

December 14th, 2023

Planning and Economic Development Department
Sustainable Communities
City of Hamilton
71 Main Street West
Hamilton ON L8P 4Y5

To: Dave Heyworth
Manager, Sustainable Communities
905-546-2424 ext. 1279

RE: Notice of Incomplete Application for an Urban Hamilton Official Plan Amendment Application by Corbett Land Strategies Inc., on behalf of Upper West Side Landowners Group Inc., for Lands Located at 555 Glancaster Rd, 9751 Twenty Rd W, 9575 Twenty Rd W, 9625 Twenty Rd W, 9511 Twenty Rd W, 9445 Twenty Rd W, 9285 Twenty Rd W, and 2060 Upper James St, Glanbrook (Ward 11)

Dear Dave Heyworth,

On behalf of the Upper West Side Landowners Group (UWSLG) and in support of the UWS Secondary Plan, Corbett Land Strategies Inc. (CLS) is pleased to submit the following in support of the above Official Plan Application. In response to your letter dated December 8th, 2023, and without prejudice to our position that the materials submitted to the City of Hamilton are complete and/ or the reasonableness of the City's requirements, our responses to the City's comments are as follows:

	MATERIALS	CITY'S COMMENTS	Response
1	Agricultural Impact Assessment	Author of report is not indicated. Report has not been signed by a qualified professional. Author must be noted and must sign report.	Orion Environmental (Paul Neals) authored the Agricultural Impact Assessment. The signed report has been enclosed with this letter.
2	Cultural Heritage Impact Assessment	Report is labelled as "Draft". Submission must be noted as a final report.	WSP Group authored the report. The final report has been enclosed with this letter.
3	Commercial Needs and Impact Assessment	Author of report is indicated. Report has not been signed by a qualified professional. Author must be noted and must sign report.	Ward Land Economics Ltd. authored the report and is a qualified professional in the field of land economics with an extensive and well documented professional resume working with and in the City of Hamilton. The author is currently on vacation and is unable to sign the report, however, can do so in



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			the coming weeks if deemed necessary by the City.
4	Community Infrastructure Assessment Report	Author of report is not indicated. Report has not been signed by a qualified professional. Author must be noted and must sign report.	CLS is the author of the report whom has signed the report. The final report has been enclosed with this letter.
5	Environmental Impact Study (EIS)	<ul style="list-style-type: none"> • Author of report is indicated, but report has not been signed. Author must sign report. • Report is labelled as "Draft". Submission must be noted as a final report. • A Terms of Reference for the EIS has not been approved. This is a requirement outlined within the City's Guidelines (Revised March 2015). This is essential since it outlines the appropriate studies and timing windows and is used in the evaluation of the EIS. • Natural heritage inventories have been completed for the areas identified as "urban expansion lands", however, they have been completed for the entire study area that has been labelled as "Upper West Side Community". If the entire block is to be included, there is the expectation that field inventories would be completed for the entire study area. • In the Formal Consultation Comment Response Matrix prepared by Corbett Land Strategies, it has been identified that updates to work is anticipated in 2024. It is unclear that work will be updated. • As per the City's Council adopted EIS Guidelines (Revised March 2015), ecological surveys are to be updated if the information is 5 years or older. Surveys have been completed during 	NRSI has finalized and signed the EIS report. Final report has been enclosed with this letter.



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		<p>several years starting in 2018. Since natural area boundaries, ecological community composition and species at risk change over time, these surveys are to be updated.</p>	
6.	Linkage Assessment	<ul style="list-style-type: none"> As per the City Council adopted Linkage Assessment Guidelines (March 2015), a Terms of Reference is to be approved by the City's Natural Heritage Planning staff. A Terms of Reference has not been approved. Natural heritage inventories have been completed the areas identified as "urban expansion lands". However, they have not been completed for the entire study area that has been labelled as "Upper West Side Community". If the entire block is to be included, there is the exception that field inventories would be completed for the entire study area. In the Formal Consultation Comment Response Matrix prepared by Corbett Land Strategies, it has been identified that updates to work is anticipated in 2024. It is unclear what work will be updated. 	<p>NRSI has finalized and signed the Linkage Assessment report. The final report has been enclosed with this letter.</p>
7	Secondary Plan Terms of Reference Approved by the City	<ul style="list-style-type: none"> A Terms of Reference has not been submitted. A draft Terms of Reference was submitted in August 2023 and staff provided detailed comments on the Terms of Reference in October 2023. The Terms of Reference has not been accepted by the City and is required. 	<p>The requirement for the Terms of Reference completion is not a reasonable requirement for the application to be deemed complete. Notwithstanding the foregoing, we will continue to work with the City on the finalization of the Terms of Reference upon the application being deemed complete. Further, comments received to date from the City on the Terms of Reference, have been incorporated into the submission materials.</p>



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8	Stage 2 Archaeological Assessment	<ul style="list-style-type: none"> • A Stage 2 Archaeological Assessment has not been submitted. • A letter was submitted stating that consultants has been retained to undertake outstanding required work in 2024. This does not fulfill submission requirements. 	<p>Given the size of the subject property and sensitivity of the assessment, the completion of the Stage 2 Archaeological Assessment will take significant time to complete, which otherwise can occur over the course of the processing of the application or as a condition of approval.</p>
9	Housing Report	<p>Housing Report guidelines have been approved by the City in an interim basis. A report with the required content for a Housing Report has not been submitted. A Housing Needs Assessment was submitted but this assessment does not contain the information required for a Housing Report as per Council approved guidelines.</p>	<p>The Housing Report was contained within the initial submission. The requirements and level of detail required in the City Housing Report ToR has been found to be more suitable at Draft Plan of Subdivision stage including (but not limited to) providing detailed information on number of bedrooms, anticipated price ranges, secondary dwelling unit potential, unit designs, affordable housing unit details, financial or land contribution calculations to affordable housing etc. This information, although necessary, is best provided at the Draft Plan staff which will otherwise occur following completion and approval of a Secondary Plan for the subject lands.</p> <p>The Housing Report has been updated to include additional information necessary to inform the policies of the UWS Secondary Plan. The final report has been enclosed with this letter.</p>
10.	Karst Assessment	<ul style="list-style-type: none"> • A Karst Assessment has not been submitted. • A letter was submitted indicated that a Karst Assessment is not applicable. • Discussion/ communication with Natural Heritage Planning staff did not occur prior to the submission to determine if this study was no was longer required. 	<p>Environmental and geotechnical consultants have reviewed and set out within the submission materials that conditions which otherwise would warrant a Karst Assessment have not been identified for the Subject Lands. Please refer to the enclosed EIS for further details.</p>
11.	Final Secondary Planning Report	<ul style="list-style-type: none"> • A final Secondary Planning Report was not submitted. It is noted on the Council approved guidelines that a final Secondary Planning Report can be combined with 	<p>A Secondary Plan was submitted. Separate Planning Justification Report and Secondary Plan reports have been submitted on the basis that as the UWS Secondary Plan is privately-initiated, one report setting out the policies as well as</p>



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		<p>a Planning Justification Report. However, some of the components required for the Final Secondary Plan report are not included in the Planning Justification Report:</p> <ul style="list-style-type: none"> o Information about how public engagement and public notice requirements have been met in accordance with the guidelines o A summary of public feedback received, and copies of feedback in an appendix. o Information about how public feedback was considered at each phase and incorporated into the Plan. 	<p>addressing the other requirements of the Secondary Plan (Secondary Plan Report) and another report justifying the merits of the proposed community against applicable policy (Planning Justification Report) was found to be most appropriate.</p> <p>A separate Public Consultation Strategy report has been prepared and submitted which includes details on how the public was notified, a summary of the feedback collected as well as how the collected feedback has been considered in the preparation of the Secondary Plan policies.</p>
12	Public Consultation Summary	<p>Same as above.</p> <ul style="list-style-type: none"> • Information has not been submitted about how public engagement, indigenous engagement, and public notice requirements have been met in accordance with the guidelines. • Appendices are missing from the summary. 	<p>A separate Public Consultation Summary report has been prepared and submitted which includes details on how the public was notified, a summary of the feedback collected as well as how the collected feedback has been considered in the preparation of the Secondary Plan policies.</p> <p>An updated version of the Public Consultation Summary containing all appendices has been enclosed with this letter.</p>

We appreciate staff's time and consideration on the above. Following the review of the above and enclosed materials, should staff require further information, we would be pleased to set up a time to review and discuss in greater detail.

Should there be further questions, feel free to reach out directly to the below.

Sincerely,
John Corbett

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