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May 9th, 2012

Ms. Rose Caterini
 City Clerk
 City of Hamilton
 71 Main Street West, 1st Floor
 Hamilton, ON L8P 4Y5

Dear Ms. Caterini:

DRAFT ANCASTER WILSON STREET SECONDARY PLAN

IBI Group is the land use planning consultant acting on behalf of Family Practice (Dixie) Ltd., owner of the lands municipally known as 385 Wilson Street East, Ancaster. In addition to securing approval of Minor Variance Application No. AN/A-11:162, which has subsequently been appealed to the Ontario Municipal Board by a third party, IBI Group has been monitoring the progress of the Draft Ancaster Wilson Street Secondary Plan.

The Draft Secondary Plan proposes to designate 385 Wilson Street East as Mixed Use – Medium Density – Pedestrian Predominant on Land Use Map B.2.8-1. This land use designation appears to be appropriate given the nature of the existing area and the applicable planning policy framework; however, the purpose of this submission is to raise the following concerns with the detailed policies contained in the Draft Secondary Plan:

- Policy 2.8.1 and 2.8.12.1 identify the need to ensure development and redevelopment respect the character of the Secondary Plan area. The intent being to respect the character of the area is appropriate; however, both policies state “development and redevelopment shall be consistent with the Ancaster Wilson Street Secondary Plan Urban Design Guidelines”. The wording “shall be consistent” with is too strong and directive for a guiding policy document and will likely be an obstacle over the life of the plan. Using wording such as “shall have regard for” or “give consideration” provides the necessary flexibility, while ensure the overall intent of the policy is maintained.
- Policy 2.8.8.6(a) states “The Village Core Area shall primarily consist of service and retail uses as well as residential uses.” Further, in policies 2.8.8.6(b) and (c), the Draft Secondary Plan highlights how the Mixed Use Medium Density – Pedestrian Predominant designation shall be the main retail shopping area for the secondary plan area and include retail stores, service commercial use, banks, restaurants with sit-down service, and offices with no reference to residential use permissions. The policies associated with this designation must, in keeping with most official plan land use designations, specifically outline a range of permitted uses and it does not do this as currently drafted.
- Building on the comment above that alludes to residential permissions, but does not specifically permit, the policies should be expanded to include language to guide the built form and density of such residential uses in this designation similar to the structure of the policies contained in 2.8.7.3 and 2.8.7.4 of the Draft Secondary Plan.

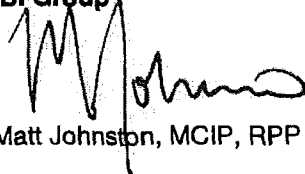
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- The Local Commercial policies contained in 2.8.8.3.1 permit a maximum building height of 3 storeys while policy 2.8.8.6(e) limits the maximum building height of 2.5 storeys. A half storey permission does not provide the necessary clarity that should be established by a new secondary plan. It is not a height that can consistently be interpreted and one that will not facilitate redevelopment and reinvestment in the core. City staff supported the minor variance to permit 3 storeys at 385 Wilson Street via AN/A-11:162 which facilitated the redevelopment and reinvestment and this position should be applied across the Mixed Use – Medium Density – Pedestrian Predominant land use designation. In addition, three storeys is in keeping with the number of storeys permitted in 2.8.8.3.1. Three storeys in an appropriate building height that accommodates and encourages redevelopment and reinvestment in a built form having the architectural articulation and variation necessary to compliment and be compatible with the existing core.

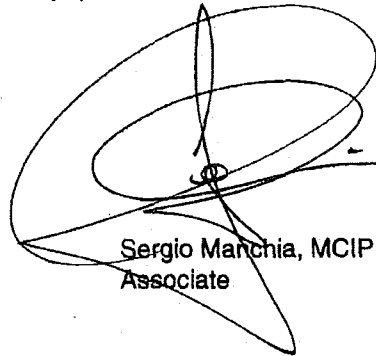
Rectifying the concerns identified above would encourage redevelopment and investment within the Core while conforming to the general intent and fulfill the objectives contained in Section 2.8.5 of the Draft Secondary Plan. As such, IBI Group holds the opinion that more clarity in the residential use permissions and a 3 storey building height represents good planning and respectively requests they be considered and accommodated in revised policies for the Mixed Use – Medium Density – Pedestrian Predominant designation.

Please feel free to contact the undersigned with any questions or to discuss this matter further.

Regards,
IBI Group



Matt Johnston, MCIP, RPP



Sergio Marchia, MCIP, RPP
Associate

cc: Family Practice (Dixie) Ltd.
Councillor Lloyd Ferguson