

**393 RYMAL ROAD WEST - VILLAGE SQUARE**

**ZAC-20-029 - Zoning By-Law Amendment**

**Formal Comment Response Matrix**

March 2024

CITY OF HAMILTON - ENGINEERING APPROVALS (COMMENTS DATED OCTOBER 10TH 2023)	APPLICANT COMMENT RESPONSE (MARCH 2024)
<p><b>BACKGROUND INFORMATION</b></p> <p>Road widening dedication is not required</p>	<p>Acknowledged</p>
<p><b>ZONING BYLAW AMENDMENT COMMENTS</b></p>	
<p>Servicing report shall calculate the population density based on 2.0 ppu for 1 bedroom, 2.7 ppu for 2-bedroom for a multi-storey building, and 3.5 ppu for townhouse units. The sanitary flow shall be calculated based on the number of person/unit/ha and the 360 L/c/d plus infiltration factor. In addition, the applicant shall submit a detailed sanitary capacity analysis for 750mm trunk all the way to the Twenty Road Sanitary Pumping Station. Note that all in-progress and approved developments within the additional catchment areas shall be included in the analysis. Please consult with the Development Engineering staff for any assistance with including the in-progress and approved developments located within the trunk sewer catchment areas.</p>	<p>Acknowledged. Calculations have been updated based on the criteria mentioned above. We kindly ask that you provide some indication as to how the required PPU values you are requesting were derived as they are significantly higher than the City of Hamilton census data included in the City's DC Background Study. There is a glaring issue if infrastructure is being designed based on census populations, then when we move to implementation, we are being asked to use higher densities than the infrastructure was designed for. There needs to be consistency between the City's high-level planning and the numbers used during implementations.</p> <p>Please note that the site owners are currently studying the 750mm trunk sanitary sewer within the development area and have a consultant completing flow monitoring on the last downstream manhole within the St. Elizabeth Site. Some of the preliminary findings are included in the revised FSR.</p>
<p>The site sanitary flow is discharged into the existing 750mm sanitary trunk sewer and ultimately discharges to the Twenty Road Pumping Station. This pumping station also services mount hope and the AEGD. Based on the AEGD Wastewater Servicing Update and Capacity Allocation Policy, the allocation for each development application will be determined by the City based on the number of applications, contributed area, density, etc. The applicant must enter into a wastewater capacity allocation agreement with the City and pay the applicable security.</p>	<p>Acknowledged.</p>
<p>A water main hydraulic analysis identifying the modelled system pressures at pressure district level under various boundary conditions and demand scenarios will be required to support the zoning bylaw amendment and future site plan approval applications</p>	<p>As illustrated in the revised FSR, a recent water main hydraulic analysis was completed for the Saint Elizabeth Village site in 2019. Some of the results of that WHA are included in the revised FSR for reference. As can be seen through review of the previous report, based on the 400mm trunk sanitary sewer along Rymal Road there is no question that the required fire flow and domestic flows for the site can be provided through the proposed internal watermain network. We suggest that if a final WHA is required it can be completed at the Site Plan Stage given there is no question that the existing system can provide ample capacity for the site.</p>
<p><b>GENERAL COMMENTS</b></p>	
<p>Construction Management Plan which complies with the City of Hamilton CMP guidelines shall be provided. The CMP shall address Traffic Management and road closure, parking during construction, public communication etc.,</p>	<p>Acknowledged. We understand that a construction management plan will be required as a condition of future Site Plan Approval. It will be completed at the time of the development of the Site Plan.</p>
<p>Prep-post site condition surveys and inspection report for the existing adjacent property, including items such as but not limited to, existing SWM ponds, roads, buildings, driveways, etc. to ensure that there are no adverse impacts due to the proposed development. If any deficiencies are identified in the post-condition survey or inspection, the Owner shall be responsible for the restoration of all deficiencies and all disturbed areas</p>	<p>Pre-condition surveys will be required to be completed by the servicing contractor at the time of development of the property.</p>
<p>Any removal or replacement of the existing utilities on the subject site shall be coordinated with the designated utility companies. The Applicant shall obtain all required permits and be solely responsible for any utility replacement or removal cost</p>	<p>Acknowledged.</p>
<p>A sidewalk from the edge of the travelled roadway of Bishop Ryan Way will be required, please refer to the Transportation Planning recommendation</p>	<p>Acknowledged. The new Site Plan has been coordinated based on transportation planning recommendations and includes walkways along Bishop Ryan Way. Please refer to the updated Site Plan as presented in the revised FSR.</p>
<p>The Proponent will be solely responsible for the cost of the Bishop Ryan Way and Rymal Road West intersection improvement including street lighting, please refer to the Transportation Planning recommendation</p>	<p>Acknowledged</p>
<p>Geotechnical engineering report / hydrogeological report to the City, prepared by a qualified professional, to assess impacts of the underground water, identify any significant recharge and discharge zone, and provide recommendations to mitigate the groundwater impacts during any construction within the subject site</p>	<p>Acknowledged. A geotechnical report has been completed and is referenced within the revised FSR. This report can be provided with the re-zoning resubmissions.</p>
<p><b>SERVICING COMMENTS</b></p>	
<p>The City's GIS database does not include servicing information (i.e sanitary, storm sewer, and watermain) located on local roads. Therefore, conditional assessment / CCTV investigation shall be provided to assess the condition of the existing services and determine the sewer material, and if repair, replacement or upgrade is required. Please note that existing clay pipes on the subject site are not supported by the City, all clay pipes shall be replaced as per City standards. To be addressed during the future Site Plan Application</p>	<p>Acknowledged. The proponent has already undertaken the inspections noted and can provide this information at the time of Site Plan review. All pipes within the site have been CCTV inspected and found to be in good condition at the connection points.</p>
<p>FSR and Servicing Plan shall demonstrate how Building A, and C will be serviced. To be addressed during the future site plan application.</p>	<p>The servicing for buildings A, B, and C is indicated on the Site Servicing Plan. Note that the towers are separate buildings connected via a common underground parking structure - as such one set of services will service all three buildings together. This will be coordinated with the mechanical consultant at the time of Site Plan Approval.</p>
<p><b>APPLICANT HAS TO ADDRESS FOLLOWING DURING SITE PLAN APPLICATION STAGE</b></p>	
<p>The Applicant shall provide an access easement over Bishop Ryan Way to ensure ongoing pedestrian and vehicular access to the Severed Parcel to the benefit of the future owner of the Severed Parcel. The easement shall be prepared to the satisfaction of the Director of Growth Management and Chief Development Engineer</p>	<p>Acknowledged. The Applicant has already submitted a consent application for creation of this easement and is working to prepare the requested information from the Committee of Adjustment to support the application. See City of Hamilton file number HMB-24-04 for more details.</p>
<p>The dedication of any land required for road right of way / service access, as deemed necessary to facilitate the proposed development of the Severed Parcel to the satisfaction of the Director of Growth Management and Chief Development Engineer</p>	<p>Acknowledged.</p>
<p>The dedication of easements for the servicing of the severed parcel and adjacent properties to facilitate the proposed development of the severed parcel, subject to the terms of the existing Easement Agreement executed on October 30th 2019 regard the maintenance and operation of the SWM ponds located on the Lands, as deemed necessary and to the satisfaction of the Director of Growth Management and Chief Development Engineer</p>	<p>Acknowledged.</p>
<p>The Owner agrees to enter into a development agreement as deemed necessary, including joint use agreements, to facilitate the proposed development in accordance with the current Sewer Drain bylaw and other applicable City BYlaws at the time of site plan application stage to service the severed parcel</p>	<p>Acknowledged.</p>
<p><b>STORMWATER MANAGEMENT COMMENTS</b></p>	
<p><b>FSR</b></p>	
<p>The allowable peak flows through the proposed outlet to the existing 600mm storm sewer on Cardinal Mindszenty Blvd has been determined based on pre-development flows from entire site area minus the flows from uncontrolled area, that is not acceptable. Allowable flow rates from the subject site to the proposed outlet to the existing 600mm storm sewer on Cardinal Mindszenty shall be determined based on existing condition drainage area that drains to the existing 600mm sewer, post development flows from the subject site to the 600mm storm sewer on Cardinal Mindszenty shall be controlled to lesser of pre-development flows based on existing condition drainage area that drains to the existing 600mm sewer and the original design flow considered for the existing 600mm storm sewer design. Please confirm whether the existing 600mm storm sewers were designed for 5yr or 2yr storm events</p>	<p>The revised FSR provides rationale for the re-use of the 600mm storm sewer based on all flows from the subject lands. We acknowledge that the original FSR did not provide the detailed calculations for the capacity of this storm sewer, however the revised FSR addresses the noted capacity constraint. The re-use of this pipe under the proposed condition of controlled flows from the site is acceptable based on the capacity of the pipe under the current design.</p>
<p>A sensitivity assessment should be carried out with different storm distributions to identify a conservative storm event to be used for stormwater quantity control design</p>	<p>The Chicago 3-hour storm is a standard distribution typically used for small urban watersheds as its peaked hyetograph provides a high instantaneous peak flow rate that typically represents a worst case for urban catchments. Nevertheless, we have completed additional analysis utilizing the Chicago 6-hour storm and comparing this event with the 12 hour SCS distribution, as outlined in the revised FSR.</p>
<p>Please provide a table listing pre-development and post-development flow at all outlets including the outlets of uncontrolled drainage areas for 2.5,10,25,50, and 100 yr storm events; post-development flows shall not exceed pre development flows during all storm events at each outlet</p>	<p>Please refer to the revised FSR in which all flows are further quantified for overall discharge from the site.</p>

Total pre-development area shown on pre-development drainage area plan is different from the total post-development area shown on the post development area plan; please revise	We believe that this discrepancy represents rounding errors based on all the sub areas involved. In any case, this has been corrected within the revised FSR and pre and post areas are now equal.
As per the information in Section 2.3.4 and Table 4, flows from Area 1 and 2 to Bishop Ryan Way will be uncontrolled; 5 yr flow from these areas should be controlled that can be routed through the proposed quantity control measures	The revised design contains storm sewers directing flows from these areas to the underground storage system and through the oil-grit separation unit.
Level 1 Enhanced Protection stormwater quality control should be provided for the subject development	This site flows to Lake Ontario where typically Level 1 'Normal Level Protection' only is required as per MECP policies. We request clarification as to why enhanced level protection. Regardless, it will be possible to provide enhanced level protection if necessary and further details of this higher level of comfort can be provided at the Site Plan approval stage.
The proposed Cultec Isolator rows will remove 10% TSS as per the FSR, therefore the Cultec System will receive mostly untreated stormwater and the proposed design considered infiltration of untreated stormwater as per the FSR. Please note that the City doesn't support infiltration of the untreated (only 10% TSS removed) stormwater runoff through the proposed Cultec System. Please revise	Please see revised information within the FSR regarding the separator rows within the Cultec system illustrating that they can provide up to 70% long term TSS removal.
The design should demonstrate how the increased runoff volume will be managed; LID's should be considered for infiltration	The Cultec system represents an LID measure as it directs stormwater runoff to groundwater infiltration. Further details and possible LID features can be considered at the time of the development of the sit at the site plan stage.
<b>SERVICING PLAN</b>	
Outlet Control details (orifice sizes and inverts) should be shown on the plan	Note that these are not detailed 'for construction' plans but preliminary plans provided to functionally illustrate how the site can be serviced. Detailed plans completed at Site Plan Stage will include all the relevant construction requirements
Please clarify why a 200mm pipe has been proposed at the southeast outlet	This represents a typo and has been corrected together with the revised FSR.
Proposed CULTEC recharger 902HD; Please mention provided total storage volume for SWM control, the required storage volume for 100 yr storm, the total number of Cultec Chambers and number of isolator row chambers, elevation of the top and bottom of the chambers and stone	The CULTEC design details are contained within the Appendix of the report in preliminary fashion. Further details can be provided at Site Plan stage as required including detailed design and shop drawings for the underground storage facility. We suggest that the current FSR functionally illustrates how the stormwater management can be provided at the time of future development and that these details can be reviewed during the Site Plan stage.
Please identify the location of the proposed OGS and mention the OGS model number on the plan	Acknowledged. This additional detail has been provided together with the revised site servicing plan within the revised FSR.
Slopes of the existing 600mm storm sewers on Cardinal Mindszenty Blvd and downstream of the proposed 200mm storm outlet pipe should be shown on the plan	Acknowledged. This additional detail has been provided together with the revised site servicing plan within the revised FSR.
<b>WATER SERVICING IP COMMENTS</b>	
The hydrant tests provided are outdated. Please provide a more recent two-hydrant flow test at the closest municipal hydrant through a licensed private contractor by the proponent. To determine the approximate static pressure of the watermain, and collect calibration data for hydraulic modelling if needed, two hydrant flow tests should be conducted at the closes municipal hydrants by the proponent through a licensed private contractor	Additional hydrant flow testing obtained by the site owners during the completion of the 2019 WHA for the Saint Elizabeth Village is included within the revised FSR.
A watermain hydraulic analysis, identifying the modelled system pressures at pressure district level under various boundary conditions and demand scenarios, will be required to support the zoning bylaw/official plan amendment and future site plan approval applications. This analysis should demonstrate that the required domestic and fire flows are available within the appropriate pressure ranges and that the impact of this development on the surrounding pressure district is not adverse. Please provide the results of independent hydrant testing and a watermain hydraulic analysis when available for review	Please see comment response above - we submit that based on the previously completed WHA (2019) and the clear results from that report illustrating that the 400mm diameter watermain on Rymal Road is sufficient for the servicing of the site can be used as the basis of support for the re-zoning. Updates to this WHA can be completed at Site Plan stage as required
<b>SOURCEWATER PROTECTION COMMENTS</b>	
The applicant shall be advised that due to limited capacity in the sewer system among other factors, the applicant shall demonstrate that no long term dewatering (due to groundwater) will be conveyed to the municipal sewer infrastructure. Foundation subsurface structures shall be designed / waterproofed accordingly	Acknowledged. See updated Geotechnical/Hydrogeological report for details.
Please forward geotechnical reporting to Hamilton Water provided it discussed dewatering needs	See updated Geotechnical/Hydrogeological report included with this forthcoming submission for details.
If dewatering is required for construction, the applicant is reminded that discharge must comply with Sewer Use bylaw standards. Additional review may be required by Hamilton Water to verify if wastewater system can accept quantity and or quality of discharge. If greater than 50,000 L/day, registration with Environmental Activity Sector Registry or a Permit to Take Water from the MECP may be required	Acknowledged. See updated Geotechnical/Hydrogeological report included with this forthcoming submission for details.
<b>RECOMMENDATION</b>	
DE recommends that this application be put in a holding provision that cannot be lifted until such time that the following can be demonstrated:	
1) Sanitary sewer capacity analysis to demonstrate that there is sufficient allocated capacity or to identify required infrastructure upgrades	Please see comment responses above - based on ongoing work by the Owner's consultant AECOM, including monitoring of the flow levels within the sanitary trunk sewer, it will be illustrated that there is ample capacity within the municipal sanitary sewer system for the development to take place. Although the proponent does not object to the use of a holding provision in principle, we believe that the data provided by the ongoing monitoring program will be sufficient to clear this condition, and that even the data available presently should be sufficient to waive the need for a holding provision relating to sanitary flows.
2) Revised FSR demonstrating that post development flows to existing 600mm storm sewer shall be controlled to the lesser of pre-development flows based on existing condition drainage area that drains to the 600mm sewer and the original design flow considered for the existing 600mm storm sewer design, and (ii) post development flows shall not exceed pre-development flows during all storm events at each outlet	We believe that the revised FSR illustrates clearly that these SWM criteria can be met and are being met based on the proposed preliminary design, thus a holding provision relating to this matter need not be required by the City.
3) The applicant is to obtain any permit or approvals necessary from MECP, or provide a confirmation letter from engineer that no permit or approvals are required	Acknowledged, based on our reading of the Ontario regulations, no MECP for stormwater management would be required. We are in discussion with the MECP to obtain clarification in writing based on the nature of this development that this is indeed the case. A holding provision for this matter is acceptable until such time as we receive the confirmation in writing from the MECP.
4) A watermain hydraulic analysis identifying the modelled system pressures at pressure district level under various boundary conditions and demand scenarios, will be required to demonstrate that there is sufficient pressure and flow in the existing municipal water system to supply the required fire flow and domestic demand of proposed development applications	Please refer to comment responses above. It is our opinion that the ability of the existing watermain network to service the proposed development has already been illustrated by the previous WHA for the site completed in 2019. A full version of this report can be provided for reference as required. As such we suggest that this should not be included within the Holding provision, but that a WHA can be completed at site plan stage as required.
5) Make satisfactory arrangements with City's Growth Management Division and enter into an External Works Agreement with the City for the design and construction of any improvements to the municipal infrastructure at the Owner's cost, should it be determined that upgrades are required to the municipal infrastructure to support the proposed development, according to the sanitary sewer capacity analysis accepted by the Director of Growth Management and Chief Development Engineer	Based on the current information as presented within this report, we do not believe that any upgrades to municipal infrastructure should be required. However, if any upgrades are necessary, we do not believe that it is appropriate to complete fulsome design and implementation of an external works agreement prior to the approval of the zoning provisions. This can be added as a condition of Site Plan approval to be completed prior to servicing. There are means which the City can use at Site Plan stage to limit the development if any upgrades are identified in the future. For example the City already has a policy for allocation of sanitary capacity within the AEGD district.
<b>CITY OF HAMILTON - DEVELOPMENT PLANNING [COMMENTS DATED JULY 6TH 2023]</b>	<b>APPLICANT COMMENT RESPONSE (MARCH 2024)</b>

The revised proposal is a departure from previous submission.....Only 1,000 m2 now proposed.....standalone commercial building.....permitted in TOC1 Zone but impacts the proposed spaces	The processing of the application has required the comprehensive redevelopment to abandoned, excluding the NW corner of the site (at the SE intersection of Rymal Road West and Garth Street). Since Submission in 2020, the brick and mortar needs for commercial buildings is in flux. These two outcomes has resulted in reducing the amount of commercial space offered within this NE corner of the site. The reduced commercial space is proposed along the Rymal Road West frontage, hopefully attracting those outside St. Elizabeth as well as within, to allow for the commercial tenants to be viable.
While not immediately adjacent, the Village Square and proposed commercial relationship will continue to have a synergy together that will be a key community amenity. The retail opportunities originally envisioned at-grade surrounding the 'Village Square' in mixed use buildings are now proposed within the standalone commercial building, which was previously proposed to be a grocery store. Large format retail operation within future phases of development is not proposed at this time.	Within this revised resubmission, the retail/commercial has been designed to be more internally supportive in nature. The retail opportunities originally envisioned at-grade surrounding the 'Village Square' are now proposed within the standalone commercial building, which was previously the grocery store. We do not intend to propose a large format retail operation within future phases of development.
The large surface parking lot is undesirable, particularly because it is located along the frontage of Rymal Road West. Staff prefer that this is modified given it is in a proposed TOC zone that is intended to be pedestrian focused where the ground floor facade shall be at least 75% of the front lot line (staff acknowledge that a modification has been requested in the draft amending bylaw). The pedestrian orientation/animation of the streetscape is impacted with this current design along Rymal Road West	Email correspondence and a follow up conversation occurred to discuss the comments. The email correspondence is attached. Understanding the unique frontage interface along this portion of Rymal Road West, the grade of the site falls 3 m below the public street grade, allowing for a shielding of the parking along the public street frontage. Following review of the elevation and analysis, City Planning staff support the design.
The proposed modifications and design are a departure from the intent of the TOC zone	The proposed modifications and design align with the intent of the TOC zone
Staff do not support the addition of the new permitted Street Townhouse Uses. Please provide a discussion on why these are required or why multiple dwellings i.e block townhouses cannot be considered	The townhouses, as referenced in the Zoning comments dated Jul 13 2023 prepared by Matthew Stavroff, can be considered 'multiple dwellings' therefore a reference to 'street townhouses' as a permitted use has been removed from the draft by-law
Staff do not support the landscape modification. Landscaping percentage should be explored further and incorporated into the amending bylaw instead of removing the landscape area requirement entirely	Removing the street townhouse reference in the draft by-law and considering all proposed residential units as multiple dwelling removes the modification requirement of Section 4.35. Reference has been removed from the draft by-law
Revisions should be made to increase the percentage of the ground floor facade facing a front lot line	Understanding the unique frontage interface along this portion of Rymal Road West, the grade of the site falls 3 m below the public street grade, allowing for a shielding of the parking along the public street frontage. Following review of the elevations and analysis, City Planning staff support the modification
The minimum height reduction will need to be further modified to ensure it only applies to the bungalows and that the new height minimum is interior to the site	The minimum height reduction will be modified within the draft by-law to relate to the single use residential buildings interior to the site and also the commercial building due to height being measured from average grade and the grade fluctuation at its location.
Driveway parking (tandem parking) is not recognized as a parking space (and subject to zoning comments, may not be a required modification)	Following review of the zoning comments, required parking within the draft by-law will include permissions to allow for tandem parking and a modification to the access width due to the layout of a tandem parking space
A note that conditions of the concurrent consent application are required to ensure that the access to the proposed dwelling units are possible	The consent application, processed by Others, has been completed granting access to the proposed units
Please resubmit a revised site plan, justification for zone modifications, and clarification where the amenity and landscape areas are provided for the purpose of the amending bylaw	Acknowledged.

<b>CITY OF HAMILTON - URBAN DESIGN [COMMENTS DATED JULY 6TH 2023]</b>	<b>APPLICANT COMMENT RESPONSE (MARCH 2024)</b>
The existing private road is to be maintained in lieu of conversion to a public roadway. It is understood the previous streetscape updating remains part of the submission	Acknowledged.
At site plan stage, the Rymal Road West streetscape should be designed to compliment the new commercial building with 3 entrances shown to the upper level office spaces. Similar landscaping/streetscaping elements should be used along Rymal Road West	Acknowledged. Additional Urban Design reporting to be completed as part of detailed design and site plan approval.
At site plan stage the proposed surface parking lot should receive updated landscape screening to complement the existing trees (also to confirm if existing privacy fence is to remain or be removed as part of development)	Acknowledged. Detailed landscape design to be completed as part of site plan application.
Staff request that the following drawings be submitted for the future site plan submission (Site Plan [Consider multiple site plan drawings to ensure legibility of all information], Elevations, Landscape Plan)	Acknowledged.

<b>CITY OF HAMILTON - NATURAL HERITAGE [COMMENTS DATED JULY 6TH 2023]</b>	<b>APPLICANT COMMENT RESPONSE (MARCH 2024)</b>
Based on the withdrawal of these applications, it is presumed that there will be no adjustments to the Core Areas (i.e alterations to ponds) to implement a comprehensive stormwater management plan. Confirmation of this assumption is required.	No adjustments to the Core Areas are being proposed through this application.
It is unclear how many trees have been inventoried since trees less than 10 cm DBH have been included within the tree inventory table, however there is concern with the approach that has been proposed	See updated tree inventory table.
The proposed development concept has not been provided on the TPP. It is important to provide this information to understand how the trees on site will be impacted	See updated Tree Preservation Plan.
The removal of existing vegetation does not meet the intent of City policies	See updated Tree Preservation Plan. The Applicant has attempted to retain existing vegetation where feasible.
There are several trees to be removed that are in good condition. The preservation of mature trees is essential in maintaining the urban forestry canopy.	See updated Tree Preservation Plan. The Applicant has attempted to retain existing vegetation where feasible. Some trees on the property must be removed regardless of the proposed approach to redevelopment. Demolition of the aging barn structure will necessitate removals. The proposed underground parking garage will also result in the removal of a number of trees. The applicant is committed to providing the required level of compensation for proposed removals in accordance with City policy.
Based on comments above the TPP has not been approved. A revised TPP is required to be approved prior to the approval of this application. Technical comments have been provided below to aid in revisions to TPP	See revised TPP
Ensure that existing tree cover is maintained, 1 for 1 compensation is required for any tree (10 cm DBH or greater) that is proposed to be removed. Planting to be provided on site. It is unclear if adequate setbacks have been provided to accommodate tree planting	The Applicant is committed to providing the required level of compensation for proposed removals. As demonstrated by the conceptual Landscape Design Plan, there are substantial opportunities for compensation plantings within the proposed development. The Applicant will easily be able to meet and exceed the 40 plantings needed to compensate the 40 removals proposed.
TPP fee is required - \$685. Confirm if this was submitted previously.	Noted
It has been identified that the City does not have a private tree protection bylaw for this section of the City. It is important to note that a TPP was identified to be completed through FC process. In addition, it is important to note that the City does have bylaws in place to protect municipal trees	Note has been added accordingly
On Page 3, it has been identified that the proposed development is a schoolyard renovation. Not representative of concept plan. Clarification required	Revised wording
TPP needs to include development concept. Concern that this has not been provided. Figure is to be revised	Revised to show base underlay on TPP
TRees are to be identified to species. There are several trees only identified to genus. The table is to be revised	Species shown on chart
Tree health has been identified as good, fair, or poor. It is unclear how this was determined and if it meets the approach within Councils adopted Tree Protection Guidelines	Crown Die Back (CBD) identified that percentage of dead branches in the canopy. The trunk integrity rates the condition of the trunk and structural integrity of tree. Crown Structure evaluates the condition and shape of trees shown. Crown vigor evaluates health of the crown
Several trees have been identified as "off-property". Tree inventory table is to be revised to clearly show ownership of the trees	Revised to identify tree ownership
A recommendation column has been included. There is concern that rationale for removal is not specific enough ("remove for development").	Recommendation notes revised accordingly
Fifteen trees have been identified as 243B. It is unclear how many are 10 cm DBH or greater.	Revision shows how many trees in group are above 10 cm DBH
Twelve trees have been identified as 244B. It is unclear how many trees are 10 cm DBH or greater.	Revision shows how many trees in group are above 10 cm DBH
Buckthorne has been identified within 244B. This is a highly invasive species and there is concern that techniques for its removal have not been contemplated	Tree 244B is in the center of a proposed development. Not only will the vegetation be removed but all material stripped of the site, graded, and structures / fine landscaping constructed. We do not feel there is a concern of survival of the buckthorn

The decision to retain trees is to be based on condition, age aesthetics and species. There are several trees to be proposed in good condition. This includes #240 and 241. Opportunities to retain more trees on site are to be explored	Trees 240 and 241 interfere with the site plan hence their recommendation for removal
As per the City's adopted Tree protection guidelines, TP fencing is to be located 1 m from dripline and composed of paige wire fencing. Detail needs to be updated in accordance with City guidelines (Appendix 8)	Detail and fencing requirements have been updated accordingly
The TMP is to prepare a verification of tree protection letter to satisfaction of planning director. This is to ensure that all tree protection measures have been implemented. This correspondence is to be provided prior to any on site works	Noted on drawing
All vegetation to be removed between Sept 1 and March 30 to avoid breeding season	A note stating "All vegetation to be removed between Sept 1 and Mar 30 to avoid the breeding season (Mar 31 to Aug 31)" has been added on the drawing
In order to ensure that existing cover is maintained the city required 1 for 1 compensation for any tree 10bh or greater to be removed. There is concern that this has not been taken into consideration	A note stating "To ensure that existing cover is maintained, the city requires 1 for 1 compensation for any tree (10 cm DBH or greater) that is proposed to be removed" has been added to the drawing along with the number of trees required.

**CITY OF HAMILTON - ARCHAEOLOGY [COMMENTS DATED JULY 6TH 2023]**

**APPLICANT COMMENT RESPONSE (MARCH 2024)**

Stage 1,2,3 reports for archaeology have already been signed off on and municipal interest in archaeology is satisfied	Acknowledged
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**CITY OF HAMILTON - TRANSPORTATION PLANNING [COMMENTS DATED JULY 6TH 2023]**

**APPLICANT COMMENT RESPONSE (MARCH 2024)**

Trip generation table needs to be revised, using LUC 822 for strip plaza. Revise report to use more accurate land use code and provide breakdown for office and retail uses.	Comment acknowledged. See revised TIS report with updated LUC
Report shall be revised to assume a 1% annual growth rate for background conditions	Comment acknowledged. See revised TIS report with updated annual growth rate.
Historical counts from 2019 are acceptable and shall be increased to 2023 using 1% annual growth rate	Comment acknowledged. See revised TIS report with updated historical counts and associated growth rate.
Inconsistent total volume for northbound right turn and westbound left turn. TIS shall be revised to ensure correct volumes are provided for all turning movements and consistent with Syncro operational analysis	Comment acknowledged. See revised TIS report with correct volumes for turning movements.
Modelled lane configuration is inconsistent with the conceptual site plan provided	Lane configuration has since been updated on conceptual site plan. See site plan and updated TIS for details
The report is to be revised to have consistent existing, future background and future total conditions in order to properly assess the changes to the road network as a direct result of the proposed development. An additional sensitivity analysis can be included in order to review the effects of potential improvements to the road network	Comment acknowledged. See revised TIS report with additional details on existing, future, and total conditions.
The report indicates that signal timing optimizations are recommended, however there are little details regarding the specific types of optimization that has been completed by the consultant. The report shall be revised to provide a clear and specific indication of signal timing optimizations completed throughout the study area including but not limited to Cycle length increases/decreases, exclusive phases increases to phase lengths and coordination / timing offsets	Comment acknowledged. See revised TIS report with additional details of signal timing optimization.
It is noted that a westbound left turn phase and additional optimizing signal timings are recommended to be completed upon build out. This is directly due to the impact of the proposed development. The revised report shall clearly indicate the required optimized signal timings accordingly. It shall be noted that this recommended improvement shall require infrastructure/modifications to be implemented at the intersection	Comment acknowledged. See revised TIS report with details on optimized signal timings
An exclusive northbound left turn lane with 35m of storage is recommended at the intersection of Rymal Road West and Hazelton Avenue/Bishop Ryan Way	See updated conceptual site plan and TIS report which illustrate an updated configuration for Bishop Ryan Way, including the proposed left turn lane and associated storage.
Revisions to TIS may modify the extent of storage needed.	Updated TIS report has been used to inform storage requirements. See updated conceptual site plan with new configuration for Bishop Ryan Way.
Transportation planning will review the full extent of required infrastructure improvements following the finalization of the TIS accordingly.	Comment acknowledged.
The existing right of way along Rymal Road West is approx 36m. ROW dedications are not required	Comment acknowledged.
As municipal roads are not proposed no daylighting triangle dedications are needed	Comment acknowledged.
Include engineering design and cost estimate schedules for all required works at the intersection	Comment acknowledged. To be addressed as part of detailed design.
Southern leg of intersection shall be modified according to TIS recommendation with 35m of storage	Updated TIS report has been used to inform storage requirements. See updated conceptual site plan with new configuration for Bishop Ryan Way.
Design shall include potential modifications to existing municipal infrastructure if required	Comment acknowledged.
All cost associated are at the expense of the Owner	Comment acknowledged.
Pavement marking and signage plan to be submitted in order to indicate the proposed pavement markings and signage internal to the site and along Bishop Ryan Way. Shall clearly indicate location of all private and municipal signage and pavement markings to be installed	Comment acknowledged. Detailed pavement marking and signage plan to be prepared as part of Site Plan Approval Application
As a condition of approval, prior to servicing the Owner shall include engineering design and cost estimate schedules for all required works at the intersection	Comment acknowledged. To be addressed as part of the future Site Plan Approval Application for this site.
Southern leg of intersection shall be modified according to TIS recommendation with 35m of storage	Updated TIS report has been used to inform storage requirements. See updated conceptual site plan with new configuration for Bishop Ryan Way.
Design shall include potential modifications to existing municipal infrastructure if required	Comment acknowledged.
All cost associated are at the expense of the Owner	Comment acknowledged.
All to the satisfaction of the approval of Manager of Transportation	Comment acknowledged.
As a condition of approval, prior to servicing, the Owner shall provide an overall pavement marking and signage plan to satisfaction of Manager of Transportation	Comment acknowledged.
Exclusive northbound left turn lane is required to be accommodated within this area and revisions will be needed	See updated conceptual site plan and TIS report which illustrate an updated configuration for Bishop Ryan Way, including the proposed left turn lane and associated storage.
The median is required in order to prevent left turning vehicles from creating long queues	See updated conceptual site plan and TIS report which illustrate an updated configuration for Bishop Ryan Way, including the proposed center median.
Travel lane width along Bishop Ryan Way should be no wider than 3.8m to discourage higher vehicular speeds and the impression of two adjacent lanes within the subject lands	As discussed with Transportation Planning staff in subsequent correspondence following the last submission, an updated design for Bishop Ryan Way has been prepared to accommodate a 3.8m travel lane width while still ensuring a 6m fire route. This has been achieved through the use of a rolled curb and extended pedestrian walkway with alternative paver materials. Staff to comment on revised design for Bishop Ryan Way.
Concept does not show continuous pedestrian sidewalk. Additional pedestrian connections to be provided to connect with existing pedestrian infrastructure along Rymal	See updated conceptual site plan with additional pedestrian walkways and connections demonstrated.
Sidewalks recommended to be buffered from edge of the travelled roadway of Bishop Ryan Way and shall be minimum 1.5m in width. It is strongly recommended that a min of 1.8-2m wide sidewalks be provided in order to encourage sustainable modes of transportation	See updated conceptual site plan with additional pedestrian walkways and connections demonstrated.
Maximum grade percentage of 10% for parking ramps is exceeded. As a special condition of site plan the City will require a letter certifying the design of the ramp	Acknowledged
Please submit a revised Transportation Impact Study	Comment acknowledged. See revised TIS report.

**CITY OF HAMILTON - WASTE MANAGEMENT [COMMENTS DATED JULY 6TH 2023]**

A private waste hauler will be required to collect the waste materials from the commercial units if the property exceeds the allowable garbage container limit as outlined in the City's Solid Waste Mgmt Bylaw	Acknowledged. The Applicant is formally electing for private waste collection.
As currently designed the development is not serviceable for the following reasons:The site plan does not illustrate a multi sort waste chute system for the buildings. The City requires separate collection of recyclable containers, recyclable papers, organic waste, and garbage. For greater clarity, one chute is required for Garbage, one chute for Organic Material, and one chute for recyclable material. The chute for recyclable material must be equipped with bi-sorter to divide material into fibres and containers. Additional information shall be provided on the proposed method to collect the four waste streams. The chute system will require appropriate safety measure and shall be restricted from public access	
The proposed development will require sufficient waste containers to service all units as follows....SEE WASTE COMMENTS FOR SPECIFICS FOR EACH BUILDING AND NUMBER OF BINS	
Each front end bin requires a minimum storage space of 5.0m	

The site plan must illustrate the internal waste storage area in detail (include measurements) for each building. The internal waste storage areas must be appropriately sized to store the containers based on the number of dwelling units in each , as follows J..... SEE WASTE COMMENTS FOR SPECIFICS FOR EACH BUILDING AND NUMBER OF BINS	
The site plan does not include information concerning the size of waste loading areas which is required to determine if the areas are sufficiently sized to contain the required front end bin containers. Loading areas must be 3.5m x 13m long	
The site plan does not include information concerning the size of waste staging areas to temporarily store the front end bins on waste collection day. Need 5m2 for each front end bin container	
Waste loading area needs vertical clearance of 7m	
Must permit either a turnaround for three point turn, a continuous forward motion path, or waste loading which does not require reversing onto a municipal road	Comments are acknowledged. The Applicant is formally electing for private waste collection. Further details associated with private waste collection methodology to be confirmed and established as part of a future site plan approval application.
More information is needed for the townhouse units. The travel route requires the size of the waste vehicles, the turning radius for all turns, the access route widths, minimum overhead clearance of 4.4m, Ensuring waste vehicles can either exit without reversing on a municipal road, or make a three point turn using an approved turnaround	
Waste from individual townhouse units can set out waste on the curbside. The site plan must show a storage area in each unit of 2.5m separate from living space AND a curbside set out area within the property line that is 2.5m 2 to accommodate waste containers.Cannot be set out on sidewalks	
Must show:	
Internal storage room that is ventilated etc	
Chuts will have lock out and washing mechanisms	
If compactor is proposed, be it unaccessable to residents	
Loading and staging areas AS PER THE COMMENTS	
Access road design AS PER THE COMMENTS	
Ensure road base can support 35K kg and 6K kg point load	
Loading areas with 0.02 m of reinforced concrete	
Road design with continuous forward movement exclusive of stored snow or parking spaces	
No parking and other required traffic safety signage must be posted along the access route	
Provided notations are offered for the proposed site plan agreement	
<b>CITY OF HAMILTON - FORESTRY [COMMENTS DATED JULY 6TH 2023]</b>	
<b>APPLICANT COMMENT RESPONSE (MARCH 2024)</b>	
Species of 250B, 250F and 250G changed to Tatarian Maple	Related trees have been revised to the correct tree species. See L-TP2
Species of 250D changed to Eastern Redbud	Related trees have been revised to the correct tree species. See L-TP2
Missing trees between 250D and 250E to be added to table	The missing trees have been added in Tree Preservation Plan and Tree Inventory Table. See L-TP1 & L-TP2.
Missing trees between 250F and 250G to be included in table	The missing trees have been added in Tree Preservation Plan and Tree Inventory Table. See L-TP1 & L-TP2.
AS PER SUBSEQUENT MEMO - FORESTRY AGREES TO DEFER COMMENTS ON LANDSCAPE PLANS UNTIL SITE PLAN APPROVAL	Acknowledged
<b>CITY OF HAMILTON - LEGISLATIVE APPROVALS [COMMENTS DATED]</b>	
<b>APPLICANT COMMENT RESPONSE (MARCH 2024)</b>	
Subject lands are within a defined area of cost recoveries.	Acknowledged.
It should be determined if rear yard and or side yard easements are required for access and maintenance purposes	Acknowledged. To be refined further as part of detailed design and a future site plan approval application
It should be determined if tenure is to be a condominium. This would necessitate a PIN abstract with the submission of a DPoC application	Acknowledged. Tenureship to be refined as part of detailed design and site plan approval. Anticipating similar ownership structure to existing St. Elizabeth Village.
The Owner and Agent should be made aware that the municipal address for the proposed development will be determined after conditional SPA is granted	Acknowledged.
<b>NPCA - Development Approvals [COMMENTS DATED JULY 6TH 2023]</b>	
<b>APPLICANT COMMENT RESPONSE (MARCH 2024)</b>	
The NPCA offers no objections to the approval of the ZBA	Acknowledged.