	

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	<p><b>Development Engineering Recommendation</b></p> <p>Staff recommends that a <b>Holding Provision</b> until:</p> <ul style="list-style-type: none"> <li>• An updated stormwater management design, updated servicing plan, a hydrogeological assessment, and a chloride impact assessment is provided.</li> </ul>	
Forestry and Horticulture Section, Environmental Services Division, Public Works Department	It has been determined that there are potential conflicts with existing public trees or trees that may become publicly owned trees through a right of way dedication. A permit is required to remove municipal trees to address potential conflicts with publicly owned trees. An updated Landscape Plan is required.	Forestry staff require an updated Tree Management Plan and Landscape Plan to address the tree planting located around the subject property. The amended resubmission will be addressed at the Site Plan Control application stage.
Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development	<p><b>Transportation Assessment – Resubmission Required</b></p> <p>The findings of the Transportation Assessment (Study) regarding the left turn lane parallel and</p>	Staff have requested an update Transportation Assessment be submitted as part of a Holding ‘H’ Provision.

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	<p>taper segments have not explicitly shown that the lengths are substandard, i.e., are outside of the range prescribed by the Transportation Association of Canada Geometric Design Guidelines, 2017.</p> <p><b>Right-of-Way Dedications – Not Required</b></p> <p>Brock Road is to be 30.480 metres from North of Harvest Road to Highway 5. The existing right-of-way at the subject property is approximately <math>\pm 30.48</math> metres. No additional right-of-way dedication is required for Brock Road.</p> <p>Without setting a precedent, Transportation Planning accepts the existing right-of-way width of Moxley Road as an approximate <math>\pm 20.0</math> metre right-of-way width. As such, right-of-way dedications along Moxley Road are not required.</p> <p>Additional Information:</p>	<p>Amendments to the concept plan related to the roads and entrances within the City of Hamilton's jurisdiction will be addressed during the Site Plan Control application stage.</p>

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	<p>Highway #5 is under the Ministry of Transportation's (Ministry of Transportation) jurisdiction. The Applicant/Owner must contact the Ministry of Transportation for right-of-way requirements.</p> <p><b>Daylighting Triangle Dedications – Deferred</b></p> <p>Transportation Planning notes that this section of Highway 5, adjacent to the subject property, is under the jurisdiction of the Ministry of Transportation. Transportation Planning defers comments on daylighting triangle requirements at the Highway 5 and Moxley Road and Brock Road and Highway 5 intersections to Ministry of Transportation.</p> <p><b>Site Plan – Future Requirements</b></p> <ul style="list-style-type: none"> <li>• The Applicant/Owner is required to provide a turning plan showing the trucks egressing the site without limitations.</li> </ul>	

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	<ul style="list-style-type: none"> <li>• The driveway access for trucks must be designed with a radius greater than 9 metres as a truck apron. The driveway access for passenger vehicles must be designed with a maximum radius of 7 metres.</li> <li>• 5.0 metre by 5.0 metre visibility triangles must be provided for each driveway access. No object or mature vegetation can exceed a height of 0.6 metres above the corresponding perpendicular centreline elevation of the adjacent street.</li> </ul> <p>Information Only</p> <ul style="list-style-type: none"> <li>• Access location on Brock and Moxley is acceptable in principle.</li> </ul>	
Legislative Approvals, Growth Management Plan, Planning and Economic Development Department	According to information provided with the application, the intent for tenure is rental. The Owner and Agent should be made aware that the municipal addressing for the proposed development	Noted.

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	will be determined after conditional Site Plan approval is granted.	
Six Nations of the Grand River Elected Council	<p><b>Treaty Rights Accommodation and Compensation</b></p> <p>Further development of the land infringes on Six Nations Aboriginal and Treaty Rights by essentially guaranteeing land will not be returned to a natural state and by negatively impacting the environment through emissions and use of resources.</p> <p>Developments on this land fall under the Duty to Consult and Accommodate, meaning Six Nations of the Grand River must be consulted with and accommodated for impacts to their rights. SNGREC requires that this development is paired with compensation for impacts to these rights and to the environment. Compensation should include environmental enhancement, financial compensation, and other forms of compensation such as increased numbers of affordable units and</p>	Noted.

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	<p>discounts for Six Nations people. Please contact <a href="mailto:Irlust@sixnations.ca">Irlust@sixnations.ca</a> to schedule a meeting to collaborate on determining compensation.</p> <p><b>Grass Area</b></p> <p>Please clarify if the grass area has been left empty due to a septic system. If yes, SNGREC encourages edge naturalization with native species and implementation as a simple amenity space especially for employee use, and if not, then SNGREC encourages naturalization with native species.</p> <p><b>Central Asphalt Area</b></p> <p>The massive area of asphalt in the centre of the property, which appears to only exist for truck movement, is a major stormwater and solar heat absorption concern while being a wasteful land use.</p>	

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	<p>SNGREC encourages implementing additional uses for this space or at least including a patch for infiltration.</p> <p><b>Landscaping</b></p> <p>Overall, the landscaping plan is acceptable, however it does include non-native species which are less ecologically beneficial. SNGREC encourages the replacement of these species with native species and particularly requests the replacement of London planetree as it is considered ecologically sterile as it hosts and feeds virtually no insect species in North America. Additionally, SNGREC encourages using the natural version instead of cultivars where possible, as simple changes such as a different colour can result in reduced ecological benefits.</p>	

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	<p><b>Bird and Light Friendly Design</b></p> <p>SNGREC requests that the buildings and streetscapes are designed using bird and light friendly practices. This includes minimizing reflective surfaces, creating visual markers on windows, and using warmer lights that are directed downwards and away from natural areas.</p> <p>SNGREC requests commitment at this stage of development to explore and implement thorough bird and light friendly practices during the appropriate phases.</p> <p><b>Green Roofs</b></p> <p>SNGREC encourages the use of green roofs whenever feasible. Green roofs reduce the heat island effect, reduce cooling costs in the summer,</p>	

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	can benefit stormwater management, and can serve ecological functions.	
Ministry of Transportation	<p>The number of parking spaces is based on a reduced rate, which is 290 spaces. 351 spaces is tallied and the zoning matrix table states 61 spaces are within the 14 metre setback. The removal of 61 parking spaces (within the 14 metre setback) meets the zoning by-law requirement (<math>351-61=290</math>), which is based on the reduced rate.</p> <p>The proposed access on Moxley Road measures to 60 metres (approx.) and does not meet 85 metre minimum spacing requirement. At the Site Plan Application stage, the Site Plan must be updated to show that the proposed access meets the 85 metre minimum; the separation distance needs to be measured from end of radius from the Highway No. 5 curve to the start of the radius for the entrance along Moxley Road.</p>	<p>Noted. Staff will work with the applicant to address entrance and fire route concerns as well as any additional concerns provided by the Ministry of Transportation at the Site Plan Control application stage.</p> <p>City staff have reviewed the reduced parking rate proposed and staff are supportive of the reduced rate as it provides an acceptable amount of parking for the density of the proposed built form on the subject lands.</p>

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	<p>Depending on the TIS recommendation/conclusion and our review, Ministry of Transportation may require the separation distance to be greater than 85 metre.</p> <p>The 7.5 metre wide fire route encroaches onto the 14 metre setback. An update to the site plan is required so that all essential features meet the 14 metre setback, which includes the fire route.</p> <p><b>Pending</b> – Our Traffic Office requires a 10-week turnaround to time to provide comments</p> <p>Ministry of Transportation requires a detailed Stormwater Management Report, Site, Servicing, Grading and Erosion and Sediment Control plans at a later design stage.</p>	

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Alectra Utilities	The applicant was provided with information for the developer's consideration regarding electrical service requirements.	Noted.