

July 11, 2025

349-20

Via Email

Mr. Dhruv Mehta, MCIP, RPP, MSc.
Development Planner II

City of Hamilton,
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

Dear Mr. Mehta,

**RE: Zoning By-law Amendment Application Resubmission
338 & 338 ½ Cumberland Avenue, Hamilton – ZAC-22-049**

UrbanSolutions Planning & Land Development Consultants Inc. (“UrbanSolutions”) is the authorized planning consultant acting on behalf of Sam’s Scarp Metal Ltd. c/o Mr. Sam Bisignani, the registered owner of the lands municipally known as 338 & 338 ½ Cumberland Avenue in the City of Hamilton. In keeping with the initial submission of the subject Zoning By-law Amendment application on June 28, 2022, the comprehensive resubmission made on May 15, 2023, as well as the comments received from various municipal departments and external agencies in response, please find the following materials enclosed in support of our second comprehensive resubmission:

- One (1) copy of the revised Concept Plan prepared by UrbanSolutions;
- One (1) copy of the revised Floor Plans prepared by KNYMH Architects;
- One (1) copy of the revised Elevation Drawings prepared by KNYMH Architects;
- One (1) copy of the revised Landscape Plan and Tree Protection Plan prepared by Whitehouse Urban Design;
- One (1) copy of the revised Grading and Servicing Plan prepared by S. Llewellyn & Associates;
- One (1) copy of the revised Functional Servicing and Stormwater Management Report prepared by S. Llewellyn & Associates;
- One (1) copy of the revised Noise and Vibration Impact Study prepared by Thornton Tomasetti;
- One (1) copy of the Class 4 Designation Request Letter prepared by UrbanSolutions;
- One (1) copy of the D6 Land Use Compatibility Study prepared by Thornton Tomasetti;
- One (1) copy of the Development Viability Assessment focusing on Rail Safety prepared by GHD;
- One (1) copy of the Derailment Protection Plan prepared by GHD;
- One (1) copy of the Derailment Protection Sectional Drawings prepared by GHD;
- One (1) copy of the Trip Generation Letter prepared by NexTrans Consulting Engineers, and;
- One (1) copy of the revised Draft Zoning By-law Amendment prepared by UrbanSolutions.

As recommended by RWDI in their peer review of the previous version of the Noise and Vibration Impact Study prepared by Thornton Tomasetti dated April 26, 2023, GHD was retained to prepare the enclosed Development Viability Assessment (“DVA”) focusing on Rail Safety and Derailment Protection. In

accordance with the Guidelines for New Development in Proximity to Railway Operations – Prepared for the Railway Association of Canada (“RAC”) and Federation of Canadian Municipalities (“FCM”), the Assessment recommends the combination of a 5.0-metre-high (above rail grade), 760mm thick crash wall feature spanning the entirety of the shared (southerly) lot line as well as a 20.0 metre horizontal development setback (achieved by combining a 5.0 metre vertical setback with the 20.0 metre horizontal setback). This increased setback requirement resulted in the following changes to the Concept Plan:

- The proposed private access road spanning east to west was relocated to the south side of the proposed building in order to maximize separation distance from the rail line; increasing the proposed rear yard setback from 7.24 metres (previous concept) to 20.0 metres;
- The previously proposed building on the east side of the access road has been removed (to accommodate the required 20.0 metre rear yard setback) and replaced with passive amenity space for future residents;
- The proposed building on the westerly portion of the site has been converted from a 6-unit, 3-storey townhouse block to a 3-storey multiple dwelling containing twelve (12) residential units, and;
- The proposed surface parking lot has been relocated to the southerly portion of the site and the number of spaces has been reduced from 31 (24 resident spaces and 7 visitor spaces) to 18 (15 resident spaces and 3 visitor spaces) in accordance with Zoning By-law No. 6593 requirements for multiple dwellings.

For more information on these conceptual changes, please refer to the enclosed Concept Plan prepared by UrbanSolutions and Floor Plans & Elevation drawings prepared by KNYMH Architects.

The enclosed Grading Plan, Servicing Plan, and Functional Servicing & Stormwater Management Report prepared by S. Llewellyn & Associates have been revised to reflect the aforementioned changes to the proposed site design, as well as in response to Development Engineering comments received from Aaron Inrig on February 21, 2024. As noted in these comments, these materials demonstrate that adequate stormwater storage can be provided and that the existing municipal watermains are able to support the domestic demand and required fire flow (“RFF”) for the proposed development.

In response to Natural Heritage comments received from Melissa Kiddie on July 4, 2023, An updated Landscape Plan and Tree Protection Plan have been prepared by Whitehouse Urban Design and are included within the enclosed resubmission package. Notable revisions include the addition of compensation plantings as well as notations to the Tree Protection Plan to address technical comments provided.

The enclosed Noise & Vibration Impact Study has also been revised in response to comments and recommendations received from RWDI in their Peer Review dated September 27, 2023. This revised Study concludes that the proposed development can comply with the applicable noise requirements established by the Ministry of the Environment, Conservation and Parks’ (MECP’s) NPC-300 guidelines for stationary and transportation noise sources, subject to meeting the recommendations outlined in

Sections 4.2.4, 4.3.4. and 6.3 of the Study. Additionally, a request to have the subject lands redesignated from a Class 1 to a Class 4 Noise Area in accordance with NPC-300 guidelines has been prepared by UrbanSolutions under separate cover and is included within the enclosed resubmission package.

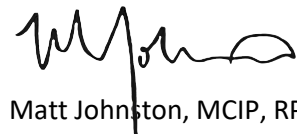
A Land Use Compatibility Study has also been included within the enclosed resubmission package in response to Comment No. 9 of RWDI's Peer Review. This Study concludes that as rail yards are not subject to provincial air or noise limits, the project is not expected to result in new or unusual operational challenges for CP Rail. Additionally, the Study notes that other restricted light industrial activities in the vicinity of the subject site are not expected to be of significant land use compatibility concern, and recommends a set of mitigation measures in Section 3.5.4 aimed at addressing potential compatibility concerns associated with the adjacent rail yard.

In response to Transportation Planning Comments received on June 12, 2023, a Trip Generation Letter (enclosed) has been prepared by NexTrans Consulting Engineers. This Letter concludes that based on the proposed unit count and number of both resident and visitor parking spaces, a total of 27 two-way auto-trips (6 inbound and 21 outbound) and 26 two-way auto trips (16 inbound and 10 outbound) are anticipated during AM and PM peak hours, respectively.

With regards to the Waste Management comments received from Rūta Morkunas dated June 14, 2023, additional information and justification regarding the proposed private waste collection services will be provided as a part of the future Site Plan application process.

We trust the enclosed is in order; however, please feel free to contact the undersigned with any questions or comments.

Kind Regards,
UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Matthew LeBlanc, MCIP, RPP
Planner

cc: Sam's Scrap Metal Ltd. c/o Mr. Sam Bisignani
Ms. Tricia Collingwood, City of Hamilton
Ms. Jennifer Catarino, City of Hamilton
Mr. Tim Vrooman, City of Hamilton