PLANNING COMMITTEE
MINUTES 16-003
9:30 am
Tuesday, February 16, 2016
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Councillors B. Johnson (Chair), M. Pearson (1st Vice-Chair), C. Collins, D. Conley, M. Green, and J. Partridge
Also Present: Councillor T. Jackson
Absent with regrets: Councillors A. Johnson (2nd Vice Chair), J. Farr, and R. Pasuta

THE FOLLOWING ITEMS WERE REPORTED FOR THE CONSIDERATION OF COUNCIL:

1. Proposed Lafarge Dundas South Quarry Extension - Objection Reply Letter and Status Update (PED14024(a)) (Ward 14) (Item 5.1)

(Pearson/Conley)
That Report PED14024(a) respecting Proposed Lafarge Dundas South Quarry Extension - Objection Reply Letter and Status Update be received.
CARRIED

2. Improving Planning Application Review (CI-15-E) (PED16040) (City Wide) (Item 6.1)

(Conley/Partridge)
(a) That approval be given to the following Official Plan Amendments:

(i) No. XX to the Urban Hamilton Official Plan (Appendix “A” to Report PED16040) to:

(1) Clarify the circumstances where the City may waive or accept less than the maximum road widening and / or the daylighting triangle requirement established in the Urban Hamilton Official Plan in Section C.4.5.2 or Schedule C-2 – Future Road Widening;
(2) Amend Section F.1.19 (Complete Application Requirements and Formal Consultation) to add “Community Consultation”, “Design Review Panel Advice” and “Right of Way Impact Assessment”;

(3) Amend Section F.3.2 (Council Adopted Guidelines and Technical Studies) to add implementation requirements for Community Consultation and Right of Way Impact Assessments; and,

(4) Make administrative changes to correct errors to policy references and policy numbering; and,

(ii) No. XX to the Rural Hamilton Official Plan (Appendix “B” to Report PED16040), to:

(1) Clarify the circumstances where the City may waive or accept less than the maximum road widening and / or the daylighting triangle requirement established in the Urban Hamilton Official Plan in Section C.4.5.2 or Schedule C-1 – Future Road Widenings (Rural);

(2) Amend Section F.1.9 (Complete Application Requirements and Formal Consultation) to add “Community Consultation”, “Design Review Panel Advice” and “Right of Way Impact Assessment;

(3) Amend Section F.3.2 (Council Adopted Guidelines and Technical Studies) to add implementation requirements for Community Consultation and Right of Way Impact Assessments; and,

(4) Make administrative changes to correct errors to policy references and numbering; and,

(b) That Council approve the following Guidelines and authorize the Chief Planner to make minor changes as required:

(i) “Guidelines for the Preparation of a Planning Justification Report” as set out in Appendix “C” to Report PED16040;

(ii) “Guidelines for Community Consultation” as set out in Appendix “D” to Report PED16040; and,

(iii) “Guidelines for Minor Developments Exempt from Road Widenings” as set out in Appendix “E” to Report PED16040.

CARRIED
3. Applications to Amend the Urban Hamilton Official Plan (UHOP) and Ancaster Zoning By-law No. 87-57, and for Approval of a Draft Plan of Subdivision for lands located at 961 – 989 Garner Road East (Ancaster) PED16003 (Ward 12) (Item 6.2)

(Collins/Partridge)

(a) That approval be given to Urban Hamilton Official Plan Amendment Application UHOPA-15-002, by Marz Homes (Garner) Inc., Owner, to amend the Meadowlands Neighbourhood IV Secondary Plan to: redesignate the northerly portion of the subject lands, as shown on Appendix “B” to Report PED16003, from “Low Density Residential 2b” to “Low Density Residential 3b”; delete the proposed southerly road and designate the lands as “Low Density Residential 2b” and Low Density Residential 3b”, as per the abutting designation; and to establish a Site Specific Area ___ to permit street townhouse units in the “Low Density Residential 2b” Designation and to permit a maximum density of 50 units per net residential hectare for the lands for the lands known as 961 - 989 Garner Road East (Ancaster), as shown on Appendix “A” to Report PED16003, on the following basis:

(i) That the draft Official Plan Amendment (OPA), attached as Appendix “B” to Report PED16003, be adopted by City Council.

(b) That approval be given to Zoning Application ZAC-15-006 by Marz Homes (Garner) Inc., Owner, for changes in zoning from the Rural Commercial “C5-203” Zone, Agricultural “A” Zone, and the Institutional “I” Zone to the Residential Multiple “RM2-669” Zone, Modified (Blocks 1, 2, and 3); and from the Rural Commercial “C5-203” Zone, Agricultural “A” Zone, and the Institutional “I” Zone to the Residential Multiple “RM5-670” Zone (Blocks 4, 5, and 6) in the Ancaster Zoning By-law No. 87-57; for lands located at 961 – 989 Garner Road East (Ancaster), as shown on Appendix “A” to Report PED16003, on the following basis:

(i) That the draft By-law, attached as Appendix “C” to Report PED16003, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(ii) 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 approval be given to revised Draft Plan of Subdivision Application 25T-201502 by Marz Homes (Garner) Inc., Owner, to establish a Draft Plan of Subdivision known as “Cortland”, on lands located at 961 - 989 Garner Road East (Ancaster), as shown on Appendix “A” to Report PED16003, subject to the following conditions:
(i) That this approval for the Revised Draft Plan of Subdivision “Cortland”, 25T-201502, prepared by A.J. Clarke and Associates Ltd. and certified by B.J. Clarke, O.L.S., dated, September 10, 2015, showing 8 lotless blocks for the purposes of 130 dwelling units, consisting of 5 blocks for residential purposes (Blocks 1 - 4, and 6), 2 blocks for a temporary turning circle (Block 2 and Block 6), 1 block for road widening purposes (Block 5), 1 block for a temporary turnaround easement in favour of the City of Hamilton (Block 6), and 2 blocks for 0.30 m reserves (Blocks 7 and 8) and the future extension of Beasley Grove, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions attached as Appendix “E” to Report PED16003.

(ii) Acknowledgement by the City of Hamilton of its responsibility for cost-sharing with respect to this development shall be in accordance with the City’s Financial Policies and will be determined at the time of development.

(iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 42 of the Planning Act, prior to the issuance of each building permit. The calculation for the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the day of issuance of each building permit, with the exception of Townhouse Blocks 1 – 4 and 6, to which payment shall be based on the value of the land on the day prior to the issuance of the first building permit for each said Block, as follows:

With regards to Block 1 and Block 6 (Block Townhouses and Maisonettes), a parkland dedication, at a ratio of 1 ha per 300 dwelling units, will be required.

Furthermore, regarding Blocks 2 - 4 (Street Townhouses), a parkland dedication, at a ratio of 0.6 ha per 300 dwelling units, will be required.

All in accordance with the Financial Policies for Development and the City’s Parkland Dedication By-law, as approved by Council.

CARRIED

4. Applications to Amend the City of Stoney Creek Zoning By-law No. 3692-92 and for Approval of a Draft Plan of Subdivision for Lands Located at 72 Second Road West (Stoney Creek) (PED16048) (Ward 9) (Item 6.3)

(Conley/Pearson)

(a) That approval be given to Revised Zoning By-law Amendment Application ZAC-12-040, by 1528148 Ontario Inc. – Silvestri Homes (Owner), for a
change in zoning from the Single Residential “R1” Zone to the Single Residential “R3” Zone for lands located at 72 Second Road West (Stoney Creek), as show on Appendix “A” to Report PED16048, on the following basis:

(i) That the draft By-law, attached as Appendix “B” to Report PED16048, 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 Map 16 of Schedule “A” of the City of Stoney Creek Zoning By-law No. 3692-92.

(b) That approval be given to Revised Draft Plan of Subdivision Application 25T-201204, by 1528148 Ontario Inc. – Silvestri Homes (Owner), to establish a Draft Plan of Subdivision known as “Hampshire Place Extension”, consisting of 11 single detached residential lots, a pedestrian connection, and the extension of Hampshire Place, on lands known as 72 Second Road West (Stoney Creek), as shown on Appendix “A” to Report PED16048, subject to the following conditions:

(i) That this approval apply to “Hampshire Place Extension”, 25T-201204, as revised, prepared by Mackay, Mackay & Peters Limited, and certified by Ross A. Clarke, O.L.S., dated January 20, 2016, showing 11 single detached dwelling lots (Lots 1 – 11, inclusive), a pedestrian connection to the park to the south, and the proposed extension of Hampshire Place, attached as Appendix “C” to Report PED16048, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions attached as Appendix “D” to Report PED16048.

(ii) Acknowledgement that there will be no City share for any municipal works associated with this development.

(iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 42 of the Planning Act, and will be calculated in accordance with the City’s Parkland Dedication By-law, and shall be based on the value of the lands on the day prior to the issuance of the first building permit.

With regards to Lots 1 – 11, inclusive, (Single Detached Residential), a Parkland Dedication ratio of 5% of the net land area to be developed will be required, as in accordance with the Financial Policies for Development and the City’s Parkland Dedication By-law, as approved by Council.

(c) That upon finalization of the implementing By-law, the Highland Neighbourhood Plan be updated to reflect the road pattern established through Draft Plan of Subdivision File 25T-201204.

CARRIED
5. **Proposed Zoning By-law Amendment for Property Located at 46-52 James Street North, Hamilton (PED16044) (Ward 2) (Item 6.4)**

*(Collins/Pearson)*

(a) That Zoning By-law Amendment Application ZAR-15-049, by LIUNA Local 837 Lister Property Corp., Owner, for a change in zoning from the Downtown Prime Retail (D2) Zone and Downtown Mixed Use (D3) Zone to the Downtown Prime Retail (D2, 473) Zone, Modified in order to permit a mixed use building comprised of ground floor commercial and multiple dwelling units for lands located at 46-52 James Street North (Hamilton), as shown on Appendix “A” to Report PED16044, be approved on the following basis:

(i) That the Draft By-law, attached as Appendix “B” to Report PED16044, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.

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

(iii) That the proposed changes in zoning are consistent with the Provincial Policy Statement, conform to the Growth Plan for the Greater Golden Horseshoe and comply with the Urban Hamilton Official Plan.

(iv) That design and architectural measures be incorporated into the building design as part of the Site Plan Approval process that ensure design excellence, and that have the effect of breaking down the massing and ensuring the building reads as at least two distinct vertical forms, including but not limited to:

   a. A midblock recessed bay on the south elevation;
   b. Vertical elements or reveals on the north elevation;
   c. Distinctive colours, materials and / or lighting to differentiate the upper three-six storeys;
   d. Recessed and projected elements that minimize sheer vertical faces; and,
   e. Articulation through distinctive vertical and horizontal spandrels or other elements that achieve a similar effect.

(v) That the application for Site Plan Approval be referred to the Design Review Panel for advice and an external peer reviewer, if required in the opinion of the Director of Planning and Chief Planner, for the treatment of the building elevations, prior to final approval of the Site Plan Application.

*CARRIED*
6. **Amendment to Business Licensing By-law 07-170 to License Payday Loans Businesses (PED16039) (City Wide) (Item 7.1)**

(Green/Partridge)
That City of Hamilton Business Licensing By-law 07-170 be amended in accordance with the draft By-law attached as Appendix “A” to Report PED16039, which has been prepared in a form satisfactory to the City Solicitor, by creating a license category for Payday Loans Businesses, subject to approval of the following:

(a) That a $750 Annual Licensing Fee for administration, materials, inspections and enforcement be approved and added to the User Fees and Charges By-law;

(b) That an additional .25 FTE to enforce and administer the Payday Loans Businesses License be approved based on 100% cost recovery and with no additional impact to the tax levy.

(c) That the Mayor correspond with the Honourable MPP David Orazietti, Minister of Government and Consumer Services, formally requesting that the Province:

(i) make it a criminal offence to charge more than 30% interest per annum;

(ii) make loan flipping and excessive refinancing illegal and require a signature of the borrower for all changes to the terms of the loan;

(iii) institute interest and financing fee caps;

(iv) institute government mandated registrations for all loans and require all companies that provide loans and financing in Canada to register with the government;

(v) make it easier to report predatory lenders through a formal complaint process;

(vi) restrict how consumers can use payday loans through a transaction tracking system;

(vii) require payday lenders to take into account the borrower’s ability to repay by limiting the amount lent to a portion of their net income;

(viii) lower the cost of defaulting on a loan by lowering the maximum default charge and by setting a total maximum monthly default costs;
(ix) apply debt collection rules to the purchasers of overdue debts; (currently Ontario’s debt collection protection rules focus on collection agencies rather than the owners of debt; i.e. 3rd party collectors);

(x) that the Minister of Social Services, the Honourable Helena Jaczek, implement a livable social assistance rate and that restrictions be made on the usage of Ontario Works and Ontario Disability benefits for payday loans;

(d) That copies of this correspondence be sent to all municipalities in Ontario, the Association of Municipalities of Ontario (AMO), the Federation of Canadian Municipalities (FCM) and the Large Urban Mayors Caucus of Ontario.

Amendment CARRIED
Main Motion as Amended CARRIED

7. Application for an Urban Hamilton Official Plan Amendment for Lands Located at 71, 75 and 77 Leland Street (Hamilton) (PED15201) (Ward 1 (Item 8.1))

(Green/Collins)

(a) That Urban Hamilton Official Plan Amendment Application UHOPA-15-017, by Creek Village Inc. (Owner), for a redesignation from “Low Density Residential 3c” to “High Density Residential 1”, and to establish a Site Specific Policy Area within the Ainslie Wood Westdale Secondary Plan Land Use Plan, to permit a maximum density of 285 units per hectare (124 units) for multiple dwellings, and a maximum height of five storeys, for lands located at 71, 75 and 77 Leland Street (Hamilton), as shown on Appendix “A” to Report PED15201, be DENIED;

(b) That the appeals of City of Hamilton Official Plan Amendment 13-005 and Zoning By-Law Amendment 13-027 (OMB File PL150378) be OPPOSED;

(c) That the reasons for the denial and opposition include:

(i) The lack of parking both for the growing student population and for non-students;

(ii) The proposed intensification is too great for the area;

(d) That the City Solicitor be authorized to retain outside planning consultants to support Council’s position before the OMB and that the costs be funded through the Tax Stabilization Reserve 110046.

CARRIED
FOR THE INFORMATION OF COMMITTEE:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes:

TYPOGRAPHICAL ERROR:

6.4 Proposed Zoning By-law Amendment for Property Located at 46-52 James Street North, Hamilton (PED16044) (Ward 3.2)

ADDED DELEGATION REQUEST:

4.1 John Hawker, wishing to speak to Item 8.2 respecting Elevators in Multi-storey Residential Buildings (for today's meeting)

4.2 Sarah Knoll, GSP Group, agent for the applicant, wishing to speak to Item 8.1 respecting Application for an Urban Hamilton Official plan Amendment for 71, 75 and 77 Leland Street. (For today’s meeting.)

ADDED WRITTEN COMMENTS:

6.1(i) Lakewood Beach Community Council respecting Improving Planning Application Review (CI-15-E) (PED16060)


7.1(i) Allison Chewter, President, Beasley Neighbourhood Association, respecting Report PED16039 to License Payday Loans Businesses

8.1(i) Request from Chris Pidgeon, agent for the applicant, to defer consideration of Report PED15201 respecting Application for an Urban Hamilton Official Plan Amendment for Lands Located at 71, 75 and 77 Leland Street to March 1, 2016.

(Collins/Green)
That the Agenda for the February 16, 2016 meeting of the Planning Committee be approved, as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

None.
(c) APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING (Item 3)

(i) February 2, 2016 Meeting (Item 3.1)

(Pearson/Collins)
That the Minutes of the February 2, 2016 meeting be approved.  

CARRIED

(d) DELEGATION REQUESTS (Item 4)

(Green/Pearson)

(a) That the following delegation requests be approved to address Committee at today’s meeting:

(i) John Hawker, wishing to speak to Item 8.2 respecting Elevators in Multi-storey Residential Buildings (For today’s meeting) (Added Item 4.1)

(ii) Sarah Knoll, GSP Group, agent for the applicant, wishing to speak to Item 8.1 respecting Application for an Urban Hamilton Official Plan Amendment for 71, 75 and 77 Leland Street. (For today’s meeting) (Added Item 4.2)

CARRIED

(e) DELEGATIONS/PUBLIC HEARING (Item 6)

(i) Improving Planning Application Review (CI-15-E) (PED16040) (City Wide) (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 Official Plan 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.

Written Comments

6.1(i) Lakewood Beach Community Council


(Pearson/Green)
That the written comments be received.  

CARRIED
Melanie Pham provided an overview of the Report with the aid of a PowerPoint Presentation. A copy has been uploaded onto the City's website. She responded to questions from Committee.

(Partridge/Pearson)
That the staff presentation be received.
CARRIED

Registered Speakers

1. Sergio Manchia, UbanSolutions Planning Consultants

Sergio Manchia addressed Committee and his comments included but were not limited to the following:

- The proposed amendments cover three issues – the road right-of-way, the Design Review Panel and the community consultation;
- The road right-of-way issue is long overdue and he is supportive;
- Design Review Panel and community consultation – good ideas but concerned with timing;
- When will an application come before Committee? When can an application get in the door?
- If too early, the public could be alarmed about a project that may be coming;
- Specifying the large built form in the downtown area is too dangerous;
- The Design Review Panel is not Council approved but picked by staff;
- Concerned that staff will have the discretion;
- Concerned with timing – when will the community meeting(s) take place?
- Wishes to caution Committee – these are not simply guidelines but an Official Plan Amendment;
- The timing of when the public meeting is required needs to be defined;
- He asked that the Report be tabled for 30 days to get more input from stakeholders.

(Partridge/Green)
That the delegation from Sergio Manchia be received.
CARRIED
2. **Suzanne Mammel, Executive Officer, Hamilton-Halton Home Builders Association**

Suzanne Mammel addressed Committee and her comments included but were not limited to the following:

- There has been little consultation with the stakeholders;
- The Association had asked that staff let them know when the report was coming – this didn’t happen;
- The Hamilton-Halton Home Builders Association Development Industry Liaison Group hasn’t had a chance to review the report;
- She is requesting that two issues be deferred;
- They are supportive of the road right-of-way;
- They wish to have discussions with staff regarding the timing of the public consultations and the role of the Design Review Panel.

*(Partridge/Pearson)*

That the delegation from Suzanne Mammel be received.  

**CARRIED**

3. **Joey Coleman, Resident of Ward 2**

Joey Coleman addressed Committee and his comments included but were not limited to the following:

- He is a resident of Ward 2 and was previously an active member of the Beasley Neighbourhood Association but is no longer a member and is not addressing Committee in that capacity;
- Wishes to congratulate staff on the report and of moving the public consultation to the front of process;
- It has been said that the existing process is the proponent telling the public what they plan to do; not consulting to hear what the public wants them to do;
- He suggests allowing another two to four weeks for public consultation before approving the staff report;
- The City has not fulfilled its responsibility;
- The public cannot follow any progress of the planning applications on the website;
- The Cities of Ottawa and Burlington provide that capability to their residents;
- The Planning Committee needs to consider what resources are required to match Burlington’s example on how to put the planning applications on the web;
- Without the web component only the members of the public who are able to attend the Committee meetings can follow along
which is not possible to many residents because of work commitments.

(Pearson/Collins)
That the delegation from Joey Coleman be received.  
CARRIED

(Pearson/Green)
That the public meeting be closed.  
CARRIED

(Pearson/Conley)
That Report PED16040 be deferred for two weeks to the next Planning Committee meeting to allow for review and input by the Hamilton-Halton Home Builders Association Development Industry Liaison Group.  
LOST on a tie vote

(Pearson/Collins)
That the road widening portion of the recommendations of Report PED16040 be approved and the public consultation and the Design Review Panel portions be deferred for two weeks to the next Planning Committee meeting to allow for consultation with the Hamilton-Halton Home Builders Association Development Industry Liaison Group.  
LOST on a tie vote

Committee approved the Report.

For disposition of this matter refer to Item 2.

Councillor Pearson indicated that she wished to recorded as OPPOSED to this Item.

(ii) Applications to Amend the Urban Hamilton Official Plan (UHOP) and Ancaster Zoning By-law No. 87-57, and for Approval of a Draft Plan of Subdivision for lands located at 961 – 989 Garner Road East (Ancaster) PED16003 (Ward 12) (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 Official Plan and Zoning By-law Amendments and Draft Plan of Subdivision 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.
Written Comments

6.2(i) Dave Pitbaldo, Director, Real Estate Development, 2054971 Ontario Inc., 4480 Paletta Court, Burlington

(Conley/Collins)
That the written comments from Dave Pitbaldo be received.

CARRIED

No members of the public came forward.

Stephen Fraser of A.J. Clarke and Associates, agent for the applicant was in attendance and indicated that they are in support of the staff report.

(Pearson/Conley)
That the public meeting be closed.

CARRIED

For disposition of this matter refer to Item 3.

(iii) Applications to Amend the City of Stoney Creek Zoning By-law No. 3692-92 and for Approval of a Draft Plan of Subdivision for Lands Located at 72 Second Road West (Stoney Creek) (PED16048) (Ward 9) (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 and the Draft Plan of Subdivision 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 members of the public came forward.

Tony Millington, the agent for the owner was in attendance and indicated that they are in support of the staff report.

(Partridge/Conley)
That the public meeting be closed.

CARRIED

For disposition of this matter refer to Item 4.
(iv) Proposed Zoning By-law Amendment for Property Located at 46-52 James Street North, Hamilton (PED16044) (Ward 2) Item 6.4)

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.

Cam Thomas, Senior Planner, provided an overview of the report with the aid of a PowerPoint presentation. A copy has been uploaded onto the City’s website.

(Collins/Pearson)
That the staff presentation be received.

CARRIED

Sergio Manchia of UrbanSolutions, the agent for the owner was in attendance and addressed Committee with the aid of a PowerPoint presentation. A copy is available for viewing on the City’s website.

He spoke in support of the staff report and responded to questions from Committee.

(Green/Conley)
That the agent’s presentation be received.

CARRIED

Speakers

1. Joey Coleman, resident of Ward 2

Joey Coleman addressed Committee and his comments included but were not limited to the following:

- He is a resident of Ward 2 and was previously an active member of the Beasley Neighbourhood Association but is no longer a member and is not addressing Committee in that capacity;
- He thanked the developer for providing a micro site and appreciated being able to view all the documents regarding the development;
- He has covered higher education as a journalist for Macleans and the Globe and Mail;
- He sees this development as a win for the City;
As there is a demand for student housing this will alleviate the pressure on rental properties downtown;
Money going into the parking reserve is also a win as a parking structure is needed downtown;
This will be an opportunity to review how we manage student housing;
The students will create a market downtown,
If McMaster University builds additional residents downtown this will provide an opportunity to mix student housing with the hotel component in the summer;
The student residences could be offered for convention attendees, etc;
He wishes to complement the developer on the micro site, the public engagement and the development;
This could be a case study on how we do downtown development and how we do downtown community consultation.

(Green/Partridge)
That the delegation be received.  
CARRIED

(Collins/Conley)
That the public meeting be closed.  
CARRIED

For disposition of this matter refer to Item 5.

(f) PUBLIC NOTICE

(i) Amendment to Business Licensing By-law 07-170 to License Payday Loans Businesses (PED16039) (City Wide) (Item 7.1)

Written Comments

7.1(i) Allison Chewter, President, Beasley Neighbourhood Association, respecting Report PED16039 to License Payday Loans Businesses

(Conley/Green)
That the written comments be received.  
CARRIED

Registered Speaker

1. Tom Cooper, Hamilton Roundtable for Poverty Reduction

Tom Cooper addressed Committee and his comments included but were not limited to the following:
• What's a Payday loan;
• Proliferation of Payday Loan outlets in the downtown;
• Definition of Predatory Lending;
• Flashy Gimmicks and Slick Advertising Campaigns – they seem reasonable at first;
• Interest Rate Comparison of Payday lending;
• Christmas - the reason for taking;

Tom Cooper introduced Jodi Dean who is also with the Hamilton Roundtable for Poverty Reduction and wished to speak of her personal experience with payday loans.

Jodi Dean addressed Committee and her comments included but were not limited to the following:

• She is a single mom on a fixed income with three children, two with special needs;
• A year ago she needed money for Christmas gifts and borrowed $300 from a payday loan outlet against her child tax credit;
• She didn’t read the fine print and it has taken her a year to pay back the money;
• She calculated that she has paid $1,500 in interest;
• They also preyed twice on her sister who has special needs by lending her more money than she can afford at an exorbitant interest rate;
• Alternative borrowing options are required.

(Green/Conley)
That the delegations from Tom Cooper and Jodi Dean be received.
CARRIED

(Green/Partridge)
That staff recommendations be amended by adding subsections (c) and (d) as follows:

(c) That the Mayor correspond with the Honourable MPP David Orazietti, Minister of Government and Consumer Services, formally requesting that the Province:

(i) make it a criminal offence to charge more than 30% interest per annum;

(ii) make loan flipping and excessive refinancing illegal and require a signature of the borrower for all changes to the terms of the loan;
(iii) institute interest and financing fee caps;

(iv) institute government mandated registrations for all loans and require all companies that provide loans and financing in Canada to register with the government;

(v) make it easier to report predatory lenders through a formal complaint process;

(vi) restrict how consumers can use payday loans through a transaction tracking system;

(vii) require payday lenders to take into account the borrower’s ability to repay by limiting the amount lent to a portion of their net income;

(viii) lower the cost of defaulting on a loan by lowering the maximum default charge and by setting a total maximum monthly default costs;

(ix) apply debt collection rules to the purchasers of overdue debts; (currently Ontario’s debt collection protection rules focus on collection agencies rather than the owners of debt; i.e. 3rd party collectors);

(x) that the Minister of Social Services, the Honourable Helena Jaczek, implement a livable social assistance rate and that restrictions be made on the usage of Ontario Works and Ontario Disability benefits for payday loans;

(d) That copies of this correspondence be sent to all municipalities in Ontario, the Association of Municipalities of Ontario (AMO), the Federation of Canadian Municipalities (FCM) and the Large Urban Mayors Caucus of Ontario.

Amendment CARRIED

For disposition of this matter refer to Item 6.

(g) DISCUSSION ITEMS

(i) Application for an Urban Hamilton Official Plan Amendment for Lands Located at 71, 75 and 77 Leland Street (Hamilton) (PED15201) (Ward 1) (TABLED December 1, 2015.) (Item 8.1)

Written Comments

8.1(i) Request from Chris Pidgeon, agent for the applicant, to defer consideration of the Report to March 1, 2016.
(Green/Conley)
That the request from Chris Pidgeon, agent for the applicant, be received.  
CARRIED

(Green/Collins)
That Report PED15201 respecting Application for an Urban Hamilton Official Plan Amendment for Lands Located at 71, 75 and 77 Leland Street (Hamilton) be LIFTED from the table.  
CARRIED

Speakers

1. Sarah Knoll, GSP Group (Added Item 4.2)

Sarah Knoll, of GSP Group, agent for the applicant, addressed Committee with the aid of a PowerPoint presentation. Her presentation provided an overview of the proposal and the results of the public consultation. Her comments included but were not limited to the following:

(a) She requested a deferral of the report to the March 1, 2016 meeting or,
(b) She requested approval of the staff recommendations.

(Green/Conley)
That the delegation from Sarah Knolls be received.  
CARRIED

(Pearson/Conley)
That Mary Kiss, member of the Ainslie Wood Community Association be permitted to address Committee.  
CARRIED

2. Mary Kiss, member of the Ainslie Wood Community Association

Mary Kiss addressed Committee and her comments included but were not limited to the following:

- The Ainslie Wood Community Association opposes the application because of the proposed increased density from the 5 storeys currently allowed to 6 storeys;
• The Association supports high density student housing on Main Street, encourages new infill housing, and mixed use commercial residential development to locate on major roads;
• This proposal is not along a major road and is in the middle of a neighbourhood and is incompatible with the surrounding single unit dwellings;
• It doesn’t serve the community well to allow sporadic ad hoc changes to the Secondary Plan;
• Concerned that if this proposal for an increased density is approved, it will set a precedence;
• The Association does not agree that this could be a residence for seniors – it will most likely be a student residence;
• The proposal will cause parking problems and will increase illicit activity;
• She opposed the increased density at this location and is happy to hear that someone is building something for students in the downtown area.

(Partridge/Green)
That the delegation from Mary Kiss be received.

CARRIED

For disposition of this matter refer to Item 7.

(ii) Elevators in Multi-storey Residential Buildings (PED16045) (City Wide) (Outstanding Business List Item) (Item 8.2)

1. John Hawker (Item 4.1)

John Hawker addressed Committee and read from a prepared statement. A copy has been submitted for the public record and is available for viewing on the City’s website. His comments included but were not limited to the following:

• The motion to report back initiated due to concerns by a member of the Senior’s Advisory and Housing Committee following a strike by elevator maintenance workers;
• Doesn’t feel the recommendations go far enough;
• The current 19 days allowed for compliance under the Property Standards By-law is not acceptable;
• The Fire Code will not mandate immediate attention to elevators for buildings having six storeys or less;
• Building Code only addresses new construction;
• Residents requiring meals-on-wheels, health care, housekeeping services, pharmacy deliveries were disadvantaged;
• The Vital Services By-law requires landlords to provide utilities including electricity and heat;
• Consideration should be given to put the requirement to provide elevator services in the Vital Services By-law;
• A study of what other Cities are doing is also missing from the report.

(Green/Conley)
That Report PED16045 respecting Elevators in Multi-storey Residential Buildings be referred back to staff for approximately one month’s time in order for staff to investigate the feasibility of requiring two operating elevators in existing residential buildings and report back to Committee by March 22, 2016.

CARRIED

(h) GENERAL INFORMATION/OTHER BUSINESS (Item 11)

(i) Outstanding Business List (Item 11.1)

(Pearson/Collins)
(a) That the following new due dates be approved:

Item “GG” - Staff to report back on process to permit LED signs in Sign By-law
Due Date: January, 2017
Proposed New Due Date: April 19, 2016

Item “U” - Staff to report back on enforcement options with respect to ensuring elevators in multi-storey residential buildings are operational
Due Date: February 16, 2016
Proposed New Due Date March 22, 2016

CARRIED

(i) PRIVATE AND CONFIDENTIAL (Item 12)

(i) Closed Session Minutes - February 2, 2016 (Item 12.1)

(Conley/Pearson)
(a) That the Closed Session Minutes of the February 2, 2016 meeting be approved;

(b) That the Closed Session Minutes of the February 2, 2016 meeting remain confidential and restricted from public disclosure.

CARRIED
(j) ADJOURNMENT (Item 13)

(Green/Collins)
There being no further business, that the Planning Committee be adjourned at 1:07 p.m.

CARRIED

Respectfully submitted,

Councillor B. Johnson
Chair, Planning Committee

Ida Bediou
Legislative Co-ordinator
Office of the City Clerk