THE PLANNING COMMITTEE PRESENTS REPORT 16-021 AND RESPECTFULLY RECOMMENDS:

1. CONFIRMATION OF CHAIR AND 1ST VICE CHAIR AND APPOINTMENT OF 2ND VICE CHAIR FOR 2017

(a) That Councillor Maria Pearson be appointed Chair of the Planning Committee for 2017;

(b) That Councillor Aidan Johnson be appointed 1st Vice Chair of the Planning Committee for 2017;

(c) That Councillor Jason Farr be appointed 2nd Vice Chair of the Planning Committee for 2017.

2. Accessible Taxicab Licensing (PED16232) (City Wide) (Item 5.2)

(a) That in 2017, six (6) accessible taxicab plates be issued as follows:

(i) Firstly, to individuals on the taxicab priority list;

(ii) Secondly, to qualified licensed drivers within the Hamilton taxi industry in accordance with the criteria as outlined in Appendix “A” attached to Report PED16232;
(b) That in each of 2018 and 2019, an additional six (6) accessible taxicab plates be issued in the same manner as outlined in Recommendation (a)(i) and (ii) of Report PED16232 above, for a total complement of eighteen (18) new accessible taxicab plates.

3. **Application for Approval of Draft Plan of Condominium (Common Element), by Mattamy Homes (Waterdown) Inc., for Lands Known as 470 Parkside Drive (Waterdown) (PED16230) (Ward 15) (Item 6.1)**

   (a) That approval be given to Draft Plan of Condominium Application 25CDM-201313, by Mattamy Homes (Waterdown) Inc., Owner, to establish a Draft Plan of Condominium (Common Element) to create a condominium road with manoeuvring area, internal sidewalks, a 1,402 sq m landscaped area, and 17 visitor parking spaces for 38 freehold townhouse units consisting of 27 rear lane townhouse dwelling units and 11 standard condominium townhouse dwelling units, on lands located at 470 Parkside Drive (Waterdown), as shown on Appendix “A” to Report PED16230, subject to the following conditions:

   (i) That the approval for Draft Plan of Condominium (Common Element) Application 25CDM-201313 applies to the plan prepared by Rady-Pentex & Edward Surveying Ltd., certified by R. Denbroeder, OLS, and dated September 22, 2016, consisting of a condominium road with manoeuvring area, internal sidewalks, a 1,402 sq m landscaped area and 17 visitor parking spaces attached as Appendix “B” to Report PED16230;

   (ii) That the conditions of Draft Plan of Condominium Approval provided as Appendix “C” to Report PED16230 be received and endorsed by City Council.

   (b) That there were no submissions received from the public regarding this matter.

4. **Application for Approval of Draft Plan of Condominium (Common Element), by Mattamy Homes (Waterdown) Inc., for Lands Known as 493 Dundas Street East (Waterdown) (PED16231) (Ward 15) (Item 6.2)**

   (a) That approval be given to Draft Plan of Condominium Application 25CDM-201314, by Mattamy Homes (Waterdown) Inc., Owner, to establish a Draft Plan of Condominium (Common Element) to create a condominium road with manoeuvring area, internal sidewalks, a 912 sq m landscaped area, and 30 visitor parking spaces for 84 freehold townhouse units consisting of 15 rear lane townhouse dwelling units, 10 live-work units, 34 maisonette
dwelling units, and 25 standard condominium townhouse dwelling units, on lands located at 493 Dundas Street East (Waterdown), as shown on Appendix “A” to Report PED16231, subject to the following conditions:

(i) That the approval for Draft Plan of Condominium (Common Element) Application 25CDM-201314 applies to the plan prepared by Rady-Pentex & Edward Surveying Ltd., certified by R. Denbroeder, OLS, and dated September 22, 2016, consisting of a condominium road with manoeuvring area, internal sidewalks, a 912 sq m landscaped area and 30 visitor parking spaces attached as Appendix “B” to Report PED16231;

(ii) That the conditions of Draft Plan of Condominium Approval provided as Appendix “C” to Report PED16231 be received and endorsed by City Council.

(b) That there were no submissions received from the public regarding this matter.

5. Proposed Zoning By-law Amendment for Lands Located at 120 Binbrook Road, Glanbrook (PED16228) (Ward 11) (Item 6.3)

(a) That approval be given to Amended Zoning By-law Amendment Application ZAA-16-049, by John and Eva Vuckovic, Owners, for a change in zoning from the Agriculture (A1) Zone and the Conservation / Hazard Land Rural (P6) Zone in the City of Hamilton Zoning By-law No. 05-200 to the Agriculture (A1, 482) Zone, Modified and the Conservation / Hazard Land Rural (P6, 482) Zone, Modified, in order to prohibit the construction of a single detached dwelling and residential care facility, for the lands located at 120 Binbrook Road (Glanbrook), as shown on Appendix “A” to Report PED16228, on the following basis:

(i) That the draft By-law, attached as Appendix “B” to Report PED16228, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(ii) That the amending By-law be added to Schedule “C” of Zoning By-law No. 05-200; and,

(iii) That the proposed changes in zoning are consistent with the Provincial Policy Statement, conform to the Greenbelt Plan, and comply with the Rural Hamilton Official Plan (RHOP).

(b) That there were no submissions received from the public regarding this matter.

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6. Application for an Amendment to the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 9196 Dickenson Road West (Glanbrook) (PED16209) (Ward 11) (Item 6.4)

(a) That approval be given to Amended Zoning By-law Amendment Application ZAR-16-004, by Peter Braun (owner), for a further modification to the Airport Light Industrial (M10, H37) Zone for a temporary use by-law to permit a Landscape Contractor’s Establishment for a three year period, for the lands located at 9196 Dickenson Road West, Glanbrook, as shown on Appendix “A” to Report PED16209, on the following basis:

(i) That the draft By-law, attached as Appendix “B” to Report PED16209, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(ii) That the amending By-law be added to Schedule “A”, Map Nos. 1493 and 1494 of Zoning By-law No. 05-200;

(iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (PPS) and conforms to the Places to Grow Plan; and,

(iv) That the proposed change in zoning complies with the Urban Hamilton Official Plan.

(b) That the submissions received from the public regarding this matter supported the granting of this application.

7. Application to Amend the Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 21 Panabaker Drive (Ancaster) (PED16227) (Ward 12) (Item 6.5)

(a) That approval be given to Amended Zoning By-law Amendment Application ZAC-16-027, by Galli-Morwick Inc., Owner, for a change in zoning from the Neighbourhood Commercial “C1-491” Zone, Modified, to the Neighbourhood Commercial “C1-680” Zone, Modified, to permit an expanded range of commercial uses for the lands located at 21 Panabaker Drive (Ancaster), as shown on the attached map marked as Appendix “A” to Report PED16227, subject to the following conditions:

(i) That the draft By-law, attached as Appendix “B” to Report PED16227, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
(ii) That the amending By-law, attached as Appendix “B” to Report PED16227, be added to Map 1 of Schedule “A” of Zoning By-law No. 87-57; and,

(iii) That the proposed change in zoning is in conformity with the Urban Hamilton Official Plan.

(b) That there were no submissions received from the public regarding this matter.

8. Applications to Amend the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No. 6593, for Lands Located at 55 Rymal Road East (Hamilton) (PED16226) (Ward 7) (Item 6.6)

(a) That approval be given to Amended Urban Hamilton Official Plan Amendment Application UHOPA-16-02, by Dalore Holdings Inc., (Owner), for OPA No. XX, to amend Site Specific Policy Area “UH-3” to permit single detached dwellings within the “Mixed Use – Medium Density” Designation, for the lands known as 55 Rymal Road East (Hamilton), as shown on Appendix “A” to Report PED16226, on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED16226, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(ii) That the proposed amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe.

(b) That approval be given to Amended Zoning By-law Amendment Application ZAC-16-010 by Dalore Holdings Inc., (Owner), for a change in zoning from the “C/S-980” (Urban Protected Residential, etc.) District, Modified and “C/S-980a” (Urban Protected Residential, etc.) District, Modified to the “R-4/S-1744” (Small Lot Single Family Dwelling) District, Modified (Holding 1), (Holding 2) (Block 2 and Block 3); and from the “HH/S-1398” (Restricted Community Shopping and Commercial) District, Modified to the “HH/S-1398a” (Restricted Community Shopping and Commercial) District, Modified (Block 4), in order to permit the extension of the parking area of the existing automotive dealership, for lands located at 55 Rymal Road East (Hamilton), as shown on Appendix “A” to Report PED16226, on the following basis:

(i) That staff be directed to revise the draft By-law, attached as Appendix “C” to Report PED16226, to reflect the amended proposal prior to the by-law being enacted by City Council.
(ii) That the revised amending By-law, be added to Schedule “E-9D” of the City of Hamilton Zoning By-law No. 6593.

(iii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2014), conform to the Growth Plan for the Greater Golden Horseshoe (Places to Grow), and will comply with the Urban Hamilton Official Plan upon finalization of Urban Hamilton Official Plan Amendment No. __;

(c) That upon finalization of the amendment to the Urban Hamilton Official Plan and the City of Hamilton Zoning By-law No. 6593, that the Ryckmans Neighbourhood Plan be amended to redesignate the northern part of the subject lands from “Single and Double” to “Single and Double – Commercial”.

(d) That the submissions received from the public regarding this matter affected the decision by granting the application with amendments.

9. Application for an Amendment to City of Hamilton Zoning By-law No. 6593 and Zoning By-law No. 05-200 for Lands Located at 2750 King Street East (PED16233) (Ward 5) (Item 6.7)

(a) That approval be given to Amended Zoning By-law Amendment Application ZAC-15-060 by DeSantis Developments Ltd (c/o Tony DeSantis), applicant, for a change in zoning from the “AA” (Agricultural) District to the “E/S-1741” (Multiple Dwellings, Lodges, Clubs, Etc.) District, Modified to permit the construction of a 116 unit multiple dwelling on lands located at 2750 King Street East, Hamilton, as shown on Appendix “A” to Report PED16233 on the following basis:

(i) That the draft By-law, attached as Appendix “A” to Report 16-021, which has been amended to redefine the westerly side yard provision, and prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(ii) That the amending By-law, attached as Appendix “B” to Report PED16233, be added to District Map No. E98 of Zoning By-law No. 6593; and,

(iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe, and complies with the Urban Hamilton Official Plan.

(b) That approval be given to Amended Zoning By-law Amendment Application ZAC-15-060 by DeSantis Developments Ltd (c/o Tony DeSantis) on Behalf of Roger Jackson, for a change in zoning from the
“AA” (Agricultural) District in City of Hamilton Zoning By-law No. 6593 to the Conservation / Hazard Land (P5, 493) Zone, Modified in City of Hamilton Zoning By-law No. 05-200 for the preservation of Core Areas within the Natural Heritage System on lands located at 2750 King Street East, Hamilton, as shown on Appendix “A” to Report PED16233 on the following basis:

(i) That the draft By-law, attached as Appendix “C” to Report PED16233, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(ii) That the amending By-law, attached as Appendix “C” to Report PED16233, be added to Map No. 1247 of Zoning By-law No. 05-200; and,

(iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe, and complies with the Urban Hamilton Official Plan.

(c) That the Gersholme Neighbourhood Plan be amended by changing the designation on the portion of the subject lands currently designated as “Medium Density Apartments” to “High Density Apartments” to accommodate the proposed residential development.

(d) That the submissions received from the public regarding this matter resulted in the application being approved with amendments.

10. Increase to Permit Fees under the Building By-law (PED16214) (City Wide) (Item 7.1)

(a) That the By-law, attached as Appendix “A” to Report PED16214, to amend City of Hamilton By-law No. 15-058, the Building By-law, be amended by:

(i) Removing the words “and for services related to administering the Act and Building Code such as administering maintenance inspection programs” under the Minimum Fee section of Table 1; and

(ii) Adding a fee category entitled “Sewage System Maintenance Inspection Program” to the Sewage System section of Table 1 with the fee set at $228, and be enacted;

(b) That the fees prescribed in the By-law, as amended, attached as Appendix “B” to Report 16-021, be included in the User Fees and Charges By-law, replacing the fees listed under the heading “Classes of Permits and Fees under the Hamilton Building By-law”.

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11. Laneway Housing Inventory (PED16200) (City Wide) (Outstanding Business List Item) (Item 8.2)

That Report PED16200 respecting Laneway Housing Inventory be received.

12. Provincial Review of the Ontario Municipal Board – proposed submissions from the City of Hamilton (LS16027/PED16237) (Item 8.3)

(a) That the City of Hamilton adopts the submissions and recommendations, as provided in Appendix “A” to Report LS16027/PED16237, responding to the October 2016 “Review of the Ontario Municipal Board Public Consultation Document” issued by the Ministry of Municipal Affairs and the Ministry of the Attorney General;

(b) That the City Clerk be directed to submit Report LS16027/PED16237 and minutes of the December 6, 2016 Planning Committee and the December 14, 2016 Council meeting to the Ministry of Municipal Affairs and the Ministry of the Attorney General by December 19, 2016 and request that this Report be considered the City of Hamilton’s formal comments on the Ontario Municipal Board Review.

13. Hamilton Municipal Heritage Committee Report 16-009 (Item 8.4)

(a) Heritage Permit Application HP2016-035, Under Part V of the Ontario Heritage Act, for Demolition of the Existing Detached Garage and Erection of a New Detached Garage at 93 Mill Street North, Flamborough (PED16240) (Ward 15) (Item 8.1)

That Heritage Permit Application HP2016-035 be approved for the demolition of an existing detached garage and erection of a new detached garage at 93 Mill Street North, Flamborough subject to the following conditions:

(i) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit; and,

(ii) That the proposed construction, in accordance with this approval, shall be completed no later than December 31, 2018. If the construction is not completed by December 31, 2018, then this approval expires as of that date and no construction shall be undertaken without a new approval issued by the City of Hamilton.
(b) Heritage Permit Application HP2016-041, Under Part IV of the Ontario Heritage Act, for Demolition of the 1908 Lobby of 108-112 James Street North, Hamilton (PED16239) (Ward 2) (Item 8.3)

That Heritage Permit Application HP2016-041, for demolition of the 1908 lobby of 108-112 James Street North, be approved, subject to the following conditions:

(i) That the applicant provide final details of the hoarding and any structural reinforcement required to secure the opening of the auditorium, to the satisfaction and approval of the Director of Planning and Chief Planner prior to submission as part of any application for a Building Permit and / or the commencement of any alterations;

(ii) That the following conditions with respect to cost estimates and a Letter of Credit shall be satisfied prior to submission of an application for a Building Permit for the hoarding and any temporary structural reinforcement required to secure the opening of the auditorium:

(1) The applicant shall provide cost estimates for 100% of the total cost of securing, protecting and stabilizing the opening to the auditorium and the cost of monitoring and security for a period of three years. Such cost estimates shall be in a form satisfactory to the Director of Planning and Chief Planner.

(2) The applicant shall provide a Letter of Credit for 100% of the total estimated cost as per (i) in a form satisfactory to the City’s Finance Department (Development Officer, Budget, Taxation and Policy) to be held by the City as security for securing, protecting, stabilizing and monitoring the opening to the auditorium as required by this Heritage Permit.

(aa) The Letter of Credit shall be kept in force, whether or not the ownership of 108-112 James Street North and / or 111-113 Hughson Street North changes at any time, until the completion of the required restoration of the auditorium (111-113 Hughson Street North) and the erection of a permanent structure to enclose the auditorium (111-113 Hughson Street North) and / or to otherwise attach the retained portions to a new building in conformity with an approved Site Plan Control Application.

(bb) The Letter of Credit may be reduced in accordance with the City’s Letter of Credit Policy.

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(cc) If the Letter of Credit is about to expire without renewal thereof and any part of securing, protecting, stabilizing or monitoring the opening to the auditorium has not been completed in conformity with their approved designs, the City may draw all of the Letter of Credit funds and hold them as security to guarantee completion unless the City’s Finance Department (Development Officer, Budget, Taxation and Policy) is provided with a renewal of the Letter of Credit forthwith.

(dd) In the event that the Owner fails to complete, to the satisfaction of the Director of Planning and Chief Planner, the required securing, protecting, stabilizing or monitoring of the opening to the auditorium and / or attach to a new building in conformity with an approved Site Plan Control Application within the time required, then the City, in addition to any other remedies that the City may have, may exercise its authority under section 446 of the Municipal Act to have its employees, agents or contractors enter on 108-112 James Street North and 111-113 Hughson Street North to complete any one or more of these requirements. The cost of completion of securing, protection, stabilizing or monitoring of the auditorium opening shall be paid in full by the Owner from the Letter of Credit. In the event that there is a surplus, the City shall return any unrequired funds to the Owner upon completion of the requirement(s), less any administrative processing fees. In the event that there is a deficit, the City may further exercise its authority under section 446 of the Municipal Act including but not limited to adding the deficit to the tax roll and collecting it in the same manner as property taxes.

(iii) That the applicant submit the final documentation and salvage details of any remaining Heritage Attributes in the lobby, including but not limited to the two decorative wall niches, the plaster wall medallions, and the coffered ceilings. The applicant should make explicit how the coffered ceilings will be appropriately salvaged and / or documented and incorporated into the design of the 22 storey mixed-use building addition, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and/or the commencement of any alterations;
(iv) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit and/or the commencement of any alterations; and,

(v) That should a Building Permit for the proposed demolition, in accordance with this approval, not be obtained and acted upon by December 31, 2020, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Hamilton.

14. Potential New Parking Revenues for 2017 (Item 9.1)

(a) That as part of the 2017 budget deliberations, staff be directed to present to the General Issues Committee a range of potential new parking revenues; including but not limited to on-street parking meter rates, new parking meter locations (in consultation with the Ward Councillor) and off street monthly parking fees; and

(b) That the report include a review of the current waitlists associated with the City’s off street lots and garages, to ascertain whether the potential exists to increase usage (and revenues) by increasing the number of eligible pass holders.

15. Submission to the Hamilton Port Authority Land Use Update (Added Item 10.1)

That the City of Hamilton, in consultation with Planning and Economic Development staff, prepare a submission to the Hamilton Port Authority Land Use Update.

The wording of the following item was amended and subsections (b) and (c) were added as outlined below:


(a) That the recommendations recommendation (b) of Report LS16029/PED16248 respecting Update and instructions regarding Ontario Municipal Board Appeals of Rural and Urban Hamilton Official Plans – Urban Boundary Expansion be approved and remain confidential;

(b) That the balance of Report LS16029/PED16236 remain confidential;

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes:

1. ADDED WRITTEN COMMENTS:

   6.6(i) Allan Buist, DiCenzo & Associates Professional Corporation, representing DiCenzo Construction Company Limited respecting Item 6.6 the Applications to Amend the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No. 6593, for Lands Located at 55 Rymal Road East (Hamilton) (PED16226) (Ward 7).

2. By-law Revised - Appendix “B” to Report PED16227

   Staff noticed a section missing in the By-law attached as Appendix “B” to Item 6.5 respecting Application to Amend the Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 21 Panabaker Drive (Ancaster) (PED16227) (Ward 12). The revised version was distributed.

3. TIME SCHEDULED FOR ITEM 12.2:

   The following Item will be considered at 12:00 noon to facilitate the outside consultant who will be attending regarding this matter:

   12.2 Update and Instructions Regarding Ontario Municipal Board Appeals of Rural and Urban Hamilton Official Plans – Urban Boundary Expansion (LS16029/PED16248) (Distributed under separate cover)

   Pursuant to Section 8.1, Sub-sections (e) and (f) of the City’s Procedural By-law 14-300, and Section 239(2), Sub-sections (e) and (f) of the Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City and the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

   Also, respecting Private and Confidential Item 12.2, staff noticed that the initial copy of Appendix B to the report that was distributed was missing some information. A revised version was delivered to all members of Council last Friday under separate cover.

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The agenda for the December 6, 2016 meeting was approved as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were none declared.

(c) APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING (Item 3)

(i) November 15, 2016 (Item 3.1)

The Minutes of the November 15, 2016 meeting were approved.

(d) DELEGATION REQUESTS (Item 4)

The following delegation requests were approved to address Committee at today's meeting:

(i) Suzanne Mammel, Hamilton-Halton Home Builders Association to address Committee respecting Item 8.3 the “Provincial Review of the Ontario Municipal Board - proposed submissions from the City of Hamilton” when Item 8.3 is considered. (Item 4.1)

(ii) Rolston Planning Team, to support Item 9.2 the proposal to purchase the Mountain Secondary School Lands which will be moved up to be considered prior to the Consent Items. (Item 4.2)

(e) CONSENT ITEMS (Item 5)

(i) By-law Enforcement Service Levels in the McMaster University Neighbourhoods (Ward 1) (PED16260) (Item 5.1)

(a) That one additional full time Municipal Law Enforcement Officer be hired for a one year pilot project to enforce the City’s by-laws in the McMaster University Neighbourhoods;

(b) That the funding to cover the one year salary ($113,00) plus vehicle ($26,000) for the additional Municipal Law Enforcement Officer to be charged to the Tax Stabilization Reserve Account #110046 be referred to the 2017 budget process.

The aforementioned motion was TABLED to allow for further consultation to find an appropriate funding source.
PUBLIC HEARING (Item 6)

(i) Application for Approval of Draft Plan of Condominium (Common Element), by Mattamy Homes (Waterdown) Inc., for Lands Known as 470 Parkside Drive (Waterdown) (PED16230) (Ward 15) (Item 6.1)

In accordance with the provisions of the Planning Act, Chair B. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Draft Plan of Condominium (Common Element) the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No member of the public came forward.

The staff presentation was waived.

Constance Ratelle of Korziak Land Use Planners, representing the owner, was in attendance and advised they are in support of the staff recommendations.

The public meeting was closed.

The staff recommendations were amended by adding the following subsection (b):

(b) That there were no submissions received from the public regarding this matter.

For disposition of this matter refer to Item 3.

(ii) Application for Approval of Draft Plan of Condominium (Common Element), by Mattamy Homes (Waterdown) Inc., for Lands Known as 493 Dundas Street East (Waterdown) (PED16231) (Ward 15) (Item 6.2)

In accordance with the provisions of the Planning Act, Chair B. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the
Council of the City of Hamilton before Council makes a decision regarding the Draft Plan of Condominium (Common Element) the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No member of the public came forward.

Constance Ratelle of Korziak Land Use Planners, representing the owner, was in attendance and advised they are in support of the staff recommendations.

The public meeting was closed.

The staff recommendations were amended by adding the following subsection (b):

(b) That there were no submissions received from the public regarding this matter.

For disposition of this matter refer to Item 4.

(iii) **Proposed Zoning By-law Amendment for Lands Located at 120 Binbrook Road, Glanbrook (PED16228) (Ward 11) (Item 6.3)**

In accordance with the provisions of the *Planning Act*, Chair B. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Zoning By-law amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No member of the public came forward.

Chair B. Johnson relinquished the Chair to Vice-Chair Pearson.

The staff presentation was waived.

Michael P. Sabelli representing the owner, and the owner Jim Vuckovic, were in attendance and advised that they are in support of the staff report.
The public meeting was closed.

The staff recommendations were amended by adding the following subsection (b):

(b) That there were no submissions received from the public regarding this matter.

For disposition of this matter refer to Item 5.

(iv) **Application for an Amendment to the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 9196 Dickenson Road West (Glanbrook) (PED16209) (Ward 11) (Item 6.4)**

In accordance with the provisions of the *Planning Act*, Vice Chair Pearson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Zoning By-law amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No member of the public came forward.

The staff presentation was waived.

Brenda Khes of GSP Group, representing the owner, was in attendance and advised that they are in support of the staff report.

The public meeting was closed.

The staff recommendations were amended by adding the following subsection (b):

(b) That the submissions received from the public supported the granting of this application.

For disposition of this matter refer to Item 6.

Chair B. Johnson assumed the Chair.
(v) Application to Amend the Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 21 Panabaker Drive (Ancaster) (PED16227) (Ward 12) (Item 6.5)

In accordance with the provisions of the *Planning Act*, Chair B. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Zoning By-law amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No member of the public came forward.

The staff presentation was waived.

Cheryl Selig of T. Johns Consulting Group Ltd., representing the owner, was in attendance and advised that they are in support of the staff report.

The public meeting was closed.

The staff recommendations were amended by adding the following subsection (b):

(b) That there were no submissions received from the public regarding this matter.

For disposition of this matter refer to Item 7.

(vi) Applications to Amend the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No. 6593, for Lands Located at 55 Rymal Road East (Hamilton) (PED16226) (Ward 7) (Item 6.6)

In accordance with the provisions of the *Planning Act*, Chair B. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Official Plan and Zoning By-law amendments the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.
Added Written Comments

6.6(i) Allan Buist, DiCenzo & Associates Professional Corporation, representing DiCenzo Construction Company Limited

The added written comments were received.

No member of the public came forward.

The staff presentation was waived.

Matt Johnston of UrbanSolutions Planning and Land Development Consultants Inc., representing the owner, addressed Committee with the aid of a PowerPoint presentation. A copy has been uploaded onto the City’s website. In his presentation he requested a modification to the proposed By-law which is quoted below:

- “Modifications to the proposed “C/S-80b” “H1”,“H2” District are requested to accommodate 10.0 metre wide lots together with the corresponding regulations for single detached dwellings on Blocks 2 and 3.
- The proposed lot widths are consistent with the R-4 District which is common to the neighbourhood.”

Mr. Buise and his client Mr. DiCenzo of DiCenzo Construction Company Limited were in attendance. They are owners of the neighbouring property and they advised that they do not oppose this modification.

The agent’s presentation was received.

The public meeting was closed.

Committee approved the following amendments:

(a) That the request for the modification to change to an R-4 District be approved and that staff be directed to revise the by-law to reflect the amended proposal prior to the by-law being enacted by Council;

(b) That the following subsection (d) be added to the recommendations:

(d) That the submissions received from the public regarding this matter affected the decision by granting the application with amendments.

For disposition of this matter refer to Item 8.

Council – December 14, 2016
Application for an Amendment to City of Hamilton Zoning By-law No. 6593 and Zoning By-law No. 05-200 for Lands Located at 2750 King Street East (PED16233) (Ward 5) (Item 6.7)

In accordance with the provisions of the Planning Act, Chair B. Johnson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Zoning By-law amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No member of the public came forward.

The staff presentation was waived.

John Ariens of IBI Group Inc. representing the applicant addressed Committee with the aid of a PowerPoint presentation. A copy is available for viewing on the City’s website. His comments included but were not limited to the following:

- His client is requesting a modification to retain the open space lands on the property separate from the condominium development;
- This would simplify matters;
- If the parcel of land is not separate and should a public body wish to attain the open space the Condominium Corporation would need to be consulted;
- Also the Condominium Corporation would assume liability for the open space lands;
- In summary, he requested that the Environmentally Sensitive Area (ESA) lands be separated from the development lands and the by-law be amended to reflect this.

The agent’s presentation was received.

The public meeting was closed.

Committee approved the following amendments:

(a) That the draft by-law attached as Appendix B to Report PED16233 be amended to redefine the westerly side yard provision;

(b) That the following subsection (d) be added:
(d) That the submissions received from the public regarding this matter resulted in the application being approved with amendments.

For disposition of this matter refer to Item 9.

(g) PUBLIC NOTICE (Item 7)

(i) Increase to Permit Fees under the Building By-law (PED16214) (City Wide) (Item 7.1)

The Clerk advised that no one had registered to speak.

No members of the public came forward.

Committee approved the following amendment:

(a) That the proposed by-law, attached as Appendix “A” to Report PED16214, be amended to remove the words “and for services related to administering the Act and Building Code such as administering maintenance inspection programs” under the Minimum Fee section of Table 1; and

(b) That a fee category entitled “Sewage System Maintenance Inspection Program" be added to the Sewage System section of Table 1 with the fee set at $228.

For disposition of this matter refer to Item 10.

(h) DISCUSSION

(i) To Request that Condition No. 56 of the Southcote Woodlands Draft Plan of Subdivision (25T200401) be Cleared to Allow the Development of a Single Detached Dwelling (PED16235) (Ward 12) (Outstanding Business List) (Item 8.1)

Item 8.1 respecting To Request that Condition No. 56 of the Southcote Woodlands Draft Plan of Subdivision (25T200401) be Cleared to Allow the Development of a Single Detached Dwelling (PED16235) (Ward 12) was deferred to the January 31, 2017 meeting.
(ii) Laneway Housing Inventory (PED16200) (City Wide)(Outstanding Business List Item)  (Item 8.2)

Edward John provided an overview of the report with the aid of a PowerPoint presentation. A copy has been retained for the official record and is available for viewing on the City’s website.

The staff presentation was received.

Planning Staff were requested to report back to the Planning Committee following consultation with the Alleyway Management Strategy Working Group on a process for including appropriate permissions for laneway housing as part of the review and update of the City's Residential Zoning By-law planned for 2017-2018.

For further disposition of this matter refer to Item 11.

(iii) Provincial Review of the Ontario Municipal Board –proposed submissions from the City of Hamilton (LS16027/PED16237).  (Item 8.3)

Joanna Wice and Joanne Hickey Evans provided an overview of the Report with the aid of a PowerPoint presentation. A copy has been retained for the public record and a copy is available for viewing on the City’s website.

Staff responded to questions from Committee.

Delegation

1. Suzanne Mammel, Hamilton-Halton Home Builders Association (HHHBA) (4.1)

Suzanne Mammel addressed Committee and read from a prepared statement. Her comments included but were not limited to the following:

- A review of the Ontario Municipal Board (OMB) is appropriate;
- The Hamilton-Halton Home Builders Association (HHHBA) believes that the OMB is necessary;
- It ensures decisions are made under planning policies as it is often difficult to balance the policies with the wishes of the residents;
- She is very disappointed that there has been no useful dialogue with staff;
This issue was considered at the Development Industry Liaison Group meeting but it was not helpful as the Association was not informed of staff’s position;

- The Association will be making their own report to the Province;
- A better consultation process is needed on all issues;
- There should be dialogue in advance of the staff reports being finalized;
- Or, the reports should be released earlier.

The delegation was received.

For disposition of this matter refer to Item 12.

(i) MOTIONS

(i) Potential New Parking Revenues for 2017 (Item 9.1)

Committee approved the following amendment:

That subsection (a) be amended by inserting the words in consultation with the Ward Councillor after the words “new parking meter locations.”

For disposition of this matter refer to Item 14.

(ii) Surplus Mountain Secondary School Lands (9.2)

Delegations (4.2)

The following members of the Rolston Planning Team addressed Committee:

1. Monica Mudde

Monica Mudde addressed Committee with the aid of a PowerPoint presentation. She indicated that the Rolston Planning Team is in support of this motion. They have included the Yeoville Neighbourhood as a partner in their action plan. Her presentation included a description of the neighbourhood and a copy of their letter mailed to the Mayor and the City Councillors. A copy of the presentation has been retained for the public record and is available for viewing on the City’s website.
2. Melissa Elliot

Melissa Elliot addressed Committee and advised that they have engaged the community and received some feedback. They have focused on park clean ups and they will also clean up the Yeoville green space.

3. Al Carson

Al Carson addressed Committee and indicated that he and his wife have been Yeoville residents for the past 20 years. A green space is needed in this area.

Ward Councillor Whitehead was in attendance and spoke in support of this motion.

The delegations were received.

Committee approved the following motion:

WHEREAS, the Mountain Secondary School Lands have recently become surplus;

WHEREAS, there is currently a deficient amount of green space in the Yeoville neighbourhood;

WHEREAS, The Rolston Planning team which spawned out of the Code Red initiative and the Social Planning and Research Council (SPRC) has identified a need in the Rolston/Yeoville neighbourhoods for more green space;

WHEREAS, there is potential for a partnership between the City of Hamilton and other organizations to develop an affordable housing plan for these lands;

THEREFORE BE IT RESOLVED:

That staff be directed to investigate the feasibility of the City purchasing the Mountain Secondary School surplus lands to meet the needs of the Rolston/Yeoville neighbourhoods for more green space and report back to the Planning Committee.
NOTICES OF MOTIONS

(i) Submissions to the Hamilton Port Authority Land Use Update (Added Item 10.1)

Councillor Collins introduced the following notice of motion:

That the City of Hamilton, in consultation with Planning and Economic Development staff, prepare a submission to the Hamilton Port Authority Land Use Update.

The rules of order were waived to allow the introduction of a motion respecting submissions to the Hamilton Port Authority Land Use Update.

For disposition of this matter refer to Item 15.

GENERAL INFORMATION/OTHER BUSINESS (Item 11)

(i) Outstanding Business List (Item 11.1)

(a) The following new due dates were approved:

Item “D” - That staff review and report back on the existing zoning regulations for the area along Mountain Brow Boulevard from 340 Mountain Brow Boulevard to Mohawk Road East.
Due Date: December 6, 2016
Proposed New Due Date: May 2, 2017

Item “F” - Request to Designate 437 Wilson Street East (Ancaster) Under Part IV of the Ontario Heritage Act (PED12166)
Due Date: December 6, 2016
Proposed New Due Date: February 28, 2017

Item “K” - HMHC Report - 14-009 - That the recommendations to include 206, 208 and 210 King Street East in the Register of Property of Cultural Heritage Value or Interest and to staff’s designation work program be referred to staff for further consultation with the property owner and the appropriate Councillors prior to reporting back to Planning Committee.
Due Date: December 6, 2016
Proposed New Due Date: January 31, 2017

Item “M” - James Street North Mobility Hub Study – Staff to report back on the Implementation Strategies and Phasing Recommendations
Due Date: December 6, 2016
Proposed New Due Date: January 17, 2017
(b) The following Items were removed:

Item “II” Review of the Current By-law Enforcement Service Levels in the McMaster University Neighbourhoods (Item 5.1 on this agenda.)

Item “Y” - Staff report and presentation on the City’s current inventory and policies related to ‘Laneway Housing’ (Item 8.2 on this agenda)

(I) PRIVATE AND CONFIDENTIAL (Item 12)

Committee approved the following without moving into Closed Session:

(i) Private and Confidential Minutes of the November 15, 2016 Meeting (Item 12.1)

(a) The Private and Confidential Minutes of the November 15, 2016 meeting were approved;

(b) The Private and Confidential Minutes of the November 15, 2016 meeting are to remain private and confidential and restricted from public disclosure.

Committee moved into Closed Session at 12:30 p.m. respecting Item 12.2, entitled Update and instructions regarding Ontario Municipal Board Appeals of Rural and Urban Hamilton Official Plans – Urban Boundary Expansion (LS16029/PED16248)(City Wide), pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (e) and (f) of the Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City and the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Committee reconvened in Open Session at 1:20 p.m.

12.2 Update and instructions regarding Ontario Municipal Board Appeals of Rural and Urban Hamilton Official Plans – Urban Boundary Expansion (LS16029/PED16248)(City Wide)

For disposition of this matter refer to Item 16.
(m) ADJOURNMENT (Item 13)

There being no further business, the Planning Committee adjourned at 1:35 p.m.

Respectfully submitted,

Councillor B. Johnson
Chair, Planning Committee

Ida Bedioui
Legislative Co-ordinator
Office of the City Clerk
WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Hamilton” and is the successor to the former regional municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item [redacted] of Report 16-[redacted] of the Planning Committee at its meeting held on the [redacted] day of [redacted], 2016, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Sheet No. E98 of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton), as amended, is further amended by changing from “AA” (Agricultural) District to the “E/S-1741” (Multiple Dwellings, Lodges, Clubs, Etc.) District, Modified, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.

2. That the “E” (Multiple Dwellings, Lodges, Clubs, Etc.) District provisions, as contained in Section 11 of Zoning By-law No. 6593, be modified with the following special requirements:

   a. Notwithstanding Subsection 11(2)(ii) of Zoning By-law No. 6593, no building or structure shall exceed eight storeys or 28.0 metres in height, whichever is greater.

   b. Notwithstanding Subsection 11(3)(i)(b) of Zoning By-law No. 6593, for all other buildings or structures, a front yard depth of at least 3.5 metres shall be provided for the first six storeys and 5.0 metres for the storeys above the sixth.

   c. Notwithstanding Subsection 11(3)(ii)(b) of Zoning By-law No. 6593, for all other buildings or structures:

      i. An easterly side yard width of 35.0 metres;

      ii. The first six storeys may encroach 6.0 metres into the easterly side yard for the portion of the building not greater than 15.0 metres from the front lot line; and,

      iii. No part of a building or structure shall be located greater than 109.0 metres from the easterly lot line for the first six storeys and no greater than 106.0 metres from the easterly lot line for the storeys above the sixth.

   d. Notwithstanding Subsection 11(3)(iii) of Zoning By-law No. 6593, all buildings or structures shall be located not closer than 3.0 metres to the southerly zoning boundary.

   e. Subsection 11(5) of Zoning By-law No. 6593 shall not apply.

   f. Notwithstanding Subsection 18(3)(vi)(b)(iii) of Zoning By-law No. 6593, a canopy may encroach 12.0 metres into the easterly side yard.

   g. Notwithstanding Subsection 18(3)(vi)(cc) of Zoning By-law No. 6593, balconies may project 2.0 metres into a required yard.

   h. Subsection 18A(1)(c) of Zoning By-law No. 6593 shall not apply.

   i. Notwithstanding Subsection 18A(7) of Zoning By-law No. 6593, every parking space shall have dimensions of not less than 2.6 metres wide and 5.5 metres long. Parking spaces designated as barrier free shall have dimensions of not less than 3.4 metres wide and 5.5 metres long where a shared access median of not less than 1.5 metres separates the spaces along the longer edge.

   j. A minimum of 0.3 bicycle parking spaces shall be provided for each dwelling unit.
3. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the “E” (Multiple Dwellings, Lodges, Clubs, Etc.) District, provisions, subject to the special requirements referred to in Section 2 of this By-law.

4. That Sheet No. E98 of the District Maps is amended by marking the lands referred to in Section 1 of this By-law as “E/S-1741”.

5. That By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1741.

6. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this ____ day of ____, 2016.

______________________________  ________________________________
F. Eisenberger  R. Caterini
Mayor  Clerk

ZAC-15-060
Appendix “A” to Item 9 (a)(i) of PC Report 16-021
Page 4 of 4

This is Schedule "A" to By-law No. 16-
Passed the .......... day of ...................., 2016

Schedule "A"
Map Forming Part of
By-law No. 16-______
to Amend By-law No. 6593

Subject Property
2750 King Street East

Change in zoning from the "AA" (Agricultural)
District to the "E/S-1741"
(Multiple Dwellings, Lodges, Clubs, Etc.)
District, Modified

Refer to By-law No. 05-200
CITY OF HAMILTON

BY LAW NO. 16-

To Amend By-law No. 15-058

A By-law respecting Building Permits and Related Matters

WHEREAS Council of the City of Hamilton desires to amend By-law No. 15-058, the Building By-law, to change Building Permit Fees;

AND WHEREAS public notice has been given and a public meeting held as required for this By-law, in addition to other public consultation;

AND WHEREAS section 7 of the Building Code Act, 1992 authorizes Council of the City of Hamilton to pass by-laws concerning the issuance of permits and related matters;

AND WHEREAS sections 8, 9, and 10 of the Municipal Act, 2001 authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular, paragraphs 3, 5, 6 and 8 of subsection 10(2) authorize by-laws respecting the financial management of the municipality, the economic, social, and environmental well-being of the municipality, the health, safety and well-being of persons and the protection of persons and property;

AND WHEREAS section 391 of the Municipal Act, 2001 authorizes the City of Hamilton to pass by-laws to impose fees or charges on persons for services provided done by or on behalf of the City of Hamilton;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Section 2.1 of By-law 15-058 is amended by adding the word “means” after “Building Code”.

2. Paragraph 9.1(5)(a) of By-law 15-058 is amended by changing the number of subparagraph (iv) to (iii).
3. Schedule “A” of By-law No. 15-058 is deleted and replaced with Schedule “A” attached to and forming part of this By-law.

4. Sections 1 and 2 come into force on the day this By-law is passed.

5. Section 3 comes into force on January 1, 2017.

PASSED this day of , 2016

Fred Eisenberger  Rose Caterini
Mayor City Clerk
SCHEDULE “A” TO BUILDING BY-LAW NO. 15-058

RESPECTING CLASSES OF PERMITS AND FEES

CALCULATION OF PERMIT FEES

1. Permit fees shall be calculated based on the formula given below, unless otherwise specified in this schedule:

   
   \[
   \text{Permit Fee} = \text{SI} \times \text{A}
   \]

   Where SI = Service Index for the applicable Classification under section 3 below of the work proposed, and A = floor area in m² of work involved.

PERMIT FEES

2. (a) Permit fees shall be rounded off to the nearest full dollar.

(b) Where the permit fee is in excess of $50,000.00 an applicant may elect to pay 50% of the full permit fee at the time of building permit application and the balance at the time of permit issuance.

CLASSES OF PERMITS AND FEES

3. Permit fees shall be calculated using the following table:

<table>
<thead>
<tr>
<th>Minimum Fee</th>
<th>Service Index (SI)</th>
</tr>
</thead>
<tbody>
<tr>
<td>$234</td>
<td>$/m² unless otherwise indicated</td>
</tr>
</tbody>
</table>

**TABLE 1 – CLASSES OF PERMITS AND FEES**

<table>
<thead>
<tr>
<th>Group A (Assembly Occupancies)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Portable Classrooms</td>
<td>$349 (flat fee)</td>
</tr>
<tr>
<td>Shell Only</td>
<td>$18.98</td>
</tr>
<tr>
<td>Finishing only</td>
<td>$4.96</td>
</tr>
<tr>
<td>Non-Residential – Outdoor Patio</td>
<td>$175 (flat fee)</td>
</tr>
<tr>
<td>Group B (Institutional Occupancies)</td>
<td>Service Index (SI) $/m² unless otherwise indicated</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>Institutional, Hospitals, Medical Care Facilities, Nursing Homes, and other Group B Buildings</td>
<td>$26.13</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Group C (Residential Occupancies)</th>
<th>Service Index (SI) $/m² unless otherwise indicated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Dwelling, semi, duplex, row house, townhouse</td>
<td>$14.72</td>
</tr>
<tr>
<td>Apartment buildings</td>
<td>$14.72</td>
</tr>
<tr>
<td>Hotels, Motels</td>
<td>$19.46</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Group D (Business and Personal Services)</th>
<th>Service Index (SI) $/m² unless otherwise indicated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office Buildings (up to 10 storeys) (Shell only)</td>
<td>$14.69</td>
</tr>
<tr>
<td>Office Buildings (up to 10 storeys) (Finishing only)</td>
<td>$4.70</td>
</tr>
<tr>
<td>Office Buildings (up to 10 storeys) (Finished)</td>
<td>$19.38</td>
</tr>
<tr>
<td>Office Buildings (more than 10 storeys) (Shell only)</td>
<td>$17.77</td>
</tr>
<tr>
<td>Office Buildings (more than 10 storeys) (Finishing only)</td>
<td>$4.99</td>
</tr>
<tr>
<td>Office Buildings (more than 10 storeys) (Finished)</td>
<td>$22.75</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Group E (Mercantile)</th>
<th>Service Index (SI) $/m² unless otherwise indicated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail (Shell only)</td>
<td>$12.06</td>
</tr>
<tr>
<td>Retail (Finishing only)</td>
<td>$4.07</td>
</tr>
<tr>
<td>Retail (Finished)</td>
<td>$16.13</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Group F (Industrial)</th>
<th>Service Index (SI) $/m² unless otherwise indicated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Industrial (Shell only)</td>
<td>$7.32</td>
</tr>
<tr>
<td>Industrial (Finishing only)</td>
<td>$4.00</td>
</tr>
<tr>
<td>Industrial (Finished)</td>
<td>$11.32</td>
</tr>
<tr>
<td>Parking Garages</td>
<td>$6.67</td>
</tr>
<tr>
<td>Gas Stations</td>
<td>$12.16</td>
</tr>
</tbody>
</table>
### Foundation and Conditional Permits (in addition to the regular permit fee)

<table>
<thead>
<tr>
<th>Service</th>
<th>Flat Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential under Part 9 of Division B of the Building Code</td>
<td>$363</td>
</tr>
<tr>
<td>Residential/Commercial/Industrial/Institutional under Part 3 of Division B of the Building Code (up to 1200 m²)</td>
<td>$904</td>
</tr>
<tr>
<td>Residential/Commercial/Industrial/Institutional under Part 3 of Division B of the Building Code (greater than 1200 m²)</td>
<td>$2,714</td>
</tr>
</tbody>
</table>

### Designated Structures

<table>
<thead>
<tr>
<th>Structure</th>
<th>Flat Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Communication Tower</td>
<td>$420</td>
</tr>
<tr>
<td>Crane Runway</td>
<td>$420</td>
</tr>
<tr>
<td>Exterior Storage Tanks – Above and below ground (except for fire fighting water reservoirs)</td>
<td>$420</td>
</tr>
<tr>
<td>Pedestrian Bridge/Walkway</td>
<td>$420</td>
</tr>
<tr>
<td>Retaining Wall</td>
<td>$420</td>
</tr>
<tr>
<td>Satellite Dish (face area equal to or greater than 5 m²)</td>
<td>$420</td>
</tr>
<tr>
<td>Silos</td>
<td>$420</td>
</tr>
<tr>
<td>Outdoor Public Spa</td>
<td>$861</td>
</tr>
<tr>
<td>Outdoor Public Swimming Pool</td>
<td>$1,704</td>
</tr>
</tbody>
</table>

### Fire Protection Systems (stand alone – excludes relocation of components for existing system)

<table>
<thead>
<tr>
<th>Service</th>
<th>Service Index (SI)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electromagnetic Locks</td>
<td>$199 each (maximum $595)</td>
</tr>
<tr>
<td>Fire Alarm System</td>
<td>$349 (flat fee)</td>
</tr>
<tr>
<td>Sprinkler System</td>
<td>$0.58</td>
</tr>
<tr>
<td>Standpipe System</td>
<td>$349 (flat fee)</td>
</tr>
<tr>
<td>Combined Sprinkler and Standpipe System</td>
<td>$0.58 (minimum $349)</td>
</tr>
</tbody>
</table>
### Mechanical Systems (stand alone)

<table>
<thead>
<tr>
<th>Service</th>
<th>Flat Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Cooking Exhaust System</td>
<td>$349</td>
</tr>
</tbody>
</table>

### Demolition (complete or partial building – not issued under Demolition Control By-law)

<table>
<thead>
<tr>
<th>Service</th>
<th>Service Index (SI)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential – single/two family dwelling and townhouses</td>
<td>$0.44</td>
</tr>
<tr>
<td>Accessory structures to a residential use</td>
<td>$0.44 ($150 minimum)</td>
</tr>
<tr>
<td>Non-residential and multi residential</td>
<td>$0.44 ($373 minimum)</td>
</tr>
</tbody>
</table>

### Plumbing Devices (stand alone)

<table>
<thead>
<tr>
<th>Service</th>
<th>Flat Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Backflow Preventer</td>
<td></td>
</tr>
<tr>
<td>For first premise or zone device</td>
<td>$234</td>
</tr>
<tr>
<td>For each additional premise or zone device</td>
<td>$150</td>
</tr>
<tr>
<td>Backwater Valve</td>
<td>$234</td>
</tr>
<tr>
<td>Grease/Oil Interceptor</td>
<td>$234</td>
</tr>
</tbody>
</table>

### Renewable (Green) Energy Systems

<table>
<thead>
<tr>
<th>Service</th>
<th>Flat Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geothermal System for a Single/Two Family Dwelling</td>
<td>$420</td>
</tr>
<tr>
<td>Geothermal System for all other Buildings</td>
<td>$563</td>
</tr>
<tr>
<td>Solar Collector for a Single/Two Family Dwelling</td>
<td>$234</td>
</tr>
<tr>
<td>Solar Collector for all other Buildings</td>
<td>$420</td>
</tr>
<tr>
<td>Wind Turbine</td>
<td>$420</td>
</tr>
</tbody>
</table>

### Sewage Systems

<table>
<thead>
<tr>
<th>Service</th>
<th>Flat Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>To construct a sewage system pursuant to the provisions of the Act</td>
<td>$812</td>
</tr>
<tr>
<td>To construct a Class 5 sewage systems or to repair a sewage system pursuant to the provisions of the Act</td>
<td>$497</td>
</tr>
</tbody>
</table>

### Sewage System Maintenance Inspection Program

<table>
<thead>
<tr>
<th>Service</th>
<th>Flat Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$228</td>
</tr>
</tbody>
</table>
### Signs

<table>
<thead>
<tr>
<th>Description</th>
<th>Flat Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ground Sign with a sign area of less than or equal to 2.5 m²</td>
<td>$209</td>
</tr>
<tr>
<td>Ground Sign with a sign area of greater than 2.5 m² and up to 4.0 m²</td>
<td>$368</td>
</tr>
<tr>
<td>Ground Sign with a sign area greater than 4.0 m²</td>
<td>$737</td>
</tr>
<tr>
<td>Awning, Canopy, Marquee, Parapet, Projecting and Wall Signs</td>
<td>$368</td>
</tr>
<tr>
<td>Billboard</td>
<td>$737</td>
</tr>
</tbody>
</table>

### Water and Sewer Permits

<table>
<thead>
<tr>
<th>Description</th>
<th>Flat Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>New water service</td>
<td>$150</td>
</tr>
<tr>
<td>New sewer service</td>
<td>$150</td>
</tr>
</tbody>
</table>

### Other Classifications (not previously listed)

<table>
<thead>
<tr>
<th>Description</th>
<th>Service Index (SI)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory structures, garage, storage shed, new basement, cold cellar, unenclosed canopies, air supported structures</td>
<td>$5.28</td>
</tr>
<tr>
<td>Farm Buildings</td>
<td>$2.69</td>
</tr>
<tr>
<td>Greenhouses</td>
<td>$1.62 (Maximum $5,320)</td>
</tr>
<tr>
<td>Tents</td>
<td>$1.75 (Maximum $373)</td>
</tr>
<tr>
<td>Residential greenhouses, deck, balcony, open porch, exterior stair, ramp, open carport</td>
<td>$4.30</td>
</tr>
<tr>
<td>Alterations/partitioning/renovations to existing finished areas (where no building systems are being installed or altered), relocation/moving permits, finishing a basement in a single family dwelling</td>
<td>$3.26</td>
</tr>
<tr>
<td>Exterior barrier free access in existing single and two family dwellings</td>
<td>$0.00</td>
</tr>
<tr>
<td>Re-roofing without any structural changes (except for buildings containing less than 4 dwelling units or townhouses)</td>
<td>$0.27</td>
</tr>
<tr>
<td>Administrative Fees</td>
<td>Flat Fee</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Additional Plan Review (Resubmission)</td>
<td>Where a non-compliant resubmission is submitted above and beyond the first resubmission: $150 (per hour of review time)</td>
</tr>
<tr>
<td>Additional Permit Fee (Revision)</td>
<td>Where an applicant makes a material change to a plan, specification, document, or other information, following the issuance of a building permit (includes first hour of review time): $150</td>
</tr>
<tr>
<td></td>
<td>For each additional hour, or part thereof, of review time: $150</td>
</tr>
<tr>
<td>Alternative Solution</td>
<td>Application for an Alternative Solution under Section 2.1, of Division C, of the Building Code (up to 4 hours review time): $530</td>
</tr>
<tr>
<td></td>
<td>For each additional hour, or part thereof, of review time: $150</td>
</tr>
<tr>
<td>Applicable Law Review</td>
<td>Review and consultation for Applicable Law requirements: $229</td>
</tr>
<tr>
<td>Building Code Compliance Letters</td>
<td>Written requests for information concerning a building’s compliance with the current Building Code: $150 (per hour of review time)</td>
</tr>
<tr>
<td>Change of Use Permit</td>
<td>Change of use Permit with no construction: $234</td>
</tr>
<tr>
<td>Limiting Distance Agreements</td>
<td>For Review and approval of Limiting Distance Agreements under Sentence 3.2.3.1.(8), 9.10.14.2.(4) or 9.10.15.2.(4), of Division B, of the Building Code: $530</td>
</tr>
<tr>
<td>Occupancy Permit of an Unfinished Building</td>
<td>Occupancy inspection prior to completion as per Subsection 1.3.3 of Division C of the Building Code: $150 (per unit)</td>
</tr>
<tr>
<td>Permit or Application Extensions</td>
<td>Extension of a building permit or permit application where no revisions are required: $150</td>
</tr>
<tr>
<td>Pre-Consultation</td>
<td>Building Code preliminary design consultation/review for proposed designs prior to a complete permit application being submitted: $150 (per hour of review time)</td>
</tr>
</tbody>
</table>
Administrative Fees (continued) | Flat Fee
---|---
Premature/Additional Inspections  
Where an inspection request is premature and the inspector must re-attend the site to complete the necessary inspection, or an additional inspection is requested or required | $199 (per inspection)
Stock Plans  
Review of stock plans for new single family dwellings in a Plan of Subdivision prior to a complete permit application being submitted | $380
Suspended Permit  
Where an inspection is requested for a Permit that has been suspended | $199 (per inspection)
Transfer of Permit  
Where ownership changes on a property and there are no other changes to the project or the professional services required. | $150

4. Where no new floor area is created, or where materials, systems or equipment regulated by the Building Code render it impossible to determine the permit fee on the basis of the classifications noted in this Schedule, the permit fee payable shall be 1% of the prescribed value as determined by the Chief Building Official under subsection 6.1 of this By-law, subject to a minimum fee as per section 3 of this Schedule.

5. The total fees under this Schedule and Schedule “C” shall be paid prior to the issuance of a permit.

6. **INTERPRETATION**

In addition to referring to the Act and the Building Code in determining the fees under this By-law, the Chief Building Official may have regard to the following explanatory notes as may be needed in the calculation of permit fees:

(a) Floor area of the proposed work is to be measured to the outer face of exterior walls and to the centre line of party walls or demising walls (but excluding residential garages);

(b) In the case of interior alterations or renovations, area of proposed work is the actual space receiving the work (e.g. tenant space);
(c) Mechanical penthouses and floors, mezzanines, lofts, habitable attics and interior balconies are to be included in all floor area calculations;

(d) Except for interconnected floor spaces, no deduction is made for openings within the floor area (e.g. stairs, elevators, escalators, shafts, ducts, and similar openings);

(e) Unfinished basements for single family dwellings, semis, duplexes and townhouses are not included in the floor area;

(f) Attached garages and fireplaces are included in the permit fee for individual dwelling units;

(g) Where interior alterations and renovations require relocation of sprinkler heads or fire alarm components, no additional charge is applicable;

(h) Corridors, lobbies, washrooms, lounges, and similar areas are to be included and classified according to the major classification for the floor area on which they are located;

(i) The occupancy categories in the Schedule correspond with the major occupancy classifications in the Building Code. For mixed occupancy floor areas, the Service Index for each of the applicable occupancy categories shall be used and the floor area associated with the major occupancy;

(j) For Rack Storage use apply the square footage charge for industrial for the building;

(k) A temporary building is considered to be a building that will be erected for not more than one year; and

(l) Where a change of use permit is subject to a fee based on floor area, “floor area” shall mean the total floor space of all storeys subject to the change of use.