RE: 61 Ann Street, Dundas (DN/B-24:11) - Committee of Adjustment April 9, 2024 Agenda

Tony Wang <Twang@kingepcm.com>

Fri 4/5/2024 12:05 PM

To:Committee of adjustment <cofa@hamilton.ca> Cc:ljm.lemon@gmail.com <ljm.lemon@gmail.com>;Angela Shi <AShi@kingepcm.com>;Cathy Plosz <Cathy.Plosz@conservationhamilton.ca>

1 attachments (1 MB)

61 Ann St Hamilton site grading plan v5 - HCA ONLY.pdf;

External Email: Use caution with links and attachments

Hi Committee of Adjustment,

Please receive the attached minor revision for site grading plan. This updated drawing clearly shows the 100 year floodway as requested in the HCA comments, with elevation at 108.42m. This updated drawing is minor adjustments in nature and generally the same as previous.

We believe that this is general fulfillment of HCA requirements, and that in concept and principal, we have not encroached into the floodwday (108.42), and that all buildings are above 109.95 (30m freeboard above the regulatory floodplain elevation of 109.65).

We would like to present this specific drawing during the CofA discussions, to show that we fully comply with all of the HCA comments to date. During the CofA meeting, we would request that we have already previously received HCA confirmation in the previous file (although expired), but no technical changes as occurred between previous submission and current submission.

We strongly request that any specific requirements from HCA can be adequately dealt with as a conditional approval, such as the requirement to obtain a permit from HCA before severance execution.

Thanks, Tony

Tony Wang, P. Eng Principal Engineer

NEW ADDRESS:

3780 14th Ave, Unit 211 Markham, ON, L3R 9Y5 Mobile: 647-459-5647 <u>Twang@KingEPCM.com</u> www.KingEPCM.com

Flexible. Dependable. On-site Engineering.

From: Tony Wang

Sent: Friday, April 5, 2024 11:42 AM

To: Cathy Plosz < Cathy. Plosz@conservationhamilton.ca>; Committee of adjustment < cofa@hamilton.ca> **Cc:** ljm.lemon@gmail.com; Angela Shi < AShi@kingepcm.com>

Subject: RE: 61 Ann Street, Dundas (DN/B-24:11) - Committee of Adjustment April 9, 2024 Agenda

Hi Cathy,

We are extremely concerned about this update from HCA. This was part of an original submission CofA submission, DN/B-21:96.

In that previous submission, HCA approved of this proposal after discussion with HCA planner, Elizabeth Reimer, and HCA technical staff, Alex Nizharadze, Water Management Specialist. Please see the attached PDFs showing previous discussions.

In fact, we have already fully received conditional approval of the previous CofA submission, and unfortunately due to covid restrictions and delays, the conditions has lapsed. This is why we are requesting a continuation of the previous file project.

In terms of fulfilling the outlined conditions that all development shall be above the floodplain, I believe the submitted documents already fully satisfies these conditions.

- A clear and detailed topographic survey by an OLS was already submitted, and the floodway elevation of 108.42 can be identified
- A rain garden / cut and fill replacement of the proposed building was suggested by Alex of HCA and implemented by King EPCM

We strongly request that these conditions and drawing minor detailing to be added as a condition of approval, as we have already demonstrated the general feasibility of the site.

Thanks, Tony

Tony Wang, P. Eng Principal Engineer

NEW ADDRESS:

3780 14th Ave, Unit 211 Markham, ON, L3R 9Y5 Mobile: 647-459-5647

Twang@KingEPCM.com www.KingEPCM.com



Flexible. Dependable. On-site Engineering.

From: Cathy Plosz < cathy.Plosz@conservationhamilton.ca

Sent: Friday, April 5, 2024 11:00 AM

To: Committee of adjustment < cofa@hamilton.ca>

Cc: ljm.lemon@gmail.com; Tony Wang Twang@kingepcm.com>

Subject: 61 Ann Street, Dundas (DN/B-24:11) - Committee of Adjustment April 9, 2024 Agenda

I have attached comments from the Hamilton Conservation Authority (HCA) for the proposed consent application at 61 Ann Street in Dundas. Please let me know if you have any questions about the comments.

Cathy Plosz

Senior Planner Hamilton Conservation Authority 838 Mineral Springs Road, P.O. Box 81067 Ancaster, ON L9G 4X1

Phone: 905-525-2181 Ext. 132

Email: cplosz@conservationhamilton.ca



A Healthy Watershed for Everyone

The contents of this e-mail and any attachments are intended for the named recipient(s). This e-mail may contain information that is privileged and confidential. If you have received this message in error or are not the named recipient(s), please notify the sender and permanently delete this message without reviewing, copying, forwarding, disclosing or otherwise using it or any part of it in any form whatsoever.



A Healthy Watershed for Everyone

BY E-MAIL

April 5, 2024 DN/B-24:11

Previous file: DN/B-21:96

Ms. Jamila Sheffield Committee of Adjustment City of Hamilton City Hall, 71 Main Street West, 5th Floor Hamilton, Ontario L8P 4Y5

Dear Ms. Sheffield,

Re: Application for Consent/Land Severance, File No. DN/B-24:11

By Agent Y. T. Wang on behalf of Owner J. Li for 61 Ann Street, Dundas.

HCA staff have reviewed the information provided according to HCA's responsibilities under the *Conservation Authorities Act*, the Memorandum of Understanding between the Ontario Ministry of Natural Resources (MNR), the Ontario Ministry of Municipal Affairs and Housing (MMAH) and Conservation Authorities (CA) relating to provincial interests for natural hazards.

Proposal

The purpose of the consent application is to permit the conveyance of a parcel of land for residential purposes and to retain a parcel of land containing the existing single detached dwelling (to remain). The property was the subject of a previous consent application (DN/B-21:96); the current application is a re-submission of the same proposed development.

Ontario Regulation 161/06 under the Conservation Authorities Act

Most of the subject property is affected by *Ontario Regulation 161/06 (HCA's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)* made under the *Conservation Authorities Act, R.S.O. 1990* due to Ann Creek, a tributary of Middle Spencer Creek, and its associated flooding and erosion hazards.

Approximately half of the site adjacent to Ann Street and Sullivan's Lane is within Dundas Special Policy Area 1 (SPA 1) in the Urban Hamilton Official Plan. SPA 1 policies require that the "floodway" (100-year storm) be kept unobstructed (i.e. no structures or fill placement are permitted).

The floodway refers to the portion of the floodplain where development and site alteration would cause a threat to public health and safety and property damage. The "flood fringe" includes the land between the 100-year storm elevation and the Regional storm elevation.

The policy for SPA 1 states that limited development may be permitted within the flood fringe subject to protection from flooding (which includes placement and stabilization of fill to or above the limit of the flooding, or floodproofing, or a combination of both). The policy also states that residential development may be permitted within the flood fringe subject to the placement and stabilization of fill to, or above, the limit of flooding identified by the Hamilton Conservation Authority.

According to HCA floodplain mapping, the floodway (100-year storm) elevation is 108.42 m and the (regulatory) Regional storm is 109.65 m in the vicinity of the existing house. The Grading and Servicing Plan (dated December 13, 2023) labels the regulatory floodplain limit, but does not show the 100-year flood limit. To demonstrate that there is sufficient developable area on the proposed new lot, a detailed topographic survey, prepared by a qualified professional Engineer or Ontario Land Surveyor, should demonstrate that the house and all grading (e.g. rain garden) are outside of the 100-year floodplain (108.42 m). Therefore, the HCA requests that the plan be revised to show the limit of the 100-year floodplain (floodway) prior to approval of the consent application.

The submitted grading plan demonstrates that Regional flood depths are less than 30cm at the front of the house at Ann Street. Therefore, safe access to the proposed new house should be available.

HCA staff can confirm that the proposed house is outside of the erosion hazard limit (meander belt allowance equal to the standard 20 times the bankfull width).

Written permission (HCA Permit) will be required prior to any future development (including construction, fill placement and/or grading activities) within the regulated areas of the severed lot. Through the Permit application, the applicant will need to address the following:

- Demonstrate that all development and site alteration are outside of the floodway.
- Floor plans and elevation drawings will be required to confirm that all openings in the house are above the Regional flood elevation and that electrical and mechanical equipment provide a 30cm freeboard from the Regional flood elevation.
- Demonstrate that hydrostatic pressure has no negative impact on the house foundation in case of the Regional storm event.
- If the rain garden is proposed, the applicant will need to provide satisfactory grading
 and section drawings supported by volumetric calculations of the balanced cut and fill.
 In addition, the applicant must demonstrate whether a relevant cut area is available in
 the flood fringe within the same section south of the channel, and that safe access to
 the potential cut area is possible for the equipment and machinery required to excavate
 the calculated cut volume on the opposite bank.

MNR/MMAH/CA Memorandum of Understanding – PPS Natural Hazards

The PPS generally directs development to areas outside of natural hazard limits. As noted above, no development or site alteration are permitted within the floodway. Therefore, a revised grading plan is required prior to approval of the consent application to demonstrate that all proposed development and site alteration (house and rain garden) are located outside of the floodway.

Summary

Based on the above, the HCA recommends tabling the consent application until the applicant can demonstrate that all proposed development and site alteration are outside of the floodway (i.e. 100-year flood elevation).

Also, since the severed lot is within the HCA's regulated area, a HCA Permit will be required prior to any future development or site alteration. Through the Permit application, the owner will need to address the comments above. Please contact me at (905) 525-2181 Extension 132 or by email at cplosz@conservationhamilton.ca if you have any questions about these comments.

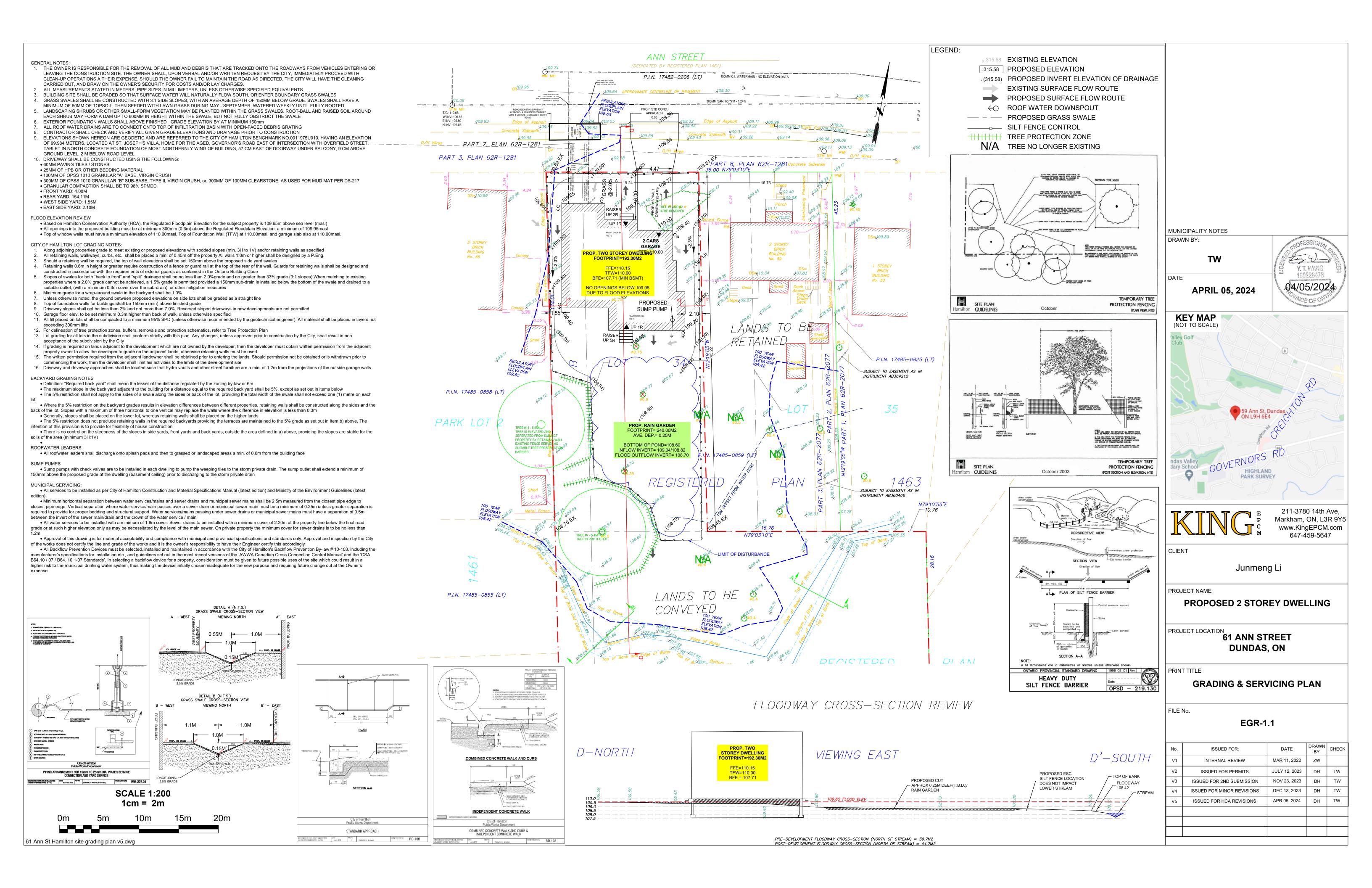
Yours truly,

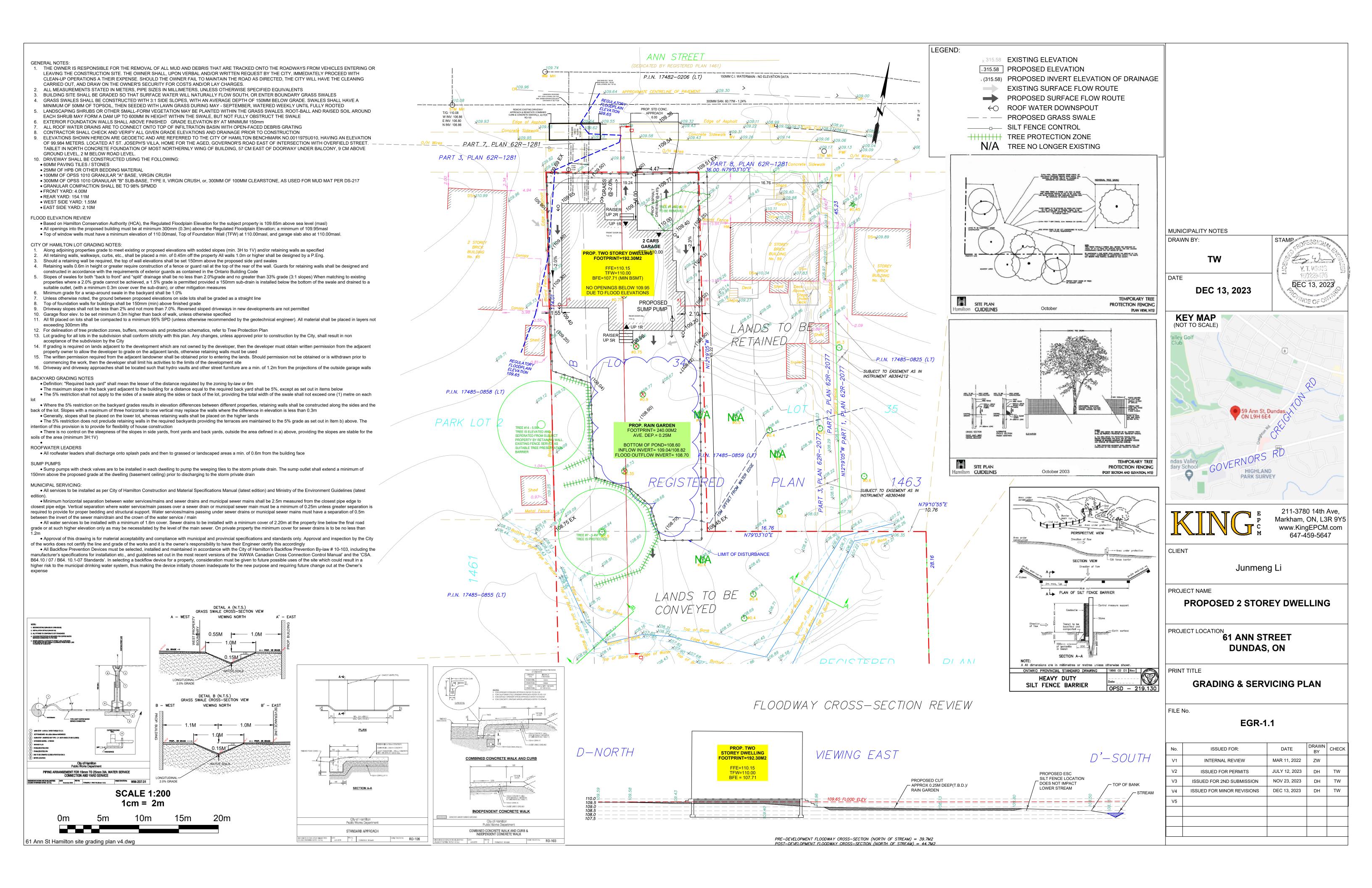
Cathy Plosz, M.Sc., R.P.P.

Senior Planner, Watershed Management Services.

cc: Y.T. Wang, King EPCM, Agent

Junmeng Li, Owner







Tony Wang <twang@kingepcm.com>

Re: 59-61 Ann St. Dundas - Hydraulic modeling technical data

1 message

Tony Wang <twang@kingepcm.com>

Thu, Jul 22, 2021 at 12:49 AM

To: Alex Nizharadze <Alex.Nizharadze@conservationhamilton.ca>

Cc: ereimer@conservationhamilton.ca

Hi Alex,

Thank you for taking the time to call me today regarding 59 & 61 Ann Street, Dundas.

As discussed over the phone, we will be producing a cut & fill plan within the flood fringe slopes, such that the specific dimension of the floodplain cross-section changes, but the total cross-sectional area and total flow would remain the same.

Thank you for your help and we will submit for an official pre-application consultation with HCA shortly.

Tony Tony Wang, P. Eng. *Principal Engineer*

Mobile: 647-459-5647 Twang@KingEPCM.com www.KingEPCM.com



Flexible. Dependable. On-site Engineering.

On Wed, Jul 21, 2021 at 6:19 AM Alex Nizharadze <Alex.Nizharadze@conservationhamilton.ca> wrote:

Hi Tony,

I was off yesterday. I will call you today afternoon. What time do you prefer.

Thanks,

Alex Nizharadze, P. Eng.

Water Management Specialist

Hamilton Conservation Authority

P.O. Box 81067, 838 Mineral Springs Road,

Ancaster, Ontario, L9G 4X1

1 of 3 10/5/2021, 4:58 PM

Office: (905) 525-2181, Ext. 232 || Cell: (905) 515-9879

Fax: (905) 648-4622

Alex.Nizharadze@conservationhamilton.ca



The contents of this e-mail and any attachments are intended for the named recipient(s). This e-mail may contain information that is privileged and confidential. If you have received this message in error or are not the named recipient(s), please notify the sender and permanently delete this message without reviewing, copying, forwarding, disclosing or otherwise using it or any part of it in any form whatsoever. Thank you.

From: Tony Wang <twang@kingepcm.com>

Sent: July 19, 2021 11:32 PM

To: Alex Nizharadze <Alex.Nizharadze@conservationhamilton.ca>

Cc: Elizabeth Reimer <ereimer@conservationhamilton.ca>; jason@belf.ca **Subject:** 59-61 Ann St. Dundas - Hydraulic modeling technical data

Hi Alex,

I was referred to you by Elizabeth Reimer of HCA.

I am working on a proposed backfill plan within Flood Fringe limits of 59 - 61 Ann Street, Dundas. Elizabeth has asked that I conduct a hydraulic modeling to compare pre-backfill and post-backfill flow conditions, such that the proposed backfill does not adversely affect upstream and downstream flood conditions.

What kind of technical data do you have available? I usually work with HEC-RAS, but Elizabeth says you only have a hard-copy report in HEC-2 format?

Please let me know.

Thanks,

Tony

Tony Wang, P. Eng.

Principal Engineer

Mobile: 647-459-5647

2 of 3 10/5/2021, 4:58 PM



Tony Wang <twang@kingepcm.com>

Fwd: 59-61 Ann St. Dundas

1 message

Henry Heli Xu <henry.xu@cleansourceconsulting.ca>
To: Twang@kingepcm.com

Mon, Jul 12, 2021 at 10:29 PM

Henry Heli Xu, M.Eng, Consultant Clean Source Consulting Tel: +1 (226)-500-4244 Email: henry.xu@cleansourceconsu

Email: henry.xu@cleansourceconsulting.ca Web: www.cleansourceconsulting.ca

Begin forwarded message:

From: Jason Xu <jason@belf.ca>
Date: November 2, 2020 at 13:20:58 EST
To: henry.xu@cleansourceconsulting.ca
Subject: FW: 59-61 Ann St. Dundas

鹤立,这是HCA发给我的,我刚才又发EMAIL问了一下10年的泛洪线标高,以及PEDESTRIAN BRIDGE的一些其它要求,看看他们能不能告诉我们一下,希望能稍微建宽一点所以割草机能开过去

Sincerely,

Jason Xu

Jason Xu P.Eng C.E.M

Toll free: 1-855-668-2353 (BELF) Phone: (905)-385-6666 Fax: (905)-318-8666

BELF INC. - Engineering, Construction and Renovation Company

PEO CERTIFCATE OF AUTHORIZATION

TARION REGISTERED BUILDER & VENDOR

TSSA REGISTERED CONTRACTOR

ESA LICENSED CONTRACTOR

CITY OF HAMILTON CERTIFIED BUILDING REPAIR CONTRACTOR

120 Nebo Rd. Unit #6, Hamilton, L8W 2E4

2220 Midland Ave. Unit 2 Scarborough M1P 3E6

www.belf.ca

From: Reimer, Elizabeth <ereimer@conservationhamilton.ca>
Sent: October 28, 2020 3:51 PM

To: Jason Xu <jason@belf.ca>
Subject: RE: 59-61 Ann St. Dundas

Hello Jason,

The subject property is regulated by the Hamilton Conservation Authority (HCA) pursuant to Ontario Regulation 161/06 (HCA's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses made under the Conservation Authorities Act, R.S.O. 1990 due to the potential for flooding and erosion hazards associated with Ann Creek that occurs on the property.

In general, Provincial and HCA policies direct any new development outside of the flood and erosion hazards. We note that a portion of the property is with the Dundas Two Zone Floodplain Area. Please refer to the Dundas Area Specific Policies as it pertains to the portion of the property in UD-1, the Dundas Two Zone Floodplain Area: https://www.hamilton.ca/sites/default/files/media/browser/2015-01-15/urbanhamiltonofficialplan-volume3-chapterb-dundasareaspecifics-jun2017.pdf

The policies may permit development in the flood fringe, subject to adequate floodproofing. To identify the extent of the floodway and flood fringe limits may require hydraulic modelling conducted by a qualified professional engineer. Please refer to Section 2.1.1.4 Two Zone Areas of the HCA Policy Guide (https://conservationhamilton.ca/images /PDFs/Planning/PlanRegPolicyGuidewAppendices.pdf) for further information. Information on the HCA policy on floodproofing standards is contained in Section 8 of the above policy guide. All residential structures would be required to be floodproofed to 0.3 m above the Regulatory Flood elevation. The Regional flood elevations in the vicinity of 61 Ann St is at 109.65 m, so any new structure would need to be floodproofed to ~110 m.

The HCA recommends that pedestrian bridges be designed to be above the level of the 10-year storm event. In addition, the bridge needs to safely withstand flows resulting from the Regional Storm event. The design should incorporate means of ensuring the bridge does not get washed downstream. One method is to construct the bridges in such a way that they are designed to swing to one side of the watercourse in the event of a storm. This will prevent channel blockage. Otherwise, both sides of the bridge need to be anchored to withstand flows and velocities resulting from the Regional Storm. A qualified structural engineer must provide recommendations for securing or anchoring bridges. Hydraulic modelling will be required to demonstrate the bridge does not increase the risk of flooding and evaluate all ranges of storm events.

I have attached a list of professionals who have submitted work to the HCA in the past, including Fluvial Geomorphology Consultants, which would be required to complete the above assessments.

1 of 3 7/13/2021, 12:06 PM

If you have any further questions, feel free to call or email.

Regards,

Elizabeth Reimer

Conservation Planner Hamilton Conservation Authority 838 Mineral Springs Road, P.O. Box 81067 Ancaster, ON L9G 4X1

Phone: 905-525-2181 Ext. 165 Email: ereimer@conservationhamilton.ca www.conservationhamilton.ca



A Healthy Watershed for Everyone

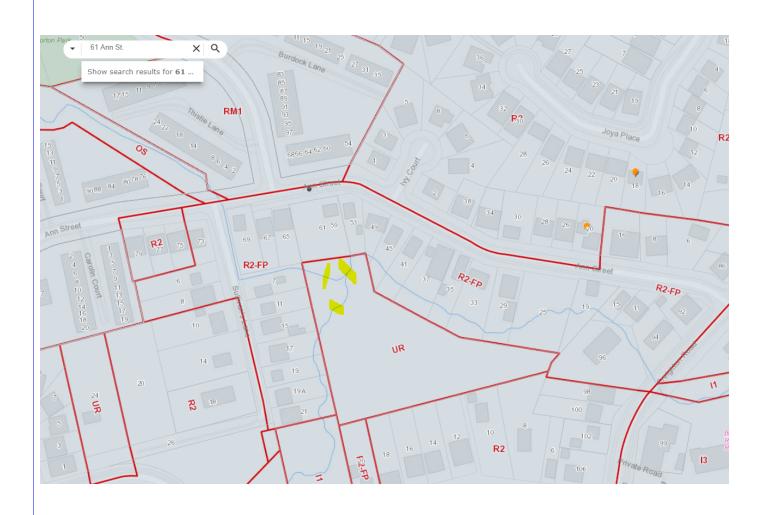
The contents of this e-mail and any attachments are intended for the named recipient(s). This e-mail may contain information that is privileged and confidential. If you have received this message in error or are not the named recipient(s), please notify the sender and permanently delete this message without reviewing, copying, forwarding, disclosing or otherwise using it or any part of it in any form whatsoever.

From: Jason Xu <jason@belf.ca> Sent: October 28, 2020 2:38 PM

To: Tellier, Jaime L. <jtellier@conservationhamilton.ca> Subject: 59-61 Ann St. Dundas

Hi, Tellier

There's a property on the market right now located 59-61 Ann St. Dundas. We are planning to buy and separate a lot 61 from the property and build a new house. Just wonder what's the requirement from Hamilton Conservation? UR area of the property is blocked by streams. Whether we can build small bridge at backyard for private usage so that we can get access to all area of the property. Thanks very much.



7/13/2021, 12:06 PM 2 of 3