



## City of Hamilton

# CITY COUNCIL AGENDA

Wednesday, February 14, 2018, 5:00 P.M.  
Council Chambers, Hamilton City Hall  
71 Main Street West

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### Call to Order

#### 1. APPROVAL OF AGENDA

(Added Items, if applicable, will be noted with \*)

#### 2. DECLARATIONS OF INTEREST

#### 3. CEREMONIAL ACTIVITIES

#### 4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 January 24, 2018

#### 5. COMMUNICATIONS

5.1 Correspondence from the Honourable Steven Del Duca, Minister of Transportation in response to the Mayor's letter respecting the proposed new Highway 5 and 6 Interchange and the expansion of Highway 403 to three lanes between The Linc and Main Street.

Recommendation: Be received.

5.2 Correspondence from West Nipissing requesting support for their resolution requesting that the Province amend Regulation 366/09 for a permanent exemption for use of Hand-Held Devices to employees of or persons contracted to a road authority.

Recommendation: Be received.

- 5.3 Correspondence from the Town of Lakeshore requesting support for their resolution urging the Government of Ontario to allocate a proportionate share of the new tax revenues generated from the sale of marijuana, to municipalities directly.
- Recommendation: Be received.
- 5.4 Correspondence from the Town of Lakeshore urging the Government of Ontario to grant more autonomy to lower-tier municipalities, to adopt and rely upon their own growth projections and estimates, especially for financial planning purposes.
- Recommendation: Be received.
- 5.5 Correspondence from the Department of Infrastructure Canada respecting Government of Canada's Smart Cities Challenge
- For more information, interested applicants are encouraged to visit the Smart Cities Challenge website at <https://impact.canada.ca/en/challenges/smart-cities> or contact Infrastructure Canada directly at [infc.sc-vi.infc@canada.ca](mailto:infc.sc-vi.infc@canada.ca)
- Recommendation: Be received.
- 5.6 Correspondence from the Town of Lakeshore requesting support for their resolution urging the Government of Ontario to immediately allocate infrastructure funding dedicated to municipalities for storm water management and drainage improvements.
- Recommendation: Be received.
- 5.7 Correspondence from Joshua Weresch respecting the 2018 City of Hamilton Budget.
- Recommendation: Be received and referred to the General Issues Committee -2018 Budget.
- 5.8 Correspondence from the Honourable Steven Del Duca, Minister of Transportation in response to the Mayor's letter respecting MTO Digital Signage for the Eastport Drive Lift Bridge.
- Recommendation: Be received.
- 5.9 Correspondence from Debbie Bramer, Winona Peach Festival/Social Media/Sponsorship Chair in appreciation of the City of Hamilton's sponsorship and partnership for the Winona Peach Festival's 50th Anniversary.
- Recommendation: Be received.
- 5.10 Correspondence from the Honourable Amarjeet Sohi, Minister of Infrastructure and Communities in response to the Mayor's letter requesting greater flexibility under both the Canada 150 Community Infrastructure Program and the Clean Water & Wastewater Fund
- Recommendation: Be received.

- 5.11 Correspondence from Martin Keller, Source Protection Program Manager, Grand River Conservation Authority respecting Roy Haggart's resignation from the Lake Erie Region Source Protection Committee.
- Recommendation: Be received and referred to the General Manager of Public Works for appropriate action.
- 5.12 Correspondence from PJ Mercanti, CEO, Carmen's Group respecting a Renewed Vision or the Future of Hamilton's Sports, Entertainment, Hospitality and Convention Facilities.
- Recommendation: Be received and referred to the City Manager for appropriate action.
- 5.13 Correspondence from the Honourable Dr. Eric Hoskins, Minister of Health & Long Term Care respecting Additional Funding for the Needle Exchange Program in the Hamilton Community
- Recommendation: Be received.
- 5.14 Correspondence from Hassaan Basit, CAO/Secretary-Treasurer, Conservation Halton respecting Conservation Halton's 2018 Budget Municipal Funding
- Recommendation: Be received.
- 5.15 Correspondence from Mathieu Koevoets, President, Ancaster Tennis Club, respecting the Ancaster Tennis Club Dome Project
- Recommendation: Be received.
- 5.16 Correspondence from the Honourable Nathalie Des Rosiers, Minister of Natural Resources and Forestry, respecting a Conservation Authority Boundary Review
- Recommendation: Be received.
- 5.17 Correspondence from Joe Hoffer, Cohen Higley, respecting Hamilton District Apartment Association (HDAA) and City Discussion Paper Referral
- Recommendation: Be received and referred for consideration of Item 15 of the Planning Committee Report 18-002.

## **6. COMMITTEE REPORTS**

- 6.1 General Issues Committee Report 18-001 - January 11, 2018
- 6.2 Public Works Committee Report 18-002 - February 5, 2018
- 6.3 Planning Committee Report 18-002 - February 6, 2018
- 6.4 General Issues Committee Report 18-004 - February 7, 2018

- 6.5 Audit, Finance and Administration Committee Report 18-002 - February 12, 2018 (to be distributed)
- 6.6 Emergency and Community Services Committee Report 18-002 - February 12, 2018 (to be distributed)

**7. MOTIONS**

- 7.1 I Heart Beer and Bacon Festival - Special Occasion Permit Liquor Licence
- 7.2 Provincial Library Funding
- 7.3 Amendment to Item 10 of the Audit, Finance & Administration Committee Report 17-014

**8. NOTICES OF MOTIONS**

**9. STATEMENTS BY MEMBERS**

**10. PRIVATE AND CONFIDENTIAL**

- 10.1 Selection Committee Report 18-001 (distributed under separate cover)

Pursuant to Section 8.1, Sub-section (b) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (b) of the *Ontario Municipal Act, 2001*, as amended, as the subject matters pertain to personal matters about an identifiable individual, including City employees.

**11. BY-LAWS AND CONFIRMING BY-LAW**

- 11.1 022

To Establish City of Hamilton Land Described as Part of Block 20 on 62M-1020, designated as Part 9, 10, &11 on 62R-17213 as Part of Edgecroft Crescent

Ward: 9

- 11.2 023

To Permanently Close and Sell a Portion of Bellroyal Crescent being Block 117 on 62M-1172

Ward: 9



- 11.3 024  
To Amend Zoning By-law No. 05-200 Respecting Lands Located at 630 Rymal Road East and 1770 Upper Sherman Avenue, Hamilton  
ZAH-16-032  
Ward: 7
- 11.4 025  
To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking  
Schedule 6 (Time Limit Parking)  
Schedule 8 (No Parking Zones)  
Schedule 10 (Alternate Side Parking)  
Schedule 12 (Permit Parking Zones)  
Schedule 13 (No Stopping Zones)  
Schedule 14 (Wheelchair Loading Zones)  
Ward: 1, 2, 3, 4, 6, 7, 8, 10, 11, 15
- 11.5 026  
To Amend By-law No. 10-197, a By-law Respecting Signs within the City of Hamilton  
Ward: City Wide
- 11.6 027  
To Adopt Official Plan Amendment No. 91 to the Urban Hamilton Official Plan Respecting 154 and 166 Mount Albion Road (Hamilton)  
Ward: 5
- 11.7 028  
To Adopt Official Plan Amendment No. 91 to the Urban Hamilton Official Plan Respecting 154 and 166 Mount Albion Road (Hamilton)  
Ward: 5
- 11.8 029  
To Adopt Official Plan Amendment No. 92 to the Urban Hamilton Official Plan Respecting The Centennial Neighbourhoods Secondary Plan (Wards 5 and 9)  
Ward: 5, 9

11.9 030

To Amend Zoning By-law No. 6593 Respecting Lands Located at 347 Charlton Avenue West, Hamilton

ZAC-17-018

Ward: 1

11.10 031

To Adopt Official Plan Amendment No. 94 to the Urban Hamilton Official Plan Respecting Text and Schedule/Mapping Amendment to Implement Transit Oriented Corridor Zoning for Wards 1, 3, 4, 5 and 9

Ward: 1, 3, 4, 5, 9

11.11 032

To Amend Zoning By-law No. 05-200 to Extend New Transit Oriented Corridor Zones between Jefferson Avenue (Hamilton) and Irene Avenue (Stoney Creek), Create One New Transit Oriented Corridor Zone, and Amend Existing Transit Oriented Corridor Zones

Ward: 1, 2, 4, 5, 9

11.12 033

To Confirm the Proceedings of City Council

## 12. ADJOURNMENT



## **CITY COUNCIL MINUTES 18-001**

5:00 p.m.

Wednesday, January 24, 2018

Council Chamber

Hamilton City Hall

71 Main Street West

**Present:** Mayor F. Eisenberger, Deputy Mayor Aidan Johnson  
Councillors J. Farr, M. Green, S. Merulla, C. Collins, T. Jackson, D. Skelly,  
T. Whitehead, D. Conley, M. Pearson, B. Johnson, L. Ferguson, A.  
VanderBeek, R. Pasuta and J. Partridge.

Mayor Eisenberger called the meeting to order and recognized that Council is meeting on the traditional territories of the Mississauga and Haudenosaunee nations, and within the lands protected by the “Dish with One Spoon” Wampum Agreement.

The Mayor called upon Paul Neissen, a member of the Board of the Christian Salvage Mission and the Family Council for Regina Gardens to provide the invocation.

<b>CEREMONIAL ACTIVITY</b>
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### **3.1 40th Anniversary of the Hamilton Winterfest**

The Mayor recognized the following citizens and neighbourhood associations for their contributions to Winterfest festivities throughout the City:

Rosalind Brenneman, Jim Auty - Friends of Gage Park and Gage Park Winterfest

Gerry Polmanter, Mike Siden - North Central Community Association and North Central Winterfest

Karen Marcoux, Randy Chapple – Gourley Park Community Association, Gourley Park Winterfest

**APPROVAL OF THE AGENDA**

The Clerk advised of the following changes to the agenda:

**1. ADDED NOTICES OF MOTION (Item 8)**

- 8.1 2015 and 2016 Niagara Peninsula Conservation Authority Levy Apportionment (LS16020(a))
- 8.2 Attracting Diversity in the Selection Process
- 8.3 Community Grants for Ward 3
- 8.4 Dedicating the ArcelorMittal Dofasco Fine to Greening Initiatives in East Hamilton (Ward 4)

**2. ADDED BY-LAWS (Item 11)**

- 018 To Authorize the Temporary Borrowing of Monies to Meet Current Expenditures Pending Receipt of Current Revenues for 2018  
Ward: City Wide
- 019 To Authorize an Interim Tax Levy for 2018  
Ward: City Wide
- 020 To Authorize the Signing of an Agreement between the City of Hamilton and the Ministry of Transportation Related to Funding Provided Under the Dedicated Gas Tax Funds for Public Transportation Program  
Ward: City Wide

**(Pearson/VanderBeek)**

That the agenda for the January 24, 2018 meeting of Council be approved, as amended.

**CARRIED**

**DECLARATIONS OF INTEREST**

Mayor Eisenberger declared an interest in Items 5.4, 5.6 and 7.1 as his family are investors in a federally licensed medical marijuana company.

Councillors M. Green, M. Pearson and S. Merulla declared an interest in Item 4, Quality Index for Rental Units (PED18026) (City Wide), as they are owners of rental properties.

**APPROVAL OF MINUTES****4.1 December 8, 2017****(Conley/Collins)**

That the Minutes of the December 8, 2017 meeting of Council be approved, as presented.

**CARRIED**

**4.2 December 18, 2017****(Whitehead/Pasuta)**

That the Minutes of the December 18, 2017 meeting of Council be approved, as presented.

**CARRIED**

**COMMUNICATIONS****(A. Johnson/Farr)**

That Council Communications 5.1 through 5.26 be approved, ***as amended***, as follows:

- 5.1 Correspondence from the City of Port Colborne requesting support for the City of Port Colborne's Council resolution requesting a Provincially Appointed Supervisor of the Niagara Peninsula Conservation Authority.

Recommendation: Be ***endorsed***.

- 5.2 Correspondence from the City of Kingston requesting support of the City of Kingston's Council resolution endorsing AMO's position and requesting that the Minister review the criticisms of AMO and ALPHa.

Recommendation: Be received.

- 5.3 Correspondence from Dan Mathieson, Chair, MPAC Board of Directors respecting the Budget and Municipal Levy for 2018.

Recommendation: Be received.

- 5.4 Correspondence from the Honourable Charles Sousa, Minister of Finance respecting an update on the provincial work underway to establish a retail and distribution channel for legal cannabis.

**(Ferguson/Merulla)**

That the Mayor correspond with the Minister of Finance thanking him for understanding the cost impacts of legalized cannabis and reiterate that urgency in getting the legislation to municipalities to give the police the tools they need to shut down illegal distributors.

**CARRIED**

- 5.5 Correspondence from the City of Clarence-Rockland requesting support for the City of Clarence-Rockland's Council resolution opposing Bill 160, Strengthening Quality and Accountability for Patients Act, 2017.

Recommendation: Be received.

- 5.6 Correspondence from the Honourable Ralph Goodale, Minister of Public Safety and Emergency Preparedness in response to the Mayor's letter calling for the swift passage of federal government legislation to legalize and regulate cannabis.

Recommendation: Be received.

- 5.7 Correspondence from the Honourable Tracy MacCharles, Minister of Government and Consumer Services and the Honourable Bill Mauro, Minister of Municipal Affairs updating Council on Bill 59, Putting Consumers First Act.

Recommendation: Be received.

- 5.8 Correspondence announcing the passing of Bill 139 - the Building Better Communities and Conserving Watersheds Act, 2017.

Recommendation: Be received.

- 5.9 Correspondence from Matthew Torigian, Deputy Minister, Community Safety informing Council of the government of Ontario's expansion to the Ontario Naloxone Program to provide access to Police and Fire Services.

Recommendation: Be received **and referred to the Hamilton Police Service, Hamilton Fire Service, and Public Health Services, for their consideration.**

- 5.10 Correspondence from Peter Julian, MP, New Westminster-Burnaby in appreciation for Council's support for his Private Member's Bill C-313, calling for a National Strategy on Advertising to Children Act.

Recommendation: Be received.

- 5.11 Correspondence from the Honourable Peter Milczyn, Minister of Housing providing Council with information on key housing initiatives that were announced on November 28, 2017, to improve housing access.

Recommendation: Be received

- 5.12 Correspondence from the Town of Erin requesting support for the Town of Erin's Council resolution requesting that the Province of Ontario provide considerable funding to the Conservation Authorities on behalf of the small tier municipalities.

**(Green/Partridge)**

WHEREAS, the Deputy Mining and Lands Commissioner, Marianne Orr, rejected Hamilton's appeal against the Niagara Peninsula Conservation Authority doubling our levy from \$500,000 to 1.2 million,

WHEREAS, the Grand River Conservation Authority has raised Hamilton's levy by 427% from \$263,512 to \$1,389,640, and

WHEREAS, the Provincial contribution to said conservation authorities at or around 4%

THEREFORE BE IT RESOLVED:

That the Mayor request the Hon. Chris Ballard, Minister of Environment and Climate Change and the Hon. Kathryn McGarry, Minister of Natural Resources to provide a considerable funding increase to Conservation Authorities across the Province, with copies to Ted McMeekin MPP and the Association of Municipalities of Ontario.

**CARRIED**

- 5.13 Correspondence from the Town of Amherstburg requesting support of the Town of Mono's resolution regarding the on-call provisions in Bill 148.

Recommendation: Be received.

- 5.14 Correspondence from the Town of Amherstburg requesting support for the Township of Frontenac's resolution regarding the negative impact of Bill 148.

Recommendation: Be received.

- 5.15 Correspondence from the Region of Halton requesting support of the Region of Halton's resolution respecting MPAC Service Delivery Shortcomings.

Recommendation: Be **endorsed and referred to the Audit, Finance and Administration Committee.**

- 5.16 Correspondence from the City of St. Catharines requesting support of the City of St. Catharines' Council resolution requesting that the NPCA Board disclose the total amounts spent on the lawsuits.

Recommendation: Be **endorsed.**

- 5.17 Correspondence from the City of St. Catharines requesting support of the City of St. Catharines' Council resolution requesting that the Premier of Ontario to immediately appoint a Supervisor to take over the operation of the NPCA.

Recommendation: Be **endorsed.**

- 5.18 Correspondence from Werner Plessl, Executive Director, Hamilton Waterfront Trust respecting Bob Charter's resignation from the Board of the Hamilton Waterfront Trust effective immediately.

Recommendation: Be received and referred to the Selection Committee.

- 5.19 Correspondence respecting PED18013, 43 - 51 King Street East and 60 King William Street

(a) A petition containing 10 signatures (A copy of the petition is available for viewing in the Office of the City Clerk)

(b) Beasley Neighbourhood Association

Recommendation: Be received and referred to the consideration of Item 7 of the Planning Committee Report 18-001

5.20 Correspondence from Lakewood Beach Community Council respecting Presto Loading Locations - Shoppers Drug Mart.

Recommendation: Be received and referred to Item (g)(ii) of the Public Works Committee Report 18-001

5.21 Correspondence from Dicenzo & Associates respecting the Statutory Public Meeting for "Mountaingate" Development (Hotz & Sons)

Recommendation: Be received and referred to the consideration of Item 9 of the Planning Committee Report 18-001.

5.22 Correspondence from Rochelle Martin, Central Neighbourhood Association in support of the motion respecting green burial in Hamilton municipal cemeteries.

Recommendation: Be received and referred to the consideration of Item 7.2 a motion respecting the Feasibility of Green Burials as a Burial Option in Hamilton.

5.23 Correspondence from the Town of Amherstburg requesting support for the Windsor-Essex County Board of Health's resolution respecting the proposed changes to the Cannabis Act (Bill C-45)

Recommendation: Be received.

5.24 Correspondence from the Town of Amherstburg requesting support for the Essex County Federation of Agriculture concerns respecting the proposed tax changes.

Recommendation: Be received.

5.25 Correspondence from Ontario Good Roads Association requesting support for reforms to the Municipal Class Environmental Assessment(MCEA) process.

Recommendation: Be received.

5.26 Correspondence from the Honourable Kathryn McGarry, Minister of Natural Resources and Forestry in response to the Mayor's letter respecting the City of Hamilton's gypsy moth infestations.

Recommendation: Be received.

**CARRIED**

**(Pasuta/VanderBeek)**

That Council move into Committee of the Whole for consideration of the Committee Reports.

**CARRIED**



**SPECIAL GENERAL ISSUES COMMITTEE (LRT) REPORT 17-026****(Eisenberger/Partridge)**

That the TWENTY-SIXTH Report of the General Issues Committee (LRT), be adopted, as presented, and the information section received.

**CARRIED****SPECIAL GENERAL ISSUES COMMITTEE REPORT 17-027****(Eisenberger/Partridge)**

That the TWENTY-SEVENTH Report of the General Issues Committee, be received for information.

**CARRIED****PUBLIC WORKS COMMITTEE REPORT 18-001****Motion to Lift Information Item (g)(ii) of Public Works Committee Report 18-001 respecting the PRESTO Operating Agreement (PW17033(a)) (City Wide) (Item 7.2)****(Ferguson/B. Johnson)**

That Information Item (g)(ii) of Public Works Committee Report 18-001 respecting the PRESTO Operating Agreement (PW17033(a)), be lifted from the Information Section.

**CARRIED****(Ferguson/B. Johnson)**

That the Presto Operating Agreement (PW17033(a)), be added as Item 11 to the Public Works Committee Report 18-001, as follows:

**11. PRESTO Operating Agreement (PW17033(a)) (City Wide) (Item 7.2)**

- (a) That the City Manager or delegate be authorized on behalf of the City of Hamilton to execute a new ten (10) year agreement with Metrolinx for the provision of the PRESTO smart card system substantially on the terms outlined in this report and in a form acceptable to the City Solicitor; and

**(Merulla/Collins)**

WHEREAS, many HSR users prefer to use paper tickets and HSR passes when riding the bus for reasons such as ease of use and convenience in purchasing; and,

WHEREAS, some HSR riders, for socio-economic reasons, need to purchase tickets and HSR passes and not PRESTO passes which have a cost associated with them; and,

WHEREAS, maintaining the sale of paper tickets and HSR passes will not affect the PRESTO Operating Agreement,

THEREFORE BE IT RESOLVED:

- (b) That staff be directed to ensure that paper tickets and passes remain an option for HSR passengers indefinitely ~~regardless of Presto participation rates~~

*for a one-year pilot project with a report back to Public works and that the present subsidy program be used to mitigate costs of the program.*

**Amendment CARRIED**  
**Main Motion as Amended CARRIED**

**(Ferguson/B. Johnson)**

That the FIRST Report of the Public Works Committee be adopted, **as amended**, and the information section received.

**CARRIED**

<b>MOTIONS</b>
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**(Merulla/Collins)**

That Items 7.4, a motion respecting an Amendment to Item 13 of the Public Works Committee Report 10-009 be moved up the agenda for discussion.

**CARRIED**

**7.4 Amendment to Item 13 of the Public Works Committee Report 10-009**

**(Ferguson/B. Johnson)**

WHEREAS, the new Public Works Organizational Structure has necessitated a change to the authorization and execution of certain funding agreements with Metrolinx respecting Smart Commute Hamilton Services on behalf of the City of Hamilton.

THEREFORE BE IT RESOLVED:

That Item 13(a) of Public Works Committee Report 10-009, **be amended** by deleting the words Public Works and replacing them with the words **Planning and Economic Development** to read as follows:

**13. Smart Commute Hamilton Program Update and Funding (PW10062) (City Wide) (Outstanding Business List Item) (Item 8.2)**

- (a) That the General Manager of ~~Public Works~~ **Planning and Economic Development** be authorized and directed to execute, on behalf of the City of Hamilton, certain funding agreements with Metrolinx regarding Smart Commute Hamilton Services, and all necessary associated documents required to give effect to Smart Commute Hamilton programs, as described in Appendix "A" attached hereto, to the satisfaction of the City Solicitor;

**CARRIED**

**(Merulla/Collins)**

That Items 7.4, a motion respecting Recognition of January 29th as a Day of Remembrance and Action on Islamophobia be moved up the agenda for discussion.

**CARRIED**

**7.3 Recognition of January 29th as a Day of Remembrance and Action on Islamophobia**

**(Green/Conley)**

WHEREAS, on Sunday, January 29, 2017, a gunman at the Centre Culturel Islamique de Québec in Quebec City, shot and killed Ibrahima Barry, Azzedine Soufiane, Aboubaker Thabti, Abdelkrim Hassane, Mamadou Tanou Barry, and Khaled Belkacemil, and injured 19 others;

WHEREAS, Islamophobia negatively impacts community members' sense of safety and wellbeing, and belonging;

WHEREAS, on September 14, 2016, there was an attempted fire bomb at the Ibrahim Jame Mosque; also marring Hamilton with Islamophobia and hatred;

WHEREAS, communities in Hamilton, Toronto, and Quebec City are organizing commemorative vigils on January 29th to remember the tragedy that occurred at the Centre Culturel Islamique de Québec in Quebec City;

THEREFORE BE IT RESOLVED:

- (a) That January 29th be recognized as the Day of Remembrance and Action on Islamophobia;
- (b) That Hamilton City Council re-affirm their strong opposition to Islamophobia, like all other forms of racism, hate, xenophobia, and bigotry; and,
- (c) That the Mayor, on behalf of the City of Hamilton, correspond with the Right Honourable Justin Trudeau, Prime Minister of Canada; and, the Honourable Kathleen Wynne, Premier of Ontario, to request that the Government of Canada and the Province of Ontario designate January 29th as the Day of Remembrance and Action on Islamophobia.

**CARRIED**

The Main Motion CARRIED unanimously on the following Standing Recorded Vote

Yeas: Mayor F. Eisenberger, Deputy Mayor A. Johnson, J. Farr, M. Green, S. Merulla, C. Collins, T. Jackson, D. Skelly, T. Whitehead, D. Conley, M. Pearson, B. Johnson, L. Ferguson, A. VanderBeek, R. Pasuta and J. Partridge.  
 Total: 16

**BOARD OF HEALTH REPORT 18-001**

**(B. Johnson/Ferguson)**

That the FIRST Report of the Board of Health be adopted, as presented, and the information section received.

**CARRIED**

**PLANNING COMMITTEE REPORT 18-001**

- 15. **Appeal to the Ontario Municipal Board (OMB) on the City of Hamilton’s Refusal or Neglect to Adopt an Amendment to the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92, for Lands Located at 157 Upper Centennial Parkway (Stoney Creek) (Ward 9) (Added Item 12.1)**

**(Farr/Conley)**

That the recommendation of Item 15 of Planning Committee Report 18-001 respecting Appeal to the Ontario Municipal Board (OMB) on the City of Hamilton’s Refusal or Neglect to Adopt an Amendment to the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92, for Lands Located at 157 Upper Centennial Parkway (Stoney Creek) be deleted in its entirety and the following be inserted therein:

~~That the direction to staff respecting the Appeal to the Ontario Municipal Board (OMB) on the City of Hamilton’s Refusal or Neglect to Adopt an Amendment to the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92, for Lands Located at 157 Upper Centennial Parkway (Stoney Creek), be approved and remain private and confidential until approved by Council.~~

WHEREAS, in respect of the lands municipally known as 157 Upper Centennial Parkway (“Subject Lands”) an application has been made by 1520866 Ontario Limited (the “Applicant”) for an Urban Hamilton Official Plan Amendment (UHOPA-16-020) to redesignate part of the Subject Lands from “Arterial Commercial” to “Neighbourhoods” on Schedule “E-1” – Urban Land Use Designations, Volume 1 of and to redesignate the lands from “Arterial Commercial” to “Low Density Residential 3c” in the West Mountain (Heritage Green) Secondary Plan on Map B.7.6-1 – West Mountain/Heritage Green – Land Use Plan, Volume 2 of the UHOP;

WHEREAS, the effect of this application is to permit a range of townhouse dwelling forms on the Subject Lands;

WHEREAS, an application (ZAC-16-056) has been made by the Applicant for a zoning by-law amendment (“ZBA”) for the Subject Lands for a change in zoning from the Neighbourhood Development “ND” Zone to a modified Multiple Residential “RM3”

Zone in order to permit the development of block and back-to-back townhouse dwellings for a total of 95 units;

WHEREAS, the Applicant has appealed its UHOPA and ZBA applications to the OMB as a result of Council refusing or neglecting to make a decision in respect of the applications within the time periods provided for in the *Planning Act*;

WHEREAS, in regards to the appeals Planning staff provided Information Report PED17213 to Planning Committee at its December 5, 2017 meeting;

WHEREAS, staff have identified concerns with the application including but not limited to:

- (a) re-designation of a portion of the subject lands from “Arterial Commercial” to “Residential” an ensuring sufficient commercial lands remain intact for this area;
- (b) the density of the development;
- (c) lack of amenity space in the proposed development;
- (d) inappropriate interface of proposed development with adjacent residential and commercial development;
- (e) lack of demonstration by the applicant of an appropriate grading interface with Upper Centennial Parkway right of way and adjacent development and properties;
- (f) lack of demonstration by the applicant of appropriate integration with surrounding development;
- (g) engineering issues with respect to the Subject Lands including but not limited to:
  - the availability of municipal water;
  - the quantity and quality of water runoff;
  - lack of storm-water management facilities;
  - connection to services from 165 Upper Centennial Parkway, and
  - establishment of servicing easements on the subject lands in favour of
  - properties directly south; and
  - insufficient sanitary sewer capacity;
- (h) driveway access from Upper Centennial Parkway for the proposed 95 units cannot be supported at this time. Alternative access from private lands to the west or south must be obtained in order for the site to function; and
- (i) the need to secure cost recovery for services provided by neighbouring development that would benefit development on the subject lands; and

WHEREAS, the City does not employ a traffic engineer and traffic engineering evidence will be required at the hearing if the City opposes the appeals;

THEREFORE BE IT RESOLVED:

- (a) That Legal staff be instructed to oppose the appeals by 1520866 Ontario Limited to the Ontario Municipal Board of its Urban Hamilton Official Plan Amendment application (UHOPA-16-020) and its zoning by-law amendment application (ZAC-16-056) for reasons which include but are not limited to the following:
- (i) redesignation of a portion of the subject lands from “Arterial Commercial” to “Residential” does not ensure sufficient commercial lands remain designated for this area;
  - (ii) the proposed development is too dense;
  - (iii) lack of amenity space in the proposed development;
  - (iv) inappropriate interface of proposed development with adjacent residential and commercial development;
  - (v) lack of demonstration by the applicant of an appropriate grading interface with Upper Centennial Parkway right of way (including drainage swale) and adjacent development and properties;
  - (vi) lack of demonstration by the applicant of appropriate integration with surrounding development;
  - (vii) approval of the applications is premature until the following engineering issues are resolved: the availability of municipal water; lack of sanitary sewer capacity; the quantity and quality of water runoff, lack of storm water management facilities, connection to services from 165 Upper Centennial Parkway and the establishment of servicing easements on the subject lands in favour of properties directly to the south;
  - (viii) driveway access from Upper Centennial Parkway for the proposed 95 units cannot be supported at this time. Alternative access from private lands to the west or south must be obtained in order for the site to function; and
  - (ix) the need to secure cost recovery for services provided by neighbouring development that would benefit development on the subject lands.
- (b) That Legal staff be authorized to retain such outside professional(s) as they deem necessary, including but not limited to a traffic engineer to oppose 1520866 Ontario Limited’s appeals and charge the costs to the Tax Stabilization Reserve 110046.

**CARRIED**

**(Farr/Conley)**

That the FIRST Report of the Planning Committee be adopted, *as amended*, and the information section received.

**CARRIED**

**GENERAL ISSUES COMMITTEE REPORT 18-002**

**15. Tax Assistance Programs for Seniors and Low Income Persons with Disabilities (FCS18005) (City Wide) (Item 8.8)**

The motion respecting Item 15, Tax Assistance Programs for Seniors and Low Income Persons with Disabilities (FCS18005) was CARRIED unanimously on the following Standing Recorded Vote:

- Yeas: Mayor F. Eisenberger, Deputy Mayor A. Johnson, J. Farr, M. Green, S. Merulla, C. Collins, T. Jackson, D. Skelly, T. Whitehead, D. Conley, M. Pearson, B. Johnson, L. Ferguson, A. VanderBeek, R. Pasuta and J. Partridge.
- Total: 16

**22. Five Minute Speaking Limit for Members of Council at Committee and Council Meetings (Item 10.1)**

**(Merulla/Partridge)**

That the question on the Motion respecting Five Minute Speaking Limit for Members of Council at Committee and Council Meetings, be called.

**CARRIED**

The motion respecting Item 22, Five Minute Speaking Limit for Members of Council at Committee and Council Meetings was CARRIED on the following Standing Recorded Vote:

- Yeas: Mayor F. Eisenberger, Deputy Mayor A. Johnson, J. Farr, M. Green, D. Skelly, B. Johnson, L. Ferguson, A. VanderBeek, R. Pasuta
- Total: 9
- Nays: S. Merulla, C. Collins, T. Jackson, T. Whitehead, D. Conley, M. Pearson and J. Partridge
- Total: 7
- Absent: 0

**(Pearson/Pasuta)**

That consideration of General Issues Committee Report 18-002, be deferred until after the Closed Session portion of the meeting.

**CARRIED**

**HAMILTON STREET RAILWAY COMPANY SHAREHOLDER REPORT 18-001**

**(Eisenberger/Pasuta)**

That the FIRST Report of the Hamilton Street Railway Company Shareholder be adopted, as presented, and the information section received.

**CARRIED**

**HAMILTON UTILITIES CORPORATION SHAREHOLDER REPORT 18-001****(Eisenberger/VanderBeek)**

That the FIRST Report of the Hamilton Utilities Corporation Shareholder be adopted, as presented, and the information section received.

**CARRIED****AUDIT FINANCE AND ADMINISTRATION REPORT 18-001****(VanderBeek/B. Johnson)**

That the FIRST Report of the Audit, Finance and Administration Committee be adopted, as presented, and the information section received.

**CARRIED****EMERGENCY AND COMMUNITY SERVICES REPORT 18-001****(Merulla/Collins)**

That the FIRST Report of the Emergency and Community Services Committee be adopted, as presented, and the information section received.

**CARRIED****MOTIONS (Continued)****7.1 Recovery of City of Hamilton Costs for Implementation of Cannabis Legalization****(Merulla/Collins)**

WHEREAS the federal government of Canada introduced on April 13, 2017 legislation to legalize and regulate cannabis;

WHEREAS the provincial government of Ontario announced on September 8, 2017 its framework for cannabis legalization;

WHEREAS local municipalities have been delegated a central role in the administration and enforcement of the federal government's efforts to fulfill its commitment to legalize and regulate cannabis across Canada;

WHEREAS Bills C-45, C-46 and Bill 174 signal that municipalities will be responsible for amending, administering and enforcing zoning by-laws and other planning instruments, along with rules around smoking restrictions, public nuisance, and safety concerns, including enforcement of illegal activity, minimum age of purchase, possession limits, public consumption, retail location rules, home cultivation and public health including public education and prevention; and

WHEREAS implementing the cannabis regime will require process or capacity changes, creating and adjusting by-laws, planning/building and community standards and licensing, fire and police/enforcement services, finance, human resources and customer service that correspond to federal and provincial regulations.

THEREFORE BE IT RESOLVED:



- (a) That the Mayor request that the Government of Canada and the Province of Ontario commit to fully recover municipal costs of implementing and enforcing the new framework for legalized cannabis and ensure that the City of Hamilton is adequately funded on a full cost recovery basis for the City's role in implementation and enforcement arising from the legalization of cannabis;
- (b) That City staff convene an inter-divisional working group led by Finance and including Planning and Economic Development, Legal Services, Hamilton Police Services, Public Health, Hamilton Fire Services, Licensing & By-law Services to identify municipal costs relating to the legalization of cannabis and funding needed by the City for its role within the legalized system; and
- (c) That the Director of Financial Planning, Administration and Policy in consultation with the inter-divisional working group report back to the General Issues Committee on the full costs to the City of the new cannabis regime and that this information be shared with the federal and provincial governments.

**CARRIED**

## **7.2 Feasibility of Green Burials as a Burial Option in Hamilton**

### **(Farr/Collins)**

WHEREAS, Green Burials may be becoming more popular as a burial option throughout some North American communities;

WHEREAS, Green Burials are environmentally friendly;

WHEREAS, to this point, the City of Hamilton has not formally engaged residents on a Green Burial option; and

WHEREAS, the City of Hamilton may have both the resources and potential land (cemeteries and otherwise) to contemplate such an option.

THEREFORE BE IT RESOLVED:

- (a) That the appropriate staff from Public Works be requested to investigate both the community interest and the feasibility of Green Burials as a burial option in Hamilton; and
- (b) That staff report back to the Public Works Committee.

**CARRIED**

## **7.5 Maintaining the Sale of Hamilton Street Railway (HSR) Bus Tickets and Passes**

For disposition of this matter, refer to Item 11 of the Public Works Report 18-001

**7.6 Making Good Use of a Great Amazon Bid Package****(Farr/Pearson)**

WHEREAS, Amazon has announced its shortlist of cities that are eligible in their new H2 contest;

WHEREAS, the City of Hamilton is not on that list;

WHEREAS, the City of Hamilton shared in a 50/50 cost split of up to 500K in our bid to attract Amazon; and

WHEREAS, it was always contemplated that in the event Hamilton lost the bid, the bid proposal to attract Amazon would be beneficial in attracting future jobs and business, particularly in the tech field.

THEREFORE BE IT RESOLVED:

That the appropriate staff from Economic Development be directed to report annually to Council on any new jobs and business that were attracted to Hamilton as a result of our staff's efforts and where that effort included, but not limited to, utilizing some or all of the materials the City submitted in the unsuccessful Amazon bid.

**CARRIED****7.7 2015 and 2016 Niagara Peninsula Conservation Authority Levy Apportionment (LS16020(a))****(Eisenberger/Whitehead)**

- (a) That the City apply to the Ontario Divisional Court for the judicial review of the decision of the Mining and Lands Commissioner, dated December 21, 2017;
- (b) That the City Solicitor be authorized and directed to take all necessary steps in accordance with Report LS16020(a); and,
- (c) That Report LS16020(a), respecting the 2015 and 2016 Niagara Peninsula Conservation Authority Levy Apportionment, remain confidential.

**CARRIED****7.8 Attracting Diversity in the Selection Process****(Whitehead/Green)**

- (a) That the staff be directed to review the selection process with respect to attracting a more diverse group of applicants, and any costs associated, and report to the ~~Governance Review Sub-Committee~~ **General Issues Committee**;
- (b) ***That the provincial and federal governments be requested to reflect on increasing diversity in their Appointments to our Agencies, Boards and Commissions.***

**Main Motion As Amended CARRIED**

**7.9 Community Grants for Ward 3****(Green/Farr)**

WHEREAS, cell tower revenues from Ward 3 of \$50,372.59 are available in project 3301609603 to provide financial support to community led projects and initiatives that benefit Ward 3;

THEREFORE BE IT RESOLVED:

- (a) That the funding for the following programs and initiatives, to be financed from the Cell Tower Revenues Project 3301609603, be approved:
- (i) That a Prince of Wales School is granted funds in the amount of \$1,000 to support the Just One Wish Kindness Awards to help promote kindness amongst children in our community.
  - (ii) That the Micah House Refugee Reception Services Inc is granted funds in the amount of \$1,000 to support needed windows in the basement to help improve security, and better serve the community.
  - (iii) That Club 30, the seniors tenant group at 30 Sanford Ave S. is granted funds in the amount of \$1,000 to help support community programming for seniors in the building.
  - (iv) That the Hamilton Black History Committee be granted funds in the amount of \$1,500.00 for the John C. Holland Awards to help celebrate Hamilton's Black Community.
  - (v) That Open Doors Job Fair is granted funds in the amount of \$1,000 to help support the Trans Job Fair to provide Hamilton's first Transgendered focused jobs fair to enable employment amongst the trans community.
  - (vi) That the Eva Rothwell Centre is granted funds in the amount of \$1,500 to help support the Learning and Discovery Camps that will provide children with the opportunity to participate and experience a safe and educational camp.
  - (vii) That L'Arche is granted funds in the amount of ~~\$1,500~~ **\$2,500** to help further foster a supportive community for residents with intellectual disabilities with upgrades to their facility for accessibility.
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

**Main Motion As Amended CARRIED**

**7.10 Dedicating the ArcelorMittal Dofasco Fine to Greening Initiatives in East Hamilton (Ward 4)**

**(Merulla/Collins)**

WHEREAS, an air emission incident from a blast furnace occurred at ArcelorMittal Dofasco on February 5, 2015;

WHEREAS, ArcelorMittal Dofasco was fined \$162,500 under the Province of Ontario's *Environmental Protection Act*,

WHEREAS, revenue from this fine is paid to the City of Hamilton from the Ministry of the Environment and Climate Change and goes to the City's general revenue accounts; and,

WHEREAS, the East Hamilton community is in need of, and can benefit from, projects to enhance the local environment.

THEREFORE BE IT RESOLVED:

That the funds received by the City of Hamilton resulting from the February 9, 2015 environmental law convictions be deposited to the Tax Stabilization Reserve (110046) and committed to future enhancement of green initiatives in East Hamilton.

**CARRIED**

**7.11 Conservation Authority Boundary Review**

**(Green/Farr)**

WHEREAS, Deputy Mining and Lands Commissioner Marianne Orr rejected Hamilton's appeal against the Niagara Peninsula Conservation Authority that the authority was charging too much under the new presented formula;

WHEREAS, it means the city has had to pay double the levy that City of Hamilton paid in 2014 and previous years.;

WHEREAS, the Grand River Authority has brought forward a tax levy with a \$1,000,000 increase on the City of Hamilton's levy portion which is a 427% annual increase;

WHEREAS, there are provisions provided in Part III of the *Conservation Authorities Act* (R.S.O. 1990, Chapter C.27), which outlines:

**ENLARGING AREAS OF JURISDICTION, AMALGAMATIONS AND DISSOLUTIONS**

Enlargement of authority's area

10 (1) If an authority has been established, the council of a municipality that is completely or partly outside the jurisdiction of the authority may call a meeting to consider the enlargement of the area over which the authority has jurisdiction to include an area specified by the municipality. 1998, c. 18, Sched.I, s. 3 (1).

WHEREAS, Under the Apportionment Act the perceived benefit to the taxpayers of the City of Hamilton is a legal consideration; and

WHEREAS, given the astronomical levy increase placed on our municipal tax levy by neighbouring Authorities the perceived benefit is no longer commensurate to the perceived value of our residents supporting neighbouring municipalities.

THEREFORE BE IT RESOLVED:

- (a) That Mayor formally request on behalf of the City of Hamilton that the Hamilton Conservation Authority take the formal steps necessary to request an enlargement of Hamilton's jurisdiction to include the overlapping geographic areas with the neighbouring Conservation Authorities; and
- (b) That correspondence be sent to the Premier Kathleen Wynne and to the Minister of Natural Resources the Hon. Kathryn McGarry outlining the disproportionate burden the current formulas used by the Lands and Mines commissioner to determine levy's under the Act.

**CARRIED**

<b>NOTICES OF MOTION</b>
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**8.1 2015 and 2016 Niagara Peninsula Conservation Authority Levy Apportionment (LS16020(a))**

Mayor Eisenberger relinquished the Chair to introduce a Notice of Motion respecting a 2015 and 2016 Niagara Peninsula Conservation Authority Levy Apportionment.

**(Eisenberger/Whitehead)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting 2015 and 2016 Niagara Peninsula Conservation Authority Levy Apportionment.

**CARRIED**

For disposition of this matter, please refer to Item 7.7.

Mayor Eisenberger assumed the Chair.

**8.2 Attracting Diversity in the Selection Process**

Councillor Whitehead introduced a Notice of Motion respecting Attracting Diversity in the Selection Process.

**(Whitehead/Green)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting Attracting Diversity in the Selection Process.

**CARRIED**

For disposition of this matter, please refer to Item 7.8.

**8.3 Community Grants for Ward 3**

Councillor Green introduced a Notice of Motion respecting Community Grants for Ward 3.

**(Green/Farr)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting Community Grants for Ward 3.

**CARRIED**

For disposition of this matter, please refer to Item 7.9.

**8.4 Dedicating the ArcelorMittal Dofasco Fine to Greening Initiatives in East Hamilton (Ward 4)**

Councillor Merulla introduced a Notice of Motion respecting Dedicating the ArcelorMittal Dofasco Fine to Greening Initiatives in East Hamilton.

**(Merulla/Collins)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting Dedicating the ArcelorMittal Dofasco Fine to Greening Initiatives in East Hamilton.

**CARRIED**

For disposition of this matter, please refer to Item 7.10.

**8.5 Conservation Authority Boundary Review**

Councillor Green introduced a Notice of Motion respecting a Conservation Authority Boundary Review.

**(Green/Farr)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting a Conservation Authority Boundary Review.

**CARRIED**

For disposition of this matter, please refer to Item 7.11.

**STATEMENT BY MEMBERS**

Members of Council used this opportunity to discuss matters of general interest.

**PRIVATE AND CONFIDENTIAL**

**(Farr/Pearson)**

That Council move into Closed Session Pursuant to Section 8.1, Sub-sections (c), (d) and (e) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (c), (d) and (e) of the Ontario Municipal Act, 2001, as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land for City purposes; labour relations or employee negotiations; and, litigation or potential litigation, including matters before administrative tribunals, affecting the City.

**CARRIED**

**(Farr/Pearson)**

That Council reconvene in Open Session.

**CARRIED**

**GENERAL ISSUES COMMITTEE REPORT 18-002 (Continued)****23. Hamilton Waterfront Trust - Staff Response to Council's October 25, 2017 Direction (CM18002) (City Wide) (Item 12.4)****(Eisenberger/Farr)**

That the recommendations in CM18002, respecting Hamilton Waterfront Trust - Staff Response to Council's October 25, 2017 Direction, be deleted in their entirety, and replaced by the following:

- (a) That staff be authorized and directed to negotiate a Lease Termination and Surrender Agreement with the Hamilton Waterfront Trust (HWT) of the existing head lease to unencumber the Pier 8 Development Blocks affected by the head lease, and to compensate the Hamilton Waterfront Trust (HWT) in accordance with the fair market leasehold interest value as established through an independent appraiser;
- (b) That staff be authorized and directed to enter into a Lease Termination and Surrender Agreement with the Hamilton Waterfront Trust (HWT) on its long-term head lease with the City, as had been assigned from Her Majesty the Queen in the Right of Canada, effective the 27<sup>th</sup> day of July, 2015, substantially on or more favourable to the City than the terms and conditions outlined in Appendix "E" to Report CM18002, and such other terms and conditions deemed appropriate by the City Manager;
- (c) That staff be authorized and directed to negotiate and enter into a Lease Extension and Amending Agreement with Hamilton Waterfront Trust, relative to the existing November 1, 2005 Lease ("Lease") with the City of Hamilton for leased premises located at 47 Discovery Drive, for a term period not to exceed 15 years, with one further five year option to renew, on terms and conditions to be negotiated, including a termination provision favourable to the City for the purposes of potential redevelopment that will require the surrender and vacant possession of the leased premises, more favourable to the City of Hamilton than the terms and conditions of the existing Lease, and such other terms and conditions deemed appropriate by the City Manager;
- (d) That the net present value of the Lease Termination and Surrender Agreement in the amount of \$3,067,570 (refer to Table 1 on Page 5 of Report CM18002) as established by an independent appraiser be payable to the Hamilton Waterfront Trust in annual payments of approximately \$230,000 (based on the City's current 15-year debenture rate) for a period of 15 years and/or until such time as the 57 Discovery Drive property is sold, with the proceeds of disposition to be used to fund the outstanding balance of the leasehold buyback;
- (e) That the accrued maintenance, utilities, property taxes (City assumes responsibility on January 1, 2018) and leasehold buyback amount of \$3,067,570 for 57 Discovery Drive be funded from the proceeds of sale for 57 Discovery Drive. Any leftover funds are to be deposited to the City Unallocated Capital Reserve;

- (f) That the City of Hamilton not bring current Hamilton Waterfront Trust (HWT) operations in-house;
- (g) That the City Solicitor be authorized and directed to complete the transactions on behalf of the City, including paying any necessary expenses, and amend and waive terms and conditions on such terms as she considers reasonable;
- (h) That real estate and legal fees of \$5,100 for the two transactions, to be completed in accordance with recommendations (b) and (c), be paid from Account Number 4411606002 and credited to Account Number 45408-3560150200;
- (i) That the Mayor and Clerk be authorized and directed to execute all necessary documents to implement the Recommendation herein (Report CM18002) in a form satisfactory to the City Solicitor;
- (j) That Report CM18002 save and except the recommendations respecting Hamilton Waterfront Trust (HWT) Leasehold Interests on West Harbour Lands, remain confidential and not released as a public document until vetted by Real Estate; Legal Services and Human Resources.

**CARRIED**

Councillors Skelly and Pasuta wished to be recorded as OPPOSED to sub-sections (d) and (f) of the above motion.

## **26. Maximizing the Value and Optimizing the Timing of the Pier 8 Development**

### **(Collins/Farr)**

That the following amendment respecting Item 23, Hamilton Waterfront Trust - Staff Response to Council's October 25, 2017 Direction (CM18002) (City Wide) be added as Item 26 of the General Issues Committee Report 18-002, for consideration:

WHEREAS, the City's long-term prosperity and sustainability will rely on a central core and waterfront that are attractive, diverse, vibrant and healthy;

WHEREAS, the West Harbour Secondary Plan is the culmination of a planning process that began in the summer of 2002 and required careful consideration and a balancing of the ecological, social and economic aspects that comprise the West Harbour environment;

WHEREAS, the City and a team of consultants engaged key stakeholders and the broader community in a series of consultation events aimed at identifying common principles, opportunities and constraints, and a preferred land use strategy for the area, which together became the basis for this Secondary Plan;

WHEREAS, the success of relatively recent public improvements on the West Harbour waterfront lands — i.e. Bayfront Park, Pier 4 Park and the Waterfront Trail systems and Marina —demonstrate the overwhelming human desire to be at the water's edge;

WHEREAS, Setting Sail follows in the footsteps of Putting People First: the New Land Use Plan for Downtown Hamilton and the City's Vision 2020 Plan;.



WHEREAS, Setting Sail focuses on commercial and mixed-use corridors within the area, where strategic redevelopment and streetscape improvements would strengthen the economic vitality of the corridors, provide additional amenities to adjacent neighbourhoods and generally beautify the area;

WHEREAS, Piers 7 and 8 are city owned lands that have been identified for redevelopment in an effort to transform the lands into a vibrant urban waterfront neighbourhood to be enjoyed by all residents of the City and the vitality of Hamilton's urban waterfront will be supported by a mix of residential, commercial, community and cultural uses.

WHEREAS, the current Hamilton Waterfront Trust legal leasehold interests are an impediment and an encumbrance on the City's development plans for some of the proposed development blocks on Pier 8 (as outlined in Appendix "C" of report CM18002);

WHEREAS, during the October 25, 2017, General Issues Committee, Committee directed staff "to meet with Hamilton Waterfront Trust representatives to develop options of mutual interest and report back to the General Issues Committee by December 6, 2017";

WHEREAS, Council approved recommendation (a) of Report CM18002, which authorized and directed staff "to negotiate a Lease Termination and Surrender Agreement with the Hamilton Waterfront Trust (HWT) of the existing 45 year head lease to unencumber the Pier 8 Development Blocks affected by the head lease, and to compensate the Hamilton Waterfront Trust (HWT), in accordance with the fair market leasehold interest value as established through an independent appraiser"; and,

WHEREAS, the City of Hamilton has announced the five development teams that will compete for the right to develop the Pier 8 lands through an RFP process that is scheduled to closes on Monday, March 5, 2018.

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to investigate the feasibility of incorporating the City owned lands that will become unencumbered as a result of the Lease Termination and Surrender Agreement into the lands being offered for development in the Pier 8 Request for Proposals;
- (b) That staff be directed to report back to the General Issues Committee with a recommendation that best maximizes the disposition value of the Leased Lands, does not adversely affect the value the City can expect to receive from the Pier 8 Request for Proposals, and best ties into the vision of Setting Sail and the successful developer;
- (c) That the staff administering the Pier 8 Request for Proposals (RFP) on behalf of the City be authorized to communicate these developments to the short listed Pier 8 RFP developers to facilitate these objectives; and

- (d) That staff be directed to provide the following as it relates to the Hamilton Waterfront Trust and report back to the General Issues Committee as soon as possible:
  - (i) Work with the Waterfront Trust staff and board to review and provide clarification with respect to the Hamilton Waterfront Trust Mandate; and
  - (ii) Work with Waterfront Trust staff and Board to review and renew the governance model for the Hamilton Waterfront Trust.

**CARRIED**

**(A. Johnson/Farr)**

That the SECOND Report of the General Issues Committee be adopted, *as amended*, and the information section received.

**CARRIED**

**(Pasuta/VanderBeek)**

That Council move into Committee of the Whole for consideration of the Committee Reports.

**CARRIED**

**BY-LAWS**

**(A. Johnson/Farr)**

That Bills No. 18-001 to No. 18-021 be passed and that the Corporate Seal be affixed thereto, and that the By-laws be signed by the Mayor and the City Clerk to read as follows:

**By-law No.**

<a href="#"><u>18-001</u></a>	To Permanently Close and Sell a Portion of Kinsman Drive being Parts 1 to 6, inclusive, on Plan 62R-19974, City of Hamilton Ward: 11
<a href="#"><u>18-002</u></a>	To Permanently Close and Sell Moonlight Court, Hamilton, Ontario, established by Registered Plan 62M-1172, in the City of Hamilton, designated as Part 6 on Plan 62R-20674; and Part of Lot 26, Concession 7, in the Geographic Township of Saltfleet, in the City of Hamilton, designated as Part 4 on Plan 62R-20674 Ward: 9
<a href="#"><u>18-003</u></a>	To Permanently Close and Sell Bowridge Court, Hamilton, Ontario, established by Registered Plan 62M-1208, in the City of Hamilton, designated as Part 1 on Plan 62R-20679 Ward: 9
<a href="#"><u>18-004</u></a>	To Amend By-law No. 06-147, Being a By-law to Authorize the City to Enter into Extension Agreements Ward: City Wide
<a href="#"><u>18-005</u></a>	To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 446, 460 and 470 Dundas Street East (Flamborough) ZAH-18-001 Ward: 15
<a href="#"><u>18-006</u></a>	To Authorize the Execution of the Clean Water and Wastewater Fund (Ontario) Transfer Payment Agreement between the City of Hamilton and Her Majesty the Queen in right of Ontario as represented by the Minister of Infrastructure for

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the Province of Ontario to Receive Funding Under the Clean Water and Wastewater Fund  
Ward: City Wide

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[18-007](#) To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking  
Schedule 6 (Time Limit Parking)  
Schedule 8 (No Parking Zones)  
Schedule 10 (Alternate Side Parking)  
Schedule 12 (Permit Parking Zones)  
Schedule 13 (No Stopping Zones)  
Schedule 14 (Wheelchair Loading Zones)  
Ward: 1, 2, 3, 4, 6, 7, 8, 10, 11, 12, 13, 15

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[18-008](#) To Amend By-law No. 12-031 for Responsible Animal Ownership in the City of Hamilton  
Ward: City Wide

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[18-009](#) To Amend By-law No. 17-225, Being a By-law to Establish a System of Administrative Penalties  
Ward: City Wide

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[18-010](#) A By-law to Deem a Part of a Subdivision Not to be Registered, Lots 8 to 11, Inclusive, of Registered Plan No. 62M-630  
Ward: 12

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[18-011](#) To Amend Zoning By-law No. 05-200, Respecting Lands Located at 43-51 King Street East and 60 King William Street, Hamilton  
ZAR-17-047  
Ward: 2  
**Not Final and Binding**

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[18-012](#) To Adopt Official Plan Amendment No. 90 to the Urban Hamilton Official Plan, respecting 9255 Airport Road West (Glanbrook)  
Ward: 11  
**Not Final and Binding**

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[18-013](#) To Adopt Official Plan Amendment No. 15 to the Rural Hamilton Official Plan, respecting 9255 Airport Road West (Glanbrook)  
Ward: 11  
**Not Final and Binding**

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[18-014](#) To Amend Zoning By-law No. 464 (Glanbrook), Respecting Lands located at 9255 Airport Road West (Glanbrook)  
ZAC-07-111/UHOPA-15-03/25T-200723  
Ward: 11  
**Not Final and Binding**

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[18-015](#) To Amend Zoning By-law No. 05-200, Respecting Lands Located at 9255 Airport Road West, Glanbrook  
ZAC-07-111  
Ward: 11  
**Not Final and Binding**

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[18-016](#) A By-law to amend Zoning By-law No. 05-200 to Permit the Development of Commercial Uses on Lands Located at 9255 Airport Road West (Glanbrook)

ZAR-07-011

Ward: 11

**Not Final and Binding**

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- 18-017** Respecting Removal of Part Lot Control, Block 20, Registered Plan of Subdivision No. 62M-1212, "Legacy", for lands municipally known as 43 and 47 Legacy Lane  
PLC-17-031  
Ward: 12
- 
- 18-018** To Authorize the Temporary Borrowing of Monies to Meet Current Expenditures Pending Receipt of Current Revenues for 2018  
Ward: City Wide
- 
- 18-019** To Authorize an Interim Tax Levy for 2018  
Ward: City Wide
- 
- 18-020** To Authorize the Signing of an Agreement between the City of Hamilton and the Ministry of Transportation Related to Funding Provided Under the Dedicated Gas Tax Funds for Public Transportation Program  
Ward: City Wide
- 
- 18-021** To Confirm the Proceedings of City Council
- 

**CARRIED**

**(Pearson/Conley)**

That, there being no further business, City Council be adjourned at 11:05 p.m.

**CARRIED**

Respectfully submitted,

Mayor F. Eisenberger

Rose Caterini  
City Clerk

Ministry of  
Transportation

Ministère des  
Transports

Office of the Minister

Bureau du ministre

Ferguson Block, 3<sup>rd</sup> Floor  
77 Wellesley St. West  
Toronto ON M7A 1Z8  
416-327-9200  
[www.ontario.ca/transportation](http://www.ontario.ca/transportation)

Édifce Ferguson, 3<sup>e</sup> étage  
77, rue Wellesley Ouest  
Toronto (Ontario) M7A 1Z8  
416-327-9200  
[www.ontario.ca/transports](http://www.ontario.ca/transports)



JAN 23 2018

JAN 16 2018

M2017-4275

His Worship Fred Eisenberger  
City of Hamilton  
71 Main Street West, 2<sup>nd</sup> Floor  
Hamilton ON L8P 4Y5

Dear Mayor Eisenberger:

Thank you for your letter regarding the proposed new Highway 5 and 6 Interchange and the expansion of Highway 403 to three lanes between Lincoln Alexander Parkway and Main Street. I welcome the opportunity to respond.

The proposed new Highway 5 and 6 interchange is identified in the ministry's 2017-2021 Southern Highways Program under "Planning for the Future." This section highlights projects planned for 2022 and beyond. The project is currently in the detail design phase, and construction funding and timing has yet to be determined. Timing to initiate construction will be dependent on the future review and prioritization of important infrastructure needs across the province. Infrastructure needs are reviewed annually on a rolling basis with new projects being added to the Southern Highways Program each year.

Highway 403 is an important transportation corridor and the ministry recognizes the need to keep traffic moving safely and efficiently. In 2007, the Ministry of Transportation initiated the Niagara to Greater Toronto Area Corridor Planning and Environmental Assessment Study (NGTA Study) to examine opportunities for transportation improvements and assess transportation planning alternatives and recommendations for future infrastructure needs in the Niagara to GTA corridor, including Hamilton. The NGTA Study looked at several alternatives to increase the capacity of the transportation system in this corridor, utilizing transit and highway infrastructure options to provide for the efficient movement of people and goods in Niagara, Hamilton and Halton.

Phase 1 of the NGTA Study is complete. Recommendations include highway improvements and the widening of Highway 403 in Hamilton, with one additional lane per direction from King Street/Main Street to Jerseyville Road. Also, to alleviate traffic congestion, it is recommended that the QEW be widened by one additional lane per direction from the Red Hill Valley Parkway interchange to Highway 406.

These recommendations are subject to environmental assessments and approvals before implementation. Timing to initiate this next phase will be dependent on further review and prioritization of expansion needs across the province.

Currently, the expansion of Highway 403 from the Brant/Hamilton boundary to the Highway 403/QEW interchange in Hamilton is also identified in the 2017-2021 Southern Highways Program's, "Planning for the Future" action. The start of construction for this project will depend on its prioritization in relation to other needs across the province and funding availability.

In addition, the ministry is moving forward with two Class Environmental Assessment and Preliminary Design Studies, which will look at the need for improvements at Highway 403/QEW and Highway 6/Highway 403 interchanges and ensure that the current infrastructure renewal projects reflect future expansion needs. These studies will also look at highway operations along Highway 403. City of Hamilton staff will be invited to participate in these two studies.

Should you require further information, please contact Rita Venneri, Area Manager, Planning and Design at 416-235-5006 or e-mail [Rita.Venneri@ontario.ca](mailto:Rita.Venneri@ontario.ca).

Thank you again for writing.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steven Del Duca', written in a cursive style.

Steven Del Duca  
Minister



West Nipissing Ouest

January 23, 2018

Honourable Premier Kathleen Wynne  
 Legislative Building  
 Queen's Park  
 Toronto, Ontario M7A 1A1

SENT VIA E-MAIL

Dear Honourable Premier:

**SUBJECT: AMENDMENT TO ONTARIO REGULATION NO. 366/09**

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At its regular meeting held on January 16, 2018, Council for the Municipality of West Nipissing passed resolution **2018/024**, attached hereto, seeking an amendment to Ontario Regulation No. 366/09, through the Ministry of Transportation, pertaining to "Display Screens and Hand-Held Devices".

Council is seeking a permanent exemption for use of Hand-Held Devices for employees or persons contracted to a road authority while they are performing road patrols, repairs, maintenance and construction duties on Ontario roads.

Furthermore this resolution is being circulated to various associations and municipalities for their support.

We trust the enclosed is self-explanatory.

Respectfully,

Deputy Clerk / Assistant to the  
 Chief Administrative Officer

\Encl.

cc: Minister of Transportation  
 MP Nickel Belt  
 Federation of Northern Ontario Municipalities (FONOM)  
 Ontario Good Roads Association (OGRA)

MPP Timiskaming-Cochrane  
 Association of Municipality of Ontario (AMO)  
 Rural Ontario Municipality Association (ROMA)  
 Ontario Municipalities



The Corporation of the Municipality of West Nipissing / La Corporation de la Municipalité de Nipissing Ouest

Resolution No.

2018 / 0 2 4

JANUARY 16, 2018

Moved by / Proposé par : [Signature]

Seconded by / Appuyé par : [Signature]

WHEREAS Ontario Regulation 366/09 under the Highway Traffic Act (Ontario) being a regulation to govern the use of Display Screens and Hand-Held Devices provided for a time limited exemption to the use of hand-held devices by employees of or persons contracted to a road authority while they are engaged in road patrol, repair, maintenance and construction;

AND WHEERAS Ontario Regulation 366/09 has been amended by Regulation(s) 253/12 and 475/17, which have extended the exemption for the use of hand-held devices by employees of or persons contracted to a road authority while they are engaged in road patrol, repair maintenance or construction activities to January 1, 2018 and then again to January 1, 2021;

AND WHEREAS the uncertainty concerning ongoing consultations and extensions of this regulation places undue stress on municipalities and contractors alike who must rely on hand-held radio communication for safe equipment operation while carrying out road patrol, repairs, maintenance or construction activities on Ontario roads;

BE IT THEREFORE RESOLVED THAT the Council for the Municipality of West Nipissing requests that the Province of Ontario, through the Minister of Transportation, amend Regulation 366/09 to provide for the permanent exemption for use of Hand-Held Devices to employees of or persons contracted to a road authority while they are engaged in road patrol, repair, maintenance and construction;

BE IT FURTHER RESOLVED THAT a copy of this resolution be forwarded to the Minister of Transportation, the MPP for Temiskaming-Cochrane, MP for Nickel Belt, Association of Municipalities of Ontario (AMO), Federation of Northern Ontario Municipalities (FONOM), Rural Ontario Municipal Association (ROMA) and Ontario Good Roads Association (OGRA)

BE IT FURTHER RESOLVED THAT a copy of this resolution be forwarded to all Ontario Municipalities for support.

Table with 3 columns: Name, YEAS, NAYS. Rows include BRISSON, Denise; DUHAIME, Yvon; FORTIER, Guy; LARABIE, Roland; MALETTE, Léo; RESTOULE, Jamie; ROBERGE, Normand; TESSIER, Guilles; SAVAGE, Joanne (MAYOR).

Carried: [Signature]
Defeated:
Deferred or tabled:





## TOWN OF LAKESHORE

419 Notre Dame St.  
Belle River, ON N0R 1A0

January 22, 2018

Right Honourable Justin Trudeau,  
Prime Minister of Canada  
Office of the Prime Minister  
80 Wellington Street  
Ottawa, ON K1A 0A2

Dear Prime Minister Trudeau:

### **RE: MARIJUANA TAX REVENUE**

At their meeting of January 16, 2018 the Council of the Town of Lakeshore duly passed the following resolution.

577-01-2018 Councillor Wilder moved and Councillor McKinlay seconded:

**It is recommended that:**

**WHEREAS** marijuana will soon be available for purchase through retail outlets in Canada;

**WHEREAS** the sale of marijuana will generate new tax revenues;

**WHEREAS** the Government of Canada and the Government of Ontario have been actively discussing how to distribute the new tax revenues generated by the sale of marijuana;

**WHEREAS** the Government of Canada and the Government of Ontario have thus far not agreed to distribute any of the new tax revenues generated by the sale of marijuana to municipalities directly;

**WHEREAS** municipalities are responsible for critical infrastructure projects, such as roads, bridges, water treatment and delivery of potable water;

**WHEREAS** municipalities face a significant challenge in funding critical infrastructure projects and have limited options for increasing revenues, aside from raising property taxes, which negatively impacts all taxpayers; and

**WHEREAS** the new tax revenues generated from the sale of marijuana, could be used to help offset infrastructure costs for municipalities.

**NOW THEREFORE BE IT RESOLVED** that the Government of Canada and the Government of Ontario be urged to allocate a proportionate share of the new tax revenues generated from the sale of marijuana, to municipalities directly;

**BE IT FURTHER RESOLVED** that the Government of Canada and the Government of Ontario be urged to create a fund, similar to the Gas Tax Fund and the Clean Water and Wastewater Fund, from the new tax revenues generated by the sale of marijuana, to provide funding to municipalities for infrastructure projects;

**BE IT FURTHER RESOLVED** that a copy of this motion be sent to the Right Honourable Justin Trudeau, Prime Minister of Canada, Mr. Andrew Scheer, Leader of the Conservative Party of Canada, Mr. Jagmeet Singh, Leader of the New Democratic Party of Canada, Ms. Elizabeth May, Leader of the Green Party of Canada, all Members of Parliament, the Honourable Kathleen Wynne, Premier of Ontario, Mr. Patrick Brown, Leader of the Progressive Conservative Party of Ontario, Ms. Andrea Horwath, Leader of the New Democratic Party of Ontario, and all Members of Provincial Parliament in Ontario; and

**BE IT FURTHER RESOLVED THAT** a copy of this Motion be sent to the Federation of Canadian Municipalities (FCM), and the Association of Municipalities of Ontario (AMO) for their consideration.

**Motion Carried Unanimously**

Should you require any additional information with respect to the above matter, please contact the undersigned.

Yours truly,



Mary Masse  
Clerk

/cl

cc: Honourable Kathleen Wynne, Premier of Ontario  
cc: Mr. Andrew Scheer, Leader of the Conservative Party of Canada  
cc: Mr. Jagmeet Singh, Leader of the New Democratic Party of Canada  
cc: Ms. Elizabeth May, Leader of the Green Party of Canada  
cc: Hon. Patrick Brown, Leader of Progressive Conservative Party  
cc: Hon. Andrea Horwath, Leader of New Democratic Party  
cc: Members of Provincial Parliament in Ontario  
cc: Federation of Canadian Municipalities (FCM)  
cc: Association of Municipalities Ontario (AMO)  
cc: Via Email - All Ontario Municipalities



## TOWN OF LAKESHORE

419 Notre Dame St.  
Belle River, ON N0R 1A0

January 22, 2018

Honourable Kathleen Wynne, Premier  
Legislative Building, Room 281  
Queen's Park  
Toronto, ON M7A 1A1

Dear Premier Wynne:

### **RE: POPULATION GROWTH PROJECTIONS**

At their meeting of January 16, 2018 the Council of the Town of Lakeshore duly passed the following resolution.

576-01-2018

Councillor Wilder moved and Deputy Mayor Fazio seconded:

**That:**

**WHEREAS** municipalities are required to create and implement master plans and asset management plans, as part of prudent financial planning;

**WHEREAS** population growth projections and estimates are a key foundational component, relied upon in creating master plans and asset management plans, as part of prudent financial planning;

**WHEREAS** population growth projections and estimates are simply estimates of future events, often several years into the future, and are highly susceptible to ultimately being inaccurate, due to changes in circumstances, such as economic conditions and housing patterns;

**WHEREAS** both upper-tier municipalities and lower-tier municipalities often prepare their own growth projections and estimates, which can result in a significant discrepancy between their respective, anticipated population numbers in future years;

**WHEREAS** lower-tier municipalities are essentially forced to accept and rely upon upper-tier municipalities growth projections and estimates, regardless of whether those projections and estimates reflect reality; and

**WHEREAS** inaccurate growth projections and estimates, negatively impacts municipal financial planning, resulting in significant financial difficulties for municipalities.

**NOW THEREFORE BE IT RESOLVED** that the Government of Ontario be urged to grant more autonomy to lower-tier municipalities, to adopt and rely upon their own growth projections and estimates, especially for financial planning purposes;

**BE IT FURTHER RESOLVED** that the Government of Ontario be urged to create a mechanism, whereby lower-tier municipalities can more easily dispute growth projections and estimates of upper-tier municipalities;

**BE IT FURTHER RESOLVED** that the Government of Ontario be urged to require upper-tier municipalities to update growth projections and estimates, when reality indicates that the previous projections and estimates are inaccurate and unreliable;

**BE IT FURTHER RESOLVED** that a copy of this motion be sent to the Honourable Kathleen Wynne, Premier of Ontario, the Honourable Patrick Brown, Leader of the Progressive Conservative Party, the Honourable Andrea Horwath, Leader of the New Democratic Party, and all MPPs in the Province of Ontario; and

**BE IT FURTHER RESOLVED THAT** a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

**Motion Carried Unanimously**

Should you require any additional information with respect to the above matter, please contact the undersigned.

Yours truly,



Mary Masse  
Clerk

/cl

cc: Hon. Patrick Brown, Leader of Progressive Conservative Party  
cc: Hon. Andrea Horwath, Leader of New Democratic Party  
cc: Members of Provincial Parliament in Ontario  
cc: Association of Municipalities Ontario (AMO)  
cc: Via Email - All Ontario Municipalities

# THE SMART CITIES CHALLENGE IS ON

The Government of Canada is challenging communities, large and small, to come forward with their best ideas to improve the quality of life of their residents through innovation, data and connected technology.

The Smart Cities Challenge is about **community-driven** innovation. It's about identifying priorities that are as diverse as Canada's communities themselves, and working together to achieve **meaningful outcomes**.

## DEFINE YOUR COMMUNITY'S CHALLENGE STATEMENT

Communities understand best the most pressing, most important issues they face. The Challenge Statement defines the outcome a community aims to achieve through its smart cities proposal.

## WHAT IS A SMART CITY APPROACH?

A smart cities approach has the potential to improve **every aspect of community life** – how people move around, how they are empowered and included in society, how they live an active and healthy life, how they feel safe and secure, and how they earn a good living.

Proposals can focus on achieving outcomes in any area of community systems or services, such as education, emergency services, public health, roads and transportation.



ONE PRIZE OF UP TO \$50 MILLION  
OPEN TO COMMUNITIES OF  
ALL SIZES



TWO PRIZES OF UP TO \$10 MILLION  
FOR ALL COMMUNITIES WITH  
POPULATIONS UNDER 500,000



ONE PRIZE OF UP TO \$5 MILLION FOR  
ALL COMMUNITIES WITH A POPULATION  
UNDER 30,000

## WHO CAN APPLY?

- Municipalities, local or regional governments
- Indigenous communities including First Nations, Inuit and Métis communities

Two or more of these community groups can submit a joint application.

Infrastructure Canada is engaging Indigenous leaders, communities and organizations to finalize the design of a competition specific to Indigenous communities that will reflect their unique realities and issues. Indigenous communities are also eligible to compete for all the prizes in the current competition.

## MEANINGFUL IMPACTS



**REALIZE OUTCOMES  
FOR RESIDENTS**



Communities will measure where they are starting from, when they are making progress, and when they have achieved success. Establishing a baseline and measuring results will be central to achieving outcomes.



**EMPOWER COMMUNITIES  
TO INNOVATE**



Communities should think big and identify solutions to their significant, persistent problems.



**FORGE NEW PARTNERSHIPS  
AND NETWORKS**



Communities will undertake meaningful engagement with residents and forge relationships with new and non-traditional partners.



**SPREAD THE BENEFIT  
TO ALL CANADIANS**



Smart Cities approaches should not only benefit a single community, they should be scalable and replicable across Canada.



**READY? SET?  
START INNOVATING!**

More information, including applicant guideline and support information is available on the Impact Canada Challenge Platform. Follow the Smart Cities Challenge on Twitter (#smarcitiesCanada) and on Facebook.





## TOWN OF LAKESHORE

419 Notre Dame St.  
Belle River, ON N0R 1A0

January 16, 2018

All Ontario Municipalities

**VIA EMAIL**

To Whom It May Concern:

**RE: ALLOCATE INFRASTRUCTURE FUNDING DEDICATED TO MUNICIPALITIES FOR STORM WATER MANAGEMENT AND DRAINAGE IMPROVEMENTS**

At their meeting of November 7, 2017 the Council of the Town of Lakeshore duly passed the following resolution.

Councillor Wilder moved and Deputy Mayor Fazio seconded:

**WHEREAS** weather patterns seem to have changed, in that excessive and prolonged precipitation is now becoming more frequent and regular;

**WHEREAS** there is an increased chance of flooding, as result of excessive and prolonged precipitation;

**WHEREAS** municipalities are now faced with the reality that significant storm water management and drainage infrastructure improvements are required to mitigate against flooding, which will come at a significant cost;

**WHEREAS** it is not feasible for municipalities to pass along the costs of all storm water management and drainage improvements onto property owners through property tax increases or drainage assessments;

**WHEREAS** municipalities are almost entirely reliant upon property taxes for their funding needs; and

**WHEREAS** the Government of Canada and the Government of Ontario have recognized the need for infrastructure investments and have promised funding for these investments.

**NOW THEREFORE BE IT RESOLVED** that the Government of Canada and the Government of Ontario be urged to immediately allocate infrastructure funding dedicated to municipalities for storm water management and drainage improvements;

**BE IT FURTHER RESOLVED** that the Government of Canada and the Government of Ontario prioritize funding allocations according to the recent propensity of specific regions to flood, with a specific focus on regions that have flooded multiple times, within a 1 year period;

**BE IT FURTHER RESOLVED** that a copy of this motion be sent to the Right Honourable Justin Trudeau, Prime Minister of Canada, Mr. Andrew Scheer, Leader of the Conservative Party of Canada, Mr. Jagmeet Singh, Leader of the New Democratic Party of Canada, Ms. Elizabeth May, Leader of the Green Party of Canada, all Members of Parliament, the Honourable Kathleen Wynne, Premier of Ontario, Mr. Patrick Brown, Leader of the Progressive Conservative Party of Ontario, Ms. Andrea Horwath, Leader of the New Democratic Party of Ontario, and all Members of Provincial Parliament in Ontario; and

**BE IT FURTHER RESOLVED THAT** a copy of this Motion be sent to the Federation of Canadian Municipalities (FCM), the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

**Motion Carried Unanimously**

Should you require any additional information with respect to the above matter, please contact the undersigned.

Yours truly,



Mary Masse  
Clerk

/km

cc: Right Honourable Justin Trudeau, Prime Minister of Canada  
cc: Honourable Kathleen Wynne, Premier  
cc: Mr. Andrew Scheer, Leader of the Conservative Party of Canada  
cc: Mr. Jagmeet Singh, Leader of the New Democratic Party of Canada  
cc: Ms. Elizabeth May, Leader of the Green Party of Canada  
cc: Hon. Patrick Brown, Leader of Progressive Conservative Party  
cc: Hon. Andrea Horwath, Leader of New Democratic Party  
cc: Members of Provincial Parliament in Ontario  
cc: Federation of Canadian Municipalities (FCM)  
cc: Association of Municipalities of Ontario (AMO)  
cc: Via Email - All Ontario Municipalities

**Pilon, Janet**

---

**Subject:** Letter to Council re: 2018 City of Hamilton budget

-----Original Message-----

From: Joshua Weresch

Sent: January 24, 2018 6:15 AM

To: clerk@hamilton.ca

Cc: Gord Bowes <gordbowes@hamiltonnews.com>; Matthew Van Dongen <mvandongen@thespec.com>

Subject: Letter to Council re: 2018 City of Hamilton budget

Dear Rose Caterini, City Clerk:

Good afternoon. I hope this finds you well. My name is Joshua Weresch, a resident in Ward 7. I write in regards to the upcoming approval, in the next two months, of the City of Hamilton's budget, particularly in regards to the Boards & Agencies meetings happening today and this coming Thursday at 0930 hours. Please include this letter in the correspondence to City Council at Council's next meeting. I have carbon-copied my letter to workers at the Hamilton News and the Hamilton Spectator, for their interest.

This past year, our house was assessed at a value of \$270,500, rising from \$252,000 the year before that; our property taxes rose from \$3,444.38 to \$3,549.43 in the same time period. While I do not mind paying higher property taxes for services received by the city, I do mind the manner in which those portions are allocated, particularly within the Boards & Agencies portion of our tax bill. City and Provincially Shared Programs, Area Rated Services and Education Tax rates certainly deserve my taxes' support; however, the Boards & Agencies portion needs to be more clearly addressed.

Currently, Hamilton Police Services receives \$517 -- the largest percentage of all listed services -- 15 cents of every tax dollar heading in that direction. The Library receives \$102 and Boards, Agencies, and the City Enrichment Fund receive \$77. I would recommend that funding continues, as it has, if not increased toward public health, community-based programs for mental-health care, and, especially, residential-care facilities -- see, in this latter regard, this article in the Hamilton Spectator: <https://www.thespec.com/news-story/8086789-residential-care-facilities-squeezed-by-minimum-wage-hike/> -- as well as all the arts (and public housing for the poor, the construction of which should be celebrated by the city instead of the same celebration wasted on the passing of one million dollars' worth of condominium and commercial building). I would recommend, more, that Hamiltonians invert that particular pyramid, either by pressuring the city to give its police services \$77 of taxes -- 2 cents of every tax dollar instead of its customary 15 cents -- or by refusing to pay that \$517 altogether in a concerted tax strike, a venerable tactic of non-cooperation that has had, according to Wikipedia's 'annals' and, better, Gene Sharp's work on non-violence, a long, rich, and fruitful history.

Thank you for your time and attention in these regards. I certainly hope and will work toward this year's municipal budget reflecting what are surely the priorities of most Hamiltonians: a love of the arts and the compassionate community they engender as against the increased militarization and arming of a police force and the fearful fiefdoms such actions create.

Sincerely,

Joshua Weresch



Ministry of  
Transportation

Office of the Minister

Ferguson Block, 3<sup>rd</sup> Floor  
77 Wellesley St. West  
Toronto ON M7A 1Z8  
416-327-9200  
www.ontario.ca/transportation

Ministère des  
Transports

Bureau du ministre

Édifce Ferguson, 3<sup>e</sup> étage  
77, rue Wellesley Ouest  
Toronto (Ontario) M7A 1Z8  
416-327-9200  
www.ontario.ca/transports



JAN 16 2018

M2017-4601

His Worship Fred Eisenberger  
Mayor  
City of Hamilton  
71 Main Street West, 2<sup>nd</sup> Floor  
Hamilton ON L8P 4Y5

Dear Mayor Eisenberger:

Thank you for your letter about MTO Digital Signage for the Eastport Drive Lift Bridge. I welcome the opportunity to respond.

The ministry uses the COMPASS variable message signs in the vicinity of the Burlington Bay area to manage incidents, roadwork, and recurring congestion problems along the QEW, including the Burlington Skyway. Also, signs located upstream of the skyway are often used to provide advance high wind warnings so that motorists (especially commercial vehicle operators) can be pre-warned to reduce their speed as they approach this elevated section of the QEW. Since these high-priority signing strategies are designed to override all applicable signs during adverse weather or relevant event, it would not be possible for the signs to accommodate lift bridge status information on a consistent basis.

In addition, the Burlington Canal Lift Bridge is a federally owned bridge managed by the Public Works and Government Services Canada (PWGSC). To provide real-time lift bridge status, a direct connection must be established between the bridge position sensor located within the bridge tower and our COMPASS signs. However, tight security measures imposed by PWGSC have made this connection extremely difficult.

Despite the bridge security challenge and the current sign display priority concerns, the ministry's Intelligent Transportation Systems Section (ITSS) is currently looking into a new detection technology solution that can effectively monitor the lift bridge status and relay the information to the data cloud. The intent is to allow the ministry to access and manage the lift bridge status information on a system platform. Once proven and developed, the lift bridge status information may be incorporated in our COMPASS variable message signs for display. Also, this information may be used on Ontario 511 and the information could potentially be inserted in real-time traffic apps like WAZE or shared through connected vehicle technology in the years to come.

Thank you again for writing.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven Del Duca". The signature is fluid and cursive, with the first name "Steven" being more prominent than the last name "Del Duca".

Steven Del Duca  
Minister

*City of Hamilton*  
*cc/o Councillor B. Johnson*

*The Winona Peach Festival celebrated our 50<sup>th</sup> Anniversary this year. It was an amazing event, made possible by your sponsorship and partnership with us. Everything that you have done is greatly appreciated. Without the strong support from our local businesses, we would not be able to put on this incredible activity. We value you and appreciate your continuing support.*

*Each partnership is unique and helps us achieve a festival that we can all be proud to be a part of. We look forward to working with all of you in this upcoming year to ensure that we find the best fit between the Winona Peach Festival and you!*

*On behalf of the Board of Directors and Chair people, I thank you again for assisting us to give the community a free family event that everyone can enjoy!*

*Sincerely,*

*Debbie Bramer*

**Debbie Bramer**

**WPF Grants/Social Media/Sponsorship Chair**

# ***Certificate of Appreciation***

***This is to recognize your continuing support and sponsorship***

***with the Winona Peach Festival.***

***City of Hamilton***

***Thank you for valuable partnership.***

***Debbie Bramer***

***WPF Grants/Social Media/Sponsorship***

JAN 29 2018

Minister of Infrastructure  
and Communities



Ministre de l'Infrastructure  
et des Collectivités

Ottawa, Canada K1P 0B6

JAN 24 2018

His Worship Fred Eisenberger  
Mayor  
City of Hamilton  
71 Main Street West, 2<sup>nd</sup> Floor  
Hamilton, Ontario L8P 4Y5

Dear Mr. Mayor:

Thank you for your letter of November 27, 2017, regarding the request for greater flexibility under both the Canada 150 Community Infrastructure Program and the Clean Water and Wastewater Fund. Please accept my apologies for the delay in responding.

The Government of Canada has a long history of making strategic investments in a wide range of infrastructure categories. Infrastructure is the foundation of sustainable and inclusive communities—it removes barriers, brings people together and allows all Canadians to be active participants in their community. Moreover, good infrastructure fosters an environment where the best of Canadian innovation can grow.

As you are aware, Minister Chiarelli wrote to me on behalf of all of the provinces and territories requesting amendments to timelines under the Clean Water and Wastewater Fund. I have heard the provinces' and territories' concerns as well as those from municipalities and the Government of Canada has agreed to extend the program so that recipients may incur eligible costs up to and including March 31, 2020. This extension will be available for jurisdictions that meet all reporting requirements prior to March 31, 2018.

For more information about the reporting requirements under the Clean Water and Wastewater Fund, please contact Infrastructure Ontario at [cwwf@infrastructureontario.ca](mailto:cwwf@infrastructureontario.ca).

Since the Canada 150 Community Infrastructure Program falls under the purview of my colleague the Honourable Navdeep Singh Bains, Minister of Innovation, Science and Economic Development, I have taken the liberty of forwarding a copy of your letter for his consideration.

...2

The Government of Canada is investing more than \$180 billion under the long-term Investing in Canada plan. Our priority is to promote infrastructure that will create good, well-paying jobs that can help the middle class grow and prosper. Key areas for investment include public transit, green and social infrastructure, transportation infrastructure that supports trade, and infrastructure in rural and northern communities.

Through Budget 2017, the Government has also announced plans to invest \$20.3 billion towards public transit that would transform the way Canadians live, move and work. Green infrastructure projects will also be prioritized through an investment of \$16.9 billion over 11 years that will reduce greenhouse gas emissions, deliver clean water, safely manage wastewater, and help communities prepare for challenges that result from climate change.

Infrastructure Canada has started discussions with its partners in Ontario to sign a long-term agreement that would see \$11,846,483,456 invested in infrastructure over the next 11 years.

Thank you for writing on this important issue.

Yours sincerely,

A handwritten signature in black ink that reads "A. Sohi". The letters are cursive and slightly slanted to the right.

Amarjeet Sohi, P.C., M.P.

c.c. The Honourable Navdeep Singh Bains, P.C., M.P.  
Minister of Innovation, Science and Economic Development



January 30, 2018

Rose Caterini  
71 Main St. West, 1<sup>st</sup> Floor  
Hamilton  
L8P 4Y5

**Re: Lake Erie Region Source Protection Committee Municipal Member Nomination**

Dear Ms. Caterini,

In October 2017, Roy Haggart indicated his resignation from the Lake Erie Region Source Protection Committee. Roy was appointed by the Grand River Source Protection Authority in 2007 and represents the County of Brant, City of Brantford, and City of Hamilton. The municipal groups were established by the Grand River Source Protection Authority in August 2007 as per Ontario Regulation 288/07 and detailed in Report SPA-07-08-04 (attached).

The Lake Erie Source Protection Committee is a 24 member multi-stakeholder committee comprised of seven members representing municipalities, seven members representing the economic sector, and seven members representing the public sector. The committee also includes two representatives from Six Nations of the Grand River and one representative from the Mississaugas of the New Credit First Nation.

Ontario Regulation 288/07 Section 2. (2.) states that the municipal members appointed by the Source Protection Authority must represent the interests of the municipalities that are located, in whole or in part, in the Source Protection Region. Section 3. (3.) requires that the Source Protection Authority must appoint the person jointly submitted by the municipalities in a group.

We ask that your municipality confer with the other municipalities in the group and jointly select one representative. Although the regulation does not require it, we suggest that each municipal council in the group pass a resolution naming the jointly selected

representative. The decision naming the representative should be sent to the undersigned, no later than **Monday, May 14, 2018**. This would ensure the new municipal member can be appointed in time for the June 21, 2018 Lake Erie Region Source Protection Committee meeting.

The process by which a representative is selected is determined by the municipalities in the group. However, Lake Erie Region staff are available to assist in facilitating discussions among municipalities, if requested.

Additional details on the functions and obligations of members of the Source Protection Committee are attached to aid you in your selection of a representative.

If you have any further questions regarding the selection of a municipal committee representative, or would like assistance, please contact me. We look forward to receiving your joint selection of a municipal representative for the Lake Erie Region Source Protection Committee.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Keller', written in a cursive style.

Martin Keller  
Source Protection Program Manager  
Lake Erie Source Protection Region  
c/o Grand River Conservation Authority  
400 Clyde Road, Box 729  
Cambridge, ON N1R 5W6  
mkeller@grandriver.ca

Encl.



## GRAND RIVER SOURCE PROTECTION AUTHORITY

**REPORT NO. SPA-08-07-04**

**DATE:** August 31, 2007

**TO:** Members of the Grand River Source Protection Authority

**SUBJECT:** Groupings for Municipal Representation on the Source Protection Committee

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### **RECOMMENDATION:**

THAT the Grand River Source Protection Authority approve the seven municipal groupings for municipal representation on the Lake Erie Region Source Protection Committee;

AND THAT the Grand River Source Protection Authority direct staff to send a notice of the municipal groupings to the clerk of each municipality in the Lake Erie Source Protection Region before the end of the day on September 4, 2007, with instructions to jointly select a municipal representative within each group.

### **SUMMARY:**

Ontario Regulation 288/07 (O. Reg. 288/07) on Source Protection Committees under the *Clean Water Act, 2006* requires that the Lead Source Protection Authority (Conservation Authority) divide the municipalities in the Lake Erie Source Protection Region into groups and assign each group a number of members on the SPC. As required by the regulation, the Source Protection Authority consulted with municipalities from July 13 to August 15, 2007. The final list of groups must be sent to municipalities prior to September 4, 2007.

### **REPORT:**

O. Reg. 288/07, *under the Clean Water Act, 2006* requires that the Lake Erie Region Source Protection Committee have 7 municipal representatives. Because there are more than 7 municipalities in the Lake Erie Region, the regulation requires that the Grand River Source Protection Authority, as the Lead SPA, divide municipalities in the Lake Erie Region into groups for the purposes of municipal representation on the Source Protection Committee.

On July 13, 2007 a letter was sent to all municipalities describing the proposed municipal groupings and the rationale used to develop them. Municipalities were asked to provide comments on the groupings to the Grand River Conservation Authority by August 15, 2007. The proposed municipal groupings are listed in Table 1 below, and shown on a map of the Lake Erie Region in Attachment 1.

The suggestions for municipal groups (as shown in previous reports) are based on the following principles:

- There are no well or wellhead protection area or intake protection zone issues across municipal boundaries within a group;
- Municipalities within a group have similar water supply sources (i.e. wells, river intakes, Great Lakes intakes);
- There is sufficient proximity that municipalities within a group have historically had opportunity to work together; and

- Municipalities within a group have good working relationships.

**Table 1: List of Municipal Groupings**

Group	Municipalities
1	Grey County, Township of Southgate Dufferin County, Township of Melancthon, Township of Amaranth, East Luther-Grand Valley, Township of East Garafraxa Wellington County, Township of Wellington North, Township of Mapleton, Township of Centre Wellington, Town of Erin, Township of Guelph-Eramosa, Township of Puslinch Halton Region, Town of Milton, Town of Halton Hills
2	City of Guelph
3	Region of Waterloo, Wilmot Township, Wellesley Township, Woolwich Township, North Dumfries Township, City of Waterloo, City of Kitchener, City of Cambridge
4	City of Brantford County of Brant City of Hamilton
5	Haldimand County Norfolk County
6	Perth County, Township of Perth East, Township of North Perth Oxford County, Township of Blandford-Blenheim, East-Zorra Tavistock, Township of Norwich, City of Woodstock, Township of Southwest Oxford, Tillsonburg
7	Elgin County, Municipality of Bayham, Township of Malahide, Town of Aylmer, Municipality of Central Elgin, Township of Southwold Middlesex County, Township of Thames Centre, Township of Middlesex Centre City of St. Thomas City of London

As of August 21, seventeen municipalities provided comments on the proposed groupings. Attachment 2 of this report provides a summary of the comments received to date. Of the 17 comments, 15 were supportive of the groupings as proposed. Two municipalities did not support being grouped with other municipalities. Norfolk County recognized the difficulty in developing the groupings and accepted the rationale provided, but continued to request that they have their own representative due to the complexity and diversity of drinking water sources in Norfolk and ongoing water quantity issues in the Norfolk Sand Plain. Additionally, water services staff at the City of Brantford requested that the City have its own representative because of the uniqueness of the Brantford surface water intake in the watershed.

Although it is recognized that grouping Norfolk County with Haldimand County is not ideal due to differences in municipal drinking water sources, there are no cross-boundary drinking water issues to contend with between the two municipalities.

Similarly, grouping the City of Brantford with the County of Brant and the City of Hamilton presents fewer cross-boundary municipal drinking water issues than other groupings, and builds on the working relationships that the City of Brantford and the County of Brant have developed.

Having considered all comments received to date, the Lake Erie Region Management Committee recommends that the municipal groups be finalized as proposed.

**FINANCIAL IMPLICATIONS:**

Source Protection Committee members will be paid per diems and reimbursed for travel/mileage

expenses by the Grand River Conservation Authority, from the annual source protection funding received from the Ministry of Natural Resources.

The provincial government has committed to pay 100% of the cost of studies required to develop the first round of source protection plans and to build capacity in the Conservation Authorities to undertake their new roles.

**OTHER DEPARTMENT CONSIDERATIONS:**

Not Applicable

Prepared by:



---

Lorrie Minshall  
Source Protection Program Director

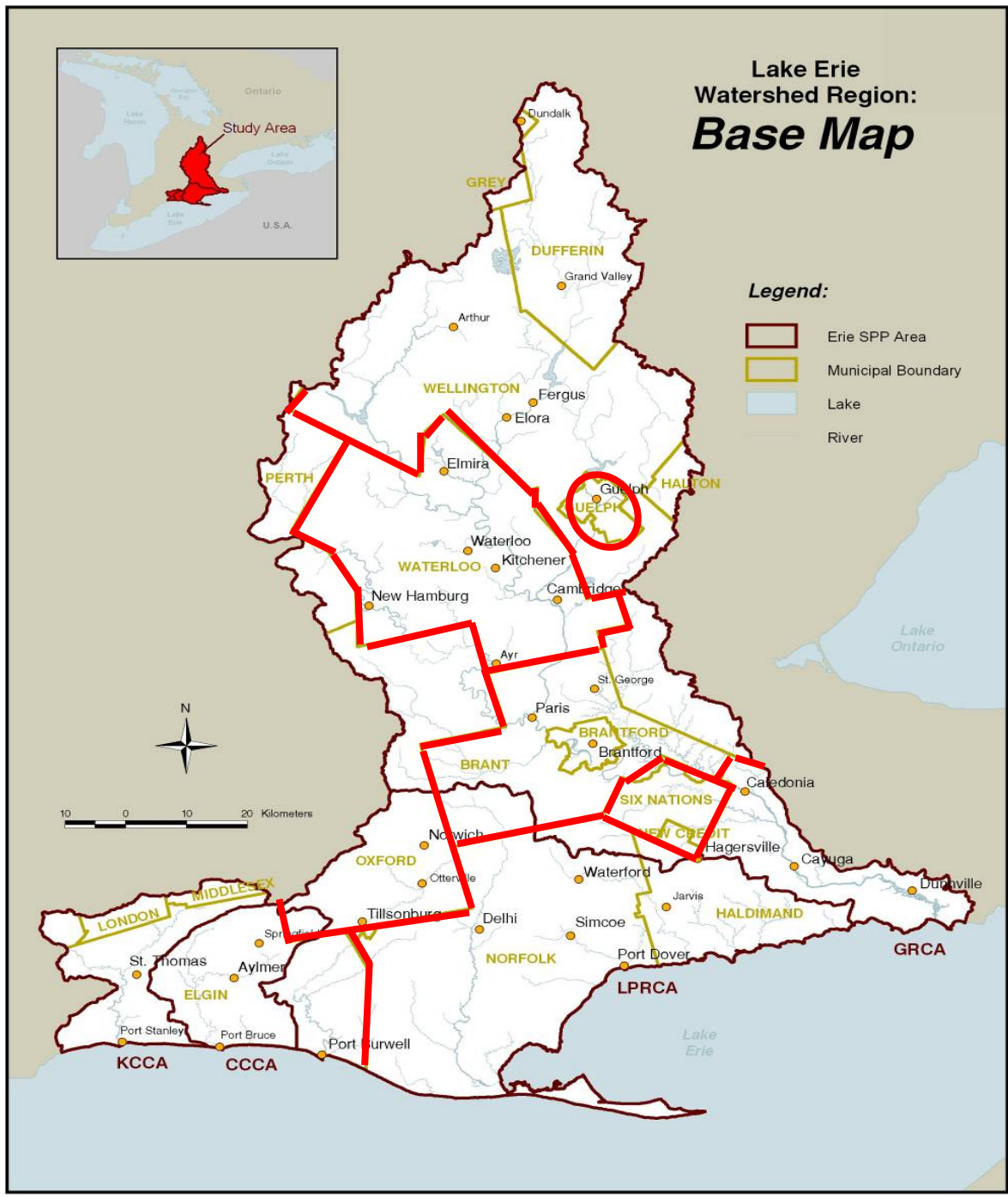
Approved by:



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Paul Emerson  
Chief Administrative Officer

**Attachment 1: Municipal Source Protection Committee Representation Groups**



## Attachment 2: Summary of Municipal Comments on Municipal Groupings

Region/Municipality	Response		Actions/Recommendations/Comments
	Supportive	Not Supportive	
City of Guelph	X		Wanted to impress the importance that the City of Guelph have representation on the committee. See letter for details.
County of Brant	X		Requested that we advise of the process for the City of Hamilton, City of Brantford, and the County of Brant to determine its responsibilities. Letter to be sent.
County of Oxford	X		County would like to make the nomination of an individual to serve to represent the grouping of Perth and Oxford municipalities.
Elgin County	X		Supportive of Malahide's proposed approach to representative selection.
Middlesex County	X		As only a small part of Middlesex County is included in this Source Protection Region, they do not feel they need to be involved in the nominating process and wish only to be advised of who their representative is. Their response is to be forwarded to facilitator of the Elgin/Middlesex/London group.
Municipality of Bayham	X		That Wayne Casier be nominated as a potential Municipal representative for Elgin/Middlesex
Municipality of Central Elgin	X		Would respectfully like to request that a representative from Central Elgin fills the seat for reasons stated in the letter.
Township of Malahide	X		Council resolution recommending that the area representatives for the municipalities be appointed from Kettle Creek CA or Cattfish Creek CA. Lorrie called CAO and advised per regs SPC members cannot be CA board member. Inquired about rotating the member every 3 or 4 years.
Township of Southwold	X		Staff call to inquire about eligibility (re Malahide Twps request)
County of Perth			
Town of North Perth			
Township of Perth East	X		Would like to work with Oxford to actively participate in nominating the individual who will represent the area.
Region of Halton	X		Small mun area in Region - do not intend to participate on SPC. Will participate on municipal water services working group. Encourage municipal reps to represent 'municipal interest' broadly rather than local interest.
Norfolk County		X	Norfolk would like to have their own representation, not a combined representation.
Haldimand County		X	Expect request to designate an "other" seat for the Grand Valley Water Board
City of Brantford		X	Water services staff at the City of Brantford requested that the City have its own representative because of the uniqueness of the Brantford surface water intake in the watershed. Staff inquired about rotating the member every 2 or 3 years.
Region of Waterloo			
City of Cambridge			
City of Kitchener			
City of Waterloo	X		Support the groupings. No further comments.
Township of Wellesley			Lorrie attended Council to answer questions.
Township of Wilmot			
Township of Woolwich			
Township of North Dumfries	X		CAO was concerned with disproportionate representation of smaller jurisdictions, but understands it is a diverse study area and is satisfied with the groupings.
Wellington County			
Township of Wellington North			
Township of Centre Wellington			
Township of Mapleton			
Township of Guelph/Eramosa			
Township of Puslinch	X		No further comments.
Town of Erin			
City of Hamilton			
City of London			
City of St. Thomas			
City of Woodstock			
County of Dufferin			
Township of Melancthon			L. Minshall attended Council to answer questions.
Township of Amaranth			
Township of East Garafraxa			
Township of East Luther Grand Valley			
Grey County			
Township of Southgate			
Norwich Township			
Town of Aylmer			
Town of Halton Hills			
Town of Milton	X		Supportive, but deferred comment to Halton Region.
Town of Tillsonburg			
Township of Blandford-Blenheim			
Township of East-Zorra Tavistock			
Township of South-West Oxford			
Township of Middlesex Centre			
Township of Thames Centre			

## Summary of the Functions of the Lake Erie Region Source Protection Committee

The Lake Erie Region Source Protection Committee is responsible for guiding the development and update of four source protection plans, one for each source protection area within the Lake Erie Region: Grand River, Long Point Region, Catfish Creek and Kettle Creek. A map of the Lake Erie Region has been included at the end of this document.

The development and update of the plans involves municipalities, farmers, businesses, industry, residents, First Nations and others. The source protection committee's role is to guide the collaborative process that identifies the sources of municipal drinking water, the threats to both water quality and water supplies, and propose actions that can be taken to protect municipal drinking water supplies.

The committee oversees the preparation and updates of these major documents:

- **Terms of Reference**

The terms of reference was the “work plan” of the process, outlining who is responsible for carrying out the work needed to develop source protection plans. The terms of reference included a plan to consult with potentially affected property owners, to involve the public and to resolve disputes. (Ontario Regulation 287/07 - Terms of Reference). The terms of reference for each source protection area was completed in 2009.

- **Assessment reports**

The assessment reports identify municipal drinking water sources and potential threats to both water quality and water supplies for each watershed. As new information becomes available, e.g., new wells are planned, the assessment report needs to be updated. The assessment report forms part of the source protection plan.

- **Source protection plans**

The source protection plans for each watershed set out policies on how significant drinking water threats will be reduced, eliminated or prevented, who is responsible for taking action, timelines and how progress will be measured. The plans propose a range of tools that can be used to accomplish these goals. The first Source Protection Plans for the Lake Erie Region's four source protection areas have been approved in 2014 and 2015. Source protection plans are updated on a regular basis as new information becomes available through plan implementation, and as assessment reports are updated.

Further information about the Lake Erie Source Protection Region can be found at [www.sourcewater.ca](http://www.sourcewater.ca).

*Note: Under the Clean Water Act, 2006, the four conservation authorities in the Lake Erie Region have been designated "source protection authorities" e.g. Grand River Source Protection Authority (Grand River SPA). The four watersheds have been designated "source protection areas," e.g. the Grand River Source Protection Area.*

## Summary of the Obligations of Lake Erie Region Source Protection Committee Members

### Qualifications of committee members

- demonstrated ability to understand source protection science, concepts and technical reports;
- proven ability to act as liaison for the sector being represented;
- problem-solving, analytical, communication and organizational skills;
- an openness to working together and with representatives from other sectors;
- knowledge of locals, communities and issues;
- demonstrated ability to work with group dynamics and team environments;
- conciliatory decision-making skills;
- willingness to travel around the source protection region
- Members of the Source Protection Committee must:
  - reside in, own or rent property within the source protection region, OR
  - be employed or operate a business within the source protection region, OR
  - be employed by a municipality that is in the source protection region,
- Members of the Source Protection Committee must not be a member or employee of a conservation authority in the Lake Erie Source Protection Region

### Responsibilities of committee members

- participate fully and work positively toward a successful conclusion of the source protection planning process
- act as liaisons by bringing forward common concerns from their knowledge and experience in their sector to the committee and assist in communicating the committee's work;
- make decisions at the committee table;
- serve on province-wide committees on special issues or participate in events, as a representative of the committee, at the request of the chair;
- attend public information sessions and participate in public consultation forums;
- respect confidential information and abide by the process in place to safeguard confidential information.

### Time commitment and remuneration

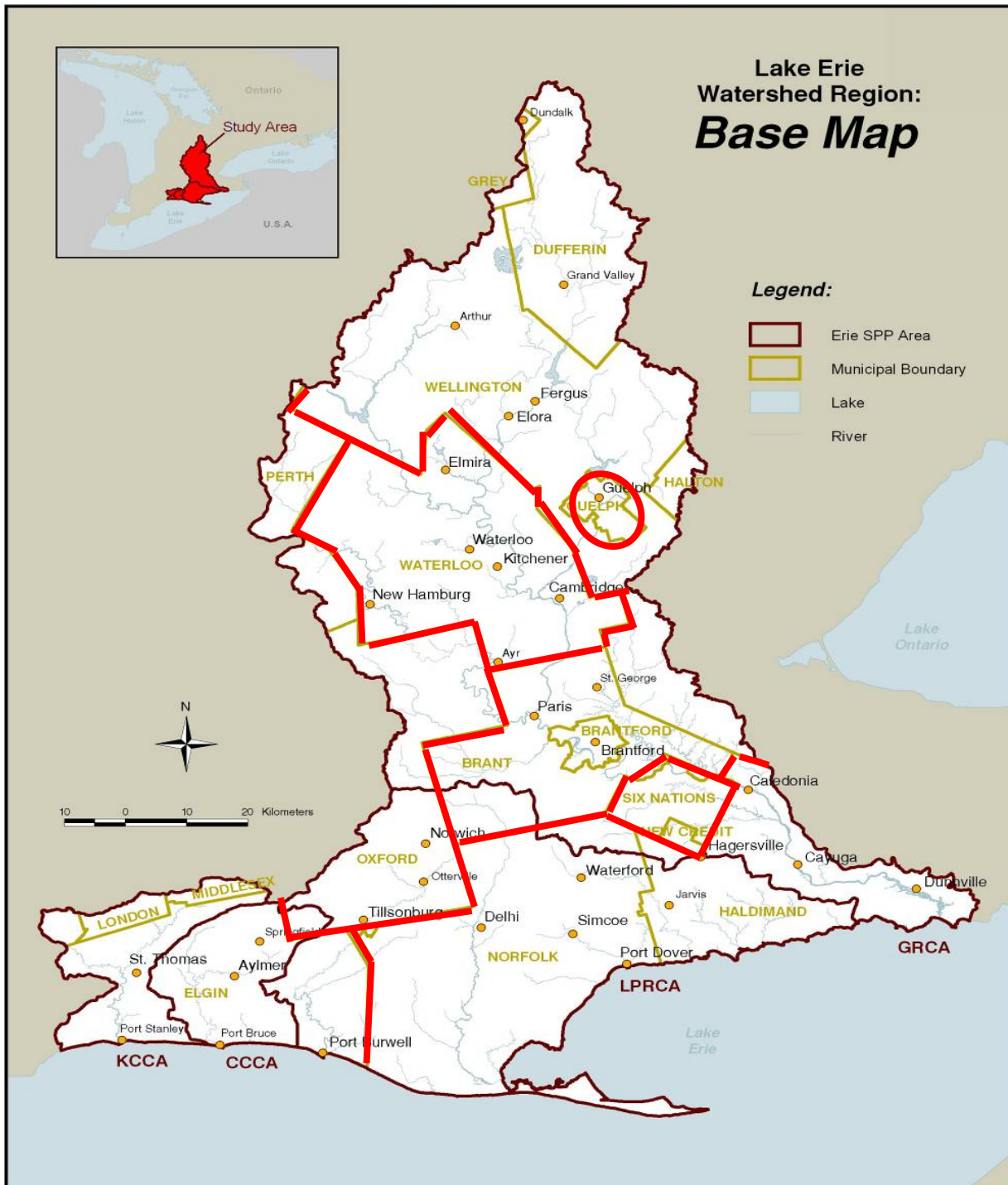
The Lake Erie Region Source Protection Committee meets about four times each year. Meetings are scheduled depending on workload and timelines. Meetings are typically held at the head office of the Grand River Conservation Authority (400 Clyde Road, Cambridge). Occasionally meetings are held in other parts of the Lake Erie Source Protection Region.

Committee members should expect to work about four days a year attending meetings and occasional public events.

Committee members are typically appointed for a four year term.

An honorarium and travel expenses will be paid at rates set by the Grand River Source Protection Authority.

**Map 1: Municipal Groups for the Selection of Source Protection Committee Representation**





Dear Mayor Eisenberger and Members of Hamilton City Council:

**Re: A Renewed Vision or the Future of Hamilton's Sports, Entertainment, Hospitality and Convention Facilities**

As one of Hamilton's largest and most successful hospitality and entertainment brands, with five beloved venues and 400 employees, and a long history of commitment to this community, Carmen's Group would like to now present to the City of Hamilton an opportunity to accelerate the City's development as a national cultural hotspot, by proposing a renewed direction for Hamilton's iconic entertainment facilities.

The strategic objective of this proposal is twofold; to maximize the potential of the existing former HECFI facilities in their current form, while simultaneously moving forward with a collaboration process to build the private-public partnership model that best produces the next generation of Hamilton's entertainment venues.

Carmen's Group, in partnership with Scott Warren - former General Manager of FirstOntario Centre and FirstOntario Concert Hall/The Studio with 28 years of significant contributions to the management of entertainment venues - will spearhead a local, ***Made in Hamilton*** consortium. This consortium has a dynamic slate of expertise including strong sports and entertainment industry relationships, large-scale entertainment promotion experience, facility management prowess, as well as partners with extensive financing and development expertise. The consortium will work with private-sector, industry partners and City Council to explore all potential redevelopment options to ensure the next generation of Hamilton entertainment patrons have state-of-the-art facilities that deliver the extraordinary experiences they desire. Building on the partnerships established in the already completed and private-sector funded 2016 Arena Renovation Study that Carmen's Group was a key partner in, and the recent 2017 City Council motion proposed by Councillor Merulla, this renewed direction would see various urban core locations, precinct feasibility scenarios, strong business case and city-building components examined and explored.

While this longer-term vision is pursued, the Carmen's Group/Scott Warren partnership would provide an immediate win-win-win for all stakeholders including City Council, City staff, employees of the current venues, and all citizens of Hamilton, by providing the following benefits to be shared among all involved parties:

- **Immediate Upfront Savings to Hamilton Taxpayers** – continuing the demonstrated capacity of Carmen's Group to produce subsidy reductions, as evidenced by our effective management of the Convention Centre, as well as the proven taxpayer subsidy reduction of the entertainment venues via Scott Warren's leadership, the consortium will deliver further subsidy reductions across the facilities under our management throughout the term of a renewed engagement;
- **Upfront Capital Investments** – a sizeable upfront investment in improvements to the respective facility's aesthetics designed to ultimately enhance guest experiences;
- **Contract Flexibility** – the consortium, due to their locality and future vision, will include flexible language and terms in the contract to allow for development exploration;

- **Programming Expertise** – With Scott Warren executing the booking/talent buying, as he has done for the past five years, the consortium will continue to build on the world-class talent programming that has helped Hamilton realize enormous economic impact. Scott continues to maintain extensive relationships with industry promoters and agents in the United States and Canada and will share documentation of their support for this consortium.

- **Employee Continuity** – all existing union and non-union employees of the facilities would be offered employment under the terms of the proposed new management contract;

- **Local Advisory Board** – the consortium will form an industry board consisting of the most prominent and influential names from the local and national entertainment industry, to offer insight, support and assistance in maximizing the potential of the respective venues.

The future has never looked brighter for the City of Hamilton. With a booming real estate market, new residential developments, hot new restaurants, exciting transit improvements, vibrant neighbourhood districts, and unparalleled natural beauty, the rest of the world is starting to appreciate what Hamiltonians have long recognized and what the City so appropriately said in our visionary bid to be home to Amazon's HQ2; **Hamilton is Unstoppable!** It is now time to bring this same vision to best maximizing synergies with our entertainment facilities, having them work in tandem, with specific and unique opportunities surrounding the FirstOntario Centre, FirstOntario Concert Hall/The Studio and the Hamilton Convention Centre. Carmen's Group has a proven track record, delivering on our promise to dramatically reduce the operating subsidy at the Convention Centre, saving the City nearly \$6 million since 2013. We have further demonstrated our commitment to Hamilton and the urban core by moving the Carmen's Group Corporate Headquarters to downtown Hamilton, in the heart of the hospitality district on James Street North.

With regards to next steps, in light of the impending conclusion date on the first management contract for these three venues, **Carmen's Group formally requests that City Council now examine alternative contract management arrangements regarding the current three entertainment venues including facility redevelopment exploration.** We then look forward together with our consortium partners, to the presentation of an unsolicited bid regarding a comprehensive private-public partnership plan that will take Hamilton's sports, entertainment, convention and hospitality industry deep into the 21st century, helping Hamilton fulfill its destiny as the **Ambitious City.**

Yours very sincerely,



PJ Mercanti

CEO

Carmen's Group

Ministry of Health  
and Long-Term Care

Office of the Minister

10<sup>th</sup> Floor, Hepburn Block  
80 Grosvenor Street  
Toronto ON M7A 2C4  
Tel 416-327-4300  
Fax 416-326-1571  
www.ontario.ca/health

Ministère de la Santé  
et des Soins de longue durée

Bureau du ministre

Édifice Hepburn, 10<sup>e</sup> étage  
80, rue Grosvenor  
Toronto ON M7A 2C4  
Tél 416-327-4300  
Télééc 416-326-1571  
www.ontario.ca/sante



JAN 24 2018

iApprove-2017-01523

Mayor Fred Eisenberger  
Chair, Board of Health  
City of Hamilton, Public Health Services  
71 Main Street West, 2nd Floor  
Hamilton ON L8P 4Y5

Dear Mayor Eisenberger:

I am pleased to advise you that the Ministry of Health and Long-Term Care will provide the Board of Health for the City of Hamilton, Public Health Services up to \$20,500 in additional base funding and up to \$94,051 in one-time funding for the 2017-18 funding year to support the enhanced provision of Needle Exchange Program Initiative in your community.

The Assistant Deputy Minister of the Population and Public Health Division will write to the City of Hamilton, Public Health Services shortly concerning the terms and conditions governing this funding.

Thank you for your dedication and commitment to Ontario's public health system.

Yours sincerely,

A handwritten signature in black ink, appearing to read "E. Hoskins".

Dr. Eric Hoskins  
Minister

c: Dr. Elizabeth Richardson, Medical Officer of Health, City of Hamilton, Public Health Services

January 29, 2018

FEB - 7 2018

Mayor Eisenberger and Members of Council  
Mary Gallagher, City Clerk's Office  
City of Hamilton  
First Floor  
71 Main Street West,  
Hamilton ON L8P 4Y5

Dear Mayor Eisenberger and Members of Council:

**Re: Conservation Halton 2018 Budget Municipal Funding Apportionment**

Pursuant to Ontario Regulation 139/96 (as amended by O.R. 106/98), notice is hereby given that Conservation Halton will be reconsidering the apportionment of municipal funding for the 2018 Budget at the Conservation Halton Board of Directors meeting at 3:00 pm, March 22, 2018 at the Conservation Halton Administration Office located at 2596 Britannia Road West, Burlington. The meeting is open to the public.

Please note that the apportionment of municipal funding for Conservation Halton's 2018 Budget has changed compared to the notice sent to you on October 11, 2017. The revised municipal funding apportionment is a result of a decision issued by the Mining and Lands Commissioner on December 21, 2017. The change has resulted in an increase in the amount apportioned to the City of Hamilton and an offsetting decrease for other watershed municipalities. A detailed explanation of this change was provided in a report to the Conservation Halton Board of Directors at its meeting on January 25, 2018, a copy of which is attached.

All of Conservation Halton's watershed municipalities are being provided with a notice of the meeting to reconsider the apportionment of municipal funding for the 2018 Budget. The weighted voting procedure required under Regulation 139/96 provides that each member of the Board votes in proportion to their municipality's share of the revised current value assessment.

Please contact me for further information pertaining to the apportionment of the municipal funding in the Conservation Halton 2018 Budget.

Yours truly,



Hassaan Basit,  
CAO/Secretary-Treasurer

cc Sheryl Ayres, Senior Director Corporate and Strategic Initiatives, Conservation Halton  
Mike Zegarac, GM, Finance and Corporate Services, City of Hamilton

**REPORT TO:** Board of Directors

**REPORT NO: #** 09 17 03

**FROM:** Sheryl Ayres, Senior Director, Corporate & Strategic Initiatives  
[sayers@hrca.on.ca](mailto:sayers@hrca.on.ca); 905-336-1158 x 2250

**DATE:** January 25, 2018

**SUBJECT:** **2018 Budget Municipal Apportionment**

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### Recommendation

**THAT the Conservation Halton Board of Directors receive for information the revised municipal apportionment as outlined in the staff report dated January 25, 2018 for the municipal funding in the 2018 Budget, as a result of the recent Mining and Lands Commissioner decision related to a City of Hamilton apportionment appeal;**

**AND FURTHER THAT the 2018 municipal funding according to the revised apportionment be approved by a weighted majority of the Board of Directors at the March 22, 2018 meeting.**

### Executive Summary

The Mining and Lands Commissioner (MLC) ruled on December 21, 2017 on an appeal by the City of Hamilton of the apportionment by the Niagara Peninsula Conservation Authority, that an agreement in place since 2001 does not constitute an agreement according to the Conservation Authorities Act and Regulation 607/00. Conservation Halton staff have reviewed the decision of the MLC and are of the understanding that this decision would also apply to Conservation Halton as a party to the agreement with Hamilton approved by the Board of Directors in December 2000. The Province of Ontario Ministry of Natural Resources and Forestry (MNR) has advised Conservation Halton that the Conservation Authority may use its discretion to determine the apportionment of municipal funding.

### Report

The Conservation Halton Board of Directors approved the 2018 Budget on November 23, 2017 and in accordance with the Conservation Authorities Act Regulation 139/96, letters providing thirty days notice of the budget approval were sent to our watershed municipalities and a weighted vote occurred by Board members by their municipal representation.

The municipal apportionment data used by Conservation Halton has been provided by the Ministry of Natural Resources and Forestry. The municipal apportionment provided by MNR for the City of Hamilton since the 2001 Budget is based on a historical percentage of Hamilton's Current Value Assessment (CVA) data. The apportionment for the other municipalities is based on the percentage of geographic area of Conservation Halton's watershed within the respective municipality. The historical amount of CVA for Hamilton was derived in an agreement with MNR, the City of Hamilton and the four Conservation Authorities the City of Hamilton provides funding to. The agreement was approved by the Conservation Halton Board of Directors in December 2000. However, the provincial regulation was not updated to reflect this agreement.

The agreement was put in place as a result of the amalgamation by the Province of Ontario of the City of Hamilton and the elimination of the Region of Hamilton-Wentworth. Prior to the agreement, Conservation Halton received CVA data for the municipalities of Flamborough and Dundas. With the amalgamation, the combined CVA for Hamilton was much higher and would have resulted in a significant cost increase to the City of Hamilton. The intent of the agreement was to remove any increase in costs to Hamilton as a result of the amalgamation that was consistent with the Provincial amalgamation directive. The agreement ensured that municipal funding apportioned by Conservation Halton to its watershed municipalities was essentially the same as prior to the amalgamation.

According to MNRF data, 14.17% of the Conservation Halton watershed falls within the City of Hamilton. When this percentage is applied to the City of Hamilton's CVA the municipal apportionments for Conservation Halton are revised as follows:

Municipality:	2018 Apportionment % (Historical)	2018 Municipal Funding (Historical Apport.)	2018 Apportionment % (Revised)	2018 Municipal Funding (Revised Apport.)	Increase / (Decrease) \$
Region of Halton	92.3558%	\$8,818,431	87.4849%	\$ 8,353,342	(465,089)
Region of Peel	5.2183%	\$498,260	4.9431%	\$ 471,983	(26,277)
City of Hamilton	2.1899%	\$209,099	7.3485%	\$ 701,659	492,560
Township of Puslinch	0.2360%	\$22,534	0.2235%	\$ 21,340	(1,194)
	100.0000%	\$9,548,324	100.0000%	\$ 9,548,324	-

Besides Conservation Halton, the City of Hamilton provides funding to Hamilton Conservation Authority (HCA), Niagara Peninsula Conservation Authority (NPCA) and the Grand River Conservation Authority (GRCA). As a result of the MLC decision, staff understand there is essentially no impact to the HCA. NPCA has not been following the agreement since 2015 and it is anticipated that GRCA will be using the revised apportionment percentages in their 2018 Budget approval scheduled for February.

Staff consulted legal counsel regarding the impact of the MLC decision on Conservation Halton. Staff were advised that as the MLC has ruled that the agreement does not constitute an agreement according to the Conservation Authorities Act and Regulation there is a duty by Conservation Halton to correct the apportionment of the municipal funding.

Notices of the revised municipal funding apportionment are being sent to the Region of Halton, Region of Peel, City of Hamilton and Township of Puslinch providing 30 day notice prior to the Board of Directors meeting to vote on the revised apportioned municipal funding according to the revised municipal representation.

Conservation Halton staff will be presenting the 2018 Budget to the City of Hamilton General Issues Committee on January 23, 2018.

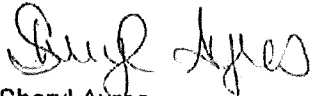
#### Impact on Strategic Goals

This report supports the Metamorphosis strategic theme of Striving for service excellence and efficiency.

### Financial Impact

There is no financial impact to this report as total municipal funding included in the 2018 Budget will remain the same.

Signed & respectfully submitted:



Sheryl Ayres  
Senior Director, Corporate & Strategic Initiatives

Approved for circulation:



Hassaan Basit  
CAO/Secretary-Treasurer

**FOR QUESTIONS ON CONTENT:**

Marnie Piggot, Director, Finance  
[mpiggot@hrca.on.ca](mailto:mpiggot@hrca.on.ca); 905-336-1158 x 2240



Ancaster, February 1, 2018

Mayor Fred Eisenberger and Members of Council  
c/o Ms. Rose Caterini, City Clerk  
71 Main Street West, 1<sup>st</sup> Floor  
Hamilton ON L8P 4Y5

Re: Ancaster Tennis Club, Dome Project

My name is Mathieu Koevoets and I am the President of the Ancaster Tennis Club, with a 2017 club membership of 630, of which 32% are Juniors.

Our goal is to increase the Junior membership and to provide all year tennis for all of our members. Therefore, we are planning to install an air-supported structure (Dome/ Bubble) over the five hard surface courts located on City owned lands in Village Green Park behind the Ancaster Library.

It has been clear to us from the start that a winter tennis facility in Village Green Park would not only be important and beneficial for Ancaster tennis players, but also for those living across the whole western portion of the City, including Flamborough, Dundas, Waterdown and Greensville.

This view has been reinforced by the daily inquiries we receive from Hamilton area citizens, who play at other summer clubs, asking when the Dome will be ready for playing tennis.

There are only 6 indoor courts in the Greater Hamilton Area, 2 of which are at the Lada Tennis club in Ancaster (private) and 4 at the Rosedale Tennis club in Gage Park. The Greater Hamilton Area has a population of 550,000 with 6 indoor tennis courts while our neighbour, the City of Burlington with a population of 195,000, has 18 indoor tennis courts.



As tennis grows in Canada, the use of Domes over courts on Municipally owned lands makes good economic sense. The need for exercise and the need to develop players, especially Juniors is a 12 month a year project. We must provide the most economical means possible to fill this need locally, and we at ATC have that in our sight for 2018-2019.

We have had several meetings with Councillor Lloyd Ferguson and Senior staff and we understand that the City has no capital nor operating funds in this year's budget for this project.

We have applied for a Trillium Grant and we are in the process of fundraising and our members have already contributed \$64,000 in the form of loans.

We hereby ask, not only for your support for this project since it will serve the Greater Hamilton Area, but also for financial assistance to make this winter tennis Dome project a reality.

Detailed information will be provided at a later date when staff submit their report to Committee and Council.

Yours Truly,

A handwritten signature in black ink, appearing to read 'Mathieu Koevoets', with a stylized flourish at the end.

Mathieu Koevoets, President Ancaster Tennis Club.

cc Councillor Lloyd Ferguson

Mathieu Koevoets, P.Eng

**Carson, Katie**

**Subject:** FW: Message from the Ministry of Natural Resources and Forestry

**From:** MIN Feedback (MNRF) [<mailto:minister.mnrf@ontario.ca>]

**Sent:** February-05-18 10:31 AM

**To:** Office of the Mayor

**Subject:** Message from the Ministry of Natural Resources and Forestry

MNR7048MC-2018-82

February 5, 2018

His Worship Fred Eisenberger  
Mayor  
City of Hamilton  
[mayor@hamilton.ca](mailto:mayor@hamilton.ca)

Dear Mayor Eisenberger:

Thank you for your letter regarding a Conservation Authority boundary review.

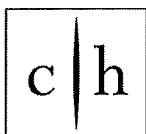
I or ministry staff will be replying to you in more detail. In the meantime, I wanted you to know that I received and appreciated your correspondence.

Sincerely,

Nathalie Des Rosiers  
Minister of Natural Resources and Forestry

**Confidentiality Notice:** This e-mail contains information intended only for the use of the individual whose e-mail address is identified above. If you have received this e-mail in error, please advise us by responding to it. Please also destroy all copies of this message. Thank you

**Avis de confidentialité :** Ce courriel contient des renseignements à l'usage exclusif de la personne à l'adresse courriel ci-haut. Si vous avez reçu ce courriel par erreur, veuillez nous en informer en répondant. Veuillez aussi détruire toutes les copies de ce message. Merci.



Cohen Highley<sup>LLP</sup>

L A W Y E R S

www.cohenhighley.com

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One London Place  
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F 519 576-2830

**Sarnia**  
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Sarnia, ON N7S 6H8  
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F 519 672-5960

**Chatham**  
101 Keil Dr. South, Unit 2  
P.O. Box 420  
Chatham, ON N7M 5K6  
T 226 494-1034  
F 519 672-5960

February 9, 2018

Mayor Eisenberger & Councillors  
Hamilton City Hall  
2nd floor - 71 Main Street West  
Hamilton, Ontario  
L8P 4Y5

Dear Mayor and Councillors:

**Re: Hamilton District Apartment Association (HDAA) and City Discussion Paper Referral**

---

We are the lawyers for HDAA and are corresponding with you in advance of your next scheduled council meeting to request your oversight in connection with an important matter.

First, HDAA is pleased that the City of Hamilton Planning Committee has referred the discussion paper, "**Promoting Code Compliant, Affordable, Safe, Clean and Healthy Rental Housing**" to city staff for review, consideration and a report.

The position of HDAA and many community stakeholders remains unchanged: licensing rental housing brings the serious risk of significant tenant displacement and increased rents which will have a direct impact on the social service agencies which provide assistance through emergency shelters, housing support, financial assistance, and relief for some of the most vulnerable residents in your community. As such, HDAA believes that there should be a more thorough and transparent opportunity for community input from a broad range of multi-res stakeholders such as: rental housing tenants, affordable housing advocates, anti-poverty advocates, rental housing advocates, social service agencies, Realtors, rental housing providers and concerned citizens.


We congratulate the city council for the wisdom to reject licensing rental properties in 2013 and subsequently approving the formation of a Rental Housing Sub-committee with Council's approved terms of reference, "**To work with interested stakeholders to assist with the implementation of an approach to enforcement and legalization of appropriate rental housing including, but not limited to, process, fees, and by-law regulations.**" Unfortunately, the sub-committee members have not been given an opportunity to fulfill their mandate.

HDAAs was pleased to hear Councillor Aidan Johnson, a member of the Rental Housing Sub-Committee, honestly admit, **“Yes, there will be some amount of displacement of low income tenants from rental housing units as a result of licensing.”** The Councillor proceeded to argue that the positive effects of licensing rental housing outweighs the negative impacts and that licensing should be implemented because he ran on an election promise to license rental housing. While we appreciate his honesty, we are hopeful that Councillor A. Johnson’s position does **NOT** reflect the position of City Council. Political self-interest, in our respectful view, should not outweigh the interests of vulnerable constituents.

Mayor and Councillors, HDAAs, through the efforts of Maple Leaf Strategies, has found that there is an eager community of stakeholders, admittedly with different missions and visions, who are unwilling to accept any displacement of our most vulnerable residents. These stakeholders have demonstrated a willingness to explore all opportunities to promote code compliant, affordable, safe, clean and healthy rental housing while protecting residents from any risk of rent increases or tenant displacement resulting from licensing of residential rental properties. These stakeholders and all concerned citizens deserve to be heard by the entire city council.

As such, HDAAs requests that the City Council exercise its oversight jurisdiction and move to amend the Planning Committee recommendation by directing staff to report back to the General Issues Committee by June 20, 2018 for a transparent public discussion.

Respectfully yours,



signature electronically affixed

Joe Hoffer  
**Cohen Highley LLP**  
*Email: [hoffer@cohenhighley.com](mailto:hoffer@cohenhighley.com)*

cc: Client



## GENERAL ISSUES COMMITTEE REPORT 18-001

9:30 a.m.  
January 11, 2018  
Council Chambers  
Hamilton City Hall  
71 Main Street West

**Present:** Acting Deputy Mayor B. Johnson (Chair)  
Councillors D. Skelly, T. Jackson, C. Collins, M. Green, J. Farr,  
D. Conley, M. Pearson, A. VanderBeek, J. Partridge

**Absent**  
**with Regrets:** Mayor F. Eisenberger, T. Whitehead, A. Johnson, L. Ferguson,  
R. Pasuta – Personal  
Councillor Merulla – City Business

### THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 18-001 FOR INFORMATION:

**(a) CHANGES TO THE AGENDA (Item 1)**

The Committee Clerk advised there were no changes to the agenda.

The agenda for the January 11, 2018 General Issues Committee meeting was approved, as presented.

Items 2.1 and 2.2, Committee training respecting the new agenda management software; and, the new audio / visual equipment, proceeded in Open Session.

**(b) eSCRIBE PARTICIPANT TRAINING (Item 2)**

**(i) New Audio and Visual Equipment (Item 2.1)**

Darrell MacLean, MacLean Media Systems, provided an overview of the new audio/visual equipment in Council Chambers.

The presentation from Darrell MacLean, MacLean Media Systems, respecting the new audio/video equipment in Council Chambers, was received.

**(ii) New Agenda Meeting Management Software (Item 2.2)**

Ahmid Dahir, eSCRIBE, provided an overview of the eSCRIBE agenda meeting management software and participant features.

The presentation from Ahmid Dahir, eSCRIBE, respecting the new agenda meeting management software, was received.

**(c) NOTICES OF MOTION (Item 3)**

Councillor Skelly introduced the following Notice of Motion:

**(i) Five Minute Speaking Limit for Members of Council at Committee and Council Meetings (Item 3.1)**

- (a) That the Mayor and all City Councillors be restricted to a five minute time limit when asking a question and/or making a statement during Committee and Council meetings; and,
- (b) That should a member of Council wish to request an extension to the five minute speaking restriction; a motion must be passed by Committee/Council to permit a specific allotment of time through the extension.

**(d) ADJOURNMENT (Item 5)**

There being no further business, the General Issues Committee was adjourned at 11:59 a.m.

Respectfully submitted,

B. Johnson, Deputy Mayor  
Chair, General Issues Committee

Lisa Chamberlain  
Legislative Coordinator  
Office of the City Clerk



## **PUBLIC WORKS COMMITTEE**

### **REPORT 18-002**

**9:30 a.m.**

**Monday, February 5, 2018**

**Council Chambers**

**Hamilton City Hall**

**71 Main Street West**

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**Present:** Councillor L. Ferguson (Chair)  
Councillor T. Jackson (Vice Chair)  
Councillors S. Merulla, C. Collins, T. Whitehead,  
D. Conley and A. VanderBeek

**Absent with Regrets:** Councillor R. Pasuta – Personal

**Also Present:** Councillor J. Farr

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### **THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 18-002 AND RESPECTFULLY RECOMMENDS:**

- 1. Biosolids Management Project – Novation of Financial Agreement (PW18005) (City Wide) (Item 5.1)**
  - (a) That the General Manager of Public Works be authorized and directed to negotiate the terms of the Novation Agreement with PPP Canada Incorporated (PPP Canada) and Infrastructure Canada (IC), including any ancillary documents required to give effect thereto, in a form satisfactory to the City Solicitor;
  - (b) That the Mayor and City Clerk be authorized and directed to execute the Novation Agreement, including any ancillary documents required to give effect thereto, in a form satisfactory to the General Manager of Public Works and City Solicitor.

**2. Proposed Permanent Closure and Sale of a Portion of a Public Unassumed Alley Abutting 121 Vansitmart Avenue, 414 Cope Street and 407 Tragina Avenue North, Hamilton (PW18011) (Ward 4) (Item 6.1)**

That the applications of the owners of 121 Vansitmart Avenue, 414 Cope Street, and 407 Tragina Avenue North, Hamilton, to permanently close and purchase a portion of the unassumed alleyway abutting the North side of 121 Vansitmart Avenue, 414 Cope Street, and 407 Tragina Avenue North, Hamilton, ("Subject Lands"), as shown on Appendix "A", attached to Public Works Report 18-002, be approved, subject to the following conditions:

- (a) That the applicant makes an application to the Ontario Superior Court of Justice, under Section 88 of the Registry Act, for an order to permanently close the Subject Lands, if required by the City, subject to:
  - (i) The General Manager of Public Works, or designate, signing the appropriate documentation to obtain any required court order; and
  - (ii) The documentation regarding any required application to the Ontario Superior Court of Justice being prepared by the applicant, to the satisfaction of the City Solicitor;
- (b) That the applicants be fully responsible for the deposit of a reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor, to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section;
- (c) That, subject to any required application to the Ontario Superior Court of Justice to permanently close the Subject Lands being approved:
  - (i) The City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the alleyway, for enactment by Council;
  - (ii) The Real Estate Section of the Planning and Economic Development Department be authorized and directed to sell a portion of the closed alleyway to the owners of 121 Vansitmart Avenue, Hamilton, shown as Parcel B in Appendix A, as described in Report PW18011, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204, at fair market value;
  - (iii) The Real Estate Section of the Planning and Economic Development Department be authorized and directed to sell a portion of the closed alleyway to the owners of 414 Cope St and 407 Tragina Avenue North, Hamilton, shown as Parcels A and C, Appendix A, as described in Report PW18011, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204, at a nominal fee;



- (iv) The City Solicitor be authorized and directed to register a certified copy of the by-laws permanently closing and selling the alleyway in the proper land registry office;
- (v) The Public Works Department provide any required notice of the City's intention to pass the by-laws and/or permanently sell the closed alleyway pursuant to City of Hamilton Sale of Land Policy By-law 14-204;
- (d) That the applicant enters into agreements with the City of Hamilton and any Public Utility requiring easement protection.

**3. Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 195 Emerald Street South, Hamilton (PW18012) (Ward 2) (Item 6.2)**

That the application of the owner of 195 Emerald Street South to permanently close and purchase a portion of the unassumed alleyway abutting the east side of 195 Emerald Street South, Hamilton ("Subject Lands"), as shown on Appendix "B", attached to Public Works Report 18-002, be approved, subject to the following conditions:

- (a) That the applicant makes an application to the Ontario Superior Court of Justice, under Section 88 of the Registry Act, for an order to permanently close the Subject Lands, if required by the City, subject to:
  - (i) The General Manager of Public Works, or designate, signing the appropriate documentation to obtain any required court order; and
  - (ii) The documentation regarding any required application to the Ontario Superior Court of Justice being prepared by the applicant, to the satisfaction of the City Solicitor;
- (b) That the applicant be fully responsible for the deposit of a reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor, to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section;
- (c) That, subject to any required application to the Ontario Superior Court of Justice to permanently close the Subject Lands being approved:
  - (i) The City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the alleyway, for enactment by Council;
  - (ii) The Real Estate Section of the Planning and Economic Development Department be authorized and directed to sell the closed alleyway to the owners of 195 Emerald Street South,

Hamilton, as described in Report PW18012, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204, for a nominal fee;

- (iii) The City Solicitor be authorized and directed to register a certified copy of the by-laws permanently closing and selling the alleyway in the proper land registry office;
  - (iv) The Public Works Department provide any required notice of the City's intention to pass the by-laws and/or permanently sell the closed alleyway pursuant to City of Hamilton Sale of Land Policy By-law 14-204;
- (d) That the applicant enters into agreements with any Public Utility requiring easement protection.

**4. Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 13 Clyde Street, Hamilton (PW18013) (Ward 3) (Item 6.3)**

That the application of the owner of 13 Clyde Street, Hamilton, to permanently close and purchase a portion of the unassumed alleyway abutting the south side of 13 Clyde Street, Hamilton, ("Subject Lands"), as shown on Appendix "C", attached to Public Works Report 18-002, be approved, subject to the following conditions:

- (a) That the applicant makes an application to the Ontario Superior Court of Justice, under Section 88 of the Registry Act, for an order to permanently close the Subject Lands, if required by the City, subject to:
  - (i) The General Manager of Public Works, or designate, signing the appropriate documentation to obtain any required court order; and
  - (ii) The documentation regarding any required application to the Ontario Superior Court of Justice being prepared by the applicant, to the satisfaction of the City Solicitor;
- (b) That the applicant be fully responsible for the deposit of a reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor, to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section;
- (c) That, subject to any required application to the Ontario Superior Court of Justice to permanently close the Subject Lands being approved:
  - (i) The City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the alleyway, for enactment by Council;

- (ii) The Real Estate Section of the Planning and Economic Development Department be authorized and directed to sell the closed alleyway to the owners of 13 Clyde Street, Hamilton, as described in Report PW18013, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204, for a nominal fee;
- (iii) The City Solicitor be authorized and directed to register a certified copy of the by-laws permanently closing and selling the alleyway in the proper land registry office;
- (iv) The Public Works Department provide any required notice of the City's intention to pass the by-laws and/or permanently sell the closed alleyway pursuant to City of Hamilton Sale of Land Policy By-law 14-204.

**5. Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 323 Catharine Street North and 308-310 John Street North, Hamilton (PW18014) (Ward 2) (Item 6.4)**

That the application Buzz Street Properties Inc., to permanently close and purchase a portion of the unassumed alleyway abutting the South side of 323 Catharine Street North and the Rear of 308-310 John Street South, Hamilton, ("Subject Lands"), as shown on Appendix "D", attached to Public Works Report 18-002, be approved, subject to the following conditions:

- (a) That the applicant makes an application to the Ontario Superior Court of Justice, under Section 88 of the Registry Act, for an order to permanently close the Subject Lands, if required by the City, subject to:
  - (i) The General Manager of Public Works, or designate, signing the appropriate documentation to obtain any required court order; and
  - (ii) The documentation regarding any required application to the Ontario Superior Court of Justice being prepared by the applicant, to the satisfaction of the City Solicitor;
- (b) That the applicant be fully responsible for the deposit of a reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor, to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section;
- (c) That, subject to any required application to the Ontario Superior Court of Justice to permanently close the Subject Lands being approved:
  - (i) The City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the alleyway, for enactment by Council;

- (ii) The Real Estate Section of the Planning and Economic Development Department be authorized and directed to sell the closed alleyway to Buzz Street Properties Inc., as described in Report PW18014, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;
- (iii) The City Solicitor be authorized and directed to register a certified copy of the by-laws permanently closing and selling the alleyway in the proper land registry office;
- (iv) The Public Works Department provide any required notice of the City's intention to pass the by-laws and/or permanently sell the closed alleyway pursuant to City of Hamilton Sale of Land Policy By-law 14-204;
- (d) That the applicant enters into agreements with any Public Utility requiring easement protection;
- (e) That the applicant enter into private agreements with those property owners abutting the east/west and north/south portion of the Subject Lands, to allow those property owners unobstructed access to their properties over the east/west and north/south portion of the Subject Lands.

**6. Transit Passenger Shelter Advertising Agreement (PW15071(b)) (City Wide) (Item 8.1)**

- (a) That the General Manager of Public Works be authorized and directed to enter into negotiations with a single source, Outfront Media, for a contract extension for two additional years of the existing Hamilton Street Railway (HSR) Transit Passenger Shelter Agreement, to expire on December 31, 2019;
- (b) That the General Manager of Public Works, or designate, be authorized and directed to execute all necessary documents to implement subsection (a), in a form satisfactory to the City Solicitor.

**7. PRESTO Third Party Retail Vendor (PW17033(b)) (City Wide) (Item 8.2)**

That Council authorize the General Manager of Public Works, or his/her delegate, to execute on behalf of the City all documents necessary to effect an agreement with Metrolinx for the retail distribution of the PRESTO card in a form that is acceptable to the City Solicitor.

**8. Mandatory Drive Thru Garbage Container (Item 9.1)**

WHEREAS, Tim Hortons locations in the City of Hamilton have recently discontinued providing waste disposal containers in drive thru restaurants; and,

WHEREAS, the amount of litter has increased significantly in neighbourhoods with Tim Horton drive thru restaurants; and,

WHEREAS, it is incumbent of good corporate citizens to contain litter related to their products,

THEREFORE BE IT RESOLVED:

That staff from the appropriate department/division be directed to study the feasibility of enacting a bylaw obligating all drive thru restaurants to have the proper number of waste disposal containers and recycling containers available to drive thru customers and report back to the appropriate Standing Committee.

**9. Ward 4 Playgrounds: McQuesten Urban Farm; 121 Parkdale Avenue North (Parkdale School) and Leaside Park, Hamilton (Item 9.2)**

WHEREAS, since approximately 1994, the City of Hamilton has inspected and maintained a playground structure on property owned by the Hamilton Wentworth District School Board (HWDSB) at 121 Parkdale Ave. North (Parkdale School), Hamilton;

WHEREAS, the playground structure at 121 Parkdale Ave. North (Parkdale School), is used by the school community, has now become worn-out;

WHEREAS, a formal agreement for the operation and maintenance of the proposed structures will be required for the public amenity on non-City owned lands; and,

WHEREAS, \$350,000 (\$175,000 per structure) has been allocated for the design, disposal and construction of the replacement of the play structures and safety surface, with the funding coming from the Ward 4 Area Reserve;

THEREFORE BE IT RESOLVED:

- (a) That the feasibility of the design and installation of a new playground at the McQuesten Urban Farm be investigated and constructed where feasible at an approximate cost of \$175,000 to be funded from the Ward 4 Area Rating Reserve Account #108054, be approved;

- (b) That the General Manager of Public Works be authorized and directed to approve and execute any and all required agreements and ancillary documents, between the City of Hamilton and the Hamilton Wentworth District School Board, for the disposal of the existing play structure, and the design and construction of new play structure at 121 Parkdale Avenue Hamilton (Parkdale School), in a form satisfactory to the City Solicitor; and,
- (c) That play structure improvements at Leaside Park, including the addition of a new play structure (design, construction and safety surfacing) at an approximate cost of \$50,000, be funded through the Ward 4 Area Reserve, with any unspent funds to be returned to the reserve.

**10. Resurfacing of the Westoby (Olympic) Arena Parking Lot (Ward 13) (Added Item 10.1)**

WHEREAS, the Parking Lot at Westoby (Olympic) Arena in Dundas has become structurally deficient and is in need of resurfacing; and,

WHEREAS, this will improve the level-of-service, increase safety and reduce maintenance costs; and,

WHEREAS, Project ID 7101654613 Westoby (Olympic) Arena Roof was completed on time and under budget with a WIP surplus; and,

WHEREAS, Project ID 3541741648 Parking Lot Rehabilitation (2017) has a WIP surplus,

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to create Project ID 7101854815 Westoby (Olympic) Arena Parking Lot Resurfacing with a budget of \$388,000;
- (b) That the newly created Project ID 7101854815 Westoby (Olympic) Arena Parking Lot Resurfacing be funded in the amount of \$178,000 from Project ID 7101654613 Westoby (Olympic) Arena Roof and \$210,000 from Project ID 3541741648 Parking Lot Rehabilitation (2017).

**FOR INFORMATION:**

**(a) APPROVAL OF THE AGENDA (Item 1)**

The Committee Clerk advised of the following changes to the agenda.

**1. PUBLIC HEARINGS/DELEGATIONS (Item 6)**

- 6.1 Proposed Permanent Closure and Sale of a Portion of a Public Unassumed Alley Abutting 121 Vansitmart Avenue, 414 Cope Street and 407 Tragina Avenue North, Hamilton (PW18011) (Ward 4)

Registered Speaker: Sergio Manchia, Urban Solutions

**2. MOTIONS (Item 9)**

- 9.2 284 Melvin Avenue (former St. Helen's School); 121 Parkside Avenue North (Parkdale School) and Leaside Park, Hamilton

The motion in the agenda has been deleted and replaced with a revised version.

**3. ADDED NOTICES OF MOTION (Item 10)**

- 10.1 Resurfacing of the Westoby (Olympic) Arena Parking Lot (Ward 13)

The Agenda for the February 5, 2018 meeting of the Public Works Committee was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 2)**

There were no declarations of interest.

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

**(i) January 15, 2018 (Item 3.1)**

The Minutes of the January 15, 2018 Public Works Committee meeting were approved, as presented.

**(d) DELEGATION REQUESTS (Item 4)**

**(i) Arthur Gallant respecting Concerns with the HSR (Item 4.1)**

The delegation request from Arthur Gallant respecting Concerns with the HSR, was approved for a future meeting.

**(e) CONSENT ITEMS (Item 5)**

**(i) Minutes 17-003 of the Accessible Transit Services Review Sub-Committee – November 2, 2017 (Item 5.1)**

The Minutes of the Accessible Transit Services Review Sub- Committee dated November 2, 2017, were received.

**(f) PUBLIC HEARINGS / DELEGATIONS (Item 6)**

**(i) Proposed Permanent Closure and Sale of a Portion of a Public Unassumed Alley Abutting 121 Vansitmart Avenue, 414 Cope Street and 407 Tragina Avenue North, Hamilton (PW18011) (Ward 4) (Item 6.1)**

Chair Ferguson advised that notice of a proposed closure and sale of a Public Alley Abutting 121 Vansitmart Avenue, 414 Cope Street and 407 Tragina Avenue North, Hamilton was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

The Committee Clerk advised that one individual registered to speak to the matter.

The Chair called Mr. Sergio Manchia with Urban Solutions, to come to the podium to address the Committee.

Mr. Manchia advised that he was speaking to the matter on behalf of the applicants, the Kemp Family.

Mr. Manchia spoke in support of the application and thanked staff for their assistance.

The delegation from Sergio Manchia, Urban Solutions, respecting the Proposed Permanent Closure and Sale of a Portion of a Public Unassumed Alley Abutting 121 Vansitmart Avenue, 414 Cope Street and 407 Tragina Avenue North, Hamilton, was received.

The Chair asked if there were any other members of the public in attendance who wished to come forward to speak to the matter. No individuals came forward.

For disposition of this matter, refer to Item 2.



**(ii) Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 195 Emerald Street South, Hamilton (PW18012) (Ward 2) (Item 6.2)**

Chair Ferguson advised that notice of a proposed closure and sale of a Public Unassumed Alley Abutting 195 Emerald Street South, Hamilton was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

The Committee Clerk advised that no individuals registered to speak to the matter.

The Chair asked if there were any members of the public in attendance who wished to come forward to speak to the matter. No individuals came forward.

For disposition of this matter, refer to Item 3.

**(iii) Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 13 Clyde Street, Hamilton (PW18013) (Ward 3) (Item 6.3)**

Chair Ferguson advised that notice of a proposed closure and sale of a Public Unassumed Alley Abutting 13 Clyde Street, Hamilton was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

The Committee Clerk advised that no individuals registered to speak to the matter.

The Chair asked if there were any members of the public in attendance who wished to come forward to speak to the matter. No individuals came forward.

For disposition of this matter, refer to Item 4.

**(iv) Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 323 Catharine Street North and 308-310 John Street North, Hamilton (PW18014) (Ward 2) (Item 6.4)**

Chair Ferguson advised that notice of a proposed closure and sale of a Public Unassumed Alley Abutting 323 Catharine Street North and 308-310 John Street North, Hamilton was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

The Committee Clerk advised that no individuals registered to speak to the matter.

The Chair asked if there were any members of the public in attendance who wished to come forward to speak to the matter. No individuals came forward.

Item 6.4 respecting a Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 323 Catharine Street North and 308-310 John Street North, Hamilton was amended by removing the words “at an nominal fee” from Sub-Section (c)(ii), to read as follows:

That the application Buzz Street Properties Inc., to permanently close and purchase a portion of the unassumed alleyway abutting the South side of 323 Catharine Street North and the Rear of 308-310 John Street South, Hamilton, (“Subject Lands”), as shown on Appendix "A", attached to Report PW18014, be approved, subject to the following conditions:

- (a) That the applicant makes an application to the Ontario Superior Court of Justice, under Section 88 of the Registry Act, for an order to permanently close the Subject Lands, if required by the City, subject to:
  - (i) The General Manager of Public Works, or designate, signing the appropriate documentation to obtain any required court order; and
  - (ii) The documentation regarding any required application to the Ontario Superior Court of Justice being prepared by the applicant, to the satisfaction of the City Solicitor;
- (b) That the applicant be fully responsible for the deposit of a reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor, to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section;
- (c) That, subject to any required application to the Ontario Superior Court of Justice to permanently close the Subject Lands being approved:
  - (i) The City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the alleyway, for enactment by Council;
  - (ii) The Real Estate Section of the Planning and Economic Development Department be authorized and directed to sell the closed alleyway to Buzz Street Properties Inc., as described in Report PW18014, in accordance with the City of

Hamilton Sale of Land Policy By-law 14-204, ~~at an nominal fee~~;

- (iii) The City Solicitor be authorized and directed to register a certified copy of the by-laws permanently closing and selling the alleyway in the proper land registry office;
- (iv) The Public Works Department provide any required notice of the City's intention to pass the by-laws and/or permanently sell the closed alleyway pursuant to City of Hamilton Sale of Land Policy By-law 14-204;
- (d) That the applicant enters into agreements with any Public Utility requiring easement protection;
- (e) That the applicant enter into private agreements with those property owners abutting the east/west and north/south portion of the Subject Lands, to allow those property owners unobstructed access to their properties over the east/west and north/south portion of the Subject Lands.

For disposition of this matter, refer to Item 5.

**(g) DISCUSSION ITEMS (Item 8)**

**(i) PRESTO Third Party Retail Vendor (PW17033(b)) (Item 8.2)**

Report PW17033(b) respecting the PRESTO Third Party Retail Vendor, was LIFTED from the table.

**CARRIED**

For further disposition of this matter, refer to Item 7.

**(h) MOTIONS (Item 9)**

**(i) Mandatory Drive Thru Garbage Containers (Item 9.1)**

Item 9.1 respecting a motion about Mandatory Drive Thru Garbage Containers was amended by adding the words "and recycling containers" to read as follows:

That staff from the appropriate department/division be directed to study the feasibility of enacting a bylaw obligating all drive thru restaurants to have the proper number of waste disposal containers **and recycling containers** available to drive thru customers and report back to the appropriate Standing Committee.

For further disposition of this matter, refer to Item 8.

(ii) **284 Melvin Avenue (former St. Helen's School); 121 Parkside Avenue North (Parkdale School) and Leaside Park, Hamilton (Item 9.2)**

Item 9.2 being a motion respecting 284 Melvin Avenue (former St. Helen's School); 121 Parkside Avenue North (Parkdale School) and Leaside Park, Hamilton was deleted in its entirety and replaced with the following motion:

~~**Ward 4 Playgrounds: 284 Melvin Avenue (former St. Helen's School); 121 Parkside Avenue North (Parkdale School) and Leaside Park, Hamilton**~~

~~WHEREAS, since approximately 1994, the City of Hamilton has inspected and maintained a playground structure on property owned by the Hamilton Wentworth Catholic District School Board (HWCDSB) at 384 Melvin Avenue, Hamilton (formerly St. Helen's School);~~

~~WHEREAS, since approximately 1994, the City of Hamilton has inspected and maintained a playground structure on property owned by the Hamilton Wentworth District School Board (HWDSB) at 121 Parkdale Ave. North (Parkdale School), Hamilton;~~

~~WHEREAS, the playground structures at 384 Melvin Avenue, Hamilton (formerly St. Helen's School); and, 121 Parkdale Ave. North (Parkdale School), both of which are used by the school communities and members of the public, have now become worn-out;~~

~~WHEREAS, a formal agreement for the operation and maintenance of the proposed structures will be required for the public amenity on non-City owned lands; and,~~

~~WHEREAS, \$350,000 (\$175,000 per structure) has been allocated for the design, disposal and construction of the replacement of the play structures and safety surface, with the funding coming from the Ward 4 Area Reserve;~~

~~THEREFORE BE IT RESOLVED:~~

~~(a) That the disposal of the existing play structure, and the design and installation of a new playground, at 384 Melvin Avenue, Hamilton (formerly St. Helen's Elementary School), at an approximate cost of \$175,000 to be funded from the Ward 4 Area Rating Reserve Account #108054, be approved;~~

~~(b) That the disposal of the existing play structure, and the design and installation of a new playground, at 121 Parkdale Avenue North (Parkdale School), Hamilton, at an approximate cost of \$175,000 to be funded from the Ward 4 Area Rating Reserve Account #108054, be approved;~~

- ~~(c) That the General Manager of Public Works be authorized and directed to approve and execute any and all required agreements and ancillary documents, between the City of Hamilton and the Hamilton Wentworth Catholic District School Board, for the disposal of the existing play structure, and the design and construction of new play structure at 384 Melvin Avenue Hamilton (formerly St. Helen's School), in a form satisfactory to the City Solicitor;~~
- ~~(d) That the General Manager of Public Works be authorized and directed to approve and execute any and all required agreements and ancillary documents, between the City of Hamilton and the Hamilton Wentworth District School Board, for the disposal of the existing play structure, and the design and construction of new play structure at 121 Parkdale Avenue Melvin Avenue Hamilton (Parkdale School), in a form satisfactory to the City Solicitor; and,~~
- ~~(e) That play structure improvements at Leaside Park, at an approximate cost of 50,000, be funded through the Ward 4 Area Reserve, with any unspent funds to be returned to the reserve.~~

**Ward 4 Playgrounds: McQuesten Urban Farm; 121 Parkdale Avenue North (Parkdale School) and Leaside Park, Hamilton**

WHEREAS, since approximately 1994, the City of Hamilton has inspected and maintained a playground structure on property owned by the Hamilton Wentworth District School Board (HWDSB) at 121 Parkdale Ave. North (Parkdale School), Hamilton;

WHEREAS, the playground structure at 121 Parkdale Ave. North (Parkdale School), is used by the school community, has now become worn-out;

WHEREAS, a formal agreement for the operation and maintenance of the proposed structures will be required for the public amenity on non-City owned lands; and,

WHEREAS, \$350,000 (\$175,000 per structure) has been allocated for the design, disposal and construction of the replacement of the play structures and safety surface, with the funding coming from the Ward 4 Area Reserve;

THEREFORE BE IT RESOLVED:

- (a) That the feasibility of the design and installation of a new playground at the McQuesten Urban Farm be investigated and constructed where feasible at an approximate cost of \$175,000 to be funded from the Ward 4 Area Rating Reserve Account #108054, be approved;

- (b) That the General Manager of Public Works be authorized and directed to approve and execute any and all required agreements and ancillary documents, between the City of Hamilton and the Hamilton Wentworth District School Board, for the disposal of the existing play structure, and the design and construction of new play structure at 121 Parkdale Avenue Hamilton (Parkdale School), in a form satisfactory to the City Solicitor; and,
- (c) That play structure improvements at Leaside Park, including the addition of a new play structure (design, construction and safety surfacing) at an approximate cost of \$50,000, be funded through the Ward 4 Area Reserve, with any unspent funds to be returned to the reserve.

For further disposition of this matter, refer to Item 9.

**(i) NOTICES MOTION (Item 10)**

**(i) Resurfacing of the Westoby (Olympic) Arena Parking Lot (Ward 13)  
(Added Item 10.1)**

Councillor VanderBeek introduced a Notice of Motion respecting the Resurfacing of the Westoby (Olympic) Arena Parking Lot.

The rules of order be waived in order to allow for the introduction of a motion respecting the Resurfacing of the Westoby (Olympic) Arena Parking Lot.

For further disposition of this matter, refer to Item 10.

**(ii) Capital Project Funding from the Ward 2 Area Rating Capital Reserve  
(Added Item 10.2)**

Councillor Merulla introduced the Notice of Motion respecting Capital Project Funding from the Ward 2 Area Rating Capital Reserve.

- (a) That staff be directed to complete the following capital projects with funding to come from the Ward 2 Area Rating Capital Reserve:
  - (i) Hunter Street and Walnut Street Barrier Planter - \$1475.78
  - (ii) George Street Pedestrian Mall Bollards (George Street at Hess Street) - \$5,000

- (iii) George Street Planters and Seasonal Lighting - \$7,000
- (iv) Laneway Maintenance Reserve - \$30,000
- (v) Corktown Intersection Safety Improvements (Walnut Street and Augusta Street) - \$22,000
- (vi) Safety and Security Infrastructure at 226 Rebecca Street (CityHousing Hamilton)
- (vii) Security Infrastructure at 155 Park Street (CityHousing Hamilton)
- (viii) North End Road Resurfacing Reserve - \$100,000
- (ix) Ward 2 Public Bench Memorial Program Reserve - \$10,000
- (x) Durand Neighbourhood Association/Ward 2 YWCA Seniors Program and Women's Shelter contribution to major capital replacement of cooling system - \$150,000
- (xi) George Street Promenade lighting / planter boxes / beautification Reserve - \$15,000
- (xii) George Street at Hess barrier - \$5,000
- (xiii) Corktown Affordable Housing Partnership (Corktown Co-ops Phase 2) - \$42,000
- (xiv) James North Art Crawl sidewalk safety measures for summer 2018 - \$60,000

- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) required by any of the above projects with such terms and conditions being in a form satisfactory to the City Solicitor.

**(j) GENERAL INFORMATION/OTHER BUSINESS (Item 11)**

**(i) Changes to the Outstanding Business List (Item 11.1)**

**(VanderBeek/Whitehead)**

The following amendments to the Outstanding Business List, were approved:

- (a) Items requiring a revised due date:

Two-way Cycling and Multi-Use Trail Facility on the  
Claremont Access

Current Date: February 5, 2018

Revised Date: April 30, 2018

- (b) Items considered complete and to be removed:

Affordable Housing Units for Seniors as Park of the  
Riverdale Recreation Expansion Project (dealt with at GIC  
on November 1, 2017 (Item 5))

**CARRIED**

**(k) ADJOURNMENT (Item 13)**

**(Jackson/Conley)**

Being no further business, the Public Works Committee was adjourned at 10:21 a.m.

**CARRIED**

Respectfully submitted,

Councillor L. Ferguson, Chair  
Public Works Committee

Lauri Leduc  
Legislative Coordinator  
Office of the City Clerk





Hamilton

PROPOSED CLOSURE OF UNASSUMED ALLEYS AT  
414 COPE STREET (A), 121 VANSITMART STREET (B), 407 TRAGINA AVE NORTH (C)

Geomatics & Corridor Management Section  
Public Works Department

LEGEND

 Lands to be Closed

NTS  
09/01/2018  
Sketch By: KM



PROPOSED CLOSURE OF PORTION OF UNASSUMED ALLEY  
AT 195 EMERALD STREET SOUTH

Geomatics & Corridor Management Section  
Public Works Department

LEGEND

 Lands to be Closed

NTS  
29/06/2017  
Sketch By: KM



PROPOSED CLOSURE OF PORTION OF UNASSUMED ALLEY  
 AT 13 CLYDE STREET, HAMILTON

Geomatics & Corridor Management Section  
 Public Works Department

**LEGEND**

 **Lands to be Closed**

NTS  
 26/05/2017  
 Sketch By: KM



Hamilton

PROPOSED CLOSURE OF PORTION  
OF UNASSUMED ALLEY BETWEEN:  
MURRAY STREET EAST AND CATHARINE STREET NORTH

Geomatics & Corridor Management Section  
Public Works Department

LEGEND

 Lands to be Closed

NTS  
11-28-2016  
Sketch By: AT





## **PLANNING COMMITTEE**

### **REPORT 18-002**

**9:30 a.m.**

**Tuesday, February 6, 2018**

**Council Chambers**

**Hamilton City Hall**

**71 Main Street West**

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**Present:** Councillors A. Johnson (Chair), J. Farr (1<sup>st</sup> Vice-Chair), D. Conley (2<sup>nd</sup> Vice Chair), M. Green, C. Collins, M. Pearson, B. Johnson, D. Skelly, R. Pasuta and J. Partridge

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#### **THE PLANNING COMMITTEE PRESENTS REPORT 18-002 AND RESPECTFULLY RECOMMENDS:**

- 1. Licensing and By-law Services Division Resources as it Relates to the Licensing of Rental Properties (PED10049(w)) (City Wide) (Outstanding Business List Item) (Item 5.1)**

That Report PED10049(w) respecting Licensing and By-law Services Division Resources as it Relates to the Licensing of Rental Properties, be received.

- 2. Periodic Update Respecting Illegal Businesses in Rural Areas of Ward 11 (PED16207(b))(Ward 11) (Outstanding Business List Item) (Item 5.2)**

That Report PED16027(b) respecting Periodic Update Respecting Illegal Businesses in Rural Areas of Ward 11, be received.

- 3. Amendments to Sign By-law 10-197 (Construction Hoarding) (PED17217(a)) (City Wide) (Item 5.3)**

That the Sign By-law 10-197 be amended to include regulations for Construction Hoarding Signs, and that the amending by-law, attached as Appendix "A" to Report PED17217(a), which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.

- 4. Appeal to the Ontario Municipal Board (OMB) on the City of Hamilton's Refusal or Neglect to Adopt an Amendment to the City of Hamilton Zoning By-law No. 6593 and City of Hamilton Zoning By-law No. 05-200, for Lands Located at 952 – 954 Concession Street, (Hamilton) (PED18028) (Ward 6) (Item 5.4)**

That Report PED18028 respecting Appeal to the Ontario Municipal Board (OMB) on the City of Hamilton's Refusal or Neglect to Adopt an Amendment to the City of Hamilton Zoning By-law No. 6593 and City of Hamilton Zoning By-law No. 05-200, for Lands Located at 952 – 954 Concession Street, (Hamilton) (PED18028) (Ward 6), be received.

- 5. Appeal to the Ontario Municipal Board (OMB) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-17-03), Town of Flamborough Zoning By-law No. 90-145-Z Amendment Application (ZAC-17-013) and Draft Plan of Subdivision Application (25T-201702) for Lands Located at 609 and 615 Hamilton Street North, 3 Nisbet Boulevard and 129, 131, 135 and 137 Trudell Circle (Flamborough) (PED18031) (Ward 15) (Item 5.5)**

That Report PED18031 respecting Appeal to the Ontario Municipal Board (OMB) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-17-03), Town of Flamborough Zoning By-law No. 90-145-Z Amendment Application (ZAC-17-013) and Draft Plan of Subdivision Application (25T-201702) for Lands Located at 609 and 615 Hamilton Street North, 3 Nisbet Boulevard and 129, 131, 135 and 137 Trudell Circle (Flamborough), be received.

- 6. Appeal to the Ontario Municipal Board (OMB) on the City of Hamilton's Refusal or Neglect to Adopt an Amendment to the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 261 King Street (Stoney Creek) (Ward 10) (PED18033) (Item 5.6)**

That Report PED18033 respecting Appeal to the Ontario Municipal Board (OMB) on the City of Hamilton's Refusal or Neglect to Adopt an Amendment to the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 261 King Street (Stoney Creek), be received.

- 7. Hamilton Municipal Heritage Committee Report 18-001 (Item 5.7)**

**(a) Inventory & Research Working Group Meeting Notes – October 30, 2017**

- (i) Addition of St. Luke's Anglican Church, 454 John Street North to the City of Hamilton Register of Property of Cultural Heritage Value or Interest.**

The Inventory/Research Working Group recommends that St. Luke's Anglican Church, 454 John Street North, be added to the City of Hamilton Register of Property of Cultural Heritage Value or Interest.

**(ii) Addition of Hughson Street Baptist Church, 383 Hughson Street, North to the City of Hamilton Register of Property of Cultural Heritage Value or Interest.**

The Inventory/Research Working Group recommends that Hughson Street Baptist Church, 383 Hughson Street, North be added to the City of Hamilton Register of Property of Cultural Heritage Value or Interest.

**(b) Correspondence from Wayne Morgan, President, Community Heritage Ontario, respecting Report 10 of the House of Commons Standing Committee on Environment and Sustainable Development entitled Preserving Canada's Heritage: The Foundation for Tomorrow.**

- (i) That the Hamilton Municipal Heritage Committee supports the recommendations in the Standing Committee on Environment and Sustainable Development Report entitled "Preserving Canada's Heritage: The Foundation of Tomorrow"; attached as Appendix "A" to Hamilton Municipal Heritage Committee Report 18-001;
- (ii) That approval be given to the Hamilton Municipal Heritage Committee to write to the federal Minister of Environment and Sustainable Development, with copies to the Minister of Finance and local Members of Parliament, in support of the recommendations in Preserving Canada's Heritage: The Foundation of Tomorrow", as outlined in the draft letter attached as Appendix "A" to Report 18-001;
- (iii) That the Mayor be requested to co-sign the letter in support the recommendations in Preserving Canada's Heritage: The Foundation of Tomorrow.

**8. Delegated Authority for Special Occasions Permits (SOPs) (PED17220(a)) (City Wide) (Item 5.8)**

That the Director of Licensing and By-law Services or designate be delegated the authority to designate events under Special Occasion Permits as "municipally significant", *in consultation with the Ward Councillor*, if all required plans and documents are received, and to address any other related matters that apply to Special Occasion Permits, which have been previously designated by Council.

**9. Review of Committee of Adjustment Refund Program for Residential Properties Within the Airport Employment Growth District Area and Feasibility of Including Provisions within the Zoning By-laws to Provide for Relief (PED18005) (City Wide) (Outstanding Business List Item) (Item 5.9)**

That the refund program for Committee of Adjustment applications regarding legally established non-conforming single family dwellings located within the Airport Employment Growth District (AEGD) Lands and in the Beach Road, McNeilly Road and Margaret Avenue neighbourhoods be discontinued upon Ontario Municipal Board approval of By-law 17-240.

**10. Application to Amend the City of Hamilton Zoning By-law No. 6593 for Lands Located at 347 Charlton Avenue West, Hamilton (PED18035) (Ward 1) (Item 6.1)**

(a) That Amended Zoning By-law Amendment Application ZAC-17-018, by 1719755 Ontario Ltd. (c/o Will Edwards), Owner, for a change in zoning from the “D” (Urban Protected Residential – One and Two Family Dwellings, etc.) District to the “DE/S-1753” (Low Density Multiple Dwelling) District, Modified, to permit a six (6) unit multiple dwelling for lands located at 347 Charlton Avenue West, as shown on Appendix “A” to Report PED18035, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix “B” to Report PED18035, which has been prepared in a form satisfactory to the City Solicitor, be amended by:
- That no residential units be permitted in the basement or cellar;
  - That the roof height allowance regulation be increased by .5 metres.

And be enacted by City Council;

- (ii) That the amending By-law attached as Appendix “B” to Report PED18035, as amended, be added to District Map No. W14 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 (2017), and complies with the Urban Hamilton Official Plan.
- (b) That upon finalization of the amending By-law, the subject lands be re-designated from “Single & Double” to “Low Density Apartment” in the Kirkendall North Neighbourhood Plan.



- (c) *That the public submissions received regarding this matter did not affect the decision.*

**11. Applications for an Amendment to the Urban Hamilton Official Plan and to the Town of Glanbrook Zoning By-law No. 464 for Lands Located at 235 Tanglewood Drive, Glanbrook (PED18034) (Ward 11) (Item 6.2)**

- (a) That Amended Urban Hamilton Official Plan Amendment Application UHOPA-17-019 by Rob-Geof Properties Limited, Owner, for a site specific amendment to permit fourteen (14) Street Townhouse Dwellings with a maximum density of 45 units per net residential hectare within the Binbrook Village Secondary Plan, for lands located at 235 Tanglewood Drive, Glanbrook, as shown on Appendix “A” to Report PED18034, be APPROVED, on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED18034, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
  - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe (2017).
- (b) That Amended Zoning By-law Amendment Application ZAC-17-025, by Rob-Geof Properties Limited, Owner, for a change in zoning from the Deferred Development “DD” Zone to the Residential Multiple “RM2-310” Zone, Modified, for the lands located at 235 Tanglewood Drive, Glanbrook, as shown on Appendix “A” to Report PED18034, be APPROVED, on the following basis:
- (i) That the draft By-law, attached as Appendix “C” to Report PED18034, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (PPS) and conforms to the Growth Plan for the Greater Golden Horseshoe (2017); and,
  - (iii) That this By-law will comply with the Urban Hamilton Official Plan upon approval of Official Plan Amendment No. \_\_\_;
- (c) That there were no public submissions received regarding this matter.

**12. Applications for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 2782 Barton Street East, Hamilton (PED18022) (Ward 5) (Item 6.3)**

- (a) That Urban Hamilton Official Plan Amendment Application UHOPA-17-021, by LJM Developments (Grimsby) Inc., Owner, to establish a site specific policy for a proposed thirteen (13) storey, 211 unit multiple dwelling with a maximum net residential density of 379 units per hectare, for lands located at 2782 Barton Street East, Hamilton as shown on Appendix “A” to Report PED18022, be APPROVED on the following basis:
  - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED18022, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
  - (ii) That the proposed Urban Hamilton Official Plan Amendment is consistent with the Provincial Policy Statement (PPS) and conforms to the Growth Plan for the Greater Golden Horseshoe (2017).
  
- (b) That Amended Zoning By-law Amendment Application ZAC-17-050, by LJM Developments (Grimsby) Inc., Owner, for a change in zoning from the “E-2/S-306” and “E-2/S-306a” (Multiple Dwellings) District, Modified to the “E-3/S-306b” (High Density Multiple Dwellings) District, Modified to permit a 211 unit multiple dwelling with a maximum building height of thirteen (13) storeys (41 metres) on lands located at 2782 Barton Street East, Hamilton as shown on Appendix “A” to Report PED18022 be APPROVED on the following basis:
  - (i) That the draft By-law, attached as Appendix “C” to Report PED18022 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 PED18022 be added to District Map No. E123 of Zoning By-law No. 6593 as “E-3/S-306b”; 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 (2017) and will comply with the Urban Hamilton Official Plan upon finalization of Urban Hamilton Official Plan Amendment No. XX.
  
- (c) That the public submissions received regarding this matter did not affect the decision.

**13. Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 503 and 515 Garner Road West (Ancaster) (PED18032) (Ward 12) (Item 6.4)**

- (a) That Amended Urban Hamilton Official Plan Amendment Application UHOPA-16-007, by 1186559 Ontario Inc., (Owner) to refine the Natural Heritage mapping within Volume 1 of the Urban Hamilton Official Plan, and to re-designate a portion of the subject lands from “Low Density Residential 1” to “Low Density Residential 3a” within the Shaver Neighbourhood Secondary Plan to permit a forty-seven (47) unit townhouse development on a private (condominium) road, as well as re-designate a portion of the lands from “Low Density Residential 1” to “Natural Open Space” for lands located at 503 and 515 Garner Road West, as shown on Appendix “A” to Report PED18032 be APPROVED, on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED18032, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
  - (ii) That the proposed Amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe (2017) (Places to Grow).
- (b) That Zoning By-law Amendment Application ZAC-16-017 by 1186559 Ontario Inc., (Owner) for a change in zoning from the Agricultural “A-216” Zone to the Residential Multiple “RM2-690” Zone, Modified, to permit a forty-seven (47) unit townhouse development on a private (condominium) road for lands located at 503 and 515 Garner Road West, as shown on Appendix “A” to Report PED18032, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix “C” to Report PED18032, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
  - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (2017) (Places to Grow), and will comply with the Urban Hamilton Official Plan, upon finalization of UHOPA No. XX.
- (c) That Zoning By-law Amendment Application ZAC-16-017 by 1186559 Ontario Inc., (Owner) for a change in zoning from the Agricultural “A-216” Zone to the Conservation / Hazard Land (P5) Zone to permit a stormwater management pond, natural open space and vegetation protection zone for lands located at 503 and 515 Garner Road West, as shown on Appendix “A” to Report PED18032, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix “D” to Report PED18032, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
  - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (2017) (Places to Grow), and will comply with the Urban Hamilton Official Plan, upon finalization of UHOPA No. XX.
- (d) Should the abutting properties wish to derive benefit, cost recovery would be based on the flat rate identified under the funding methodology of Infrastructure Policy plus actual drain cost.
- (e) That the public submissions received regarding this matter did not affect the decision.

**14. Application for an Amendment to the Rural Hamilton Official Plan and the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 1051 Green Mountain Road East, Stoney Creek (PED18029) (Ward 11) (Item 6.5)**

- (a) That Amended Rural Hamilton Official Plan Amendment Application RHOPA-15-22, by Waterford Sand & Gravel Limited (Owner), to establish a Site Specific Policy Area to permit the extraction of mineral aggregate resources, for lands located at 1051 Green Mountain Road, East (Stoney Creek), as shown on Appendix “A” to Report PED18029, be APPROVED on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED18029, be adopted by City Council;
  - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2014), and conforms to the Greenbelt Plan.
- (b) That Amended Zoning By-law Amendment Application ZAC-15-052 by Waterford Sand & Gravel Limited, (Owner), for a change in zoning from the Agricultural (A1) Zone in the City of Hamilton Zoning By-law No. 05-200 to the Extractive Industrial (M12) Zone in the City of Hamilton Zoning By-law No. 05-200, for lands located at 1051 Green Mountain Road East, (Stoney Creek), as shown on Appendix “A” to Report PED18029, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix “C” to Report PED18029, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,

- (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Greenbelt Plan and will comply with the Rural Hamilton Official Plan upon finalization of Rural Hamilton Official Plan Amendment No. \_\_\_\_\_.
- (c) That staff be directed to notify the Ministry of Natural Resources that the City of Hamilton's objections to the *Aggregate Resources Act* License Application, by Waterford Sand and Gravel Limited, for the subject lands, have been resolved; and that the City of Hamilton no longer has an objection to the issuance of a licence under the ARA for the subject lands, in accordance with the revised ARA Site Plans, dated August 29, 2017, once the subject Official Plan Amendment and Zoning By-law Amendment are in full force and effect.
- (d) That the public submissions received regarding this matter did not affect the decision.

**15. Hamilton Rental Housing Roundtable discussion paper entitled "Promoting Code Compliant Rental Housing with Safe, Clean and Healthy Dwelling Units" presented by Brad Clark of Maple Leaf Strategies (Item 6.6)**

That the Hamilton Rental Housing Roundtable discussion paper entitled "Promoting Code Compliant Rental Housing with Safe, Clean and Healthy Dwelling Units" be referred to staff to review and incorporate into their report to the Rental Housing Sub-Committee regarding the update on Report PED10049(h).

**16. Centennial Neighbourhoods Secondary Plan and Centennial Neighbourhoods Transportation Management Plan (PED18007) (Wards 5 and 9) (TABLED January 16, 2018) (Item 8.1)**

- (a) That the Centennial Neighbourhoods Secondary Plan, for the area shown on Appendix "A" of PED18007, attached as Official Plan Amendment (OPA) No. XX to the Urban Hamilton Official Plan (UHOP) be APPROVED, and that:
  - (i) The By-law of adoption for the Official Plan Amendment, attached as Appendix "B" to Report PED18007, as amended, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
  - (ii) The Kentley Neighbourhood Plan and the Riverdale West Neighbourhood Plan be repealed in their entirety; and,

- (iii) The portions of the Riverdale East and Greenford Neighbourhood Plans which are located within the boundary of the Centennial Neighbourhoods Secondary Plan be repealed.
- (b) That Planning and Economic Development Department and Public Works Department staff be directed to create submissions for the 2019 capital budget for the following studies required as part of the implementation of the Centennial Neighbourhoods Secondary Plan (Policies B.6.7.17 a) and d), Appendix B, as amended, to report PED18007):
  - (i) Streetscape and Public Realm Design Study; and,
  - (ii) Municipal Servicing Study.
- (c) That Public Works Department staff be directed to:
  - (i) Investigate the feasibility of relocating the existing waste management facility at 460 Kenora Avenue to an alternate location, as proposed in the Centennial Neighbourhoods Secondary Plan (Policy 6.7.18.3 b), Appendix B, as amended, to report PED18007); and,
  - (ii) create a submission for the 2019 capital budget if necessary for costs related to studying the relocation.
- (d) That the Centennial Neighbourhoods Transportation Management Plan, attached as Appendix “C” to Report PED18007, be endorsed, and that:
  - (i) The General Manager of the Public Works Department be authorized and directed to file the Centennial Neighbourhoods Transportation Management Plan, attached as Appendix “C” to Report PED18007, with the Municipal Clerk for a minimum thirty day public review period.
  - (ii) Upon the completion of the thirty day public review, the General Manager of the Public Works Department be authorized and directed to program and include the recommended Schedule A, A+ and B projects in the future Capital Budget submissions, provided no comments or “Part II Order” requests (applicable to Schedule B projects only) are received that cannot be resolved.
  - (iii) That the recommended projects, attached as Appendix “D” to Report PED18007, be received and approved;
- (e) That the public submissions received regarding this matter supported the approval of the proposal with amendments.

**17. Proposed Transit Oriented Corridor Zones in Zoning By-law No. 05-200 - LRT Extension and Housekeeping Amendments (PED18012) (Wards 1, 3, 4, 5 and 9) (TABLED January 16, 2018) (Item 8.2)**

- (a) That approval be given to Official Plan Amendment (OPA) No. \_\_\_\_ to the Urban Hamilton Official Plan (UHOP) to amend policies, schedules and maps, to implement up-to-date mapping and policies for the extension of the Transit Oriented Corridor located along Queenston Road from east of Jefferson Avenue to Reid Avenue, on the following basis:
  - (i) That the Proposed Official Plan Amendment, attached as Appendix “A” to Report PED18012, be adopted by Council; and,
  - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (PPS) 2014, and conforms to Growth Plan for the Greater Golden Horseshoe, 2017 (P2G).
  
- (b) That approval be given to City Initiative CI-17-B to add the Transit Oriented Corridor Mixed Use High Density (TOC4) Zone to Zoning By-law No. 05-200, to zone certain lands located on Queenston Road between Jefferson Avenue and Irene Avenue as Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, Transit Oriented Corridor Local Commercial (TOC2) Zone, Transit Oriented Corridor Multiple Residential (TOC3) Zone and Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, to amend the existing TOC1, TOC2, and TOC3 Zone to incorporate housekeeping amendments, to add special exceptions to Schedule “C”, to add two new special figures to Schedule “F”, and to amend general provisions and other administrative sections of the By-law, on the following basis:
  - (i) That the Proposed By-law, attached as Appendix “B” to Report PED18012 which has been prepared in a form satisfactory to the City Solicitor, be amended by:
    - 1. Adding the following new uses to Section 11.4.1:
      - i) Long Term Care Facility; and,
      - ii) Retirement Home.
    - 2. Deleting Special Exception No. 633 (75 Centennial Parkway North-Eastgate Square) and replacing it with the text attached as Appendix “A”.
    - 3. Adding the following new clause to Special Exception No. 634 (165 Queenston Road):
      - b) In addition to Subsection 4.12 e), Section 5, and Subsection 11.1.3, any parking spaces and drive aisles existing on the

date of passing of this By-law (Insert Date – TBD) shall be deemed to comply with the regulations for any required setbacks, location on the lot, and number of parking spaces.

4. Deleting Special Exception No. 637 (as 670, 674, 686, 692, 700 and 706 Queenston Road) and replacing it with the text and Figure 12 attached as Appendix “B”.
5. Adding the following additional special exceptions applicable to the property located at 697 & 701 Queenston Road:

Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, described as 697 – 701 Queenston Road, the following special provisions shall also apply:

- (a) Notwithstanding Subsection 4.20 (c), an outdoor commercial patio shall be permitted to be located within the front yard.

6. Within the lands described as 670, 674, 692, 700 and 706 Queenston Road, as shown as Figure 12 of Schedule “F” – Special Figures, the following special provisions shall also apply:

- (a) For the purpose of Special Exception No. 637, the following special Regulations shall apply to Areas A and B, as shown on Figure 12 of Schedule “F” – Special Figures:

- i. Subsection 637 (a)(C)(i) shall be deleted and replaced with the following:

“Drive-thru facilities shall only be permitted in Areas A1, A2, A3 and A5”

- ii. Subsection 637 (a)(E) shall be deleted and replaced with the following

“The drive through facilities located within areas A1, A2, A3 and A5 may be permitted to relocate on the same lot outside of areas A1, A2, A3, and A5 subject to the following requirements:”

- iii. Subsection 637 (a)(E)(i) shall be deleted and replaced with the following

“A maximum of four drive through facilities shall be permitted on the lot;”

- iv. Subsection 637 (a) shall be modified by including a new subsection (F) as follows:



“The drive through facilities located within areas A1, A2, A3 and A5 may be permitted to relocate on the same lot within areas A1, A2, A3, and A5 subject to the following requirements:”

The built form for new Development Regulations shall not apply (subsection 11.4.3.g) and a minimum building height of 4.5 metres shall apply.

- (b) For the purpose of Special Exception No. 637, Figure 12 of Schedule “F” – Special Figures shall be revised as follows:
  - i. That Figure 12 shall be revised to include an Area A5 generally situated immediately east of Area A3, extending to the East lot line and a depth no greater than the existing building.

And be enacted by Council; and,

- (ii) That the proposed changes in zoning will be in conformity with the Urban Hamilton Official Plan upon approval of Official Plan Amendment Nos. \_\_\_ and \_\_\_.
- (c) That the public submissions received regarding this matter supported the approval of the proposal with amendments.

**18. Bill 139, *Building Better Communities and Conserving Watersheds Act, 2017* - Ontario Proposed Changes to the Land Use Planning and Appeals System (LS16027(b)) (City Wide) (Item 8.3)**

That the City Solicitor and the General Manager of Planning and Economic Development, be authorized to make submissions to the Province, Ontario Municipal Board and/or the Local Planning Appeal Tribunal with respect to any rules or regulations that may be proposed relating to Bill 139, *Building Better Communities and Conserving Watersheds Act, 2017*, provided the submissions are consistent with previous submissions by the City on Bill 139.

**19. Applicant’s Appeal to the Ontario Municipal Board respecting Minor Variance Application FL/A-17:442 for lands located at 374 5<sup>th</sup> Concession Road East (Added 10.1)**

WHEREAS, on January 25, 2018 the Committee of Adjustment denied Minor Variance Application FL/A-17:442 to permit the construction of a permanent farm labour residence consisting of three dwelling units contained within one building,

a proposed front addition, a barn and two proposed rear greenhouse additions to the existing nursery operation;

WHEREAS, the applicant has appealed the decision of the Committee of Adjustment to the Ontario Municipal Board; and

WHEREAS, Planning staff were in support of Minor Variance Application FL/A-17:442;

**THEREFORE BE IT RESOLVED:**

That Legal staff be directed to take no action with respect to the appeal to the Ontario Municipal Board respecting Minor Variance Application FL/A-17:442 for lands located at 374 5<sup>th</sup> Concession Road East, either in support of the Committee of Adjustment's decision or against the decision, but instead be directed to enter into settlement discussions with the applicant.

**20. Bill 139, *Building Better Communities and Conserving Watersheds Act, 2017* - Ontario Proposed Changes to the Land Use Planning and Appeals System (LS16027(c)/PED16237(b)) (City Wide) (Item 12.1)**

That the direction to staff outlined in the recommendations of Report LS16027(c)/PED16237(b) be approved and the report and appendices remain private and confidential and restricted from public disclosure.

**21 Application for Official Plan Amendment and Zoning By-law Amendments for Lands Located at 860 Queenston Road (OMB Case No. PL170282) (LS18010) (Ward 9) (Added Item 12.2)**

That the direction to staff outlined in the recommendations of Report LS18010 be approved and the report and appendices remain private and confidential and restricted from public disclosure.

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 1)**

The Committee Clerk advised of the following changes to the agenda:

**1. ADDED DELEGATION REQUEST**

- 4.3 Doug Hoyes, Hoyes, Michalos & Associates Inc., to provide recent statistics and recommendations to the proposed payday loan by-law. (For future meeting.)
- 4.4 Catherine Spears, Spears + Associates Inc., respecting Eastgate Square Centennial Secondary Plan and the Transit Oriented Corridor Zoning. (For today's meeting regarding Items 8.1 and 8.2.)

**2. ADDED WRITTEN COMMENTS**

We received written comments from the following residents respecting Item 6.1, Application to Amend the City of Hamilton Zoning By-law No. 6593 for Lands Located at 347 Charlton Avenue West, Hamilton (PED18035) (Ward 1):

- 6.1(a) Kate Connolly, 12-285 Bold Street, Hamilton
- 6.1(b) Amanda McInnis and Alex Christie, 355 Charlton Avenue West, Hamilton
- 6.1(c) Wendy Johncox, 320 Herkimer Street, Hamilton
- 6.1(d) Mark Stewart, President, Kirkendal Neighbourhood Association

**3. ADDED NOTICE OF MOTION**

- 10.1 Applicant's Appeal to the Ontario Municipal Board respecting Minor Variance Application FL/A-17:442 for lands located at 374 5<sup>th</sup> Concession Road East

**4. ADDED PRIVATE AND CONFIDENTIAL REPORT**

- 12.2 Application for Official Plan Amendment and Zoning By-law Amendments for Lands Located at 860 Queenston Road (OMB Case No. PL170282) (LS18010) (Ward 9) (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.*

The agenda for the February 6, 2018 meeting was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 2)**

Councillor Pearson declared an interest with respect to Item 6.6 as she is the owner of rental properties.

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

**(i) January 16, 2018 (Item 3.1)**

The Minutes of the January 16, 2018 meeting were approved.

**(d) DELEGATION REQUESTS (Item 4)**

(a) That the following delegation requests be approved to attend at a future meeting:

(i) Tom Cooper and Jodi Dean from the Hamilton Roundtable for Poverty Reduction to support staff's report regarding the restriction of the number and locations of payday loan outlets in Hamilton (Item 4.1)

(ii) Paula Kilburn and the Advisory Committee for Persons with Disabilities Transportation Working Group to speak to the staff report regarding the number of accessible taxis. (Item 4.2)

(iii) Doug Hoyes, Hoyes, Michalos & Associates Inc., to provide recent statistics and recommendations to the proposed payday loan by-law. (Added Item 4.3)

(b) That the following delegation request be approved to address Committee at today's meeting:

(i) Catherine Spears, Spears + Associates Inc., respecting Eastgate Square Centennial Secondary Plan and the Transit Oriented Corridor Zoning. (Added Item 4.4)

**(e) CONSENT**

**(i) Delegated Authority for Special Occasions Permits (SOPs) (PED17220(a)) (City Wide) (Item 5.8)**

The recommendation was amended by inserting the words "in consultation with the Ward Councillor" after the words "municipally significant" to read as follows:

That the Director of Licensing and By-law Services or designate be delegated the authority to designate events under Special Occasion Permits as “municipally significant”, in consultation with the Ward Councillor, if all required plans and documents are received, and to address any other related matters that apply to Special Occasion Permits, which have been previously designated by Council.

For disposition of this matter refer to Item 8.

**(f) DELEGATIONS/PUBLIC HEARING (Item 6)**

**(i) Application to Amend the City of Hamilton Zoning By-law No. 6593 for Lands Located at 347 Charlton Avenue West, Hamilton (PED18035) (Ward 1) (Item 6.1)**

In accordance with the provisions of the *Planning Act*, Chair A. 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 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(a) Kate Connolly, 12-285 Bold Street, Hamilton
- 6.1(b) Amanda McInnis and Alex Christie, 355 Charlton Avenue West
- 6.1(c) Wendy Johncox, 320 Herkimer Street, Hamilton
- 6.1(d) Mark Stewart, President, Kirkendal Neighbourhood Association

The added written comments, Items 6.1(a) to 6.1(d), were received.

Chair A. Johnson relinquished the Chair to Vice Chair Farr during consideration of this matter.

Daniel Barnett, Planner, addressed Committee with the aid of a PowerPoint presentation and provided an overview of the report. He indicated that Appendix “B” requires an amendment. A copy is available for viewing on the City’s website.

The staff presentation was received.

Sarah Knoll of GSP Group, representing the applicant, was in attendance and addressed Committee with the aid of a PowerPoint presentation. A copy is available for viewing on the City’s website.

The agent's presentation was received.

**Registered Speakers**

**1. Wendy Johncox, 320 Herkimer Street, Hamilton**

Wendy Johncox addressed Committee and indicated that she is opposed to the proposal.

The delegation was received.

**2. Andrew Kelly, 316 Herkimer Street, Hamilton**

Andrew Kelly addressed Committee and indicated that he is opposed to the proposed redevelopment.

The delegation was received.

**3. Kate Connolly, 12 – 285 Bold Street, Hamilton**

Kate Connolly addressed Committee and spoke in support of the developer and the proposal.

The delegation was received.

**4. Joe Gallagher, 332 Herkimer Street, Hamilton**

Joe Gallagher addressed Committee and spoke in opposition to his proposal.

The delegation was received.

**5. Lynn Gates, 339 Charlton Avenue**

Lynne Gates addressed Committee and indicated that she is not in support of the proposal.

The delegation was received.

**6. Veronica Dyer, 2 Undermount Avenue**

Veronica Dyer addressed Committee and indicated that she is in support of the development.

The delegation was received.

**7. Mark Dyer, 2 Undermount Avenue**

Mark Dyer addressed Committee and spoke in support of the proposal.

The delegation was received.

**8. Nikki Loney, 343 Charlton Avenue**

Nikki Loney spoke in support of the developer but indicated that she still has some concerns with the proposal. She asked that the developer continue to work with the residents to address their concerns.

The delegation was received.

The public meeting was closed.

Committee approved the following amendments:

- (a) That Appendix "B" be amended to include the size of the lot area in 2(e) and change the reference in 2(d) from 10A(3)(c) to 10A(3)(iii)(c);
- (b) That the recommendations be amended by adding the following:
  - That no residential units be permitted in the basement or cellar;
  - That the roof height allowance regulation be increased by .5 metres.

Councillors Skelly and Partridge indicated that they wished to be recorded as OPPOSED to this matter.

Committee approved the following amendments:

- (a) That appendix "B" to Report PED18035 include the following housekeeping amendments:
- (b) That the recommendations be amended by adding the following subsection (c):
  - (c) That the public submissions received regarding this matter did not affect the decision.

Councillors Pasuta, Partridge and Skelly indicated that they wished to be recorded as OPPOSED to the approval of this Item.

For disposition of this matter refer to Item 10.

**(ii) Applications for an Amendment to the Urban Hamilton Official Plan and to the Town of Glanbrook Zoning By-law No. 464 for Lands Located at 235 Tanglewood Drive, Glanbrook (PED18034) (Ward 11) (Item 6.2)**

In accordance with the provisions of the *Planning Act*, Vice Chair Farr 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.

No member of the public came forward.

The public meeting was closed.

The staff presentation was waived.

Steve Fraser of A.J. Clarke and Associates Ltd. was in attendance representing the applicant. Committee had no questions.

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

- (c) That there were no public submissions received regarding this matter.

For disposition of this matter refer to Item 11.

**(iii) Applications for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 2782 Barton Street East, Hamilton (PED18022) (Ward 5) (Item 6.3)**

In accordance with the provisions of the *Planning Act*, Vice Chair Farr 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.



No member of the public came forward.

The public meeting was closed.

The staff presentation was waived.

Chair A. Johnson assumed the Chair.

The applicant Liaquat Mian, of LJM Developments, and his agent Franz Kloibhofer of A.J. Clarke and Associates Ltd. were in attendance. Committee had no questions.

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

- (c) That the public submissions received regarding this matter did not affect the decision.

For disposition of this matter refer to Item 12.

**(iv) Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 503 and 515 Garner Road West (Ancaster) (PED18032) (Ward 12) (Item 6.4)**

In accordance with the provisions of the *Planning Act*, Chair A. 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.

George Zajac, Planner, addressed Committee with the aid of a PowerPoint presentation and provided an overview of the report. A copy is available for viewing on the City's website.

The staff presentation was received.

### Speakers

**1. Rob Schumacher, 71 Tollgate Drive, Ancaster**

Rob Schumacher indicated that he did not oppose the development but requested the installation of sidewalks.

The delegation was received.

**2. Jean-Pierre Verbaat, 407 Garner Road,**

Jean-Pierre Verbaat indicated that sidewalks are needed.

The delegation was received.

Rob Schumacher was allowed to address Committee a second time.

**1. Rob Schumacher, 71 Tollgate Drive, Ancaster**

Rob Schumacher explained his previous comments.

The public meeting was closed.

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

- (e) That the public submissions received regarding this matter did not affect the decision.

For disposition of this matter refer to Item 13.

**(v) Application for an Amendment to the Rural Hamilton Official Plan and the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 1051 Green Mountain Road East, Stoney Creek (PED18029) (Ward 11) (Item 6.5)**

In accordance with the provisions of the *Planning Act*, Chair A. 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.

**Written Comments**

6.5(a) Jen Baker, Hamilton Naturalists' Club

The written comments, Item 6.5(a) were received.

No member of the public came forward.

The public meeting was closed.

The staff presentation was waived.

Bill Kester representing the applicant, Waterford Sand and Gravel Limited, addressed Committee and provided responses to questions which the Ward Councillor posed on behalf of a resident.

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

- (d) That the public submissions received regarding this matter did not affect the decision.

For disposition of this matter refer to Item 14.

**(vi) Brad Clark, Maple Leaf Strategies, to present a summary of the Hamilton Rental Housing Roundtable discussion paper entitled "Promoting Code Compliant Rental Housing with Safe, Clean and Healthy Dwelling Units" (Approved January 16, 2018) (Item 6.6)**

Brad Clark of Maple Leaf Strategies addressed Committee with the aid of a PowerPoint presentation and provided an overview of the discussion paper entitled "Promoting Code Compliant Rental Housing with Safe, Clean and Healthy Dwelling Units" which he prepared in collaboration with the Hamilton Rental Housing Roundtable. Copies of the discussion paper were distributed and a copy is available for viewing on the City's website.

The five minute rule was extended.

Brad Clark requested that the recommendations be referred to staff for a report back to Committee.

Arun Pathak, of the Hamilton and District Apartment Association, was also in attendance and he joined Brad Clark in responding to questions from Committee.

The delegation was received.

For disposition of this matter refer to Item 15.

**(g) DISCUSSION ITEMS (Item 8)**

**(i) Centennial Neighbourhoods Secondary Plan and Centennial Neighbourhoods Transportation Management Plan (PED18007) (Wards 5 and 9) (Item 8.1) (TABLED January 16, 2018)**

Report PED18007 respecting Centennial Neighbourhoods Secondary Plan and Centennial Neighbourhoods Transportation Management Plan was LIFTED from the table.

**Delegation**

**(i) Catherine Spears, Spears + Associates Inc**

Catherine Spears addressed Committee and indicated that she was representing Bentall Kennedy LP (Canada) Eastgate Square. She thanked staff as they have been able to reach an agreement regarding her client's concerns.

The delegation was received.

Committee approved the following amendments:

- (a) That, based on further public input received, Report PED18007 respecting Centennial Neighbourhoods Secondary Plan and Centennial Neighbourhoods Transportation Management Plan be amended by:
  - (i) Deleting Appendix B and replacing it with the amended Appendix B (text and maps have been changed);
- (b) That the following be added as subsections (b) and (c) and the balance be re-lettered accordingly:
  - (b) Planning and Economic Development Department and Public Works Department staff be directed to create submissions for the 2019 capital budget for the following studies required as part of the implementation of the Centennial Neighbourhoods Secondary Plan (Policies B.6.7.17 a) and d), Appendix B, as amended, to report PED18007):
    - (i) Streetscape and Public Realm Design Study; and,
    - (ii) Municipal Servicing Study.

- (c) That Public Works Department staff be directed to:
  - (i) Investigate the feasibility of relocating the existing waste management facility at 460 Kenora Avenue to an alternate location, as proposed in the Centennial Neighbourhoods Secondary Plan (Policy 6.7.18.3 b), Appendix B, as amended, to report PED18007); and,
  - (ii) create a submission for the 2019 capital budget if necessary for costs related to studying the relocation.

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

- (e) That the public submissions received regarding this matter supported the approval of the proposal with amendments.

For disposition of this matter refer to Item 16.

**(ii) Proposed Transit Oriented Corridor Zones in Zoning By-law No. 05-200 - LRT Extension and Housekeeping Amendments (PED18012) (Wards 1,3, 4, 5 and 9) (Item 8.2) (TABLED January 16, 2018)**

Report PED18012 respecting Proposed Transit Oriented Corridor Zones in Zoning By-law No. 05-200 - LRT Extension and Housekeeping Amendments was LIFTED from the table.

Committee approved the following amendments:

That the Proposed Transit Oriented Corridor Zones in Zoning By-law No. 05-200 - LRT Extension and Housekeeping Amendments (PED18012) (Wards 1, 3, 4, 5 and 9) be amended by:

1. Adding the following new uses to Section 11.4.1:
  - i) Long Term Care Facility; and,
  - ii) Retirement Home.
2. Deleting Special Exception No. 633 (75 Centennial Parkway North-Eastgate Square) and replacing it with the text attached as Appendix "A".
3. Adding the following new clause to Special Exception No. 634 (165 Queenston Road):
  - b) In addition to Subsection 4.12 e), Section 5, and Subsection 11.1.3, any parking spaces and drive aisles existing on the

date of passing of this By-law (Insert Date – TBD) shall be deemed to comply with the regulations for any required setbacks, location on the lot, and number of parking spaces.

4. Deleting Special Exception No. 637 (as 670, 674, 686, 692, 700 and 706 Queenston Road) and replacing it with the text and Figure 12 attached as Appendix “B”.

Committee approved the following amendments:

That the following additional special exceptions be included in the Zoning By-law 05-200 respecting the proposed TOC4 Zone applicable to the property located at 697 & 701 Queenston Road:

Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, described as 697 – 701 Queenston Road, the following special provisions shall also apply:

- (a) Notwithstanding Subsection 4.20 (c), an outdoor commercial patio shall be permitted to be located within the front yard.

Committee approved the following amendments:

That the following additional special exceptions be included in the Zoning By-law 05-200 respecting the proposed TOC4 Zone, Special Exception 637:

Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, identified on Maps 1142 & 1193 of Schedule “A” – Zoning Maps, and described as 670, 674, 692, 700 and 706 Queenston Road, as shown as Figure 12 of Schedule “F” – Special Figures, the following special provisions shall also apply:

- (a) For the purpose of Special Exception No. 637, the following special Regulations shall apply to Areas A and B, as shown on Figure 12 of Schedule “F” – Special Figures:
  - i. Subsection 637 (a)(C)(i) shall be deleted and replaced with the following:

“Drive-thru facilities shall only be permitted in Areas A1, A2, A3 and A5”
  - ii. Subsection 637 (a)(E) shall be deleted and replaced with the following:

“The drive through facilities located within areas A1, A2, A3 and A5 may be permitted to relocate on the same lot outside

of areas A1, A2, A3, and A5 subject to the following requirements:"

- iii. Subsection 637 (a)(E)(i) shall be deleted and replaced with the following

"A maximum of four drive through facilities shall be permitted on the lot;"

- iv Subsection 637 (a) shall be modified by including a new subsection (F) as follows:

"The drive through facilities located within areas A1, A2, A3 and A5 may be permitted to relocate on the same lot within areas A1, A2, A3, and A5 subject to the following requirements:"

The built form for new Development Regulations shall not apply (subsection 11.4.3.g) and a minimum building height of 4.5 metres shall apply.

- (b) For the purpose of Special Exception No. 637, Figure 12 of Schedule "F" – Special Figures shall be revised as follows:
  - i. That Figure 12 shall be revised to include an Area A5 generally situated immediately east of Area A3, extending to the East lot line and a depth no greater than the existing building.

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

- (c) That the public submissions received regarding this matter supported the approval of the proposal with amendments.

For disposition of this matter refer to Item 17.

**(h) NOTICES OF MOTION (Item 10)**

- (i) Applicant's Appeal to the Ontario Municipal Board respecting Minor Variance Application FL/A-17:442 for lands located at 374 5<sup>th</sup> Concession Road East (Added 10.1)**

Councillor Partridge introduced a notice of motion respecting Applicant's Appeal to the Ontario Municipal Board respecting Minor Variance Application FL/A-17:442 for lands located at 374 5<sup>th</sup> Concession Road East.

The rules of order were waived in order to allow the introduction of a motion respecting Applicant's Appeal to the Ontario Municipal Board respecting Minor Variance Application FL/A-17:442 for lands located at 374 5<sup>th</sup> Concession Road East.

For disposition of this matter refer to Item 19.

**(ii) Parking Regulations on a 'Through Street' (Added 10.2)**

Councillor Green presented the following notice of motion:

WHEREAS, most major Ontario municipalities restrict parking overnight on major roadways;

WHEREAS, staff are currently undertaking a review of Hamilton Parking By-law 01-218, and

WHEREAS, members of the public have, from time to time, expressed concern with the rationale for overnight parking restrictions on 'through streets' and the method of informing motorists where such regulations apply;

THEREFORE BE IT RESOLVED:

That staff be directed to review the rationale for overnight parking restrictions on 'through streets' and that this review include a review/summary of overnight parking regulations in other large Ontario municipalities and how they inform motorists of such regulations, and report back to the Planning Committee with recommendations to optimize the effectiveness of the through street system.

**(i) GENERAL INFORMATION/OTHER BUSINESS (Item 11)**

The General Manager of Planning and Economic Development asked for and was granted permission to release the staff report respecting the Downtown Secondary Plan in advance of the agenda.

**(i) Outstanding Business List (Item 11.1)**

The following new due dates were approved:

Item "C" – C.I. to Amend Hamilton Zoning By-law No. 6593 for 118 to 338 Mountain Brow Boulevard (Hamilton) (PED13101)  
Due date: February 20, 2018  
New due date: June 5, 2018



Item “D” – (OMB) Decision re: 121 Augusta Street, Staff to review the RCF’s in the context of the Prov. Policy, as it relates to special needs, and the Human Rights Code and report back.

Due date: February 20, 2018

New due date: March 20, 2018

Item “H” – Deferral of Item 5 of HMHC Report 15-005 proposing inclusion of 1021 Garner Rd E on register of properties of cultural heritage value or interest to allow consultation with property owner and to correct wording.

Due date: February 20, 2018

New due date: March 20, 2018

Item “N” – That staff be directed to present to the Planning Committee an updated digital sign by-law.

Due date: February 20, 2018

New due date: April 17, 2018

Item “P” - That staff be directed to report back on how to revise Council’s current policy respecting OMB appeals for non-decision to ensure the public has the opportunity to provide input

Due date: February 20, 2018

New due date: April 17, 2018

Item “BB” - Staff to report back on Class 4 Noise receptor status for Downtown Secondary Plan and/or broader city-wide policy.

Due date: February 6, 2018

New due date: April 3, 2018

Item “DD” - That the appropriate City of Hamilton staff be requested to address the issue of declining establishments paying into the Paid Duty program in Hess Village and report back to the Planning Committee 45 days before the start of the 2018 Paid Duty season with solutions.

Due date: February 20, 2018

New due date: March 20, 2018

(b) The following Items were identified as complete and were removed:

Item “L” – Staff to report back with periodic updates re: progress on capturing illegal businesses and increase in licensed businesses. (Item 5.2 on this agenda)

Item “Q” – That staff report back on the number of Minor Variance applications in the AEGD with an assessment as to whether or not the refund program should be continued in December, 2017. (Item 8.4 on this agenda)

Item “AA” – That staff be directed to report to the Planning Committee as to whether or not the Licensing Division is able to continue to licence rental properties without the resources requested (Item 5.1 on this agenda)

**(j) PRIVATE AND CONFIDENTIAL (Item 12)**

- (i) Bill 139, *Building Better Communities and Conserving Watersheds Act, 2017* - Ontario Proposed Changes to the Land Use Planning and Appeals System (LS16027(c)/PED16237(b)) (City Wide) (Item 12.1)**
- (ii) Application for Official Plan Amendment and Zoning By-law Amendments for Lands Located at 860 Queenston Road (OMB Case No. PL170282) (LS18010) (Ward 9) (Added Item 12.2)**

Committee moved into Closed Session to discuss Items 12.1 and 12.2 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 3:33 p.m.

For disposition of these matters, refer to Items 20 and 21.

**(k) ADJOURNMENT (Item 13)**

There being no further business, the Planning Committee adjourned at 3:35 p.m.

**CARRIED**

Respectfully submitted,

Councillor A. Johnson  
Chair, Planning Committee

Ida Bedioui  
Legislative Co-ordinator  
Office of the City Clerk

February 15, 2018

**Attn: The Honourable Catherine McKenna, MP**  
Minister of Environment and Climate Change  
E. [Catherine.McKenna@parl.gc.ca](mailto:Catherine.McKenna@parl.gc.ca)

**Cc: The Honourable Bill Morneau, MP**  
Minister of Finance  
E. [Bill.Morneau@parl.gc.ca](mailto:Bill.Morneau@parl.gc.ca)

**Re: Support of Federal Action on the Conservation of Heritage Properties**

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Dear Minister McKenna,

On behalf of the Municipal Heritage Committee of Hamilton, Ontario, we write to you in support of the recommendations put forward by the Federal House of Commons Standing Committee on Environment and Sustainable Development, contained in report 10, regarding "*Preserving Canada's Heritage: The Foundation for Tomorrow*".

This report contains seventeen (17) Committee recommendations focused on positive ways to promote the preservation of our most vulnerable properties. These recommendations address methods to reduce demolition by neglect, support Truth and Reconciliation for Indigenous groups, encourage investment and request the creation of new heritage related policy and legislation. The implementation of these Committee recommendations will not only help conserve federally owned heritage properties, but will assist in the conservation of privately owned heritage properties across the country.

Of great significance, is recommendation number eleven (11); which proposes a tax credit for restoration and preservation work on buildings listed in the Canadian Register of Historic Places. This recommendation offers a means to achieving success in conserving Canada's heritage properties while at the same time generating substantial economic development stimulus.

We strongly support the federal government's role in conserving Canada's heritage and encourage the government to pursue this role through the implementation of the Standing Committee's recommendations.

Sincerest regards,

Fred Eisenberger  
Mayor

Alissa Denham-Robinson, Chair  
Hamilton Municipal Heritage Committee

## **RECOMMENDATIONS**

### ***of Report 10 of the House of Commons Standing Committee on Environment and Sustainable Development - Preserving Canada's Heritage: The Foundation for Tomorrow***

The Committee Recommends that the federal government:

1. *Policy on Management of Real Property* be integrated in new legislation so that custodian departments of designated federal heritage buildings are required to protect the commemorative integrity of these buildings and prevent demolition-by-neglect.
2. introduce legislation to provide statutory protection for federal heritage buildings.
3. introduce legislation imposing on Crown corporations the same requirements imposed on federal departments and agencies by the *Policy on Management of Real Property* regarding the management of federal heritage buildings, in order to protect the commemorative integrity of buildings owned by these Crown corporations and prevent their demolition-by-neglect.
4. introduce legislation to establish a process to protect, conserve, document and exhibit archaeological resources on federal land and under waters of federal responsibility.
5. introduce legislation to provide a statutory obligation on federal departments, agencies and Crown corporations to protect the commemorative integrity of all national historic sites of Canada.
6. introduce legislation to provide a statutory obligation on federal departments, agencies and Crown corporations to protect the integrity of federal heritage buildings owned by the federal government or under its jurisdiction.
7. Treasury Board Secretariat work with federal departments and agencies to ensure that they invest 2% of the asset replacement value annually towards the maintenance and repair of federal heritage buildings, as recommended in the Treasury Board Secretariat's *Guide to the Management of Real Property*.
8. adopt a policy requiring federal departments and agencies to, when deemed appropriate, give preference to existing heritage buildings when considering leasing or purchasing space.
9. introduce legislation to:
  - a. ensure that federal actions do not adversely impact the commemorative integrity of national historic sites of Canada or the integrity of heritage sites and buildings designated by provinces and municipalities in Canada;
  - b. provide statutory protection for Canadian World Heritage sites;
  - c. ensure that federal actions take into consideration the heritage values of Canada's historic places; and
  - d. give statutory recognition of the Canadian Register of Historic Places and the *Standards and Guidelines for the Conservation of Historic Places in Canada*.

10. restore the funding level for the National Cost-Sharing Program for Heritage Places to a minimum of \$10 million per year.
11. establish a tax credit for the restoration and preservation of buildings listed on the Canadian Register of Historic Places.
12. in co-operation with provincial and territorial governments, work to adapt future versions of Canada's *National Model Building Codes* in a manner that will facilitate the restoration and the rehabilitation of existing buildings and the preservation of their heritage characteristics.
13. Parks Canada review its National Cost-Sharing Program and, if it is determined that rural sites are under-represented in applications for funding or in the awarding of funding, steps should be taken to improve the program.
14. consider supporting an initiative modelled after the "Main Street America" model, to encourage public and private investment in commercial historic buildings in rural areas and small cities as a catalyst for community sustainability and economic development.
15. support an Indigenous-led initiative that will be responsible for:
  - a. determining how places that are important to Canada's Indigenous peoples should be protected and preserved;
  - b. enhancing the capacity of Indigenous communities to preserve places that are important to them; and
  - c. presenting the perspective of Indigenous communities regarding the protection of places that are important to them to the Historic Sites and Monuments Board of Canada and its Secretariat, Parks Canada and other federal government departments and agencies.
16. Parks Canada, in cooperation with Indigenous groups, include Indigenous registrars in the Canadian Register of Historic Places to improve the process by which Indigenous places that are important to Indigenous peoples are identified and designated.
17. in support of the Truth and Reconciliation Commission's calls to action 79 and 81, and in consultation with Indigenous groups:
  - a. introduce legislation amending the *Historic Sites and Monuments Act* to add First Nations, Inuit, and Métis representation on the Historic Sites and Monuments Board of Canada and its Secretariat.
  - b. The Historic Sites and Monuments Board of Canada revise the policies, criteria, and practices of the National Program of Historical Commemoration to integrate Indigenous history, heritage values, and memory practices into Canada's national heritage and history.
  - c. Parks Canada develop and implement a national heritage plan and strategy for commemorating and, where appropriate, conserving residential school sites, the history and legacy of residential schools, and the contributions of Indigenous peoples to Canada's history.
  - d. in collaboration with Residential School Survivors, commission and install a publicly accessible, highly visible, Residential Schools National Monument in the city of Ottawa to honour Survivors and all the children who were lost to their families and communities.



## **GENERAL ISSUES COMMITTEE REPORT 18-004**

9:30 a.m.

Wednesday, February 7, 2018

Council Chambers

Hamilton City Hall

71 Main Street West

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**Present:** Mayor F. Eisenberger, Deputy Mayor T. Jackson (Chair)  
Councillors T. Whitehead, D. Skelly, C. Collins, S. Merulla,  
M. Green, J. Farr, A. Johnson, D. Conley, M. Pearson, B. Johnson,  
L. Ferguson, A. VanderBeek, R. Pasuta, J. Partridge

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### **THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 18-004 AND RESPECTFULLY RECOMMENDS:**

**1. Barton Village Business Improvement Area (BIA) Revised Board of Management (PED16081(b)) (Wards 2 and 3) (Item 5.1)**

That the following individuals be appointed to the Barton Village Business Improvement Area (BIA) Board of Management:

- (i) Matt Cowan;
- (ii) Brian Fields;
- (iii) John MacDonald; and,
- (iv) Harry Stinson.

**2. Business Improvement Area Advisory Committee Minutes 17-011, December 12, 2017 (Item 5.2)**

That the Business Improvement Area Advisory Committee Minutes 17-011, of December 12, 2017, be received.

**3. Bill 148 - *The Fair Workplaces, Better Jobs Act*, 2017 (HUR17011(a)/FCS18019) (City Wide) (Item 8.1)**

That Report HUR17011(a)/FCS18019, respecting Bill 148 - *The Fair Workplaces, Better Jobs Act*, 2017, be received.

**4. “Where’s My Plow” Tracking Program Update (PW18016) (City Wide) (item 8.2)**

That Report PW18016, respecting “Where’s My Plow” Tracking Program Update, be received.

**5. Snow Fencing Overview (PW18017) (City Wide) (Item 8.3)**

(a) That, in consultation with each Ward Councillor, staff be directed to reinstall during the 2018/2019 winter season, the snow fences that were previously removed; and,

(b) That, notwithstanding the 2011 Roadside Snow Fence Policy, staff be directed to give sincere consideration to additional snow fencing and/or living fences, when requested.

**6. Canada Cultural Spaces Fund (PED18020) (City Wide) (Item 8.4)**

That staff be directed to submit a Canada Cultural Spaces Fund grant application for the Hamilton Children’s Museum Expansion.

**7. Hamilton Future Fund Board of Governors’ Report 18-001, February 7, 2018 (Item 8.6)**

**(a) Deliberations on the Applications Received from the 2017 Opening of the Hamilton Future Fund (Item 8.1)**

(i) That the application from the Cancer Assistance Program for the purchase of ride scheduling software, in the amount of \$93,000, be approved;

(ii) That the application from City Kidz for the kitchen equipment project, in the amount of \$102,000, be approved;

(iii) That the application from the City of Hamilton for a Feasibility Study for an Albion Falls South Access and Viewing Platform, in the amount of \$42,500, be approved;

(iv) That the application from the Hamilton Air Force Association for accessibility upgrades and a walk-in cooler, in the amount of \$67,000, be approved;

(v) That the application from the Hamilton Olympic Club for the purchase of an electronic score board, in the amount of \$35,000, be approved;

- (vi) That the application from the Royal Botanical Gardens for the construction of a 3-Season Pavilion in the amount of \$93,000, be approved, with the condition that the name and logo of the Hamilton Future Fund be prominently displayed on the pavilion;
- (vii) That the application from Theatre Aquarius for accessibility upgrades, in the amount of \$196,000, be approved;
- (viii) That the application from the Westdale Cinema Group in the amount of \$250,000, be approved, subject to consultation with the Chair and Vice Chair of the Hamilton Future Fund Board of Directors to determine where the funds will be directed.

**8. Disposition of City-owned Property, known as 0 Dunham Drive, Ancaster (PED18042) (Ward 12) (Item 12.3)**

- (a) That the vacant land described as Part of Lot 42, Concession 3 in the Geographic Township of Ancaster, in the City of Hamilton, designated as Part 1 on Plan 62R-11930, being all of PIN 17429-0480 (LT), municipally known as 0 Dunham Drive ("Property"), be declared surplus to the needs of the City of Hamilton;
- (b) That an Offer to Purchase Agreement between the Hamilton-Wentworth District School Board and the City of Hamilton, scheduled to close on or before April 10, 2018, for the purchase of vacant land described as Part of Lot 42, Concession 3 in the Geographic Township of Ancaster, in the City of Hamilton, designated as Part 1 on Plan 62R-11930, being all of PIN 17429-0480 (LT), municipally known as 0 Dunham Drive ("Property"), substantially on the terms and conditions set out in Schedule "B", and on such other terms and conditions deemed appropriate by the General Manager of the Planning and Economic Development Department, be approved and completed and that the net proceeds of the sale be credited to Account No. 47702-3560150200;
- (c) That all expenses associated with this transaction be charged to Account No. 55789-3560150200;
- (d) That the City Solicitor be authorized and directed to complete this transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as she considers reasonable;
- (e) That the Mayor and City Clerk be authorized to execute the necessary documents, in a form satisfactory to the City Solicitor; and,



- (f) That Report PED18042, respecting the Disposition of City-owned Property, known as 0 Dunham Drive, Ancaster, remain confidential and not be released as a public document until final completion of the real estate transaction.

**9. Merger of Public Health and Community and Emergency Services (CM18005) (City Wide) (Item 12.4)**

- (a) That the City Manager be authorized to merge the Public Health and Community and Emergency Services Departments to create an organizational structure that will support a new streamlined and more effective service delivery model in an integrated organization that is better aligned with the City's Strategic Priority of a Healthy and Safe Community;
- (b) That they newly merged department be named the "Healthy and Safe Communities" Department;
- (c) That staff ensure that the merger does not impact on the authorities of the Board of Health or the Medical Officer of Health; does not jeopardize funding for Public Health services; and, preserves the current governance structure of the Board of Health and the relationship between the Board of Health and the Medical Officer of Health;
- (d) That the organizational structure for the leadership of the newly merged department as illustrated in Appendix "A" attached to Report CM18005, be approved, with future restructuring within or between Divisions to be communicated to Council, as appropriate;
- (e) That the Emergency and Community Services Standing Committee of Council be re-named the Healthy and Safe Communities Committee to align with the new Department name;
- (f) That the General Manager of the Healthy and Safe Communities Department report back to the Healthy and Safe Communities Committee respecting the impact of the merger on service delivery and internal Departmental administration; and,
- (g) That the contents of Report CM18005, respecting the Merger of Public Health and Community and Emergency Services and its Appendix "A" remain confidential.

- 10. Performance Review Process for City Manager (HUR18003) (City Wide) (item 12.5)**
- (a) That the performance review process for the position of City Manager be reaffirmed; and,
  - (b) That the contents of Report HUR18003, respecting the Performance Review Process for City Manager remain confidential.
- 11. Potential Acquisition of Three Properties along North Service Road, Stoney Creek (Ward 11) (Item 12.7)**
- (a) That staff be authorized and directed to acquire the provincially owned lands at 1121, 1183 and 1199 North Service Road, in accordance with the City's Portfolio Management Strategy procedures;
  - (b) That, subject to successful acquisition of the provincially-owned lands, staff be directed examine city-owned lands in the vicinity of this neighbourhood for the purposes of rationalizing and supporting City infrastructure requirements, and recommending disposal of excess land holdings; and,
  - (c) That the balance of the Motion, respecting the Potential Acquisition of Three Properties along North Service Road, Stoney Creek, remain confidential until final completion of the real estate transactions.

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 1)**

The Committee Clerk advised of the following changes to the agenda:

**1. DELEGATIONS (Item 6)**

- 6.1 Vic Djurdjevic, Nikola Tesla Educational Corporation, respecting the 120th Anniversary of Hamilton's "Power Turned On"

At the request of the delegate, this delegation has been moved to the March 21, 2018 General Issues Committee agenda.

**2. DISCUSSION ITEMS (Item 8)**

8.5 Stadium Event Booking Function (Pilot) (CM18003/PW18010) (City Wide)

In order to complete the public consultation process, staff is requesting that Report CM18003/PW18070, respecting the Stadium Event Booking Function, remain TABLED to the March 21, 2018 General Issues Committee meeting.

**3. MOTIONS (Item 9)**

9.1 REVISED - Feasibility of Amending the CCTV By-law to Permit the use of CCTV Footage from Cameras Located on Private Property

**4. GENERAL INFORMATION / OTHER BUSINESS (Item 11)**

11.1 Amendments to the Outstanding Business List

(b) Proposed New Due Dates:

- (ii) Update on Request for Information – Downtown Parking Structure (PED16105 and PED15183)  
Current Due Date: January 17, 2018  
Proposed New Due Date: May 16, 2018

**5. PRIVATE & CONFIDENTIAL (Item 12)**

12.6 Comments respecting City Staff

Pursuant to Section 8.1, Sub-section (b) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (b) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City employees.

The agenda for the February 7, 2018 General Issues Committee meeting was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 2)**

There were no declarations of interest.

**(c) APPROVAL OF MINUTES OF THE PREVIOUS MEETINGS (Item 3)**

**(i) January 11, 2018 – Special (eScribe Training) (Item 3.1)**

The Minutes of the January 11, 2018 Special meeting of the General Issues Committee were approved, as presented.

**(ii) January 17, 2018 (Item 3.2)**

The Minutes of the January 17, 2018 meeting of the General Issues Committee were approved, as presented.

**(d) DELEGATIONS (Item 6)**

**(i) Vic Djurdjevic, Nikola Tesla Educational Corporation, respecting the 120th Anniversary of Hamilton's "Power Turned On" (Item 6.1)**

As noted in the changes to the agenda, this delegation was moved to the March 21, 2018 General Issues Committee agenda, at the delegate's request.

**(e) DISCUSSION ITEMS (Item 8)**

**(i) Snow Fencing Overview (PW18017) (City Wide) (Item 8.3)**

Staff was directed to explore opportunities for the installation of living fences, in place of or in conjunction with snow fences, where possible.

For further disposition of this matter, please refer to Item 5.

**(ii) Hamilton Future Fund Board of Governors' Report 18-001, February 7, 2018 (Item 8.6)**

(a) A representative from the St. Joseph's Healthcare Hamilton Foundation be requested to attend a future General Issues Committee meeting to provide clarity as to why the application for the purchase of orthopaedic robotics surgery equipment, in the amount of \$675,000, is not being provided through alternate sources;

(b) The Chair of the Hamilton Future Fund Board of Governors be invited to attend at the same General Issues Committee meeting as the

representative of the St. Joseph's Healthcare Hamilton Foundation;  
and,

- (c) Subsection (g) to the Hamilton Future Fund Board of Governors' Report 18-001, was TABLED until such time as the delegation, by the representative from the St. Joseph's Healthcare Hamilton Foundation, has been received.

Staff was directed to report back to the General Issues Committee with respect to the criteria for eligibility for a Hamilton Future Fund grant, and to include a copy of the Terms of Reference for the Hamilton Future Fund Board of Governors with that report.

For further disposition of this matter, please refer to Item 7.

**(iii) Stadium Event Booking Function (Pilot) (CM18003/PW18010) (City Wide) (Item 8.9)**

As approved in the changes to the agenda, Report CM18003/PW18070, respecting the Stadium Event Booking Function, will remain TABLED to the March 21, 2018 General Issues Committee meeting, to allow for completion of the public consultation process.

**(f) MOTIONS (Item 9)**

**(i) Feasibility of Amending the CCTV By-law to Permit the Use of CCTV Footage from Cameras Located on Private Property (Item 9.1)**

Municipal Law Enforcement staff were directed to work, in collaboration with the City's Freedom of Information staff and Hamilton Police Service, to review the current CCTV By-law to assess the feasibility of amending the By-law to permit the use of CCTV footage from cameras, located on private properties that face from the property to the public roadway, to assist in policing and public safety, and report back to the General Issues Committee.

**(g) GENERAL INFORMATION / OTHER BUSINESS (Item 11)**

**(i) Amendments to the Outstanding Business List (Item 11.1)**

As staff has been directed to provide a subsequent report respecting snow fences, the matter below shall remain on the General Issues Committee's Outstanding Business List:

- (ii) Snow Fences and Removal  
(Addressed as Item 8.1 and 8.2 on today's agenda - PW18016 and PW18017)

The following amendments to the General Issues Committee's Outstanding Business List, *as amended*, were approved:

- (a) Items to be removed:
  - (i) Proposed Permanent Closure and Sale of a Portion of the Road Allowance of Limeridge Rd.  
(Addressed as Item I9 of GIC Report 18-002 - PED18008)
  - (ii) City of Hamilton Information Sharing with BIAs  
(Addressed as Item 6 of GIC Report 18-002 - PED18023)
  - (iii) Hamilton Waterfront Trust – Options of Mutual Interest  
(Addressed as Item 23 of GIC Report 18-002 - CM18002)
  - (iv) Potential Solutions to the Problems Associated with the Increase in Visitors to Webster and Tew Falls and the Dundas Peak  
(Addressed as Item 3 of Planning Committee Report 18-001 - PED18011)
  
- (b) Proposed New Due Dates:
  - (i) Mayor's Blue Ribbon Task Force on Workforce Development – Semi Annual Update  
Current Due Date: January 17, 2018  
Proposed New Due Date: February 21, 2018
  - (ii) Update on Request for Information – Downtown Parking Structure (PED16105 and PED15183)  
Current Due Date: January 17, 2018  
Proposed New Due Date: May 16, 2018
  - (iii) Hamilton Walk of Fame  
Current Due Date: February 7, 2018  
Proposed New Due Date: June 20, 2018
  - (iv) Hamilton Urban Fellowship Program  
Current Due Date: January 17, 2018  
Proposed New Due Date: May 16, 2018

- (v) Hamilton Home Energy Retrofit Opportunity (HERO Program)  
Current Due Date: December 6, 2017  
Proposed New Due Date: May 16, 2018
- (vi) CityLAB Pilot Update  
Current Due Date: January 17, 2018  
Proposed New Due Date: March 21, 2018
- (vii) Affordable Housing Demonstration Project (PED16236)  
Current Due Date: January 17, 2018  
Proposed New Due Date: February 21, 2018
- (viii) Potential Housing Options and Alternatives in the West Harbour / Setting Sail Area  
Current Due Date: December 6, 2017  
Proposed New Due Date: May 16, 2018
- (ix) Impacts of the Change to the 2007 Transportation Master Plan  
Current Due Date: February 7, 2018  
Proposed New Due Date: June 6, 2018
- (x) Transportation Master Plan  
Current Due Date: February 7, 2018  
Proposed New Due Date: June 6, 2018

**(h) PRIVATE & CONFIDENTIAL (Item 12)**

**(i) Closed Session Minutes – January 17, 2018 (Item 12.1)**

- (a) The Closed Session Minutes of the January 17, 2018 General Issues Committee meeting, were approved as presented; and,
- (b) The Closed Session Minutes of the January 17, 2018 General Issues Committee meeting, shall remain confidential.

**(ii) January 19, 2018 (Item 12.2)**

- (a) The Closed Session Minutes of the January 19, 2018 General Issues Committee (Budget) meeting, were approved as presented; and,
- (b) The Closed Session Minutes of the January 19, 2018 General Issues Committee (Budget) meeting, shall remain confidential.

Committee moved into Closed Session respecting Items 12.3, 12.4, 12.5 12.6 and 12.7, pursuant to Section 8.1, Sub-sections (b), (c), and (d) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (b), (c), and (d) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to personal matters about an identifiable individual, including City Employees; a proposed or pending acquisition or disposition of land for City purposes; and, labour relations or employee negotiations.

**(i) Comments respecting City Staff (Item 12.6)**

There was nothing to report in Open Session regarding the comments respecting City staff.

**(ii) Motion respecting the Potential Acquisition of Three Properties along North Service Road, Stoney Creek (Item 12.7)**

Staff was provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 11.

**(i) ADJOURNMENT (Item 13)**

There being no further business, the General Issues Committee adjourned at 2:22 p.m.

Respectfully submitted,

T. Jackson, Deputy Mayor  
Chair, General Issues Committee

Stephanie Paparella  
Legislative Coordinator  
Office of the City Clerk



# CITY OF HAMILTON

## MOTION

Council Date: February 14, 2018

**MOVED BY COUNCILLOR J. FARR.....**

**SECONDED BY COUNCILLOR.....**

### **I Heart Beer and Bacon Festival – Special Occasion Permit Liquor Licence**

WHEREAS, Hamilton City Council has received Notice (attached hereto as Appendix “A”) from Faron Benoit on behalf of the I Heart Beer Limited that they wish to obtain approval for a Special Occasion Permit Liquor Licence to sell alcohol on March 3, 2018 between the hours of 2:00 p.m. and 11:00 p.m. at the Hamilton Convention Centre, 1 Summers Lane, Hamilton, Ontario during the I Heart Beer and Bacon Festival taking place in Hamilton, Ontario;

WHEREAS, the Alcohol and Gaming Commission of Ontario requires that if a permit holder is not a registered charity or non-profit organization, that a resolution of the Council is required to designate the event as one of municipal significance; and

WHEREAS, the City of Hamilton does not have an objection to the Liquor Licence Serving Time Extension for the following establishment;

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton hereby deems the I Heart Beer and Bacon Festival, being held in the City of Hamilton, Ontario on March 3, 2018, as municipally significant; and,
- (b) That the following applicant be provided a copy of this resolution for inclusion with their application to the Alcohol and Gaming Commission of Ontario:
  - (i) I Heart Beer Limited c/o Faron Benoit, Brantford, Ontario.



Hamilton

**LIQUOR LICENCE NOTIFICATION FORM**  
CITY OF HAMILTON

 TEMPORARY EXTENSION PERMIT

 SPECIAL OCCASION PERMIT

NAME OF THE EVENT: I heart beer and Bacon Festival  
Municipal Address of Event: 1 Summers Ln Hamilton on L8P 4Y2

**CONTACT INFORMATION**

(Please print legibly - approval of incomplete or illegible applications may be delayed)

ORGANIZATION: I heart beer Limited  
CONTACT PERSON: Faran Benoit PHONE (DAY): [REDACTED]  
ADDRESS: [REDACTED] PHONE (EVENING): \_\_\_\_\_  
CITY: Brantford CELL PHONE: \_\_\_\_\_  
POSTAL CODE: [REDACTED] FAX: \_\_\_\_\_  
EMAIL: Faran@Iheartbeer.ca

**EVENT DETAILS**

TYPE OF EVENT:  
 INDOORS     OUTDOORS     PUBLIC EVENT     PRIVATE EVENT  
 PARADE     SPORT/TOURNAMENT     EVENT/FESTIVAL     OTHER, PLEASE SPECIFY: \_\_\_\_\_  
 HAS A S.E.A.T. APPLICATION BEEN MADE?     YES     NO  
 CHARITY (Charity number is required)     NOT-FOR-PROFIT (Proof of registration is required)

PLEASE PROVIDE THE LOCATION (IF APPLICABLE):

CITY PARK (NAME): \_\_\_\_\_  
BUILDING/ FACILITY NAME/ AREA: \_\_\_\_\_  
ROAD(S): \_\_\_\_\_

**ESTIMATED ATTENDANCE**

(Please estimate all that apply)

NUMBER OF OF PEOPLE PER DAY: 1600    NUMBER OF PEOPLE FOR THE ENTIRE EVENT: 1600  
NUMBER OF VOLUNTEERS/ STAFF: 10    NUMBER OF PARTICIPANTS: 100  
\*SMARTSERVE MUST be obtained    \*People Involved in the event eg: VENDERS, racers, runners

**\*\* IF MORE THAN 5000 PERSONS, APPLICATION MUST BE RECEIVED 60 DAYS PRIOR TO THE EVENT \*\***

EVENT ELEMENTS			
(Complete to ensure proper permits are processed)			
EVENT ON CITY PROPERTY:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	ADMISSION FEE:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
SOUND AMPLIFICATION:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	WHEELCHAIR ACCESSIBLE:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
FOOD:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAY DUTY POLICE HIRED:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
FIREWORKS:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IF YES, NUMBER OF PAY DUTY POLICE HIRED: <u>2</u>	
TENTS/TEMPORARY STRUCTURES:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	PRIVATE SECURITY HIRED:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
IF YES, PROVIDE DIMENSIONS: _____		IF YES, NUMBER OF PRIVATE SECURITY HIRED: <u>6-8</u>	
* BUILDING PERMIT REQUIRED FOR TENTS LARGER THAN 60 m.sq. OR ATTACHED TO A BUILDING			
OCCUPANT LOADS OF EACH TENT/ STRUCTURE: _____			

EVENT DETAILS		
(Provide details to ensure proper evaluation of the application)		
EVENT DATE	EVENT TIME	ALCOHOL SERVING TIME
<u>03/03/2018</u> DD/MM/YY	START: <u>4 pm</u> FINISH: <u>10 pm</u>	START: <u>2 pm</u> FINISH: <u>11 pm</u>
DD/MM/YY	START: _____ FINISH: _____	START: _____ FINISH: _____
DD/MM/YY	START: _____ FINISH: _____	START: _____ FINISH: _____

APPLICATION CHECKLIST	
(Application will not be processed without the following)	
<input checked="" type="checkbox"/> APPLICATION FORM	<input checked="" type="checkbox"/> MAP OF THE EVENT MUST INCLUDE:
<input type="checkbox"/> LCBO LOCATION WHERE APPLICATION IS MADE:	A. AREA OF THE ENTIRE EVENT
_____	B. LOCATION OF LICENSED AREA
	C. ALL ENTRY/EXITS TO THE EVENT AND LICENSED AREA
	D. LOCATION OF ALL FIRE CONNECTION IN THE EVENT AND IN THE LICENSED AREA
	E. WASHROOM LOCATIONS

LCBO DETAILS
NOTE TO AGCO/ LCBO:
THIS APPLICATION IS USED BY THE CITY OF HAMILTON AS A NOTIFICATION TO FIRE, BUILDING, HEALTH, CLERKS OFFICE AND THE POLICE SERVICE OF THE CITY OF HAMILTON FOR TEMPORARY EXTENSION AND SPECIAL OCCASION PERMIT LIQUOR LICENCE REQUESTS. <span style="float: right;">02</span>

FOR OFFICE USE ONLY	
DATE RECEIVED: <u>JAN 11/2018</u>	RECEIVED BY: <u>M. GIBBONS</u>
FILE NUMBER: <u>18-</u>	<input checked="" type="checkbox"/> RESOLUTION REQUIRED
	<input type="checkbox"/> NO RESOLUTION REQUIRED

[REDACTED]      Matthew Surina      01/11/18  
 APPLICANT SIGNATURE      PRINT NAME      DATE

# CITY OF HAMILTON MOTION

Council: February 14, 2018

**MOVED BY COUNCILLOR S. MERULLA.....**

**SECONDED BY COUNCILLOR .....**

### Provincial Library Funding

WHEREAS, public libraries support the goals of the Province of Ontario Culture Strategy to promote cultural engagement and inclusion, strengthen culture in communities, fuel the creative economy, and promote the value of the arts;

WHEREAS, the Hamilton Public Library is a source of pride in the community, contributing to social and cultural well-being by providing safe, inclusive, and vibrant community spaces where everyone is welcome to learn, work, connect, and have fun;

WHEREAS, the Hamilton Public Library continues to seek funding opportunities through grant programs, donor development and community support;

WHEREAS, the Hamilton Public Library continues to manage resources with the utmost care and is committed to the sustainability of its services;

WHEREAS, the Hamilton Public Library continues to have a limited operating budget which is 94% funded by the City of Hamilton; and,

WHEREAS, the annual provincial operating grant received by the Hamilton Public Library has remained fixed at \$949,451 per year since amalgamation, while consumer price inflation has increased by more than 35% during this time;

### THEREFORE BE IT RESOLVED:

(a) That the Mayor correspond with the Honourable Daiene Vernile, Minister of Tourism, Culture and Sport, to urge the Province to recognize the contribution of public libraries within their communities by:

- (i) Ceasing the budget freeze to public libraries, in acknowledgement to the services they offer to all residents; and,

- (ii) Providing adequate and appropriate funding for public libraries, with increases each year going forward, in line with the consumer price index; and,
- (b) That a copy of the Council approved resolution be sent to the to the Ontario Minister of Municipal Affairs, to local MPs and MPPs, to the Federation of Canadian Municipalities, to the Association of Municipalities of Ontario, to the Ontario Library Association, and to the Federation of Ontario Public Libraries.

# CITY OF HAMILTON

## MOTION

Council: February 14, 2018

MOVED BY COUNCILLOR T. JACKSON.....

SECONDED BY COUNCILLOR B. JOHNSON.....

### Amendment to Item 10 of the Audit, Finance & Administration Committee Report 17-014

- (a) That Appendix "B" to Item 10 (attached hereto) of the Audit, Finance & Administration Committee Report 17-014, which was approved by Council on October 25, 2017, be amended by adding a column to reflect the 91<sup>st</sup> Highlanders 2018 Advanced Payment Schedule for the amount of \$19,470; and,
- (b) That sub-sections (a)(i) and (a)(ii) to Item 10 of the Audit, Finance & Administration Committee Report 17-014, which was approved by Council on October 25, 2017, be amended by adding the words "**as amended**", to read as follows:

#### 10. Grants Sub-Committee Report 17-005 from the October 12, 2017 meeting (Item 8.3)

##### (a) 2018 Advance - City Enrichment Fund (GRA17010) (City Wide) (Item 6.1)

- (i) That effective January 1, 2018, an advance of funds be provided to the organizations specified in the attached Appendix "B", **as amended**, to AF&A Report 17-014; and,
- (ii) That any outstanding arrears due to the City of Hamilton by the organizations (as shown in the attached Appendix "B", **as amended**, to AF&A Report 17-014) be first applied against the approved grant funding, including advances, until the debt is satisfied, prior to that organization receiving the balance of any approved payment.

City Enrichment Fund  
Requiring Advance Payments in 2018

Agency	Advance Payment Schedule for 2018	#of Payments (advance)	2017 Approved Annual Budget	2018 Advance Payment Amount (Monthly)	2018 Advance Payment Amount (5 Payments)
Art Gallery of Hamilton	1st of each month	5	\$ 1,000,000	\$ 83,333.33	\$ 416,666.67
Theatre Aquarius	1st of each month	5	\$ 250,000	\$ 20,833.33	\$ 104,166.67
Festival of Friends (Hamilton-Wentworth)	1st of each month	5	\$ 90,000	\$ 7,500.00	\$ 37,500.00
Hamilton Philhamonic Orchestra	1st of each month	5	\$ 165,000	\$ 13,750.00	\$ 68,750.00
Brott Music Festival	1st of each month	5	\$ 140,000	\$ 11,666.67	\$ 58,333.33
<b>91st Highlanders</b>	<b>1st of each month</b>	<b>5</b>	<b>\$ 19,470.00</b>	<b>\$ 1,622.50</b>	<b>\$ 8,112.50</b>
<b>Total</b>			<b>\$ 1,664,470</b>	<b>\$ 138,705.83</b>	<b>\$ 693,529.17</b>

**Authority:** Item 7, Economic Development &  
Planning Committee Report 10-  
005 (PED10051)  
CM: March 10, 2010  
Ward: 9

**Bill No. 022**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

**To Establish City of Hamilton Land Described as Part of Block 20 on 62M-1020,  
designated as Parts 9, 10, & 11 on 62R-17213 as Part of Edgcroft Crescent**

**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 by-laws with respect to highways; and

**WHEREAS** section 31(2) of the *Municipal Act, 2001* provides that land may only become a highway by virtue of a by-law establishing the highway.

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

1. The land, owned by and located in the City of Hamilton, described as **Part of Block 20 on 62M-1020, designated as Parts 9, 10, & 11 on 62R-17213**, is established as a public highway, forming part of **Edgcroft Crescent**.
2. The General Manager of Public Works or their authorized agent is authorized to establish the said land as a public highway.
3. This By-law comes into force on the date of its registration in the Land Registry Office (No. 62).

**PASSED** this 14<sup>th</sup> day of February, 2018.

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F. Eisenberger  
Mayor

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R. Caterini  
City Clerk



**Authority:** Item 21, Economic Development &  
Planning Committee Report 10-015  
CM: July 8, 2010  
Ward: 9

**Bill No. 023**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

#### **To Permanently Close and Sell a Portion of Bellroyal Crescent being Block 117 on 62M-1172**

**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 by-laws with respect to highways; and

**WHEREAS** section 34(1) of the *Municipal Act, 2001* provides that a by-law permanently closing a highway does not take effect until a certified copy of the by-law is registered in the proper land registry office; and

**WHEREAS** highways to be closed by by-law are declared to be surplus to the needs of the City of Hamilton under the Sale of Land Policy By-law; and

**WHEREAS** by execution of a Subdivision Agreement dated 1<sup>st</sup> day of December, 2011 between the City of Hamilton and Parkside Developments (Albion) Limited the City has authorized and agreed to the closure and conveyance of a certain portion of Bellroyal Crescent being Block 117 on 62M-1172 when deemed by the City to no longer be required for road purposes; and

**WHEREAS** notice to the public of the proposed sale of the part of the road allowance has been given in accordance with the requirements of the Sale of Land Policy By-law.

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

1. The part of the road allowance, being Bellroyal Crescent, in the City of Hamilton, described as Block 117 on 62M-1172, City of Hamilton, is permanently closed.
2. The soil and freehold of the part of the road allowance permanently closed under section 1 is to be sold to Parkside Developments (Albion) Limited for the sum of two dollars (\$2.00) pursuant to the terms of the Subdivision Agreement dated 1<sup>st</sup> day of December, 2011 between City of Hamilton

To Permanently Close and Sell a Portion of Bellroyal Crescent being Block 117 on 62M-1172

Page 2 of 2

and Parkside Developments (Albion) Limited registered as Instrument No. WE805058.

3. This by-law comes into force on the date of its registration in the Land Registry Office (No. 62).

**PASSED** this 14<sup>th</sup> day of February, 2018.

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F. Eisenberger  
Mayor

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R. Caterini  
City Clerk

**Authority:** Item 31, Planning and Economic  
Development Committee  
Report: 06-005  
CM: April 12, 2006  
Ward: 7

**Bill No. 024**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

#### **To Amend Zoning By-law No. 05-200 Respecting Lands located at 630 Rymal Road East and 1770 Upper Sherman Avenue, Hamilton**

**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";

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

**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;

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

**WHEREAS** the Council of the City of Hamilton, in adopting Item 31 of Report 06-005 of the Planning and Economic Development Committee at its meeting held on the 12<sup>th</sup> day of April, 2006, which recommended that the Director of Development and Real Estate be authorized to give notice and prepare by-laws for presentation to Council, to remove the "H" Holding Provision from By-laws where the conditions have been met;

**AND WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan; and,

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

1. That Map Nos. 1448, 1497, and 1496 of Schedule "A" – Zoning, appended to and forming part of City of Hamilton Zoning By-law No. 05-200, is further amended by changing from the Community Institutional (I2, H57, H59) Zone to the Community Institutional (I2) Zone, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. 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 Community Institutional (I2) Zone provisions.
3. 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** this 14<sup>th</sup> day of February, 2018.

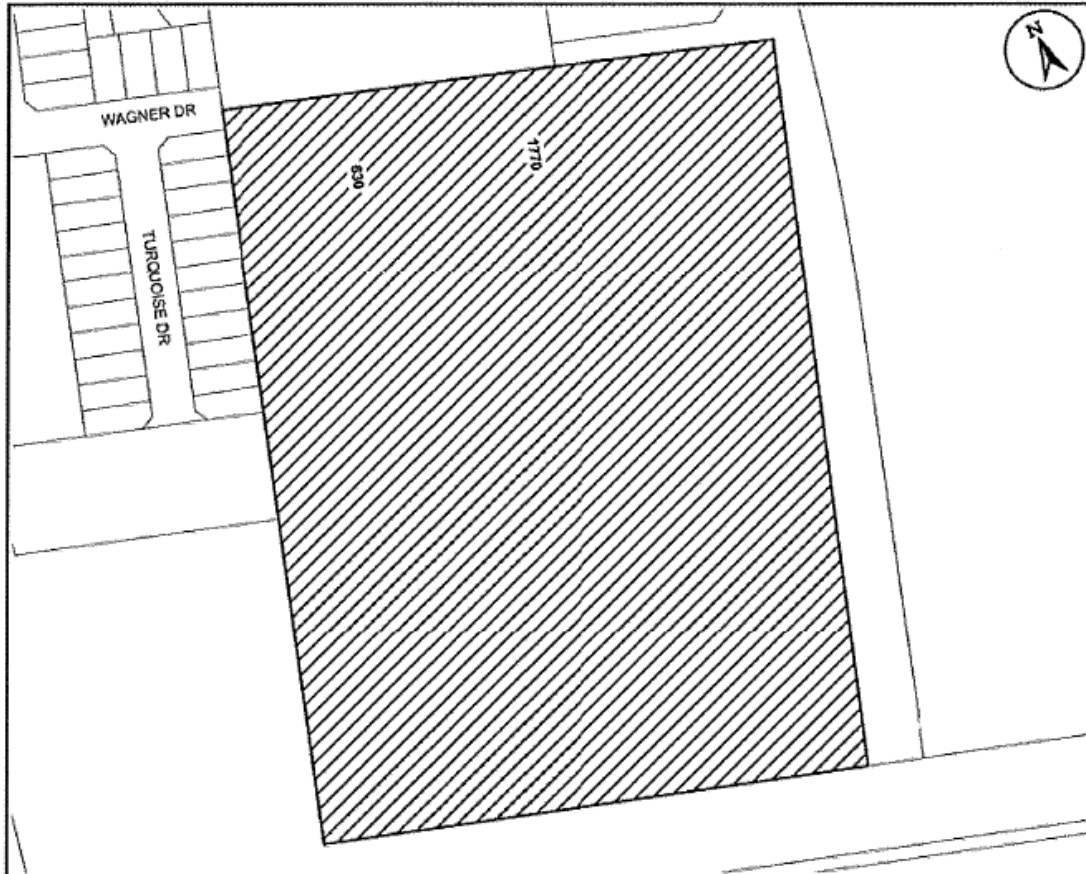
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F. Eisenberger  
Mayor

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R. Caterini  
City Clerk

ZAH-16-032



<p style="text-align: center;">This is Schedule "A" to By-law No. 18-</p> <p style="text-align: center;">Passed the ..... day of ....., 2018</p>	<p style="text-align: center;">-----                  Mayor</p> <p style="text-align: center;">-----                  Clerk</p>		
<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of                  By-law No. 18-_____</p> <p style="margin: 0 0 0 0;">to Amend By-law No. 05-200</p>	<p><b>Subject Property</b>                  630 Rymal Road East &amp; 1770 Upper Sherman Avenue</p> <p> Change in Zoning from the                  Community Institutional (I2, H57, H59) Zone to                  the Community Institutional (I2) Zone</p>		
<p>Scale: N.T.S.</p>	<p>File Name/Number: ZAH-16-032</p>		<p>Date: Jan. 26, 2018</p>
<p>Planner/Technician: RC/AL</p>	<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

**Authority:** Item 14, Committee of the Whole  
 Report 01-003 (FCS01007)  
 CM: February 6, 2001  
 Ward: 1, 2, 3, 4, 6, 7, 8, 10, 11, 15

**Bill No. 025**

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

**To Amend By-law No. 01-218, as amended,  
 Being a By-law To Regulate On-Street Parking**

**WHEREAS** Section 11(1)1 of the *Municipal Act, S.O. 2001, Chapter 25*, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating parking and traffic on highways subject to the *Highway Traffic Act*;

**AND WHEREAS** on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

**AND WHEREAS** it is necessary to amend By-law No. 01-218, as amended.

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

1. By-law No. 01-218, as amended, is hereby further amended by adding/deleting from the identified Schedules and Sections noted in the table below as follows:

Schedule	Section	Highway	Side	Location	Duration	Time	Days	Adding/ Deleting
6 - Time Limit	E	Westminister Ave.	Both	Denlow Ave. to Westcliffe Ave.	1 hr	8 am - 4 pm	Mon-Fri	Adding
6 - Time Limit	E	Melbourne	Both	Locke to Fanning	1 hr	Anytime	Anyday	Deleting
6 - Time Limit	E	Melbourne St.	North	Locke St. to Fanning St.	1 hr	Anytime	Anyday	Adding
6 - Time Limit	E	Ridge	Both	Limeridge to Goldstrum	2 hr	8 am – 5 pm	Mon-Fri	Deleting

To Amend By-law No. 01-218, as amended,  
Being a By-law to Regulate On-Street Parking

<b>Schedule</b>	<b>Section</b>	<b>Highway</b>	<b>Side</b>	<b>Location</b>	<b>Times</b>	<b>Adding/ Deleting</b>
<i>8 - No Parking</i>	<i>E</i>	East 26th St.	West	35m south of Crockett St. to 6m southerly	Anytime	Adding
<i>8 - No Parking</i>	<i>F</i>	Harbrite Dr.	East	Glenashton Dr. to 60m northerly	Anytime	Adding
<i>8 - No Parking</i>	<i>E</i>	Kingslea Dr.	West	50m south of Edinfield Ave. to 45m southwest	Anytime	Adding
<i>8 - No Parking</i>	<i>D</i>	Garinger Cres. (E. leg)	West & North	92m south of Fall Fair Way to 30m southerly	Anytime	Adding
<i>8 - No Parking</i>	<i>D</i>	Garinger Cres. (W. leg)	East & North	60m south of Fall Fair Way to 30m southerly	Anytime	Adding
<i>8 - No Parking</i>	<i>D</i>	Valiant Cir. (E. leg)	West & North	50m south of Carver Dr. to 33m southerly	Anytime	Adding
<i>8 - No Parking</i>	<i>D</i>	Valiant Cir. (E. leg)	West & South	55m north of Carver Dr. to 33m northerly	Anytime	Adding
<i>8 - No Parking</i>	<i>D</i>	Valiant Cir. (W. leg)	East & South	55m north of Carver Dr. to 31m northerly	Anytime	Adding
<i>8 - No Parking</i>	<i>D</i>	Valiant Cir.	South	Fall Fair Way to 85m easterly	Anytime	Adding
<i>8 - No Parking</i>	<i>D</i>	Hitching Post Ridge	South & East	30m west of Pavillion Dr. to 28m westerly	Anytime	Adding
<i>8 - No Parking</i>	<i>D</i>	Country Fair Way (N. leg)	South & West	102m east of Hitching Post Ridge to 27m easterly	Anytime	Adding
<i>8 - No Parking</i>	<i>D</i>	Country Fair Way (S. leg)	North & West	102m east of Hitching Post Ridge to 27m easterly	Anytime	Adding
<i>8 - No Parking</i>	<i>D</i>	Country Fair Way	South	Royal Winter Dr. to 70m easterly	Anytime	Adding
<i>8 - No Parking</i>	<i>D</i>	Lynch Cres (W. leg)	North & East	70m north of Gowland Dr. to 22m northerly	Anytime	Adding
<i>8 - No Parking</i>	<i>D</i>	Lynch Cres (E. leg)	North & East	70m north of Gowland Dr. to 22m northerly	Anytime	Adding
<i>8 - No Parking</i>	<i>D</i>	Fowler Dr. (N. leg)	South & East	55m west of Kaufman Dr. to 25m westerly	Anytime	Adding
<i>8 - No Parking</i>	<i>D</i>	Fowler Dr. (S. leg)	North & East	70m west of Kaufman Dr. to 28m westerly	Anytime	Adding
<i>8 - No Parking</i>	<i>D</i>	Donald Bell Dr.	South & East	50m east of Newlove St. to 30m easterly	Anytime	Adding
<i>8 - No Parking</i>	<i>D</i>	Magnificent Way	North & West	50m north of Downing St. to 50m northerly	Anytime	Adding
<i>8 - No Parking</i>	<i>D</i>	Switzer Cres. (N. leg)	South & West	65m east of Southbrook Dr. to 25m easterly	Anytime	Adding
<i>8 - No Parking</i>	<i>D</i>	Switzer Cres. (S. leg)	North & West	65m east of Southbrook Dr. to 25m easterly	Anytime	Adding

To Amend By-law No. 01-218, as amended,  
Being a By-law to Regulate On-Street Parking

<b>Schedule</b>	<b>Section</b>	<b>Highway</b>	<b>Side</b>	<b>Location</b>	<b>Times</b>	<b>Adding/ Deleting</b>
8 - No Parking	D	Etherington Cres. (N. leg)	South & West	68m east of Southbrook Dr. to 25m easterly	Anytime	Adding
8 - No Parking	D	Etherington Cres. (S. leg)	North & West	62m east of Southbrook Dr. to 22m easterly	Anytime	Adding
8 - No Parking	E	Chipman Ave.	South	100m east of Up. James St to 35m easterly	Anytime	Adding
8 - No Parking	E	Chipman Ave.	North	75m east of Up. James St to 35m easterly	Anytime	Adding
8 - No Parking	E	Chipman Ave.	South	Up. James St. to Jeremy St.	December 1st to March 31st	Adding
8 - No Parking	E	Sanford	West	King to Wilson	Anytime	Deleting
8 - No Parking	E	Walnut	East	Forest to Augusta	Anytime	Deleting
8 - No Parking	E	Walnut	East	Forest to Young	Anytime	Adding
8 - No Parking	C	Pamela St.	North	Boulding Ave. to Hwy 5	December 1st to March 31st	Adding
8 - No Parking	C	Blue Sky Tr.	East	Houndtrail Dr. to 123m south	December 1st to March 31st	Adding
8 - No Parking	C	Blue Sky Tr.	South	145m south of Houndtrail Dr. to Spring Creek Dr.	December 1st to March 31st	Adding
8 - No Parking	C	McKnight Ave.	north	Burke St. to McCartney St.	Anytime	Adding
8 - No Parking	C	McKnight Ave.	south	McCartney St. to Humphrey St.	Anytime	Adding
8 - No Parking	C	McKnight Ave.	east	Humphrey St. to Skinner Rd.	Anytime	Adding
8 - No Parking	C	McKnight Ave.	north	Prudham Cres. (W. leg) to Prudham Cres. (E. leg)	Anytime	Adding
8 - No Parking	C	McKnight Ave.	south	Prudham Cres. (E. leg) to Burke St.	Anytime	Adding
8 - No Parking	C	Attridge Cres. (N. leg)	south & east	Denholm Rd. to 170m west	Anytime	Adding
8 - No Parking	C	Attridge Cres.	west	170m west of Denholm Rd. to 50m south	Anytime	Adding
8 - No Parking	C	Attridge Cres. (S. leg)	north	Denholm Rd. to 150m west	Anytime	Adding
8 - No Parking	C	Attridge Cres. (S. leg)	north	Denholm Rd. to 175m westerly	Anytime	Adding



To Amend By-law No. 01-218, as amended,  
Being a By-law to Regulate On-Street Parking

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
8 - No Parking	C	Denholm Rd.	east	McKnight Ave. to Humphrey St.	Anytime	Adding
8 - No Parking	C	Prudham Cres. (W. leg)	east & south	McKnight Ave to 50m Prudham Cres (E. leg)	Anytime	Adding
8 - No Parking	C	Prudham Cres. (E. leg)	east	McKnight Ave to McPhail Cres	Anytime	Adding
8 - No Parking	C	Humphrey St.	north	Denholm Rd. to Burke St.	Anytime	Adding
8 - No Parking	C	Humphrey St.	south	McCartney St. to McKnight Ave.	Anytime	Adding
8 - No Parking	C	McCartney St.	east	McKnight Ave. to Skinner Rd.	Anytime	Adding
8 - No Parking	E	Melbourne St.	south	Poulette St. to Locke St.	Anytime	Adding
8 - No Parking	C	Mill	East	from 155m north of Highway 5 to Church	Anytime	Deleting
8 - No Parking	C	Mill St.	East	Church St. to 135m southerly	Anytime	Adding

Schedule	Section	Highway	Location	NPA from 8am on the 1st day of each month, to 11pm on the 15th day of each month AND Dec-Mar	NPA from 8am on the 16th day of each month to 11 pm on the last day of each month Apr-Nov	Adding/ Deleting
10 - Alt Side	<b>E</b>	Melbourne Street	Dundurn Street to Locke Street	North	South	Delete
10 - Alt Side	<b>E</b>	Melbourne St.	Dundurn St. to Poulette St.	North	South	Adding

To Amend By-law No. 01-218, as amended,  
Being a By-law to Regulate On-Street Parking

<b>Schedule</b>	<b>Section</b>	<b>Highway</b>	<b>Side</b>	<b>Location</b>	<b>Times</b>	<b>Adding/ Deleting</b>
12 – Permit	E	<b>Catherine St.</b>	East	18m south of Murray St. to 6m southerly	Anytime	Adding
12 – Permit	E	<b>Graham</b>	West	from 62.2m north of Maple to 4.9m northerly	Anytime	Deleting
12 – Permit	E	<b>Adeline Ave.</b>	East	70m north of Roxborough to 6m northerly	Anytime	Adding
12 – Permit	E	<b>Adeline Ave.</b>	West	72m north of Roxborough to 6m northerly	Anytime	Adding
12 – Permit	E	<b>Fairleigh</b>	West	from 41.7m north of King to 6m northerly	Anytime	Deleting
12 - Permit	E	<b>Rossllyn</b>	West	from 65.5m north of Cannon to 7.5m northerly	Anytime	Deleting
12 – Permit	E	<b>Rossllyn</b>	East	from 64.8m north of Cannon to 7.5m northerly	Anytime	Deleting
12 – Permit	E	<b>Wood St.</b>	North	21m west of John St. to 6m westerly	Anytime	Adding
12 – Permit	E	<b>Harvey St.</b>	North	25m east of Sanford Ave to 6m easterly	Anytime	Adding
12 – Permit	E	<b>Harvey St.</b>	South	25m east of Sanford Ave to 6m easterly	Anytime	Adding
12 – Permit	E	<b>Blake</b>	West	from 83.9m north of the extended north curb line of Roseland to 6m northerly	Anytime	Deleting
12 – Permit	E	<b>Francis</b>	North	from 48.5m east of Emerald to 6.7m easterly	Anytime	Deleting
12 – Permit	E	<b>Francis</b>	South	from 69.8m east of Emerald to 6.6m easterly	Anytime	Deleting
12 - Permit	E	<b>Edinburgh</b>	South	from 13.7m west of the extended west curb line of Fraser to 6.2m westerly	Anytime	Deleting

To Amend By-law No. 01-218, as amended,  
Being a By-law to Regulate On-Street Parking

<b>Schedule</b>	<b>Section</b>	<b>Highway</b>	<b>Side</b>	<b>Location</b>	<b>Times</b>	<b>Adding/ Deleting</b>
<i>13 - No Stopping</i>	<i>E</i>	Victoria	West	from 65.8m south of Barton to 5.3m southerly	Anytime	Deleting
<i>13 - No Stopping</i>	<i>E</i>	Victoria Ave.	West	65m south of Barton St. to 10m southerly	Anytime	Adding
<i>13 - No Stopping</i>	<i>F</i>	Hewitson Rd.	West	Barton St. to 26m southerly	Anytime	Adding
<i>13 - No Stopping</i>	<i>E</i>	Gage	West	Burlington to Barton	4:00 p.m. to 6:00 p.m. Monday to Friday	Deleting
<i>13 - No Stopping</i>	<i>E</i>	Gage Ave.	West	Burlington St. to Beach Rd.	4:00 p.m. to 6:00 p.m. Monday to Friday	Adding
<i>13 - No Stopping</i>	<i>E</i>	Gage Ave.	West	190m south of Beach Rd. to Barton St.	4:00 p.m. to 6:00 p.m. Monday to Friday	Adding
<i>13 - No Stopping</i>	<i>C</i>	Blue Sky Tr.	East	123m south of Houndtrail Dr. to 20m southeast	Anytime	Adding

<b>Schedule</b>	<b>Section</b>	<b>Highway</b>	<b>Side</b>	<b>Location</b>	<b>Times</b>	<b>Adding/ Deleting</b>
<i>14 -Wheelchair LZ</i>	<i>E</i>	Como Pl.	South	70m west of Torino Dr. to 12m westerly	7:00am - 9:00am, 3:00pm - 5:00pm Monday to Friday	Adding
<i>14 -Wheelchair LZ</i>	<i>E</i>	Leinster	East	Beechwood to 13.5m northerly	Anytime	Deleting

To Amend By-law No. 01-218, as amended,  
Being a By-law to Regulate On-Street Parking

Page 7 of 7

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

**PASSED** this 14<sup>th</sup> day of February, 2018.

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F. Eisenberger  
Mayor

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R. Caterini  
City Clerk

**Authority:** Item 3, Planning Committee  
Report: 18-002 (PED17217(a))  
CM: February 14, 2018  
Ward: City Wide

**Bill No. 026**

**CITY OF HAMILTON  
BY-LAW NO. 18-**

**To Amend By-law No. 10-197, a By-law Respecting Signs  
within the City of Hamilton**

**WHEREAS** Council enacted a By-law respecting Signs within the City of Hamilton, being By-law No. 10-197;

**AND WHEREAS** this By-law amends By-law No. 10-197;

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

1. Subsection 5.11.2(c) of By-law No.10-197 is deleted in its entirety and replaced with the new subsection:

**branding signs**

(c) a sign that appears on any surface on a property (including a sign on construction hoarding authorized by the City on or abutting a property) except a wall of a building, and has no independent structure of its own, except:

(i) consisting only of the following:

1. the name of the business on the property;
2. the registered trademark of the business on the property;
3. the ownership of the business on the property; or
4. the name of an activity, product or service available or to be available on the property; and

(ii) for all branding signs other than sign on construction hoarding, in a commercial, industrial or institutional zone or on that part of a property where the use is commercial, industrial or institutional;

2. This By-law comes into force on the day it is passed.

**PASSED** this 14<sup>th</sup> day of February, 2018.

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F. Eisenberger  
Mayor

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R. Caterini  
City Clerk

**Authority:** Item 8, Planning Committee  
Report: 18-001 (PED18014)  
CM: January 24, 2018  
Ward: 5

**Bill No. 027**

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

**To Adopt:**

**Official Plan Amendment No. 91 to the  
Urban Hamilton Official Plan**

Respecting:

**154 and 166 Mount Albion Road  
(Hamilton)**

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

1. Amendment No. 91 to the Urban Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

**PASSED** this 14<sup>th</sup> day of February, 2018.

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F. Eisenberger  
Mayor

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R. Caterini  
City Clerk

# Urban Hamilton Official Plan Amendment No. 91

The following text, together with Appendix “A” – Urban Site Specific Key Map – Volume 3: Map 2, constitutes Official Plan Amendment No. 91 to the Urban Hamilton Official Plan.

## 1.0 Purpose and Effect:

The purpose and effect of this Amendment is to establish Urban Site Specific Policy Area UHN-22 for the lands located at 154 and 166 Mount Albion Road, to allow townhouse dwellings on a common element condominium road with a minimum density of 42 units per hectare for the medium density residential development within the Neighbourhoods designation.

## 2.0 Location:

The lands affected by this Amendment are known municipally as 154 and 166 Mount Albion Road, in the former City of Hamilton.

## 3.0 Basis:

The basis for permitting this Amendment is as follows:

- The proposal satisfies all characteristics and requirements of the medium density residential policies, save and except the prescribed residential density range.
- The proposed Amendment is compatible with the existing and planned development in the immediate area.
- The proposed Amendment is consistent with the Provincial Policy Statement, 2014 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2017.

## 4.0 Actual Changes:

### 4.1 Text Changes:

Urban Hamilton Official Plan Volume 3 – Special Policy Areas, Area Specific Policies and Site Specific Policies

4.1.1 Urban Hamilton Official Plan Volume 3 – Chapter C – Urban Site Specific Policies is amended by adding a new site specific policy as follows:

**“UHN-22 Lands located at 154 and 166 Mount Albion Road, former City of Hamilton**

1.0 Notwithstanding Volume 1, Policy E.3.5.7, for lands located at 154 and 166 Mount Albion Road, the net residential density for medium density residential uses shall be greater than 42 units per hectare and not greater than 100 units per hectare.”

**4.2 Mapping Changes**

**Urban Hamilton Official Plan Volume 3: Map 2 – Urban Site Specific Key Map**

4.2.1 Urban Hamilton Official Plan Volume 3 – Map 2 – Urban Site Specific Key Map be amended by adding “UHN-22” to the subject lands, as shown on Appendix “A”, attached to this amendment.

**5.0 Implementation:**

An implementing Zoning By-law Amendment will give effect to the intended uses on the subject lands.

This is Schedule “1” to By-law No. 18-026 passed on the 14<sup>th</sup> day of February, 2018.

**The  
City of Hamilton**

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F. Eisenberger  
MAYOR

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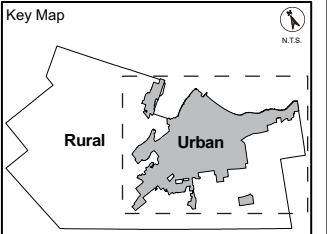
R. Caterini  
CITY CLERK



Appendix A  
 APPROVED Amendment No. 91  
 to the Urban Hamilton Official Plan

 Lands to be identified as  
 Site Specific Policy Area UHN-22  
 (154 & 166 Mount Albion Road)

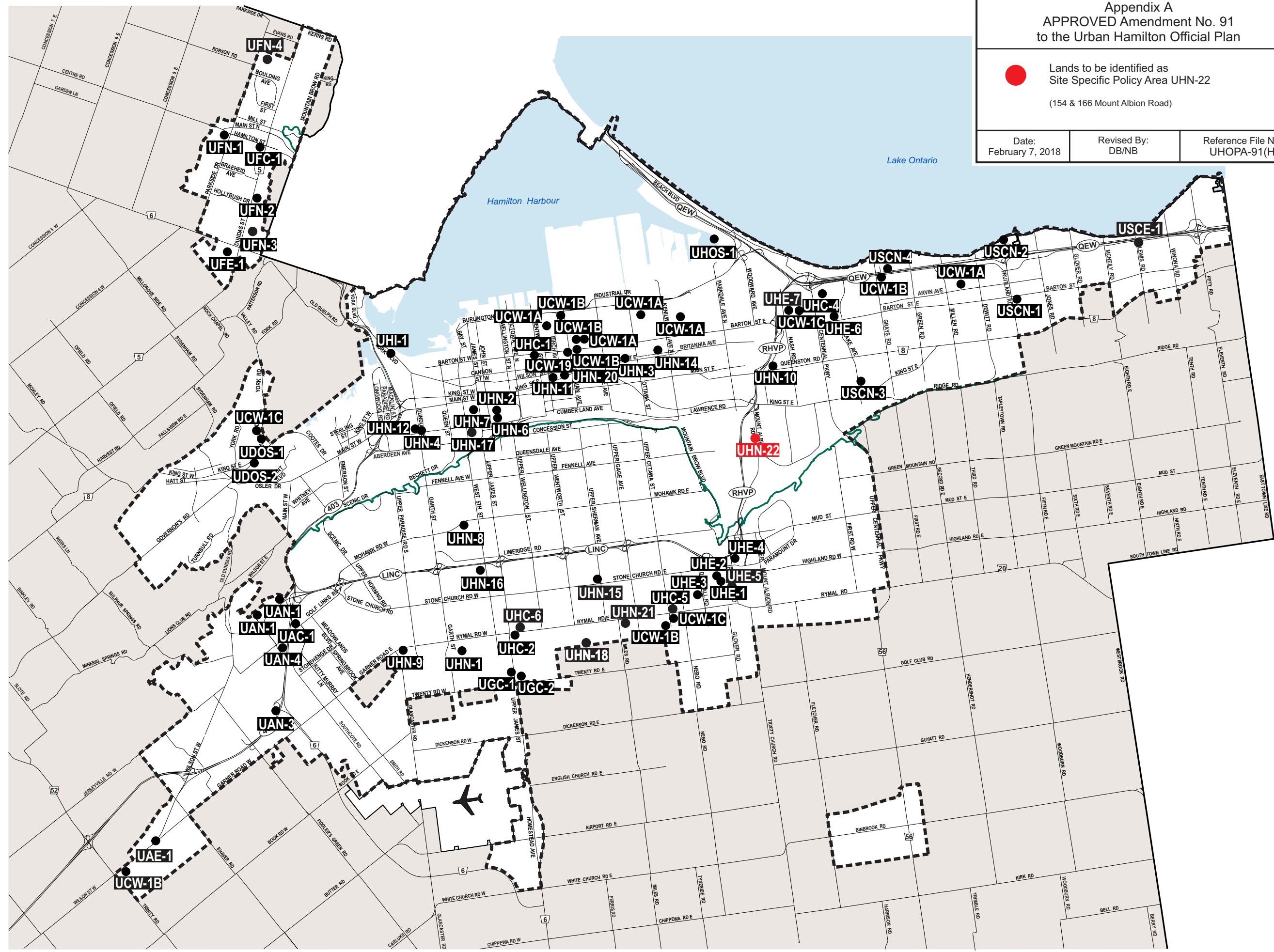
Date: February 7, 2018	Revised By: DB/NB	Reference File No.: UHOPA-91(H)
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





**Note:** For Rural Site Specific Areas, refer to Volume 3: Appendix A of the Rural Hamilton Official Plan.

**APPEAL**

The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal – see illustration on Schedules E and E-1, Volume 1



- Legend**
-  Site Specific Areas (SSA)
  -  Refers to Urban Site Specific Area #, Volume 3, Chapter B
- Other Features**
-  Rural Area
  -  John C. Munro Hamilton International Airport
  -  Niagara Escarpment
  -  Urban Boundary
  -  Municipal Boundary

Council Adoption: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan  
 Volume 3: Map 2  
 Urban Site Specific Key Map**



**Authority:** Item 8, Planning Committee  
Report: 18-001 (PED18014)  
CM: January 24, 2018  
Ward 5

**Bill No. 028**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

#### **To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at 154 and 166 Mount Albion Road (Hamilton)**

**WHEREAS** the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap.14, Schedule. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

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

**WHEREAS** the *City of Hamilton Act, 1999* provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

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

**WHEREAS** the Council of the City of Hamilton, in adopting Item 8 of Report 18 - 001 of the Planning Committee, at its meeting held on the 24<sup>th</sup> day of January, 2018, which recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

**WHEREAS** this By-law will be in conformity with the Urban Hamilton Official Plan upon approval of Official Plan Amendment No. .

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

1. That Sheet No. E87 of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton) is amended, by changing from the "AA" (Agricultural) District to the "C/S-1755" (Urban Protected Residential, etc.) District, Modified (Block 1) and "RT-30/S-1755" (Street-Townhouse) District, Modified (Blocks 2, 3, 4, 5 and 6) on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. "C/S-1755" (Block 1)

That the "C" (Urban Protected Residential, etc.) District provisions as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following special requirements:

- a) That notwithstanding Section 2 (2) (J) (xiii), Mount Albion Road shall be deemed the front lot line, the lot line opposite to and furthest from the front lot line shall be deemed the rear lot line, and all other lot lines shall be deemed a side lot line.
- b) That notwithstanding Section 9 (3) (iii), a rear yard of a depth of at least 7.0 metres.

3. "RT-30/S-1755" (Blocks 2 to 6)

That the "RT-30" (Street-Townhouse) District provisions as contained in Section 10F of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following requirements:

- a) That for the purposes of this By-law, a common element condominium road shall be deemed a street and visitor parking for the dwelling units fronting the common element condominium road and landscaping shall be permitted within the common element condominium road.
- b) That notwithstanding Section 10F (6) (i), a lot area not less than 150 square metres for each single family dwelling unit shall be required for the lot of an interior unit and not less than 180 square metres for each single family dwelling unit that is an end unit.
- c) That notwithstanding Section 18A (1) (b), a minimum of 8 visitor parking spaces shall be provided.
- d) That no individual driveways or common element condominium road access shall be permitted to Albright Road.

4. "RT-30/S-1755" (Block 2)

That the "RT-30" (Street-Townhouse) District provisions as contained in Section 10F of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following special requirements:

- a) That notwithstanding Section 10F (4) (a), a front yard of a depth of not less than 4.5 metres and 5.8 metres to a garage and a front yard depth of not less than 2.0 metres from the curved portion of the front lot line.
- b) That notwithstanding Section 10F (4) (b), a rear yard of a depth of

not less than 6.0 metres.

- c) That in addition to Section 10F (4) (c) (ii) of this By-law, a side yard width of not less than 1.8 metres between a townhouse dwelling and the side lot line adjacent to Mount Albion Road.
- d) That notwithstanding Section 18A (1) (f), at least 5.8 metres of manoeuvring space shall be required for a 90 degree parking space.

5. "RT-30/S-1755" (Block 3)

That the "RT-30" (Street-Townhouse) District provisions as contained in Section 10F of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following special requirements:

- a) That notwithstanding Section 2 (2) (J) (xiii), the northerly lot line shall be deemed the front lot line, the lot line opposite to and furthest from the front lot line shall be deemed the rear lot line, and all other lot lines shall be deemed a side lot line.
- b) That notwithstanding Section 10F (4) (a), a front yard of a depth of not less than 4.5 metres and 6.0 metres to a garage and a front yard depth of not less than 1.7 metres from the curved portion of the front lot line.
- c) That notwithstanding Section 10F (4) (b), a rear yard of a depth of not less than 6.0 metres.
- d) That notwithstanding Section 10F (4) (c) (ii) of this By-law, a side yard width of not less than 1.8 metres between a townhouse dwelling and the side lot line adjacent to Mount Albion Road.

6. "RT-30/S-1755" (Block 4)

That the "RT-30" (Street-Townhouse) District provisions as contained in Section 10F of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following special requirements:

- a) That notwithstanding Section 2 (2) (J) (xiii), Albright Road shall be deemed the front lot line, the lot line opposite to and furthest from the front lot line shall be deemed the rear lot line, and all other lot lines shall be deemed a side lot line.
- b) That notwithstanding Section 10F (4) (b), a rear yard of a depth of not less than 7.0 metres.
- c) That in addition to Section 10F (4) (c) (ii) of this By-law, a side yard width of not less than 1.2 metres between a townhouse dwelling and

the property line adjacent to the visitor parking spaces and a side yard width of not less than 1.5 metres between a townhouse dwelling and the lot line of the hypotenuse of the daylight triangle.

7. “RT-30/S-1755” (Block 5)

That the “RT-30” (Street-Townhouse) District provisions as contained in Section 10F of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following special requirements:

- a) That notwithstanding Section 10F (4) (a), a front yard of a depth of not less than 4.5 metres and 5.8 metres to a garage.
- b) That notwithstanding Section 10F (4) (b), a rear yard of a depth of not less than 6.0 metres.
- c) That notwithstanding Section 10F (4) (c) (ii) a side yard width of not less than 1.5 metres, except for a side yard width of 2 metres from the lot line along Albright Road.
- d) That notwithstanding Section 10F (5) (b), not exceeding two storeys in height, of not less than 3.0 metres.
- e) That notwithstanding Section 18A (1) (f), at least 5.8 metres of manoeuvring space shall be required for a 90 degree parking space.

8. “RT-30/S-1755” (Block 6)

That the “RT-30” (Street-Townhouse) District provisions as contained in Section 10F of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following special requirements:

- a) That notwithstanding Section 10F (4) (a), a front yard of a depth of not less than 4.5 metres and 5.8 metres to a garage.
- b) That notwithstanding Section 10F (4) (b), a rear yard of a depth of not less than 6.0 metres.
- c) That notwithstanding Section 10F (4) (c) (ii) a side yard width of not less than 1.5 metres for the southerly lot line and a side yard width of not less than 3.0m for the northerly lot line.
- d) That notwithstanding Section 10F (5) (b), not exceeding two storeys in height, of not less than 3.0 metres.
- e) That notwithstanding Section 18A (1) (f), at least 5.8 metres of manoeuvring space shall be required for a 90 degree parking space.

9. 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 "C" District and "RT-30" District provisions, subject to the special requirements in Sections 2, 3, 4, 5, 6, 7 and 8 of this By-law.
10. That By-law No. 6593 (City of Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1755.
11. That Sheet No. E87 of the District maps is amended by making the lands referred to in Section 1 of this By-law as Schedule S-1755.
12. 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** this 14<sup>th</sup> day of February, 2018.

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F. Eisenberger  
Mayor

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R. Caterini  
City Clerk

ZAC-16-002  
UHOPA-17-014



This is Schedule "A" to By-law No. 18-

Passed the ..... day of ....., 2018

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Mayor

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Clerk







## Schedule "A"

Map Forming Part of  
By-law No. 18-\_\_\_\_\_

to Amend By-law No. 6593

### Subject Property

154 & 166 Mount Albion Road

-  **Block 1** - Change in Zoning from the "AA" (Agricultural) District, to the "C/S-1755" (Urban Protected Residential, etc.) District, Modified
-  **Block 2** - Change in Zoning from the "AA" (Agricultural) District, to the "RT-30/S-1755" (Street – Townhouse) District, Modified
-  **Block 3** - Change in Zoning from the "AA" (Agricultural) District, to the "RT-30/S-1755" (Street – Townhouse) District, Modified
-  **Block 4** - Change in Zoning from the "AA" (Agricultural) District, to the "RT-30/S-1755" (Street – Townhouse) District, Modified
-  **Block 5** - Change in Zoning from the "AA" (Agricultural) District, to the "RT-30/S-1755" (Street – Townhouse) District, Modified
-  **Block 6** - Change in Zoning from the "AA" (Agricultural) District, to the "RT-30/S-1755" (Street – Townhouse) District, Modified

Scale:

N.T.S.

File Name/Number:

ZAC-16-002/25T-201613/25CDM-201619

Date:

Dec. 12, 2017

Planner/Technician:

DB/AL



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

**Authority:** Item 16, Planning Committee  
Report: 18-002 (PED18007)  
CM: February 14, 2018  
Ward: 5, 9

**Bill No. 029**

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

**To Adopt:**

**Official Plan Amendment No. 92 to the  
Urban Hamilton Official Plan**

Respecting:

**The Centennial Neighbourhoods Secondary Plan  
(Wards 5 and 9)**

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

1. Amendment No. 92 to the Urban Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

**PASSED** this 14<sup>th</sup> day of February, 2018.

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F. Eisenberger  
Mayor

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R. Caterini  
City Clerk



## Urban Hamilton Official Plan Amendment No. 92

The following text, together with:

Appendix "A"	Centennial Neighbourhoods Secondary Plan
Appendix "B"	Volume 1, Schedule E-1 – Urban Land Use Designations
Appendix "C"	Volume 1, Appendix A – Parks Classification Map
Appendix "D"	Volume 1, Appendix B – Major Transportation Facilities and Routes
Appendix "E"	Volume 2, Appendix A – Secondary Plans Index Map
Appendix "F"	Volume 2, Centennial Neighbourhoods Secondary Plan – Land Use Plan – Map B.6.7-1
Appendix "G"	Volume 2, Centennial Neighbourhoods Secondary Plan – Maximum Building Heights in the Node – Map B.6.7-2
Appendix "H"	Volume 2, Centennial Neighbourhoods Secondary Plan – Transportation and Connections – Map B.6.7-3
Appendix "I"	Volume 2, Centennial Neighbourhoods Secondary Plan – Site Specific Policy Areas – Map B.6.7-4
Appendix "J"	Volume 2, Centennial Neighbourhoods Secondary Plan – Transition Areas – Appendix A
Appendix "K"	Volume 2, Old Town Secondary Plan – Land Use Plan – Map B.7.2-1
Appendix "L"	Volume 3, Map 1 – Area Specific Policies Key Map
Appendix "M"	Volume 3, Map H-4 – Area Specific Policies
Appendix "N"	Volume 3, Map 2 – Urban Site Specific Key Map

attached hereto, constitutes Official Plan Amendment 92 to the Urban Hamilton Official Plan.

### 1.0 Purpose and Effect:

The purpose of this amendment is to:

- Incorporate the Centennial Neighbourhoods Secondary Plan into the Urban Hamilton Official Plan, identifying land uses, densities, development forms, development standards and site specific policies;
- Amend various policies, schedules and appendices of the Urban Hamilton Official Plan to reflect the principles, policies, land use

designations and land use features in the Centennial Neighbourhoods Secondary Plan; and,

- Make minor housekeeping updates to an Appendix in the Official Plan.

The effect of this amendment to the Urban Hamilton Official Plan is to establish a detailed policy framework to guide the development of lands within the Centennial Neighbourhoods Secondary Plan.

## **2.0 Location:**

The lands affected by this Amendment are generally bounded by the Red Hill Valley Parkway to the west, Lake Avenue to the east, the Queen Elizabeth Way (QEW) to the north, and by the properties just south of Queenston Road to the south, as illustrated on Appendix “F” to this amendment.

## **3.0 Basis:**

The basis for this Amendment is as follows:

- The proposed Secondary Plan helps to achieve the overall vision, goals and objectives of the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, and the Urban Hamilton Official Plan.
- Changes to the Urban Hamilton Official Plan allow for consistency between the policies of the Urban Hamilton Official Plan and the policies proposed in the new Centennial Neighbourhoods Secondary Plan;
- The proposed amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe (2017).

## **4.0 Actual Text and Schedule/Map/Appendix Changes:**

### **4.1 Volume 1 – Parent Plan**

#### **4.1.1 Chapter E – Urban Systems and Designations**

##### **Section E.4.2 – Commercial and Mixed Use Designations – General Policies**

a) That Policy 4.2.9 be amended by:

- i) Adding the phrase “Volume 2 or” before the words “Volume 3” so the policy reads as follows:

“4.2.9 Notwithstanding Policies E.4.2.3 and E.4.2.6, four major commercial areas currently exist in the City of Hamilton that exceed 25,000 square metres of retail and commercial service space, but are not anticipated to evolve into mixed use areas during the life of this Plan. These four areas are not identified as *Urban Nodes* or *Urban Corridors*, are within the Neighbourhood element of the Urban Structure on Schedule E - Urban Structure, are designated District Commercial on Schedule E-1 - Urban Land Use Designations and have area or site specific requirements contained in Volume 2 or Volume 3. The amount or type of retail uses in these locations shall not be expanded without an amendment to the Urban Structure. The four major commercial areas are located:”

- ii) Changing the address in part d) of Policy 4.2.9 to “502 to 560 Centennial Parkway North” so the policy reads as follows:

“4.2.9d) at 502 to 560 Centennial Parkway North.”

Section E.4.3 - Pedestrian Focus Streets

- a) That Table 4.3.1 in Policy 4.3.1 be amended by:

- i) Adding two new table lines in the Hamilton portion of the table:

Queenston Road	Nash Road	East side of Centennial Parkway
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Centennial Parkway	South side of Queenston Road	Railway line north of Bancroft Street
--------------------	------------------------------	---------------------------------------

so the table reads as follows:

Street	From	To
<b>Hamilton</b>		
Queenston Road	Nash Road	East side of Centennial Parkway
Centennial Parkway	South side of Queenston Road	Railway line north of Bancroft Street

#### 4.1.2 Volume 1 – Schedules and Appendices

- a) That Schedule E-1 be amended by:
- i) redesignating the lands located in the general area of Centennial Parkway North, south of the railway line from “Arterial Commercial” to “Industrial Land”, as shown on Appendix “B” of this amendment.
  - ii) redesignating the lands located in the general area of Centennial Parkway North, north of Barton Street East from “Arterial Commercial” to “Mixed Use – High Density”, as shown on Appendix “B” of this amendment.
  - iii) redesignating the lands located in the general area southwest of Centennial Parkway North and Barton Street East from “District Commercial” to “Mixed Use – Medium Density”, as shown on Appendix “B” of this amendment.
  - iv) redesignating the following lands from “Mixed Use – Medium Density” to “Mixed Use – High Density”, as shown on Appendix “B” of this amendment:
    - 1) lands located in the general area of Queenston Road just east of Nash Road;
    - 2) lands generally located on the north east corner of Queenston Road and Centennial Parkway; and
    - 3) lands located in the general area of the east side of Centennial Parkway North, near Delawana Drive.
  - v) redesignating the lands in the general area of Eastgate Court and lands on the south side of Barton Street East, between Kenora Avenue and Centennial Parkway North from “District Commercial” to “Neighbourhoods”, as shown on Appendix “B” of this amendment.
  - vi) redesignating the following lands from “Mixed Use – Medium Density” to “Neighbourhoods”, as shown on Appendix “B” of this amendment:
    - 1) lands located in the general area on the north side of Queenston Road, between Woodman Drive North and Nash Road;

- 2) lands located at 23 Delawana Drive;
  - 3) lands located at 31-37 Delawana Drive; and,
  - 4) lands located in the general area of Queenston Road and Riverdale Drive.
- vii) making a minor boundary adjustment between the "District Commercial" designation and the "Business Park" designation on lands located in the general area of Centennial Parkway North just south of the Queen Elizabeth Way, as shown on Appendix "B" of this amendment, to recognize existing property boundaries.
  - viii) redesignating the lands located in the general area just west of Henry and Beatrice Warden Park from "Mixed Use – Medium Density" to "Open Space", as shown on Appendix "B" of this amendment.
  - ix) redesignating the lands located in the general area of the Red Hill Valley Parkway, north of the railway line from "Industrial Land" to "Open Space", as shown on Appendix "B" of this amendment.
  - x) redesignating the lands located in the general area southeast of Centennial Parkway North and Barton Street East from "District Commercial" to "Mixed Use – High Density", as shown on Appendix "B" of this amendment.
- b) That Appendix A be amended by adding the Centennial Neighbourhoods Secondary Plan, as shown on Appendix "C" attached to this amendment.
  - c) That Appendix B be amended by:
    - i) extending the "Potential Rapid Transit Line" on Centennial Parkway north to the Railway line, as shown on Appendix "D" of this amendment.
    - ii) changing the "HSR Terminal" at Eastgate Square to a "Future Multi-Modal Hub" as shown on Appendix "D" of this amendment.
    - iii) changing the text "Proposed New GO Centre (LIUNA Station)" in the legend to "Proposed GO Station", as shown in Appendix "D" of this amendment.

- iv) Adding a new “Proposed GO Station” at the southwest corner of Centennial Parkway and the Railway north of Barton Street East, as shown on Appendix “D” of this amendment.

## 4.2 Volume 2 – Secondary Plans

### 4.2.1 Chapter B, Secondary Plans

- a) That Chapter B, Secondary Plans be amended by adding a new Section 6.7 – Centennial Neighbourhoods Secondary Plan, as shown on Appendix “A” attached to this amendment.

#### Section B.7.2 – Old Town Secondary Plan

- b) That Chapter B, Secondary Plans be amended by:
  - i) adding the word “generally” after “The Old Town Secondary Plan area is”, changing the word “lines” to “boundaries” and deleting the phrase “south of King Street” in the first sentence, so that it reads as follows:

“The Old Town Secondary Plan area is generally bounded by the rear lot lines of the properties fronting on the north side of Queenston Road, Gray Road to the East, the Niagara Escarpment to the South, to the west by the western property boundaries in line with Alpine Avenue just East of Centennial Parkway North, north of King Street East, as well as Centennial Parkway North.”;
  - ii) deleting Policy 7.2.4.3 Mixed Use – High Density Designation;
  - iii) renumbering Policy 7.2.4.4 District Commercial Designation to Policy 7.2.4.3; and,
  - iv) deleting Policy 7.2.8.3 Site Specific Policy – Area C.

### 4.2.2 Secondary Plan Maps

- a) That Appendix A be amended by adding the Centennial Neighbourhoods Secondary Plan, as shown on Appendix “E”, attached to this amendment.
- b) That the Old Town Secondary Plan Land Use Plan Map B.7.2-1 be amended by removing lands located in the general area of Queenston

Road and Centennial Parkway, as shown on Appendix "K", attached to this amendment.

- c) That Map B.6.7-1 Centennial Neighbourhoods Secondary Plan – Land Use Plan be added, as shown on Appendix "F", attached to this amendment.
- d) That Map B.6.7-2 Centennial Neighbourhoods Secondary Plan – Maximum Building Heights in the Node be added, as shown on Appendix "G", attached to this amendment.
- e) That Map B.6.7-3 Centennial Neighbourhoods Secondary Plan – Transportation and Connections be added, as shown on Appendix "H", attached to this amendment.
- f) That Map B.6.7-4 Centennial Neighbourhoods Secondary Plan – Site Specific Policy Areas be added, as shown on Appendix "I", attached to this amendment.
- g) That Appendix "A" Centennial Neighbourhoods Secondary Plan – Transition Areas be added, as shown on Appendix "J", attached to this amendment.

### **4.3 Volume 3 – Special Policy Areas, Area Specific Policies and Site Specific Policies**

#### 4.3.1 Chapter B – Urban Area Specific Policies

- a) That Policy UH-1, 1.0 be amended by deleting Policy 1.0 f) in its entirety.

#### 4.3.2 Chapter C – Urban Site Specific Policies

- a) That Chapter C – Urban Site Specific Policies, be amended by deleting the following site specific areas in their entirety:
  - i) UHN-10 – Lands located at 505 to 537 Queenston Road, former City of Hamilton;
  - ii) UHC-4 – Lands located at 480 and 500 Centennial Parkway North and 20 Warrington Street, former City of Hamilton; and,
  - iii) UHE-7 – Lands located at Lands located at 398, 400, 402 Nash Road North and 30, 50, 54 Bancroft Street.

- b) That Chapter C – Urban Site Specific Policies be amended by deleting the words “and 460 Kenora Avenue” from the title of Urban Site Specific UCW-1C, and replacing the comma with the word “and” so that it reads as follows:

**“UCW-1C Lands located at 27 Olympic Drive and 37 Kilbride Road”**

- c) That Chapter C – Urban Site Specific Policies be amended by deleting policy 3.0, in its entirety, of Urban Site Specific UCW-1C.

4.3.3 Volume 3 Maps

- a) That Map 1 – Area Specific Policies Key Map be amended by deleting “UH-1f”, as shown on Appendix “L”, attached to this amendment.
- b) That Map H-4 – Area Specific Policies Map be deleted, as shown on Appendix “M”, to this amendment.
- c) That Map 2 – Urban Site Specific Key Map be amended by deleting UHC-4, UCW-1C, UHN-10 and UHE-7, as shown on Appendix “N” to this attachment.

**5.0 Implementation:**

Implementing Zoning By-law Amendments and site plans will give effect to this Amendment.

This is Schedule “1” to By-law No. 18-029 passed on the 14th day of February, 2018.

**The  
City of Hamilton**

\_\_\_\_\_  
F. Eisenberger  
MAYOR

\_\_\_\_\_  
R. Caterini  
CITY CLERK



## 6.7 Centennial Neighbourhoods Secondary Plan

The Centennial Neighbourhoods Secondary Plan area is generally bounded by the Red Hill Valley Parkway to the west, Lake Avenue to the east, the Queen Elizabeth Way (QEW) to the north, and by local streets and properties just south of Queenston Road to the south. The area contains a wide variety of land uses and residential densities.

The focal point of the Secondary Plan is the Centennial Sub-Regional Service Node, or the "Centennial Node", which is a major centre of retail activity for the City with a regional function. The Centennial Node is centred on the intersection of Queenston Road and Centennial Parkway and extends north of this intersection along Centennial Parkway North and west along Queenston Road. The major anchor for the Node is a shopping mall (Eastgate Square Mall) located on the northwest corner of Queenston Road and Centennial Parkway.

The Centennial Node plays an important role in the future *transit* network of the City, as it is planned as a terminus point for *Light Rail Transit* services and is also serviced by interregional transit. The Centennial Node also has an important function as part of the City's urban structure by connecting different areas of the City. It connects to other existing and planned nodes in the City via a primary corridor on Queenston Road west of Centennial Parkway and secondary corridors on Centennial Parkway and on Queenston Road east of Centennial Parkway.

The Urban Hamilton Official Plan vision for Sub-Regional Service Nodes is that these areas are to be planned to achieve a mix of uses and significant densities which are supportive of *higher order transit*. Commercial uses are an important component of Sub-Regional Service Nodes. Sub-Regional Service Nodes will also accommodate a significant proportion of City-wide *residential intensification*. The planning framework for the Centennial Node supports provincial policy directions regarding the efficient use of land, intensifying within existing *built-up areas*, and creating *transit-supportive* densities around *major transit station areas* and along priority *transit* corridors.

Surrounding the Centennial Node are residential neighbourhoods with a variety of residential densities and other community uses, such as parks, open spaces and institutional uses. The residential uses and other associated uses work together to form a complete community where people have opportunities to live, work, learn, and play. The neighbourhoods supply a variety of different housing types which support various household needs and incomes. These neighbourhoods may accommodate some residential *intensification* over time, primarily along arterial roads or on larger sites where

changes are comprehensively reviewed; however they are generally regarded as stable.

North of Barton Street East, a large *employment area* provides an important employment function, by contributing to the provision of jobs in close proximity to where people live, and by contributing to the City’s overall supply of employment lands. The *employment area* benefits from valuable transportation connections, as the area is also a key entryway into the City, with access points from the Red Hill Valley Parkway and the QEW, and abuts the future Confederation GO station.

The primary purpose of the Centennial Neighbourhoods Secondary Plan is to guide *redevelopment* and *intensification* within the Centennial Node to achieve more transit-supportive densities and an appropriate mix of uses, while maintaining the regional commercial function of the Node. This is balanced with the need to ensure that the Node is appropriately integrated with surrounding neighbourhoods in the community and existing employment areas. As such, the Secondary Plan provides direction for both the Centennial Node and adjacent neighbourhoods and employment areas.

Section B.6.7 – Centennial Neighbourhoods Secondary Plan, Map B.6.7-1 - Centennial Neighbourhoods - Land Use Plan, Map B.6.7-2 - Centennial Neighbourhoods - Maximum Building Heights in the Node, Map B.6.7-3 - Centennial Neighbourhoods - Transportation and Connections Plan, Map B.6.7-4 - Centennial Neighbourhoods – Site Specific Policy Areas, and Appendix A - Centennial Neighbourhoods - Transition Areas, constitute the Centennial Neighbourhoods Secondary Plan.

### **6.7.1 Vision**

The Centennial Neighbourhoods Secondary Plan area is home to some of the City’s most vibrant shopping, recreation, living and mixed use spaces. The Centennial Node will feature a *higher order transit* corridor and two major *transit* hubs, which are supported by compact, *mixed use development* along the Queenston Road and Centennial Parkway corridors.

The Secondary Plan area’s existing residential neighbourhoods are safe, well connected and *affordable*. The area’s attractive and accessible public spaces, green spaces and streetscapes, along with its strong network of transportation *infrastructure* provide a unique sense of place that makes the Centennial Neighbourhoods an interesting, dynamic and exciting place.

### **6.7.2 Principles**

Eleven planning principles represent the foundation of the Centennial Neighbourhoods Secondary Plan. The principles provide direction for accommodating *development*, promoting *compatible intensification*,

preserving the area's green spaces and promoting opportunities for *active transportation*.

6.7.2.1 The Centennial Neighbourhoods Secondary Plan is based on the following principles:

- a) Protect and enhance parks and natural areas;
- b) Create safe, connected, vibrant streetscapes;
- c) Provide more opportunities and spaces for people to meet, relax and socialize;
- d) Promote *active transportation* throughout the community;
- e) Provide opportunities for mixed use development and intensification in strategic locations;
- f) Promote transit-oriented *development*;
- g) Provide a variety of housing choices;
- h) Protect existing residential neighbourhoods from *incompatible development*;
- i) Provide sustainable *infrastructure*;
- j) Improve the appearance and function of the public realm; and,
- k) Provide opportunities for a greater variety of recreational choices.

### 6.7.3 Policy Goals

In addition to the policy goals in Volume 1, Chapters B, C, and E, the following policy goals shall provide direction for planning and *development* in the Centennial Neighbourhoods Secondary Plan:

#### 6.7.3.1 Land Use

- a) Support and implement the *planned function* of the Sub - Regional Service Node identified on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan;
- b) Protect and enhance existing residential areas;
- c) Support the provision and maintenance of a mix of housing types and tenures that meet the housing needs of residents throughout their life

cycle and provide opportunities for residents to remain within the community;

- d) Ensure *compatibility* between areas of different land uses, densities and heights;
- e) Promote *development* that fosters a healthy, safe, efficient, connected and visually pleasing urban environment;
- f) Encourage and foster a healthy balance of housing, employment, community services and recreation opportunities that are connected, accessible and people-oriented;
- g) Direct the majority of *intensification* to the Sub – Regional Service Node;
- h) Encourage residential infill *development* within existing residential neighbourhoods;
- i) Promote and encourage appropriate *development* in proximity to *major transit station areas* in support of and to take advantage of investment in public transit;
- j) Support Eastgate Square Mall as a regional commercial shopping centre while providing direction and opportunity for mixed use *redevelopment* of the site over the planning horizon of this plan;
- k) Provide appropriate community facilities and amenities to serve current and future residents; and,
- l) Support the transition of the Centennial Node from low density, auto-dependent lands uses and built form to a more compact, transit supportive environment.

### 6.7.3.2 Urban Design

- a) Provide high quality urban design and a consistent, identifiable neighbourhood image;
- b) Ensure design promotes pedestrian walkability, cycling, physical activity, social interaction and public gathering spaces;
- c) Encourage innovative building and site *development* and green infrastructure which contributes to the physical environment of the community, is forward looking in response to climate change, and enhances desirability as a place to live, learn, work and play;

- d) Promote design variety within streetscapes and identified Streetscape Improvement Areas;
- e) Promote interesting gateway and design features at Gateway Improvement Areas and Prominent Intersections identified on Map B.6.7-3 – Centennial Neighbourhoods - Transportation and Connections;
- f) Encourage public space enhancements at *major transit station areas* to support opportunities for gathering and social interaction; and,
- g) Ensure appropriate transitions between different building heights and uses.

#### **6.7.3.3 Active Transportation, Transit and Transportation Linkages**

- a) Enhance the neighbourhood's primary corridors as places for all modes of transportation and users of all ages, abilities, and incomes in an equitable manner, including pedestrians, cyclists, transit riders and drivers;
- b) Support the public *transit* system, future *rapid transit* corridors and connections to the GO *transit* station to decrease reliance on the private automobile;
- c) Promote, enhance and support a safe, healthy, attractive, accessible and efficient *active transportation* network through the application of a complete streets approach that supports all modes of transportation;
- d) Encourage an integrated transportation network throughout the Secondary Plan area; and,
- e) Minimize and encourage consolidation of access driveways along primary corridors for improved safety.

#### **6.7.3.4 Municipal Services and Utilities**

- a) Provide adequate services, public facilities and *infrastructure* to support *development*.

#### **6.7.3.5 Open Space and Parks**

- a) Provide an integrated and interconnected system of parks and open spaces that are accessible to all residents, to serve a wide range of active and passive recreational needs;

- b) Maintain and enhance existing neighbourhood and community parkland, and strategically review opportunities to acquire additional parkland when and where appropriate;
- c) Provide appropriate programming and facilities within existing parks to serve the surrounding neighbourhoods;
- d) Preserve and protect significant natural heritage features; and,
- e) Maintain and enhance the urban tree canopy.

#### 6.7.4 General Policies

6.7.4.1 The Centennial Neighbourhoods Secondary Plan shall guide *development* within the Secondary Plan area. The following policies apply to the Secondary Plan area:

- a) The Centennial Neighbourhoods Secondary Plan area shall include a range of housing forms and tenures and a mix of employment, commercial, institutional and open space uses.
- b) The Centennial Neighbourhoods Secondary Plan contains 3 *higher order transit* station areas, which are shown on Map B.6.7-3 – Centennial Neighbourhoods – Transportation and Connections around the following locations:
  - i) the planned *Light Rail Transit* stop at the intersection of Queenston Road and Nash Road;
  - ii) the planned *Light Rail Transit* stop on Queenston Road south of Eastgate Square Mall; and,
  - iii) the planned GO bus and rail station at the southwest corner of Centennial Parkway North and Goderich Road.
- c) *Higher order transit* station areas include lands within the Sub-Regional Service Node as well as commercial areas, employment areas and a variety of high density and medium density residential uses in stable neighbourhoods outside the Node. Together, population and employment growth in these areas contribute to achieving *transit-supportive* densities around these *transit* stations.
- d) The *higher order transit* station areas around the 2 proposed *Light Rail Transit* stops are planned to achieve a minimum density of 160 residents and jobs per hectare in the long term.

- e) There are lands designated High Density Residential and Mixed Use – High Density which are not located within a *higher order transit* station area, but are important contributors to the function of these *transit* stations.
- f) Reductions in parking requirements for *development* proposals may be considered where *Transportation Demand Management* measures are implemented and a Parking Justification Study has been submitted which demonstrates that parking can be adequately accommodated on site, to the satisfaction of the City.
- g) The City may require consultation with the Design Review Panel prior to any public or private *development* approvals, to ensure that the design objectives and policies of this Plan are reflected in all projects. Applications for an Official Plan Amendment or Zoning By-law Amendment which may alter the planned function and vision of the Secondary Plan shall be referred to the Design Review Panel.

### 6.7.5 Centennial Sub-Regional Service Node (Centennial Node)

The Centennial Sub-Regional Service Node is generally identified by the Urban Hamilton Official Plan (UHOP) on Schedule E - Urban Structure of Volume 1. The detailed boundary of the Node is identified on Map B.6.7-1 Centennial Neighbourhoods – Land Use Plan. For the purposes of this Plan, the Sub-Regional Service Node is referred to as the Centennial Node.

The Centennial Node has historically been characterized by predominantly single storey auto-oriented *development*. The Centennial Node is planned to transform over time to a multi-storey built form, through infilling, additions to existing buildings and *redevelopment*. This transformation will include the introduction of additional medium and high density residential uses in the Node.

The transformation of the Centennial Node will facilitate a more pedestrian focused and *transit-supportive* environment, contributing to a unique sense of place within the Secondary Plan area.

It is recognized that this transformation will take time, and may continue beyond the planning period of this Plan. Some auto oriented uses and built forms will continue to exist in the area in the interim. It is expected that change to built form and land uses will occur incrementally as other changes occur in the area, such as the introduction of GO *transit* services and light rail *transit* to the Centennial Node.

- 6.7.5.1 In addition to Section E.2.3.2 Sub-Regional Service Nodes of Volume 1, within the area identified as the Sub-Regional Service Node shown on Map

B.6.7-1 - Centennial Neighbourhoods - Land Use Plan, the following policies shall apply:

- a) The Centennial Node shall function as a mixed use area with retail uses, residential uses and other population serving employment uses such as but not limited to offices, personal services and local institutions. Retail shall be an important part of the Node, providing a regional function serving the needs of residents across the City and surrounding area as well as serving the weekly and daily shopping needs of residents within the Centennial Node and in surrounding neighbourhoods.
- b) The regional retail function of the Centennial Node is an essential part of the Node's function, and is dependent on maintaining a significant amount of retail floor space in the Node. There are a number of large sites in the Centennial Node which contribute significantly to the existing overall retail floor space amount. Accordingly, where *redevelopment* is proposed on sites larger than 2 hectares which will reduce the amount of *existing* retail commercial uses, a retail impact study may be required which demonstrates to the satisfaction of the City that the planned retail function of the Centennial Node is not being negatively impacted.
- c) The Centennial Node shall be the focus for commercial, residential and mixed use growth, *development* and *intensification* within the Centennial Neighbourhoods Secondary Plan. The majority of new *development*, particularly commercial and *mixed use development*, shall be directed to locate within the Node boundary.
- d) The Centennial Node shall be connected to the *active transportation* network, the City's public transportation network, future *rapid transit* and interregional public transportation services and shall have a strong pedestrian focus.
- e) Automobile access will continue to be important to the Centennial Node; however, it shall be balanced with the need to improve *transit* access and opportunities for *active transportation*.
- f) The Centennial Node is planned to achieve a minimum density target of 100 people and jobs per hectare by the year 2031. It is anticipated that the Node will achieve a density between 100 and 150 persons and jobs per hectare by 2031. The Centennial Node may continue to increase in density beyond 150 persons and jobs per hectare after 2031 provided adequate *infrastructure* is available and the transportation network is functioning adequately to accommodate additional density.



- g) The minimum building height for all lands with frontage on Queenston Road shall be 3 storeys.
- h) Large scale commercial sites, including Eastgate Square Mall, are important to the retail function of the Centennial Node. The continued maintenance and function of large scale commercial sites is desirable. It is recognized that large commercial sites may need to transition gradually over the long term to the more mixed use form of *development* envisioned by the Secondary Plan.
- i) Notwithstanding Policy E.4.3.4 a) and b) of Volume 1, Policy B.6.7.5.1 g) and Policies B.6.7.7.5 a) and b), to support the continued use and gradual transition of commercial sites, for properties designated Mixed Use – Medium Density or Mixed Use – High Density, the following requirements shall apply:
  - i) For sites with an area greater than 2 hectares, small scale new buildings for commercial uses may be permitted which do not meet the minimum building heights.
  - ii) For all sites, limited small scale additions or expansions to buildings existing on the date of approval of this Plan may be permitted which do not meet the minimum building heights and which are not built directly up to the street line.
- j) Lands designated High Density Residential 1 within the Centennial Node identified on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan shall be subject to Section E. 3.6 – High Density Residential of Volume 1, Policy B.6.7.6.2 and Policy B.6.7.6.7.
- k) Where there is a Transition Area shown on all or a portion of a property shown on Appendix A – Centennial Neighbourhoods – Transition Areas, Policy B.6.7.13 shall apply.

## **6.7.6 Residential Designations**

Outside of the Centennial Node, the Centennial Neighbourhoods Secondary Plan area has stable residential neighbourhoods with a mix of housing types, densities and housing forms. The residential policies define the location and scale of each type of residential use, and shall help ensure that a variety of residential housing types are provided to meet the housing needs of area residents.

- 6.7.6.1 The residential areas within the Centennial Neighbourhoods Secondary Plan are designated Low Density Residential 2, Low Density Residential 3, Medium Density Residential 2, Medium Density Residential 3 and High Density Residential 1 as identified on Map B.6.7-1 - Centennial

Neighbourhoods - Land Use Plan. Generally the residential designations recognize existing residential land uses within the Secondary Plan area.

#### 6.7.6.2 General Residential Policies

In addition to Section E.3.0 – Neighbourhoods Designation of Volume 1, the following policies shall also apply:

- a) *Development* shall provide a mix of housing opportunities in terms of built form, style and tenure that are suitable for residents of different age groups, income levels and household sizes.
- b) Reverse frontage lotting patterns shall not be permitted, and new multiple dwelling residential *development* shall be oriented to the street.
- c) The existing character of established residential neighbourhoods shall be respected. *Residential intensification* within these areas shall comply with Section B.2.4 – Residential Intensification of Volume 1 and other applicable policies of this Plan.
- d) Existing rental housing is an important asset to the Centennial Neighbourhoods area and contributes significantly to the supply of *affordable* housing. The preservation and proper maintenance of the supply of rental housing is strongly encouraged. Conversions of rental housing to condominium ownership shall comply with Policy B.3.2.5 of Volume 1.

#### 6.7.6.3 Low Density Residential 2 Designation

In addition to Section E.3.4 – Low Density Residential of Volume 1, for lands designated Low Density Residential 2 on Map B.6.7-1 - Centennial Neighbourhoods - Land Use Plan, the following policies shall apply:

- a) Notwithstanding Policy E.3.4.3 of Volume 1, for lands designated Low Density Residential 2, only single detached, semi-detached, and duplex dwellings shall be permitted.
- b) Notwithstanding Policy E.3.4.4 of Volume 1, the maximum *net residential density* shall be 40 units per hectare.

#### 6.7.6.4 Low Density Residential 3 Designation

In addition to Section E.3.4 – Low Density Residential of Volume 1, for lands designated Low Density Residential 3 on Map B.6.7-1 - Centennial Neighbourhoods - Land Use Plan, the following policies shall apply:

- a) In addition to Policy E.3.4.3 of Volume 1, the following additional residential uses shall be permitted:
  - i) fourplex dwellings; and,
  - ii) all forms of townhouses.
- b) The *net residential density* shall be 40 units or greater per hectare and not greater than 60 units per hectare.

#### 6.7.6.5 Medium Density Residential 2 Designation

Notwithstanding Policy E.3.5.7 of Volume 1, for lands designated Medium Density Residential 2 on Map B.6.7-1 - Centennial Neighbourhoods - Land Use Plan the *net residential density* shall be 60 units or greater per hectare and not greater than 75 units per hectare.

#### 6.7.6.6 Medium Density Residential 3 Designation

Notwithstanding Policy E.3.5.7 of Volume 1, for lands designated Medium Density Residential 3 on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan, the *net residential density* shall 75 units or greater per hectare and not greater than 100 units per hectare.

#### 6.7.6.7 High Density Residential 1 Designation

In addition to Section E.3.6 – High Density Residential of Volume 1, for lands designated High Density Residential 1 on Map B.6.7-1 - Centennial Neighbourhoods - Land Use Plan, the following policies shall apply:

- a) Notwithstanding Policy E.3.6.6 b) of Volume 1, additional density may be permitted up to 300 units per hectare without amendment to this Plan, subject to Policy B.6.7.6.7e).
- b) Outside of the Centennial Node, the maximum building height shall be 8 storeys or the *existing* building height as recognized on the date of the adoption of this Plan, whichever is greater.
- c) For lands within the boundary of the Centennial Node, the maximum building height shall be in accordance with the heights shown on Map B.6.7-2 - Centennial Neighbourhoods – Maximum Building Heights in the Node.
- d) Where *development* abuts an area designated Low Density Residential or Medium Density Residential, as identified on Appendix A – Centennial Neighbourhoods – Transition Areas, *development* shall provide an appropriate transition in accordance with Policy B.6.7.13.

- e) A *development* application with a density that is greater than 200 units per hectare shall require a Zoning By-law Amendment to permit the increase in density, except where the density is already permitted by the Zoning By-law regulations existing as of the time of adoption of the Secondary Plan.

## 6.7.7 Commercial and Mixed Use Designations

The mixed use designations of the Centennial Neighbourhoods Secondary Plan area are generally focused within the Centennial Node along the primary corridors of Centennial Parkway and Queenston Road. District Commercial, Arterial Commercial and Local Commercial uses are located outside of the Node. The commercial and mixed use areas provide an important regional retail function, as well as meeting the daily and weekly retail needs of the surrounding neighbourhoods. The mixed use areas within the Centennial Node are intended to transition over time to a more compact, pedestrian focused and *transit-supportive* environment that supports *higher order transit* and *major transit station areas* within the Secondary Plan.

- 6.7.7.1 The commercial areas within the Centennial Neighbourhoods Secondary Plan are designated Mixed Use – Medium Density, Mixed Use – High Density, Local Commercial, District Commercial and Arterial Commercial, as identified on Map B.6.7-1 - Centennial Neighbourhoods - Land Use Plan.

### 6.7.7.2 General Commercial Policies

- a) Existing commercial areas shall evolve over time through infilling, additions to existing buildings and *redevelopment* into mixed use, pedestrian-oriented places.
- b) *Development* shall be consistent with the policies of Section 6.7.15 – Transportation and Connections.
- c) Adequate internal traffic circulation, parking, loading and manoeuvring facilities shall be accommodated on-site.
- d) The *redevelopment* of commercial areas is encouraged in a coordinated and comprehensive manner.
- e) New *development* shall balance the needs for improved pedestrian access, opportunities for active forms of transportation and accommodation of public transportation, including *rapid transit*, with existing automobile use and access.

- f) *Development* within the mixed use designations shall contribute to vibrant people places with increased day and night activity through the introduction of residential uses.
- g) As part of a mixed use building containing both residential and commercial uses, amenity space shall be provided exclusively for the residential component and shall be functionally separated from public areas associated with the commercial component.
- h) When major *redevelopment* occurs on a site larger than 2.5 hectares existing as of the date of approval of this Plan, the *redevelopment* shall include an appropriate mix of uses, in accordance with Policy E.2.3.2.14 of Volume 1. The Zoning By-law shall define the proportion of commercial and non-commercial uses to be provided on a site.
- i) Notwithstanding Policy E.2.3.2.14 of Volume 1 and Policy B.6.7.7.2 h), a mix of commercial and other uses shall not be required for major *redevelopment* on lands greater than 2.5 hectares abutting industrial designations or uses, if it is determined that the uses:
  - i) are not *compatible* with the industrial uses, having regard for provincial guidelines concerning *compatibility* between industrial facilities and *sensitive land uses*; or,
  - ii) due to other adverse impacts caused by the industrial uses.
- j) In addition to Policies E.4.5.5 b), E.4.5.21, E.4.6.6 b) and E.4.6.29 of Volume 1, applications to amend this Plan or the Zoning By-law to permit a drive-through facility, gas bar, motor vehicle service station or car wash shall require demonstration that the proposed facility:
  - i) cannot be located in other potential locations in the Local Commercial, Mixed Use – Medium Density or Mixed Use - High Density designations which are not part of the *Light Rail Transit* corridor;
  - ii) shall not change the planned streetscape character;
  - iii) enhances the pedestrian environment;
  - iv) shall not compromise the safe, efficient and comfortable movement of pedestrians;
  - v) shall not preclude the *planned function* and design intent for the *Light Rail Transit* corridor including:

- 1) a comfortable, active and visually stimulating walking and shopping environment;
  - 2) a streetscape with buildings and storefronts oriented to the street; and,
  - 3) the operation of the *Light Rail Transit* and the associated traffic movements in the *Light Rail Transit* corridor.
- vi) shall not have an adverse impact on surrounding residential neighbourhoods, including but not limited to potential noise and traffic impacts; and,
- vii) addresses the General Policies and Principles of Section B.3.3.2, the Built Form policies of Section B.3.3.3, and the Access and Circulation policies of Section B.3.3.9 of Volume 1.

*Existing Motor Vehicle Dealerships in the Centennial Node*

- k) Several *existing* motor vehicle dealerships are located within the boundary of the Centennial Node. These are transitional uses that pre-date the Centennial Neighbourhoods Secondary Plan and are legal non-complying. It is the intent of the Plan that these uses will cease to exist within the Centennial Node over time. Many of the *existing* motor vehicle dealerships have existed in the area for a significant period of time and may have achieved an acceptable level of tolerance that can be continued in the interim. The following policies shall apply to these uses:
- i) Legal non-complying motor vehicle dealerships may be recognized as an *existing* use in the Zoning By-law in accordance with Policy F.1.12.8 of Volume 1.
  - ii) Notwithstanding Policy F.1.12.9 of Volume 1, *existing* motor vehicle dealerships shall not expand beyond the boundary of legally zoned sites *existing* as of the date of approval of this Plan.
  - iii) All additions or alterations to buildings *existing* at the date of the approval of this Plan shall enhance the pedestrian environment by providing distinctive high quality landscape elements and a high level of streetscape design at grade along the street.
  - iv) New buildings or the demolition of existing buildings and replacement with new buildings shall only be permitted if the proposal complies with Policy E.4.3.4 of Volume 1 and Policies B.6.7.7.5 and B.6.7.12.1.

- v) Notwithstanding Policy B.6.7.7.2 k) iv) and Policy E.4.3.4 a) of Volume 1, for *existing* car dealership uses, minor reductions from the block face requirement may be considered for new buildings when the *development* complies with all other applicable provisions of Policy E.4.3.4 of Volume 1 and Policies B.6.7.7.5 and B.6.7.12.1.
- vi) Notwithstanding Policy E.4.3.4 b) of Volume 1 and Policy B.6.7.7.2 k) v), landscaped areas with limited outdoor display of vehicles may be permitted between a building and the street, and shall be regulated by the Zoning By-law.

### 6.7.7.3 Mixed Use – Medium Density Designation

In addition to Section E.4.6 - Mixed Use – Medium Density Designation of Volume 1, the following policies shall apply to the Mixed Use – Medium Density Designation, as identified on Map B.6.7-1 - Centennial Neighbourhoods - Land Use Plan:

- a) Maximum building heights shall be in accordance with Schedule B.6.7-2 Centennial Neighbourhoods - Maximum Building Heights in the Node.
- b) Minimum building heights shall be in accordance with Policy B.6.7.5.1 g) and Policy B.6.7.7.5 a), as applicable.
- c) Any *development* with a proposed height of 7 or 8 storeys shall meet the requirements of Policy E.4.6.8 of Volume 1.
- d) Where a Transition Area is located on any portion of a property, as identified on Appendix F – Centennial Neighbourhoods – Transition Areas, the *development* shall demonstrate an appropriate transition to adjacent uses and is subject to Policy B.6.7.13.
- e) Notwithstanding Policy E.4.6.5 a) of Volume 1 and in addition to Policy E.4.6.6 of Volume 1, the following uses shall be prohibited, even as an accessory use, along Queenston Road, west of Nash Road:
  - i) drive through facilities; and,
  - ii) gas bars and car washes.

### 6.7.7.4 Mixed Use – High Density Designation

In addition to Section E.4.5 - Mixed Use – High Density Designation of Volume 1, the following policies shall apply to the Mixed Use – High Density

Designation, as identified on Map B.6.7-1 - Centennial Neighbourhoods - Land Use Plan:

- a) Maximum building heights shall be in accordance with Schedule B.6.7-2 - Centennial Neighbourhoods - Maximum Building Heights in the Node.
- b) Minimum building heights shall be in accordance with Policy B.6.7.5.1 g) and Policy B.6.7.7.5 a), as applicable.
- c) Where residential *development* is proposed, the intent is that the form of *development* shall be high density building(s), where each building, if considered as a free-standing solely residential building, achieves a density of approximately 100 units per hectare or greater. For large sites, where only a portion of a site is being *redeveloped*, the intent is that this target density be achieved for that portion of the site affected by the *redevelopment* proposal, including building areas, parking and landscaping areas and internal driveway aisles and accesses, not the entire site.
- d) Notwithstanding Policy B.6.7.7.4 a) and in addition to Policy B.6.7.12.1 c), additional height may be permitted above the heights noted on Map B.6.7-2 – Centennial Neighbourhoods – Maximum Building Heights in the Node without amendment to the Secondary Plan, subject to the following requirements:
  - i) The additional height shall be limited to a maximum of 5 additional storeys;
  - ii) The increase in height is authorized through a Zoning By-law amendment;
  - iii) *Development* shall have frontage on a Major Arterial or Minor Arterial road; and,
  - iv) *Development* shall not preclude the ability of other properties in the Centennial Node to develop in accordance with the heights permitted on Map B.6.7-2 - Centennial Neighbourhoods - Maximum Building Heights, in terms of *infrastructure* and transportation network capacity. An infrastructure and servicing study and traffic impact study may be required to demonstrate conformity with this policy.
- e) Where a Transition Area is located on any portion of a property, as identified on Appendix F – Centennial Neighbourhoods – Transition Areas, *development* shall demonstrate an appropriate transition to adjacent uses and is subject to Policy B.6.7.13.



### 6.7.7.5 Pedestrian Focus Streets

In addition to Section E.4.3 – Pedestrian Focus Streets - of Volume 1 the following policies shall apply to all lands identified as *pedestrian focus streets* on Map B.6.7-1 - Centennial Neighbourhoods - Land Use Plan:

- a) All lands designated Mixed Use – Medium Density and Mixed Use – High Density identified as *pedestrian focus streets* shall have a minimum height of 2 storeys.
- b) Notwithstanding Policy B.6.7.7.5 a), for properties adjacent to Queenston Road, the minimum height shall be 3 storeys, in accordance with Policy B.6.7.5.1 g).
- c) *Pedestrian focus streets* shall be a focus for retail activity and shall provide pedestrian oriented design at grade along the street.
- d) Street design that invites all forms of *active transportation* while accommodating automobiles and *transit* vehicles is commonly referred to as complete streets. *Development* shall provide a high level of streetscape design to assist in the creation of complete streets.
- e) New buildings shall be built close to the street to provide street presence and enclosure.
- f) Building entrances shall be emphasized as a focal point of a building's façade and be placed in highly visible locations where they provide opportunity to animate the street.
- g) Minor setbacks of portions of a building from the primary building face in order to enhance the public realm and accommodate public amenity space shall be permitted.
- h) Notwithstanding Policy E.4.3.4 b) of Volume 1, where multiple buildings are located on a single site, buildings may be located in the interior of the site as long as the development provides an adequate block face along the *pedestrian focus street*, in accordance with Policy E.4.3.4 a) of Volume 1 and the Zoning By-law.

### 6.7.7.6 Local Commercial Designation

Section E.3.8 - Local Commercial of Volume 1 shall apply to lands designated Local Commercial on Map B.6.7-1 - Centennial Neighbourhoods - Land Use Plan.

6.7.7.6.1 Notwithstanding Policy E.3.8.2 a) of Volume 1, the following uses shall be prohibited on lands designated Local Commercial along Queenston Road, even as accessory uses:

- i) drive through facilities; and,
- ii) motor vehicle service stations.

#### **6.7.7.7 District Commercial Designation**

Section E.4.7 – District Commercial of Volume 1 shall apply to lands designated District Commercial on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan.

#### **6.7.7.8 Arterial Commercial Designation**

Section E.4.8 – Arterial Commercial Designation of Volume 1 shall apply to lands designated Arterial Commercial on Map B.6.7-1 - Centennial Neighbourhoods - Land Use Plan.

#### **6.7.8 Employment Area Designations**

Employment areas in the Secondary Plan are located north of Barton Street East. East of Centennial Parkway North, employment uses are generally located along Barton Street East. West of Centennial Parkway North is a large area of industrial uses located adjacent to the planned GO *transit* rail and bus facility, a *major transit station area*. The continued functioning of employment areas is supported. Heavier industrial uses are directed to the northwest corner of the industrial area, to promote *compatibility* between industrial uses and planned mixed use *intensification* along Centennial Parkway North.

6.7.8.1 Employment Areas are designated General Industrial, Light Industrial and Business Park on Map B.6.7-1 - Centennial Neighbourhoods - Land Use Plan.

6.7.8.2 Section E.5.3 – Employment Area – Industrial Land Use Designation of Volume 1 shall apply to lands designated General Industrial and Light Industrial.

6.7.8.3 Section E.5.4 – Employment Area – Business Park Designation of Volume 1 shall apply to lands designated Business Park.

6.7.8.4 In addition to Policy E.5.3.5 of Volume 1, for sites designated General Industrial or Light Industrial on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan which are visible from the Red Hill Valley Parkway, enhanced landscaping, tree planting and higher quality building design shall be provided

in the areas visible from the Red Hill Valley Parkway to improve both the City's and the employment area's image.

6.7.8.5 Notwithstanding the permitted uses in Policy E.5.3.2 of Volume 1, for lands designated Light Industrial on Map B.6.7-1 - Centennial Neighbourhoods Secondary Plan - Land Use Plan, new industrial uses which result in significant potential for frequent noise, vibration, odours, dust, or other emissions shall be prohibited.

6.7.8.6 In addition to Policies E.5.3.5 and E.5.4.7 of Volume 1, *development* of lands designated General Industrial, Light Industrial or Business Park on Map B.6.7-1 - Centennial Neighbourhoods - Land Use Plan shall be subject to the industrial design requirements in Policy B.6.7.12.5.

### **6.7.9 Parks and Open Space Designations**

The parks and open space areas of the Centennial Neighbourhoods Secondary Plan contribute to the character of the neighbourhood and are an essential component in the day to day life of residents, by providing green space opportunities to meet both active and passive recreational needs.

#### **6.7.9.1 Parks and Open Space Designations**

In addition to Section B.3.5.3 – Parkland Policies – and Section C.3.3 – Open Space Designations of Volume 1, the following policies shall apply to lands designated Neighbourhood Park, Community Park, General Open Space and Natural Open Space on Map B.6.7-1 - Centennial Neighbourhoods - Land Use Plan:

- a) All existing parks in the Secondary Plan area shall be retained for use as parks and shall not be *developed* for other uses.
- b) Significant natural features shall be preserved and maintained.
- c) Where future opportunities exist, the provision of additional Neighbourhood Parkland shall be encouraged.
- d) The provision of additional trails and multi-use pathways on lands designated as Parks or Open Space is encouraged.

#### **6.7.9.2 Natural Open Space**

In addition to Policy B.3.5.3.5 b) – Parkland Policies and Section C.3.3 – Open Space Designations of Volume 1, on lands designated Natural Open Space on Map B.6.7-1 - Centennial Neighbourhoods - Land Use Plan, natural features and *ecological functions* shall be protected and enhanced.

### 6.7.10 Institutional Designation

Institutional uses such as schools, places of worship, *cultural facilities* and long term care facilities are important to quality of life for residents. Existing institutional uses are recognized throughout the Secondary Plan area.

- 6.7.10.1 In addition to Policy E.6.2.6 of Volume 1, on lands designated institutional on Map B.6.7-1 - Centennial Neighbourhoods - Land Use Plan which are no longer required for institutional uses, Medium Density Residential 2 development may be permitted without an amendment to this Plan, subject to Policies B.6.7.6.2 and B.6.7.6.5.

### 6.7.11 Utility Designation

- 6.7.11.1 In addition to Section C.3.4 – Utility Designation, and Section B.3.3.6 – Urban Services and Utilities of Volume 1, the following policies shall apply to lands designated Utility on Map B.6.7-1 - Centennial Neighbourhoods - Land Use Plan:

- a) A major hydroelectric operation owned by Hydro One (2549 Barton Street East) is designated utilities on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan and connects to utility corridors outside of the Secondary Plan. Grading and drainage of land within or adjacent to the hydroelectric site shall have regard for comments from Hydro One or its successor.
- b) Where feasible, urban services, utilities and overhead wires should be buried underground as part of future planned road reconstruction, streetscape installation projects or *development*.
- c) Utilities shall be planned for and installed on a coordinated and integrated basis in order to be more efficient and cost effective and to minimize disruptions.

### 6.7.12 Urban Design

As *redevelopment* and *intensification* occur within the Secondary Plan, urban design plays an important role in fostering an attractive, liveable and functional community. High quality building and site design creates a sense of place and can provide other significant community benefits, such as encouraging physical activity and social interaction, reducing crime and mitigating impacts on climate change.

The intent of the Urban Design policies is to promote human-scaled design, improve the pedestrian and cyclist experience, and ensure built form respects the neighbourhood's character and contributes to sustainable *development*.

### 6.7.12.1 General Urban Design Policies

In addition to Section B.3.3 – Urban Design Policies of Volume 1, the following policies shall also apply to lands within the Centennial Neighbourhoods Secondary Plan area:

- a) Policies B.6.7.12.1 b) to n) shall apply to commercial and mixed use areas, institutional uses, townhouses and *multiple dwelling developments*. They shall not apply to employment areas and single detached, semi-detached and duplex dwellings.
- b) For any *development* application with a proposed height greater than 6 storeys, and for properties in the area of a gateway or prominent intersection, an Urban Design Report and a Sun/Shadow Study shall be required which demonstrate the following design elements:
  - i) How the proposed building and site design relate to the existing and planned context of the area, including taking into account the relationship of the site to other existing or planned buildings in the area;
  - ii) That potential adverse impacts on adjacent uses have been mitigated, including that proposed buildings or *structures* do not unduly overshadow, block light, or result in loss of privacy for adjacent buildings;
  - iii) That buildings are oriented and massed to minimize shadow impacts on the public realm and on private amenity areas both on adjacent lands and within the *development*; and,
  - iv) That buildings are progressively stepped back from adjacent areas designated for low and medium density residential uses, institutional uses, open space, or other *sensitive land uses*, where necessary to achieve 6.7.12.1 b) ii) and iii).
- c) *Development* shall be consistent with the City-Wide Corridor Planning Principles and Design Guidelines.
- d) The City shall consider recommendations in the Streetscape and Public Realm Design Study described in Policy B.6.7.17 a) when evaluating *development* proposals.
- e) Connections to existing *active transportation* features of the neighbourhood shall be provided through the provision of sidewalks and other amenities such as street furniture and short and long-term bicycle parking.

- f) Landscaping shall form an integral part of all *developments*. Distinctive, high-quality landscape elements shall be provided.
- g) Sites shall incorporate a mix of hard and soft-scaping treatments to ensure a comfortable transition between public and private realm.
- h) *Development* fronting on Queenston Road or Centennial Parkway shall have a high quality design, promote pedestrian activity, be *transit-supportive*, and is encouraged to create accessible public spaces. Public transportation access, cycling *infrastructure* and pedestrian amenities shall be integrated with existing and new *development*.
- i) Private and public parking areas shall be subject to the following:
  - i) Parking areas shall be buffered from the street through the use of building placement or where this is not possible, with enhanced landscaping; and,
  - ii) The location of parking areas shall not negatively affect the pedestrian and cycling environment or access to buildings.
  - iii) New *development* is encouraged to provide electric vehicle (EV) charging stations.
  - iv) The provision of additional surface parking areas in excess of Zoning By-law requirements is discouraged.
  - v) The construction or reconstruction of large surface parking areas shall incorporate landscaping, including landscaped islands, into the design of parking areas.

#### 6.7.12.2 Gateway Improvement Areas and Prominent Intersections

Section B.3.3.4 - Gateways of Volume 1 shall apply to Gateway Improvement Areas and Prominent Intersections shown on Map B.6.7-3 – Centennial Neighbourhoods - Transportation and Connections. In addition to Section B.3.3.4 - Gateways of Volume 1, the following policies shall also apply:

- a) Gateway Improvement Areas have been identified in the following general areas and are intended to promote a sense of arrival into the Centennial Neighbourhoods. These locations include:
  - i) Centennial Parkway North, at Goderich Road;
  - ii) Queenston Road, just east of the Red Hill Valley Parkway;

- iii) Centennial Parkway and Queenston Road intersection; and,
  - iv) Barton Street East and Nash Road North intersection.
- b) A Prominent Intersection has been identified at the intersection of Barton Street East and Centennial Parkway North. A Prominent Intersection is not intended to portray a sense of arrival into the neighbourhood but is a visually prominent area which also requires special design considerations.
- c) Gateway and Prominent Intersection design shall be consistent with any design directions adopted by Council pursuant to Policy B.6.7.17 a), and with the recommendations of the Centennial Neighbourhoods Transportation Management Plan.

### 6.7.12.3 Streetscape and Public Realm

- a) Proposed *Major Transit Station Areas* have been conceptually identified on Map B.6.7-3 – Centennial Neighbourhoods – Transportation Connections. The design of *development* in these areas is encouraged to provide publicly accessible spaces connected to the public realm to create a vibrant streetscape and provide more opportunities for social interaction.
- b) The *development* of corner sites around existing and proposed major *transit* stations presents an opportunity for publicly accessible corner plazas to be created as part of *development*. Plaza type public spaces can animate the street, make development human scale and pedestrian friendly and provide places for people to relax and socialize. These types of public spaces are encouraged as part of the design of new *development* at corner sites.
- c) Pedestrian and cycling connections between the public realm and the private realm shall be encouraged wherever possible to improve pedestrian and cycling access to properties.
- d) Streetscape design shall provide for ease and continuity of pedestrian movement and a comfortable, barrier-free pedestrian environment. Streetscape elements may include, but are not limited to, street furniture, pavement markings, wayfinding signage, planters or gardens, tree planting, and public art.
- e) The design, style and choice of pavement materials, street furniture and landscape treatments within the public realm should be consistent and coordinated.

#### 6.7.12.4 Streetscape Improvement Areas

- a) Streetscape Improvement areas are identified on Map B.6.7-3 – Centennial Neighbourhoods – Transportation and Connections. Along streets which are identified as streetscape improvement areas, the following policies shall apply:
  - i) In the public realm, the City shall implement streetscape improvements in accordance with Policy B.6.7.17 b).
  - ii) Streetscape improvements within the private realm shall be provided as part of *development*, subject to Section B.6.7.12 – Urban Design, Section B.6.7.15 – Transportation, and shall be guided by any design direction established in accordance with Policy B.6.7.17 a).

#### 6.7.12.5 Industrial Design

In addition to Policy E.5.3.5 and Policy E.5.4.7 of Volume 1, the following policies shall apply within the Light Industrial and Business Park designations shown on Map B.6.7-1 - Centennial Neighbourhoods - Land Use Plan:

- a) *Development* shall be consistent with any streetscape design guidelines adopted by Council for the Centennial Neighbourhoods Secondary Plan area pursuant to Policy B.6.7.17 a).
- b) Building design is encouraged to incorporate sustainable design measures including but not limited to Leadership in Energy and Environmental Design (LEED).
- c) Buildings that incorporate sustainable design measures shall be encouraged to have orientation, massing, material selection and landscaping as a visible representation of their sustainable design.
- d) Buildings shall front onto the street to help shape the public realm. Where a plant or warehouse component is proposed, the principal entrance and office area should be located closer to the street, and pedestrian connections provided throughout the site to the street, for visibility and street presence, where feasible.
- e) Pedestrian connections shall be provided to buildings and public sidewalks.
- f) Buildings shall have architectural variation in form and materials.
- g) Appropriate screening of storage, service and loading areas shall be required.



### 6.7.13 Transition Areas

Transition areas are areas within the Centennial Node where a Mixed Use or High Density Residential designation abuts areas outside the Node which are a different use and/or intensity. There are two types of transition areas within the Centennial Neighbourhoods Secondary Plan, neighbourhood transition areas and industrial transition areas. Neighbourhood transition areas are areas that abut low or medium density residential uses or other *sensitive land uses* in adjacent stable neighbourhoods. Industrial transition areas are areas which abut industrial uses. The intent of the transition areas policies is to ensure that *development* within the Node transitions appropriately to the existing land uses and densities outside the Node. Transition areas are shown conceptually on Appendix A – Centennial Neighbourhoods – Transition Areas.

#### *Neighbourhood Transition Areas*

- a) Where lands within the Centennial Node designated High Density Residential 1, Mixed Use-High Density or Mixed Use-Medium Density abut low or medium density residential uses or other sensitive land uses, *development* shall respect the character and existing built form of these areas by providing an appropriate transition in scale and heights between the proposed development and the adjacent neighbourhood.
- b) Proposals for *development* shall demonstrate the transition to *existing* residential, open space or institutional uses.
- c) *Development* shall use various transition elements, including landscaped buffers, fencing, trees, setbacks, massing, scale or other built form considerations, or a combination thereof to minimize the impact of new high density or *mixed use development* on adjacent *existing* uses.
- d) All *developments* shall provide appropriate screening between existing *sensitive land uses* and commercial uses, mixed uses, and parking areas.

#### *Industrial Transition Areas*

- e) Proponents of new *sensitive land uses* within 300 metres of lands designated General Industrial, Light Industrial or Business Park shall demonstrate *compatibility* with existing industrial uses and shall be responsible for addressing and implementing necessary mitigation measures to the satisfaction of the City and in accordance with all applicable provincial and municipal guidelines and standards. The

City may require the submission of a land use compatibility study or other studies deemed appropriate with an application for *development* to identify potential adverse impacts including but not limited to noise, vibration, odours, dust or other emissions, and to determine appropriate mitigation measures.

- f) Any new *sensitive land uses* north of Barton Street shall be located a minimum of 70 metres from lands designated Light Industrial or Business Park. This separation distance shall not include parking areas *ancillary* to a *sensitive land use*.
- g) Notwithstanding Policy B.6.7.13 f), the minimum setback requirement shall not apply to the lands directly to the east of the GO Transit Rail and Bus Station lands, designated Light Industrial and identified as Site Specific Policy – Area A on Map B.6.7-4 – Centennial Neighbourhoods - Site Specific Policy Areas.
- h) Proponents of new *sensitive land uses* within 400 metres of the railway that crosses Centennial Parkway North shall complete a *Noise Study*, and shall implement any control measures necessary to meet provincial sound level criteria and the criteria contained in Section B.3.6.3 of Volume 1.

#### **6.7.14 Cultural Heritage Policies**

In addition to Section B.3.4 of Volume 1, the following policies shall apply:

- 6.7.14.1 *Cultural heritage landscapes* shall be *conserved* and protected with the intent of retaining major characteristics through the review of Planning Act applications. The Red Hill Valley, as shown on Appendix F – Cultural Heritage Resources of Volume 1, is a *cultural heritage landscape*.
- 6.7.14.2 As part of the City-wide inventory of *cultural heritage landscapes*, the extent of the Red Hill Valley *cultural heritage landscape* identified in Policy B.6.7.14.1 shall be confirmed.

#### **6.7.15 Transportation and Connections**

The Centennial Neighbourhoods Transportation Management Plan (CNTMP) provides direction for the transportation network in the Centennial Neighbourhoods. The policies of this Plan are intended to support the recommendations of the CNTMP and other transportation master plans prepared for the overall City and adjacent neighbourhoods. The *transportation system* within the Secondary Plan area is intended to accommodate all users and modes of transportation, with a priority placed on developing complete streets through the promotion of *active transportation*, improving pedestrian and cycling connections, enhancing public

transportation and balancing the needs of automobile and truck users with those of *active transportation* modes.

Transportation is one of the leading sources of greenhouse gas emissions in Hamilton. In addition to providing public health benefits, increasing opportunities for *active transportation* and *transit* use is an important way to reduce our contribution to emissions to mitigate our impacts on climate change.

#### 6.7.15.1 General Transportation Policies

In addition to Section C.4.0 – Integrated Transportation Network of Volume 1, the following transportation policies shall also apply:

- a) The integrated transportation network for the Centennial Neighbourhoods Secondary Plan area shall consist of public roads, public laneways, pedestrian sidewalks, multi-use pathways, cycling routes, public *transit* routes, the planned accommodation of *rapid transit* along Queenston Road and Centennial Parkway, interregional transit, truck routes and railway lines. The *transportation system* is detailed on Map B.6.7-3 - Centennial Neighbourhoods - Transportation and Connections Plan.
- b) All transportation improvements shall be in accordance with the recommendations of relevant City approved plans, including but not limited to:
  - i) Centennial Neighbourhoods Transportation Management Plan;
  - ii) Hamilton Transportation Master Plan;
  - iii) Hamilton's Cycling Master Plan;
  - iv) City-wide Truck Route Master Plan;
  - v) Pedestrian Mobility Master Plan; and,
  - vi) Hamilton Recreational Trails Master Plan.
- c) *Development* of the *transportation system* in the Centennial Neighbourhoods Secondary Plan area shall proceed on the basis of the recommendations of the CNTMP, and in accordance with the documents listed in Policy B.6.7.15.1 b).
- d) Transportation improvements shall support the direction of this plan to encourage *active transportation* and *transit* trips in daily living.

- e) All major intersections should be designed to support safe pedestrian crossing points and connections to public walkways. Where warranted, and in accordance with the CNTMP, pedestrian crossings shall be enhanced in order to facilitate the movement of pedestrians throughout the Secondary Plan area.
- f) In the vicinity of intersections, boulevard tree plantings should be closely spaced in order to enhance the pedestrian environment.
- g) Consideration shall be given to incorporating *Urban Braille* along Major and Minor Arterial Roads within the Centennial Node Boundary in order to enhance the accessible sidewalk network.
- h) The City shall plan for and protect corridors and rights-of-way for all modes of transportation and *infrastructure* facilities to meet current and projected needs.
- i) Where feasible, access points along major arterial and minor arterial roads shall be consolidated to reduce driveways for improved safety.

#### 6.7.15.2 Active Transportation Network

- a) The City shall promote *active transportation* through the application of the Pedestrian Mobility Plan, Cycling Master Plan, Recreational Trails Master Plan and the Complete Liveable Better streets framework in the Hamilton Transportation Master Plan to enhance walkability and bikeability throughout the Secondary Plan area.
- b) Trails, cycling facilities and pedestrian pathways shall be encouraged to connect people to prominent destinations, such as parks, open spaces, institutional uses and commercial areas.
- c) Where lands shown as locations for proposed trails and connections on Map B.6.7-3 - Centennial Neighbourhoods - Transportation Connections are privately owned, the trails and connections shall be achieved through land dedications, easements, or any other measures deemed appropriate.
- d) An *active transportation* connection shall be encouraged over the Red Hill Valley Parkway as shown on Schedule B-6.7-3 Transportation and Connections Plan to provide an additional connection for walking and cycling.
- e) When *development* occurs on properties fronting on Major or Minor Arterial Roads, on-site pedestrian and cycling amenities shall be required in order to encourage *active transportation*.

- f) Any missing sidewalks adjacent to *developments*, as identified in the Centennial Neighbourhoods Transportation Management Plan, shall be constructed as part of the *development*.
- g) The pedestrian and bicycle network shall be implemented in accordance with the Hamilton Cycling Master Plan, the Hamilton Recreational Trails Master Plan and the Centennial Neighbourhoods Transportation Management Plan. Proposed trails, sidewalks, connections, cycling *infrastructure* and greenways are shown on Map B.6.7-3 – Centennial Neighbourhoods – Transportation and Connections in accordance with the recommendations of these plans.
- h) Additional pedestrian trails and bicycle lanes may be provided on public street rights-of-way and public open space lands without amendment to this Plan.
- i) Generally, Neighbourhood Greenways are residential streets where pedestrians and cyclists are given priority over other forms of transportation. Proposed Neighbourhood Greenways are identified on Map B.6.7-3 – Centennial Neighbourhoods - Transportation and Connections.
- j) Neighbourhood Greenways shall be established in accordance with the Centennial Neighbourhoods Transportation Management Plan to calm traffic and improve walking and cycling connections. Public realm improvements may include, but are not limited to:
  - i) Street furniture and amenities (e.g. seating, planters or gardens, public art, bicycle racks, pedestrian-scale lighting, water fountains, tree or shade canopies);
  - ii) Way-finding signage and pavement markings;
  - iii) Traffic speed and volume management (e.g. traffic calming, signs and pavement markings);
  - iv) Bike lanes to narrow road width;
  - v) Other measures that may give bicycles priority; and,
  - vi) Sustainable stormwater *infrastructure* (e.g. LID).

#### 6.7.15.3 Public Transit Network and Rapid Transit

- a) *Development* along public *transit* routes shall incorporate access to public *transit* and public *transit infrastructure*, where feasible.

- b) Proposed major transit stations and *major transit station areas* are identified on Map B.6.7-3 – Centennial Neighbourhoods – Transportation and Connections. Minor changes to the location of major transit stations associated with planned *rapid transit* on Queenston Road may be permitted without amendment to this plan.
- c) The major transit station on Queenston Road near Centennial Parkway may continue to be used as a hub for bus *transit* as well as *rapid transit*.
- d) Where feasible, public *transit* stops should be designed to maximize *transit* use and access.
- e) A *rapid transit* corridor is proposed along Queenston Road west of Centennial Parkway through the Centennial Neighbourhoods Secondary Plan area.
- f) Any lands required for *rapid transit* corridors and *transit* facilities shall be dedicated to the City, to the satisfaction of the City, in accordance with Section C.4.5.6 of Volume 1.
- g) The extension of Goderich Road to Kenora Ave is shown on Map B.6.7-3 – Centennial Neighbourhoods – Transportation and Connections. This extension will improve road network connectivity and provide pedestrian and cycling access to the GO Transit Rail and Bus station from Kenora Avenue. This extension may be established at the time of *redevelopment* of the lands directly to the west of the GO Station lands, or through other means.
- h) Cycling connections shall be provided between the Light Rail Transit stop adjacent to Eastgate Square Mall and the wider cycling infrastructure network in the area.

### **6.7.16 Infrastructure, Energy and Sustainability Policies**

Municipal services, such as sewers, water, stormwater systems and public/private utilities shall be provided, maintained and upgraded, as may be required, to accommodate the needs of existing and future *development* in the Centennial Neighbourhoods Secondary Plan area.

6.7.16.1 In addition to with Section C.5.0 – Infrastructure of Volume 1, the following policies shall also apply:

- a) The City shall monitor the capacity and reassess the need to manage stormwater runoff, as may be required.

- b) To increase energy efficiency and reduce the environmental impact of buildings, all commercial, institutional, mixed use and *multiple dwelling* buildings will be encouraged to:
  - i) Build to higher energy efficient standards as outlined in the Ontario Building Code;
  - ii) Have green roofs and cool roofing materials;
  - iii) Provide solar capture equipment;
  - iv) Utilize grey water recycling;
  - v) Plant trees and other vegetation to provide shade and additional tree canopy; or,
  - vi) Any combination of the above.
- c) The approval of *development* applications shall be contingent on the availability of water and wastewater capacity.
- d) Low Impact Development (LID) is a design technique which contributes to aquatic habitat protection, can help regulate water runoff, improve water quality and reduce the flooding risks associated with extreme weather events. *Redevelopment*, including the *redevelopment* or creation of parking lots, shall utilize Low Impact Development (LID) measures in site design where feasible to reduce water runoff and improve water quality.

#### **6.7.17 Implementation**

- a) The City shall undertake a Streetscape and Public Realm Design Study of the Streetscape Improvement areas identified conceptually on Map B.6.7-3 – Centennial Neighbourhoods – Transportation and Connections. The study shall provide recommendations for the design of the public realm and the interface between private development and the public realm.
- b) The study may provide recommendations for, but is not limited to, any of the following elements:
  - i) Streetscape improvements for the public realm that establish a unique sense of place for each street;
  - ii) Public realm treatments for Gateway Improvement Areas and Prominent Intersections identified on Map B.6.7-3 – Centennial Neighbourhoods – Transportation and Connections;

- iii) Proposed signage in accordance with the City's Wayfinding Strategy;
  - iv) Design direction for the interface between the private realm and streetscapes and other public realm elements;
  - v) Design direction for *development* around Gateway Improvement Areas and Prominent Intersections;
  - vi) Detailed guidance for the design, size and location of new privately owned public spaces within *developments*; and,
  - vii) Identification of cost estimates for capital improvements, to allow for incorporation into the capital budget planning process and growth related development charges.
- c) There will be a long-term need to upgrade and improve the area's three major public open spaces to ensure that they have the diversity of amenities and programming needed to accommodate additional residents moving into the areas as a result of *intensification*. These public spaces are Sam Manson Park, Henry and Beatrice Warden Park and the Domenic Agostino Community Centre lands. The City will periodically review the facilities, amenities and programs offered in these spaces and plan for appropriate upgrades on an incremental basis as *intensification* occurs.
- d) A Municipal Servicing Study shall be undertaken by the City to confirm network capacity and determine if there are any specific water, sanitary and stormwater *infrastructure* gaps within the area, as well as verify downstream and upstream impacts through system modelling. The City shall ensure that the cost of any growth-related improvements needed are incorporated into the capital budget planning process.
- e) *Development* proposals shall consider the City's *Transportation Demand Management* Land Development Guidelines. A proposal for *development* may be required to submit a *Transportation Demand Management* Options Report, at the discretion of the City, to review measures that can be taken to encourage sustainable travel choices.
- f) During the next municipal review of the Urban Hamilton Official Plan the City shall consider amending Schedule E - Urban Structure of Volume 1 to extend the Secondary Corridor on Centennial Parkway north to the GO transit station.
- g) For the purposes of this Plan, the term *development* shall also include the term *redevelopment*.



- h) Notwithstanding Policy E.4.5.16 of Volume 1, the Zoning By-law shall establish provisions to implement the policies of this Plan, including but not limited to minimum and maximum setbacks, requirements for heights, densities, permitted uses, and other specific directions on built form.
- i) *Development* proposals may include infrastructure for drainage control located on private lands. Where deemed necessary, the City may require the registration of Site Plan agreements on title of a property, to give the City legal authority to ensure that these controls continue to function appropriately in the future.
- j) *Higher order transit* station areas in this Plan will be reviewed as part of a future *municipal comprehensive review* process which will confirm *major transit station area* delineations and *major transit station area* density targets.

#### **6.7.18 Site Specific Policies**

Site Specific Policy Areas have been identified on Map B.6.7-4 – Centennial Neighbourhoods Secondary Plan – Site Specific Policy Areas.

##### **6.7.18.1 Site Specific Policy – Area A (395 and 397 Centennial Parkway North, 25 Arrowsmith Road and 185 Bancroft Street)**

For the lands located at 395 and 397 Centennial Parkway North, 25 Arrowsmith Road and 185 Bancroft Street, designated Light Industrial and shown as Area A on Map B.6.7-4 - Centennial Neighbourhoods – Site Specific Policy Areas, the following policies shall apply:

- a) Notwithstanding the permitted uses in Policy E.5.3.2 of Volume 1, these lands shall only be used for an interregional bus and rail transportation facility.
- b) The site shall be designed to accommodate a seamless integration of various modes of transportation including rail, bus, future *rapid transit*, vehicles, pedestrians, and cyclists.
- c) The site shall provide a safe, interesting, and engaging public realm. Over the long term, a public space shall be incorporated into the site design adjacent to Centennial Parkway North to provide opportunities for gathering and socialization.
- d) The *transit* station shall be well-designed for a high quality user experience that encourages appropriate connections via walking or cycling and makes the *transit* system more attractive to potential

users. The design of the station shall be consistent with the urban design policies of Section B.6.7.12.

- e) The site shall be designed to minimize its ecological footprint through measures such as low impact design, the use of sustainable energy, and innovative water, landscape and waste management practices, where feasible.
- f) Enhanced landscaping shall be provided along the edges of the property and throughout the site.

**6.7.18.2 Site Specific Policy – Area B (71, 83 and 85 Centennial Parkway South)**

For the lands located at 71, 83 and 85 Centennial Parkway South, designated Medium Density Residential 3 and shown as Area B on Map B.6.7-4 - Centennial Neighbourhoods Secondary Plan – Site Specific Policy Areas, the following policies shall apply:

- a) In addition to Policy E.3.5.2 of Volume 1, *housing with supports* shall also be permitted.
- b) A retirement home shall be considered a *multiple dwelling*.
- c) Notwithstanding Policy E.3.5.8 of Volume 1, additional building height to a maximum of 8 storeys may be permitted.
- d) Notwithstanding Policy E.3.5.7 of Volume 1 and Policy 6.7.6.6, the maximum *net residential density* shall be 135 units per hectare.
- e) For the purpose of density requirements, two retirement home dwelling units may be considered as one dwelling unit, where units do not contain full kitchens.

**6.7.18.3 Site Specific Policy – Area C (460 Kenora Avenue)**

For the lands located at 460 Kenora Avenue, designated Light Industrial and shown as Area C on Map B.6.7-4 - Centennial Neighbourhoods Secondary Plan - Site Specific Policy Areas, the following additional policies shall apply:

- a) Notwithstanding Policy E.5.3.8 – Hazardous Waste Management Facilities and in addition to Policy E.5.3.2 Employment Area – Industrial Land Designation of Volume 1, the existing *waste management facility* shall be permitted.
- b) To reduce the potential for negative impacts such as odors on the mixed use areas along Centennial Parkway north, consideration shall be given to re-locating this facility to a new location in the east

Hamilton or Stoney Creek area if a suitable alternative site can be located.

- c) Any proposal to expand the *existing waste management facility* at this location shall be required to consider the adjacent lands designated mixed use and any impacts to the potential for future residential *development*.
- d) If the *existing waste management facility* use ceases at this location, only light industrial uses shall be permitted, in accordance with Policy B.6.7.8.5.
- e) The future extension of Goderich Road to Kenora Avenue through these lands is shown on Map B.6.7-3 – Centennial Neighbourhoods – Transportation and Connections. At such time as the existing use as a *waste management facility* ceases on these lands, the City will extend Goderich Road to Kenora Avenue to provide improved road, pedestrian and cycling connectivity to the GO station.

**6.7.18.4 Site Specific Policy – Area D (502 to 560 Centennial Parkway North)**

For the lands located at 502 to 560 Centennial Parkway North, designated District Commercial and Business Park and shown as Area D on Map B.6.7-1 - Centennial Neighbourhoods Secondary Plan - Land Use Plan, the following policies shall apply:

- a) The lands shall be developed with a mix of retail and non-retail uses and serve as a mixed use gateway into the City.
- b) On the lands designated District Commercial, the following policies shall apply:
  - i) In addition to the uses permitted in Policy E.4.7.2 – District Commercial of Volume 1, the following uses shall also be permitted:
    1. one department store;
    2. hotel and convention centre;
    3. entertainment uses; and
    4. arts and cultural uses.
  - ii) Notwithstanding Policies E.4.7.2 b) and E.4.7.8 – District Commercial of Volume 1, main floor offices and stand-alone

office buildings shall be permitted in accordance with the Zoning By-law.

- iii) Notwithstanding Policy E.4.7.2 c) - District Commercial of Volume 1, no residential uses shall be permitted.
  - iv) Notwithstanding Policies E.4.7.3 c) and E.4.7.7 of Volume 1, the maximum amount of gross floor area for one department store shall not exceed 18,581 square metres.
- c) On the lands designated Business Park, the following policies shall apply:
- i) Notwithstanding the uses permitted in Policy E.5.4.3 of Volume 1, the following uses shall not be permitted:
    - 1. retail establishments as *ancillary* uses, except as provided in policy 6.7.18.4 c) ii);
    - 2. *waste processing facilities* and *waste transfer facilities*.
  - ii) Notwithstanding Policies E.5.4.5 and E.5.4.6 of Volume 1, the following uses shall be permitted:
    - 1. office buildings with a minimum gross floor area of 2,000 square metres and a maximum gross floor area of 3,999 square metres; and
    - 2. limited *ancillary* uses and convenience retail, as defined in the Zoning By-law, on the ground floor of an office building with a minimum gross floor area of 2,000 square metres and a maximum gross floor area of 3,999 square metres.
- d) Notwithstanding Policies E.4.7.3 c) and E.4.7.7 – District Commercial and Section E.5.4.6 and E.5.4.7 – Employment Area – Business Park Designation of Volume 1, the following provisions shall apply:
- i) The maximum gross floor area for all *development* shall not exceed 45,058 square metres.
  - ii) *Development* of the site shall be completed in a phased manner consisting of an initial permitted *development* of 23,226 square metres of retail and service commercial uses. An additional 1 square metre of retail and service commercial uses shall be permitted for every 1 square metre of non-retail, employment and service uses, as identified in the Zoning By-law, for which construction has substantially commenced on the site.

- iii) Notwithstanding Policy 6.7.18.4 d) i) an increase in the total maximum gross floor area for all *development* may be permitted without amendment to this Plan subject to the following requirements:
  - 1. The maximum gross floor area for all retail and service commercial uses shall not exceed 34,142 square metres.
  - 2. Office uses shall be limited, and shall be secondary to the primary function of the lands to serve the daily and weekly shopping needs of residents in the surrounding neighbourhoods.
  - 3. The City may require the submission of studies to demonstrate that an increase in gross floor area can be appropriately accommodated on the site. Required studies may include, but are not limited to, a Servicing Report and a Transportation Impact Study. In this regard, the Zoning By-law may establish a holding provision on the lands for *development* in excess of 45,058 square metres of gross floor area, to implement this provision.
  
- e) Prior to *development* the proponent shall complete urban design guidelines for the *development* of the site, to the satisfaction of the City.
  
- f) Urban design guidelines shall be in accordance with the Design Principles and Policies in Policies B.6.7.18.4 g) and h). In the event that conditions and/or restrictions arise as a result of the Record of Site Condition, specific design solutions shall be incorporated in consultation with the City through the Site Plan approvals process.
  
- g) The following Design Principles shall apply:
  - i) The Centennial Parkway North site is a gateway location in the City of Hamilton, arriving from the Queen Elizabeth Way along Centennial Parkway North. The site shall evolve as a mixed use area with a physical form that is human-scaled, pedestrian-friendly, cycle friendly, and *transit-supportive*.
  
  - ii) Notwithstanding Section B.3.3 – Urban Design and Policies E.4.7.11 to E.4.7.17 – District Commercial Design of Volume 1, the site shall:

1. Support a high quality form of urban design including streetscapes, views and vistas, gateways, walkways, and amenity spaces;
  2. Be a "gateway" location into the City that promotes a sense of arrival;
  3. Be a mixed use area with a range of commercial uses, employment uses, and amenity spaces;
  4. Concentrate the arrangement of uses and buildings such that it encourages comfortable pedestrian and cycling activity on and surrounding the site, and which facilitates public *transit* ridership;
  5. Have a connected circulation system internally that comfortably and efficiently links all buildings, *transit* facilities, parking areas, and amenity spaces to the bounding public streets;
  6. Have a prominent multi-storey building, or buildings, of high quality architectural design at the intersection of Centennial Parkway North and the South Service Road;
  7. Have a strong edge and frame facing the bounding public streets, including the placement and design of buildings and high quality landscaping;
  8. Incorporate framing views and vistas within the site by aligning buildings and building elements to create terminus views; and
  9. Appropriately transition to surrounding properties in terms of buffering and screening.
- h) The lands shall be developed in accordance with the following urban design policies:
- i) Entrance Gateways
    1. Entrance Gateways are access points to a site, and provide a sense of arrival to a *development*. Two types of Entrance Gateways shall be provided at the site: Primary Entrance Gateways, and Secondary Entrance Gateways.
    2. Primary Entrance Gateways identify the principal vehicular and pedestrian entry point to the site, and may include

information signage for traffic circulation through the site. There should be one Primary Entrance Gateway to the site, from Centennial Parkway North.

3. Secondary Entrance Gateways serve as secondary vehicular and pedestrian entry points to the site. There could be multiple Secondary Entrance Gateways to the site, from South Service Road and Warrington Street.
  4. All Entrance Gateways should be given special built form and landscape treatment, including the consideration of appropriate positioning of buildings, adequate sight lines, and the inclusion of both vertical and horizontal elements, including signage and landscape features. Given their principal function, the Primary Entrance Gateway should be more visually prominent than the Secondary Entrance Gateway(s) in terms of scale and design.
- ii) For all buildings on the site, the following built form policies apply:
1. Buildings shall be sited and designed to enhance the public nature of streets, amenity spaces, and pedestrian realm.
  2. Buildings should generally be sited parallel to the public street.
  3. The principal building façade shall contain the primary building entrance. The principal building façade shall be varied and articulated, through the use of elements such as bay projections, canopies and/or varied roof lines, colours and other elements in order to provide visual interest and to break up long walls to create the impression of smaller building units.
  4. Principal building entrances shall be located at grade, and shall be easily accessed from the public sidewalk on the adjacent public streets and the internal pedestrian walkways.
  5. Principal building entrances shall be emphasized on the building's façade through architectural treatments.
  6. Other building façades shall be designed in a similar fashion to the principal building façade, with respect to colour, material, and articulation.

7. All building signage shall be designed in a manner integral to the building design in terms of size, form, material, and colour.
  8. Roof-top mechanical equipment shall be enclosed or screened, particularly in a manner integral with the overall building design in terms of form, material, and colour.
  9. Canopies over doorways, arcades and other treatments are encouraged in the design of a building façade, particularly along pedestrian routes, to provide a comfortable pedestrian environment for walking.
  10. Stacking lanes and order stations for drive-through facilities shall not be located between a building wall and the road allowance of a bounding public street.
- iii) For buildings that are located abutting Centennial Parkway North and South Service Road, the following additional policies apply:
1. Buildings along Centennial Parkway North shall be located close to the edge of the respective road allowance so as to frame the streetscape.
  2. Buildings along the South Service Road may be located further from the street edge with landscape treatment to define the street edge, which may contain a tiered design of lawn, low hedges, trees, masonry, and decorative metal fences and gates culminating in taller plantings.
  3. The streetscape shall create a positive community image, which may include the coordinated use of high quality paving materials, wide sidewalks, street furniture, pedestrian-scale lighting and signage, and enhanced landscaping.
- iv) For buildings abutting Warrington Street, the rail line, and the hydro corridor, the following additional policies apply:
1. Loading and service areas shall be adequately screened with the use of a landscaped buffer, which may contain landscape berms, evergreen and deciduous trees and shrubs, and fencing.



2. Façades that face a loading area or service area shall be finished with material and architectural features consistent with the principal façade of the building.
- v) For the prominent buildings at the Centennial Parkway North and South Service Road intersection, the following policies shall apply:
1. Buildings shall be placed so the tallest buildings are at the corner of Centennial Parkway North and the South Service Road.
  2. Buildings shall have a distinct architectural appearance, including a high level of architectural detailing, given their prominence on the site. Detailing may include varied rooflines, canopies, decorative elements, and projecting bays. Large blank walls and a continuous, repetitive façade shall not be permitted.
  3. Buildings shall have articulated façades facing both the bounding public streets and the interior of the site.
  4. A high quality of landscape design along the edges of the property and within the interior shall provide a setting that is pedestrian-friendly and visually attractive.
  5. Design of the buildings shall complement the landscape design between the building wall and the road allowances at the corner, in order to promote a sense of entry into the site and into the City from the Queen Elizabeth Way.
  6. Loading areas and service areas shall not be located between a building's wall and the road allowance of Centennial Parkway North or South Service Road.
  7. Buildings and their landscape features are encouraged to have feature lighting to signify and highlight these buildings during night-time.
- vi) Pedestrian Realm
1. Pedestrian routes that connect to buildings, *transit* stops or facilities, and pedestrian routes in the surrounding community shall be provided. Internal walkways and linkages shall be designed as a condition of Site Plan Approval.

2. Pedestrian walkways that connect parking areas to building entrances shall be provided. These walkways shall be designed to contribute to the safety and visual continuity of the entire pedestrian system, and may include such elements as special paving materials, trees, and lighting.
3. Barrier-free design of buildings, streets, and publicly accessible exterior spaces shall be implemented.
4. Crosswalks and differentiated paving materials and patterns shall be constructed at primary crossings of principal internal streets to provide connectivity between the site's different areas.
5. Parking areas, servicing lanes, utility and mechanical equipment, and drop off and loading zones shall be designed and located in a manner that has minimal physical impact on public sidewalks and accessible exterior spaces. Shared driveways and service lanes at the side and rear of buildings are to be provided for these functions.

vii) Landscaped Areas

1. Landscaping shall be used to enhance the overall aesthetic qualities of the *development*. Landscape treatment may include a range of different hard and soft landscape elements and features to create provide outdoor amenity spaces, pedestrian comfort, soften the site's edges, highlight entrance gateways, prominent buildings, screen loading and service areas, and buffer the site from neighbouring uses, as necessary.
2. Landscaped areas shall be provided as a screen or buffer to address the interface with the publicly accessible or visual areas of the site.
3. Landscaped buffers and/or visual barriers shall be provided to screen loading and service areas from users using the bounding public streets or internal drive aisles.
4. Landscaped islands shall be provided throughout parking lots to identify, reinforce and connect pedestrian routes, separate roads from parking areas, define edges, and to visually and physically divide large parking areas into smaller sections.

viii) Parking Entrances, Loading Zones and Service Lanes

1. The location of entrances to parking areas, loading zones, and service lanes shall be coordinated with the location of pedestrian and cycling routes to limit vehicular and pedestrian/cycling movement conflicts on the site.
2. A landscaped strip shall be provided between any surface parking area that abuts a public street to define the street edge and screen the parking area. The minimum width of the landscaped strip shall be set out in the implementing Zoning By-law.
3. All loading zones and service lanes shall be screened and landscaped. Screens shall be designed to complement the materials and details of the associated building facades.
4. Wherever possible, on-site loading zones and service lanes shall be consolidated and shared at the rear or side of buildings.
5. On-street parking along internal drive aisles is encouraged to provide the 'look and feel' of a public street. This shall not occur on the main drive aisle into the site.

iv) Vehicular Access

1. The number and location of vehicular access points shall be limited so as to minimize disruption to traffic flow and to minimize the impact on local streets.

**6.7.18.5 Area/Site Specific Policy – Area E (505 to 537 Queenston Road)**

For lands located at 505 to 537 Queenston Road, designated Medium Density Residential 3 and shown as Area Specific Policy – Area E on Map B.6.7-4 – Centennial Neighbourhoods – Site Specific Policy Areas, the following policies shall apply:

- a) In addition to Policy E.3.5.2 of Volume 1, limited commercial uses shall also be permitted within *existing* buildings.
- b) Commercial uses shall be restricted to low impact uses such as offices, service uses and small scale retail uses. High traffic generating uses such as restaurants and commercial entertainment shall not be permitted.
- c) Appropriate buffering shall be provided between commercial uses and adjacent residential uses to mitigate potential adverse impacts, such

as negative visual impacts, reduced privacy, increased noise, and light from parking areas. In this regard, measures such as setbacks, landscape strips and visual barriers may be used.

- d) Enlargements or additions to existing buildings may be permitted only if they are in keeping with the established built form and residential character of the area.
- e) *Development* shall be sympathetic to and shall ensure *compatibility* with the low profile residential character of the area, and shall provide streetscape features and enhancements consistent with the residential character of the area, including the provision of landscaping along Queenston Road and Woodman Drive.
- f) Notwithstanding Policy E.3.5.7 of Volume 1 and Policy B.6.7.6.6, where lot consolidation has taken place, an increase in *net residential density* greater than 100 units per hectare and not greater than 200 units per hectare shall be permitted.

6.7.18.6 **Site Specific Policy – Area F (75 Centennial Parkway North (Eastgate Square Mall))**

For the lands located at 75 Centennial Parkway North (Eastgate Square Mall), designated Mixed Use – High Density and shown as Site Specific Policy - Area F on Map B.6.7-4 – Centennial Neighbourhoods – Site Specific Policy Areas, the following policies shall apply:

- a) Special Policy Area F (Eastgate Square Mall) is the largest commercial site in the Centennial Neighbourhoods Secondary Plan, and is the focal point of the Centennial Node. It is essential to the function of the area as a Sub-Regional Node, providing a regional retail function as well as meeting the weekly and daily shopping needs of surrounding areas. This commercial function shall be maintained and supported.
- b) The lands are encouraged to evolve over the long term to a more compact, pedestrian friendly form that accommodates a mix of uses in addition to retail, such as but not limited to service commercial, residential, office and entertainment uses.
- c) The lands are intended to be an important location for access to public transit, including *higher order transit*. A major *transit* station shall be located adjacent to the site which shall provide the site with access to *higher order transit*. The site may also continue to have a *transit* terminal function for bus transit.

- d) Notwithstanding Policies B.6.7.5.1 g) and B.6.7.7.5 b), for *development* fronting onto Centennial Parkway North, the minimum height shall be 2 storeys, except as permitted by Policy B.6.7.5.1 i).
- e) Notwithstanding Policy B.6.7.18.6 d), and Policies B.6.7.5.1 g) and B.6.7.7.5 b), for the area with a maximum height of 3 storeys, shown on Map B.6.7-2 – Centennial Neighbourhoods Secondary Plan – Maximum Building Heights in the Node, the minimum height shall be 2 storeys.
- f) *Development* along the westerly and northerly edges of the site, adjacent to a residential designation, shall be a maximum of 3 storeys in height, as shown on Map B.6.7-2 – Centennial Neighbourhoods – Maximum Building Heights in the Node.
- g) Minor changes to the limits of the area with a maximum height of 3 storeys, identified on Map B.6.7-2 – Centennial Neighbourhoods – Maximum Building Heights in the Node may be permitted without amendment to this plan.
- h) New *development* is intended to have a gradation of building heights across the site, with the lowest heights along the westerly and northerly edges of the site, transitioning to higher heights along Queenston Road and Centennial Parkway, and towards the intersection of Queenston Road and Centennial Parkway. The implementing Zoning By-law shall establish requirements for heights to ensure that this gradation is achieved, to provide an appropriate transition between taller buildings and existing low density residential areas.
- i) The area generally near the intersection of Queenston Road and Centennial Parkway is intended to be a focal point for the site, where the greatest amount of activity is taking place. Accordingly, the following policies shall apply to this area:
  - i) The tallest buildings on the site should be located within or near this area.
  - ii) *Redevelopment* in this area shall be integrated with and supportive of any *transit* facilities on or adjacent to the site.
  - iii) Public spaces which are located in prominent areas and are integrated with the streetscape environment contribute to a vibrant, active streetscape and provide opportunities for people to meet, relax and socialize, which is consistent with the goals of this plan. Major *redevelopment* shall include a publicly accessible open space or plaza area which provides opportunities for gathering and

social interaction. This shall be located within the *pedestrian focus* area of the site, as identified on Map B.6.7-1 – Land Use Plan.

- iv) *Redevelopment* shall include gateway design elements in accordance with Policy B.6.7.12.2.
- j) When *redevelopment* occurs, elements of the *pedestrian focus streets* are encouraged to be extended throughout the site through the provision of visible, attractive pedestrian linkages.
- k) Bike parking shall be required for any *redevelopment* on the site.
- l) The site shall be considered for future bike share program facilities.
- m) Nothing in the policies of this Plan is intended to prevent the potential future subdivision of the site into smaller parcels of land.
- n) Significant changes to the built form on the site, which shall be considered major redevelopment for the purposes of Policy E.2.3.2.14 of Volume 1 and Policy B.6.7.7.2 h) and shall be regulated by the Zoning By-law, include:
  - i) changes to the primary use of the lands for an enclosed shopping mall;
  - ii) the demolition of a significant amount of the gross floor area *existing* on the site on the date of approval of this Plan as part of a *development*, or,
  - iii) a significant increase in gross floor area from that *existing* on the date of approval of this Plan.
- o) If the current use, form or function of the lands as a shopping mall is proposed to be changed, by adding residential uses or by significant changes to the commercial built form, a public realm and built form plan shall be submitted with a *development* application, which shall demonstrate how the *development* achieves the following design elements:
  - i) A high quality public realm design including streetscapes, views and vistas, gateways, walkways, and amenity spaces;
  - ii) An arrangement of uses and buildings that encourages comfortable pedestrian activity on and surrounding the site, and which facilitates public *transit* ridership;

- iii) A well-connected internal circulation system that comfortably and efficiently links all buildings, *transit* facilities, parking areas, and amenity spaces within the site to the bounding public streets;
  - iv) A strong urban presentation to the street featuring amenities such as sidewalks, hard and soft landscaping, outdoor patios and other streetscape elements;
  - v) Framing of views and vistas within the site by aligning buildings and building elements to create terminus views; and,
  - vi) Appropriate transitions to surrounding properties in terms of buffering and screening.
- p) If *redevelopment* is proposed for a portion of the site, and the current use, form or function of the lands as a shopping mall is proposed to be changed by adding residential uses or by significant changes to the commercial built form, a concept plan of the entire site shall be submitted with a *development* application identifying:
- i) How the area can be developed in accordance with the vision and direction described in this Plan and particularly in Policy B.6.7.18.6; and,
  - ii) That the proposed *development* will achieve the vision and directions of this Plan.
- q) The concept plan shall not be considered an approved *development* plan. The concept plan may be amended from time to time in response to changes in the market or other considerations.
- r) Notwithstanding Policy B.6.7.7.5 f), the existing shopping mall may have entrances that are located along any portion of the building's façade, and which are significantly set back from the street.

**6.7.18.7 Site Specific Policy – Area G (33 Cromwell Crescent)**

For the lands located at 33 Cromwell Crescent, designated Institutional and shown as Site Specific Policy - Area G on Map B.6.7-4 – Centennial Neighbourhoods – Site Specific Policy Areas, the following policies shall apply:

- a) In addition to Policy E.6.2.6 of Volume 1, *multiple dwellings* and all forms of townhouses shall also be permitted.

- b) At such time as the institutional use on the lands ceases, the lands are intended to be comprehensively redeveloped for residential purposes in accordance with the following policies:
  - i) Only single detached, semi-detached or street townhouse dwellings shall be permitted fronting onto Cromwell Crescent.
  - ii) Any *redevelopment* shall not provide vehicular access to Cromwell Crescent, with the exception of single detached, semi-detached or street townhouse dwellings with individual driveway accesses.
  - iii) *Development* shall be *compatible* with adjacent existing residential dwellings. Notwithstanding that the site is designated Institutional, Transition Areas policies B.6.7.13 a) to d) shall apply to *development* on site specific policy area G.
  - iv) The maximum building height shall be 6 storeys.

**6.7.18.8 Area Specific Policy – Area H (north side of Barton Street)**

For the lands located on the north side of Barton Street East, designated Light Industrial and Business Park, shown as Area H on Map B.6.7-4 - Centennial Neighbourhoods Secondary Plan – Site Specific Policy Areas, the City shall assess of the appropriateness of these lands as employment lands during the next municipal comprehensive review, and may consider a conversion to other uses. The assessment shall consider, but is not limited to the following factors:

- a) the existing function of the lands;
- b) the proximity of the lands to major transportation routes;
- c) opportunities to introduce transitional land uses along the edge of the industrial area; and,
- d) consideration of the potential need for arterial commercial lands City-wide.

**6.7.18.9 Area Specific Policy – Area I (45 Goderich Road)**

For the lands located at 45 Goderich Road, designated Arterial Commercial and shown as Area I on Map B.6.7-4 - Centennial Neighbourhoods Secondary Plan – Site Specific Policy Areas, the following policies shall apply:



- a) In addition to Policy E.4.8.2 of Volume 1, office uses shall also be permitted, except a medical clinic.
- b) Offices shall not exceed 4,000 square metres of gross floor area for each free standing building.

**6.7.18.10 Area Specific Policy – Area J (860 Queenston Road)**

For the lands located at 860 Queenston Road, designated Mixed Use – Medium Density and shown as Area J on Map B.6.7-4 - Centennial Neighbourhoods Secondary Plan – Site Specific Policy Areas, an Ontario Municipal Board appeal is in progress. The following policies shall apply:

- a) The City shall update the Secondary Plan to reflect the decision of the Ontario Municipal Board for PL170282 if a land use designation, height, density or any other Official Plan policy is approved by the Ontario Municipal Board that does not conform to the policies of this Secondary Plan.
- b) Where the Ontario Municipal Board approves policies that do not conform to the Secondary Plan, and notwithstanding any policies of this Secondary Plan which may conflict until an update is made in accordance with Policy 6.7.18.10 a), *development* shall be permitted in accordance with the Ontario Municipal Board decision for PL170282.
- c) If *development* at 860 Queenston Road is not in accordance with an Ontario Municipal Board decision for PL170282, any other *development* on these lands shall be subject to the policies of this Secondary Plan.

**6.7.18.11 Area Specific Policy – Area K (398, 400, and 402 Nash Road North and 30, 50, and 54 Bancroft Street)**

For the lands located at 398, 400, 402 Nash Road North and 30, 50, 54 Bancroft Street, designated Light Industrial and shown as Area K on Map B.6.7-4 – Centennial Neighbourhoods Secondary Plan – Site Specific Policy Areas, Commercial Recreation shall also be permitted in addition to the uses permitted in Policy E.5.3.2 – Industrial Land Designation of Volume 1.

**6.7.18.12 Area Specific Policy – Area L (670, 674, 686, 692, 700 and 706 Queenston Road)**

For the lands located at 670, 674, 686, 692, 700 and 706 Queenston Road, designated Mixed Use – High Density and shown as Area L on Map B.6.7-4 – Centennial Neighbourhoods Secondary Plan – Site Specific Policy Areas, the following policies shall apply:

- a) New *development* is intended to have a gradation of building heights across the site, with the highest heights in the *pedestrian focus street* area, and lower heights on the southern portion of the site, outside of the *pedestrian focus street* area.
- b) In the southern portion of the lands outside of the *pedestrian focus street* area, the following policies shall apply:
  - i) Notwithstanding Policy B.6.7.7.4 c), residential uses may have densities in the range of 60 to 100 units per hectare.
  - ii) Notwithstanding Policies B.6.7.5.1 g) and B.6.7.7.5 b), a minimum height of 2 storeys may be permitted.
- c) *Redevelopment* in the *pedestrian focus street* area shall be integrated with and supportive of any *transit* facilities adjacent to the site.
- d) The reconstruction of any portion of an *existing* building on the site, which does not result in significant changes to the commercial built form, shall not be considered major *redevelopment*.
- e) The *existing* drive through facilities and gas bar located in the *pedestrian focus street* area may be recognized as *existing* uses in the Zoning By-law in accordance with Policy F.1.12.8 of Volume 1.
- f) The following policies shall apply to the relocation of any of the *existing* drive through facilities on the site:
  - i) Notwithstanding Policy 4.5.5 b) of Volume 1, Policy E.4.5.21 a) of Volume 1 shall not apply.
  - ii) The relocation of *existing* drive through facilities shall comply with Policies E.4.5.21 b) to e) of Volume 1.

Appendix B  
APPROVED Amendment No. 92  
to the Urban Hamilton Official Plan

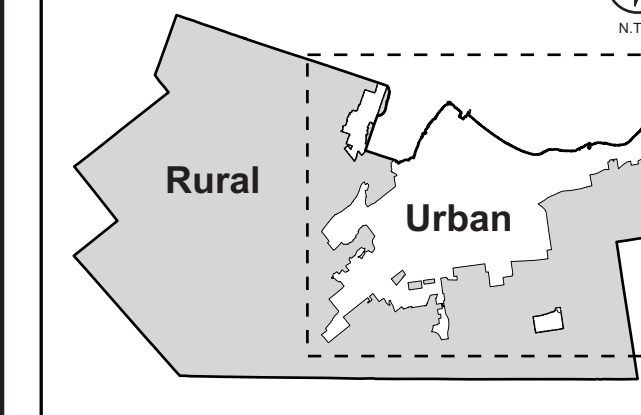
- Lands to be redesignated from "Arterial Commercial" to "Industrial Land"
- Lands to be redesignated from "Arterial Commercial" to "Mixed Use - High Density"
- Lands to be redesignated from "District Commercial" to "Mixed Use - Medium Density"
- Lands to be redesignated from "Mixed Use - Medium Density" to "Mixed Use - High Density"
- Lands to be redesignated from "District Commercial" to "Neighbourhoods"
- Lands to be redesignated from "Mixed Use - Medium Density" to "Neighbourhoods"
- Lands to be redesignated from "Business Park" to "District Commercial"
- Lands to be redesignated from "District Commercial" to "Business Park"
- Lands to be redesignated from "Mixed Use - Medium Density" to "Open Space"
- Lands to be redesignated from "Industrial Land" to "Open Space"
- Lands to be redesignated from "District Commercial" to "Mixed Use - High Density"

Date: February 7, 2018  
Revised By: PM/NB  
Reference File No.: Centennial NBH

APPEALS

----- The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal.

Key Map



Note: For Rural Land Use Designations, refer to Schedule D of the Rural Hamilton Official Plan.

- Neighbourhoods
- Open Space
- Institutional
- Utility

Commercial and Mixed Use Designations

- Downtown Mixed Use Area
- Mixed Use - High Density
- Mixed Use - Medium Density
- District Commercial
- Arterial Commercial

Employment Area Designations

- Industrial Land
- Business Park
- Airport Employment Growth District
- Shipping & Navigation

Other Features

- Rural Area
- John C. Munro Hamilton International Airport
- Niagara Escarpment
- Urban Boundary
- Municipal Boundary
- Lands Subject to Non Decision 113 West Harbour Setting Sail

Council Adoption: July 9, 2009  
Ministerial Approval: March 16, 2011  
Effective Date: August 16, 2013

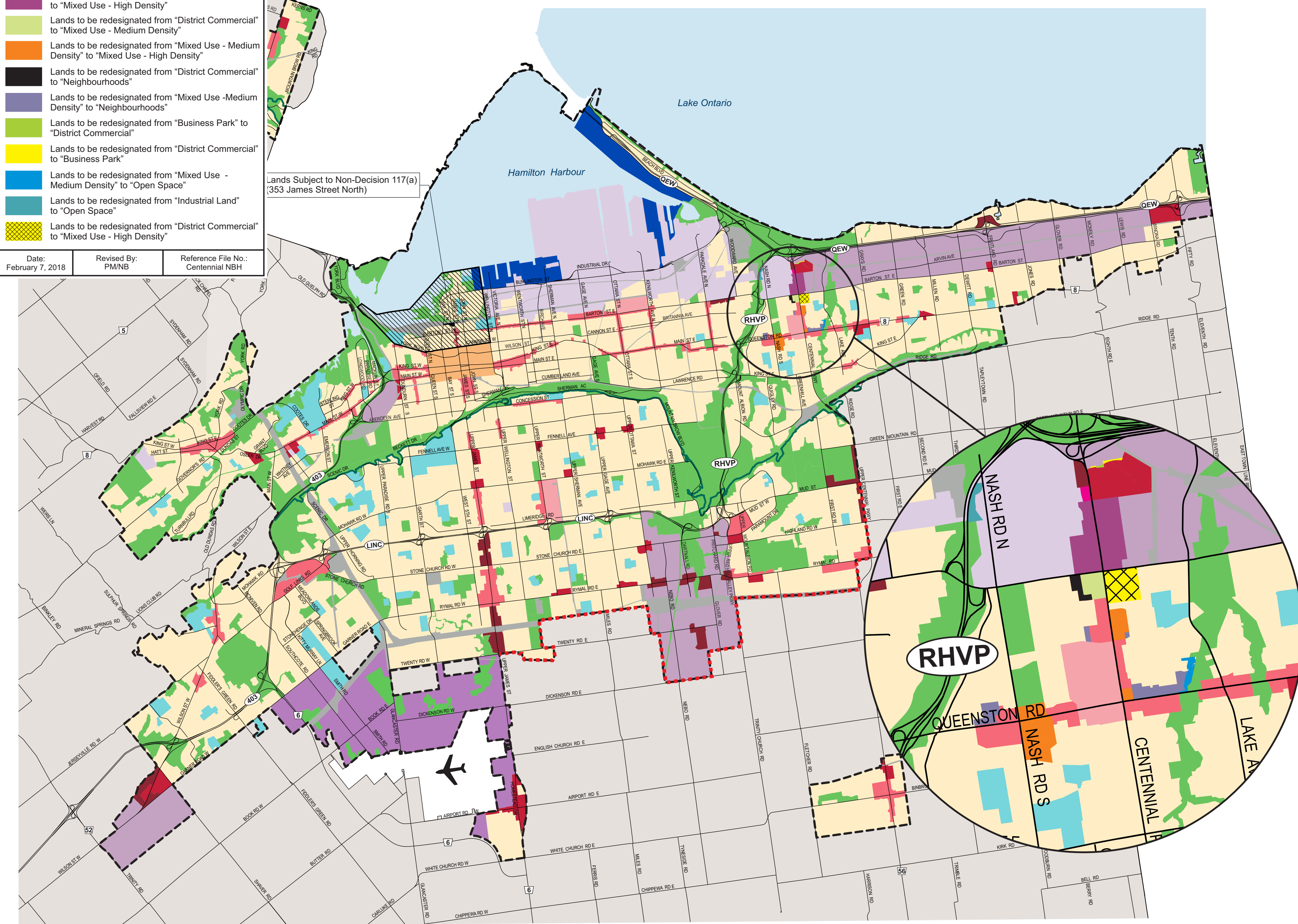
Urban Hamilton Official Plan  
Schedule E-1  
Urban Land Use Designations



Date: Sep. 11, 2017


PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

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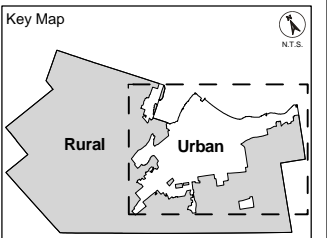
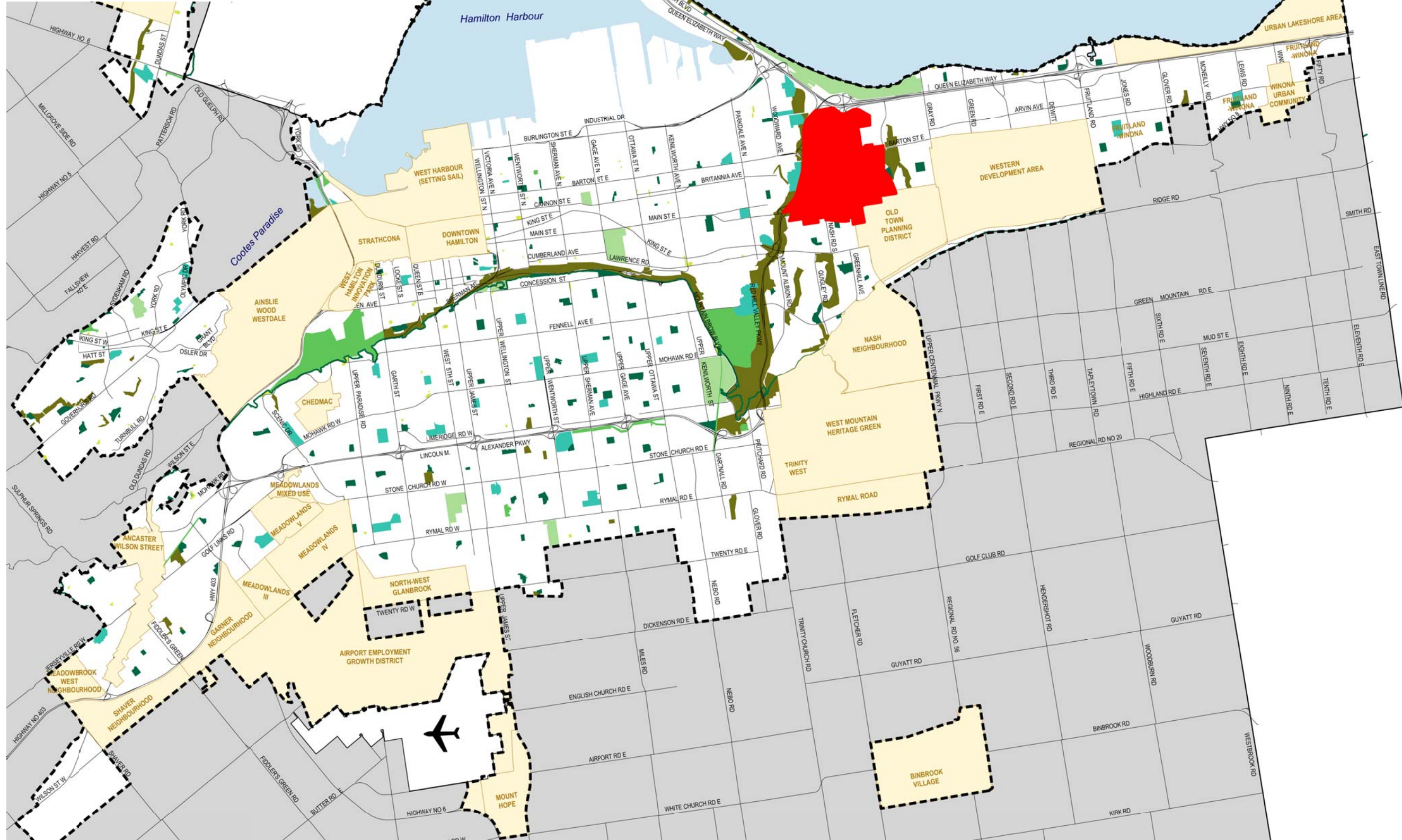




Appendix C  
 APPROVED Amendment No. 92  
 to the Urban Hamilton Official Plan

 Centennial Neighbourhoods Secondary Plan  
 to be added

Date: February 7, 2018  
 Revised By: MP/NB  
 Reference File No.: Centennial NBH















Note: For Rural Parks Classification Designations, refer to Appendix A of the Rural Hamilton Official Plan.

**APPEAL**

The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal - see illustration on Schedules E and E-1, Volume 1.

**Legend**

-  Secondary Plans
- Parks Classification**
-  Parkette
-  Neighbourhood
-  Community
-  City Wide
-  General Open Space
-  Natural Open Space
- Other Features**
-  Rural Area
-  John C. Munro Hamilton International Airport
-  Niagara Escarpment
-  Urban Boundary
-  Municipal Boundary




Council Adopted: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan  
 Appendix A  
 Parks Classification Map  
 (Parks Outside of Secondary Plans)**





Appendix D  
 APPROVED Amendment No. 92  
 to the Urban Hamilton Official Plan

-  Add "Potential Rapid Transit Line"
-  Change "HSR Terminal" to "Future Multi Modal Hub"
-  Add "Proposed GO Station"

Date:  
February 7, 2018

















Revised By:  
PM/NB

Reference File No.:  
Centennial NBH



**APPEAL**


The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal – see illustration on Schedules E and E-1, Volume 1

- Legend**
-  Provincial Highway (Controlled Access)
  -  Parkway
  -  Railway
  -  Railyard
  -  Port of Hamilton
  -  HSR Terminal
  -  Hamilton GO Centre
  -  Proposed New GO Centre (LUNA Station)
  -  Proposed GO Station
  -  Potential Rapid Transit Line (B.L.A.S.T.)
  -  Future Multi Modal Hub
- Other Features**
-  Rural Area
  -  John C. Munro Hamilton International Airport
  -  Niagara Escarpment
  -  Urban Boundary
  -  Municipal Boundary

Council Adoption: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan  
 Appendix B  
 Major Transportation  
 Facilities and Routes**

Not To Scale



Date: April 10, 2015

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

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Appendix E  
 APPROVED Amendment No. 92  
 to the Urban Hamilton Official Plan

 Centennial Neighbourhoods Secondary Plan to be added

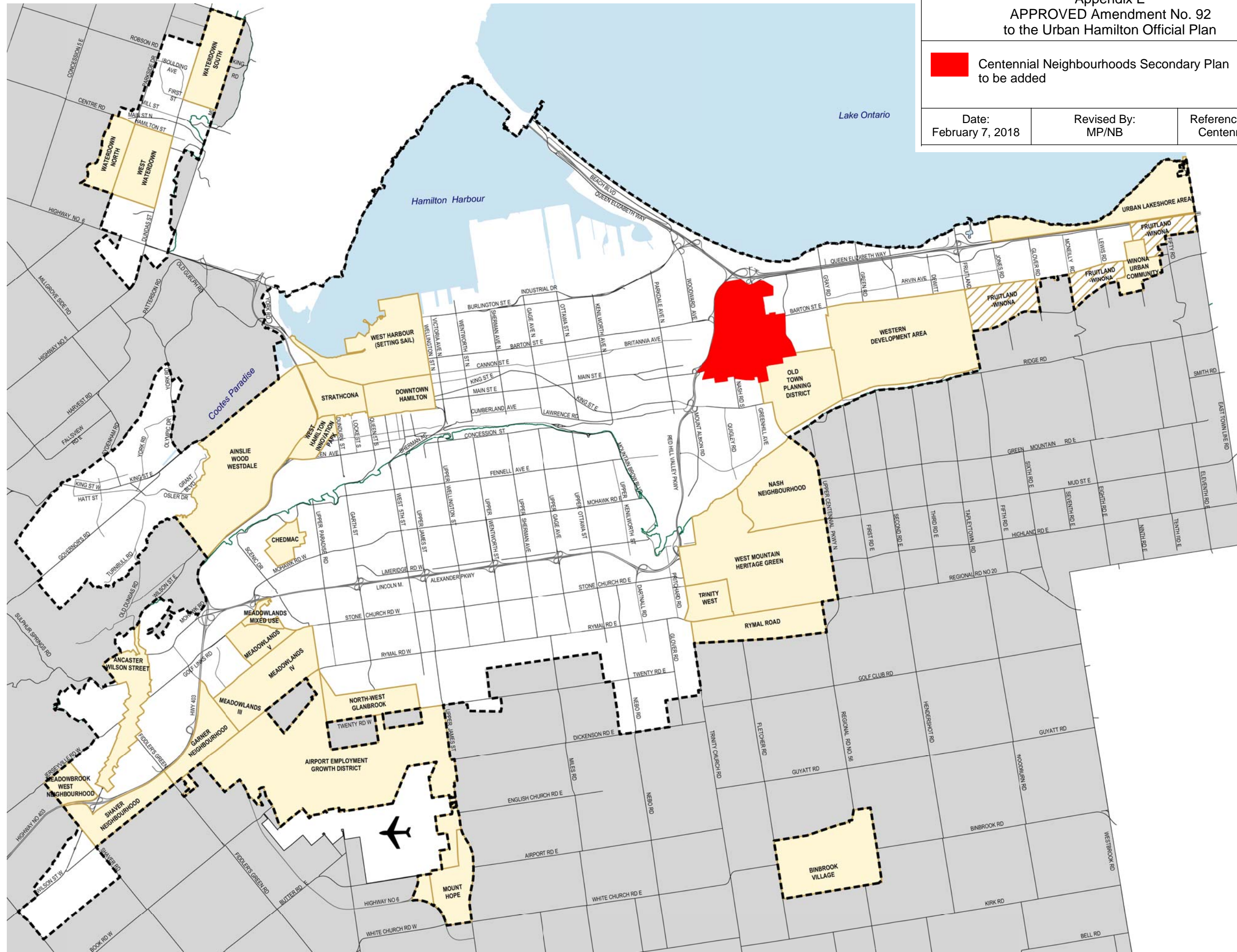
Date:  
 February 7, 2018

Revised By:  
 MP/NB



Reference File No.:  
 Centennial NBH

**APPEAL**






The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal - see illustration on Schedules E and E-1, Volume 1.



**Legend**

-  Secondary Plan Area
-  Pending Secondary Plan Areas

**Other Features**

-  Rural Area
-  John C. Munro Hamilton International Airport
-  Niagara Escarpment
-  Urban Boundary
-  Municipal Boundary

Council Adopted: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan  
 Volume 2: Appendix A  
 Secondary Plans Index Map**



Not To Scale





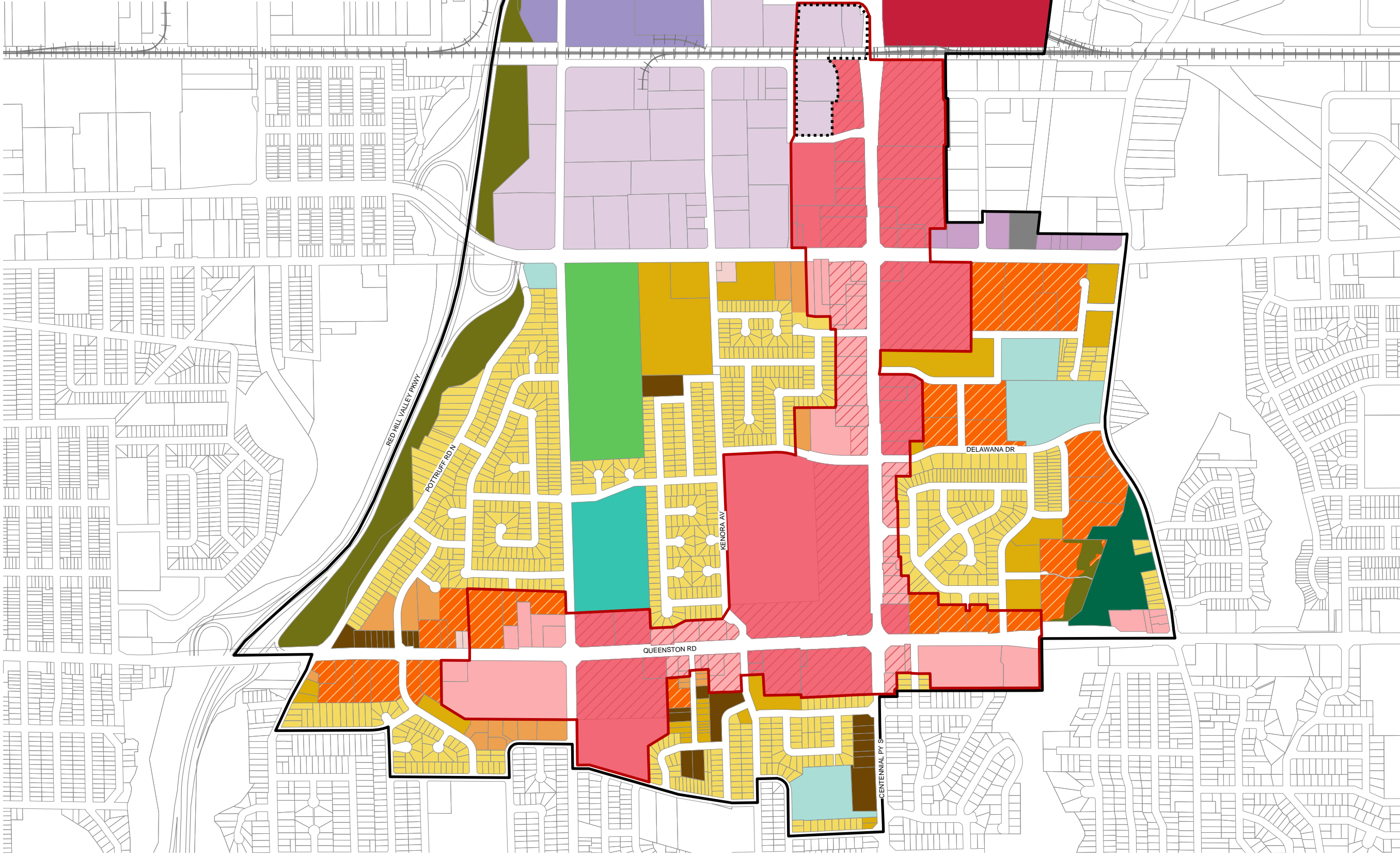
Appendix F  
 APPROVED Amendment No. 92  
 to the Urban Hamilton Official Plan

Centennial Neighbourhoods Secondary Plan Land Use Plan  
 Map B. 6. 7-1 to be added to the Urban Hamilton Official Plan

Date:  
 February 7, 2018

Revised By:  
 MP/NB

Reference File No.:  
 Centennial NBH



**Legend**

- Residential Designations**
- Low Density Residential 2
  - Low Density Residential 3
  - Medium Density Residential 2
  - Medium Density Residential 3
  - High Density Residential 1
- Commercial and Mixed Use Designations**
- Local Commercial
  - Mixed Use - Medium Density
  - Mixed Use - High Density
  - District Commercial
  - Arterial Commercial
- Industrial Designations**
- Light Industrial
  - General Industrial
  - Business Park
- Parks and Open Space Designations**
- Neighbourhood Park
  - Community Park
  - General Open Space
  - Natural Open Space
- Other Designations**
- Institutional
  - Utilities
- Other Features**
- Pedestrian Focus Street
  - Railways
  - Commuter Bus and Rail Station
  - Sub-Regional Service Node Boundary
  - Secondary Plan Boundary

**Urban Hamilton Official Plan**  
 Centennial Neighbourhoods  
 Secondary Plan  
 Land Use Plan  
 Map B.6.7-1

Appendix G  
 APPROVED Amendment No. 92  
 to the Urban Hamilton Official Plan

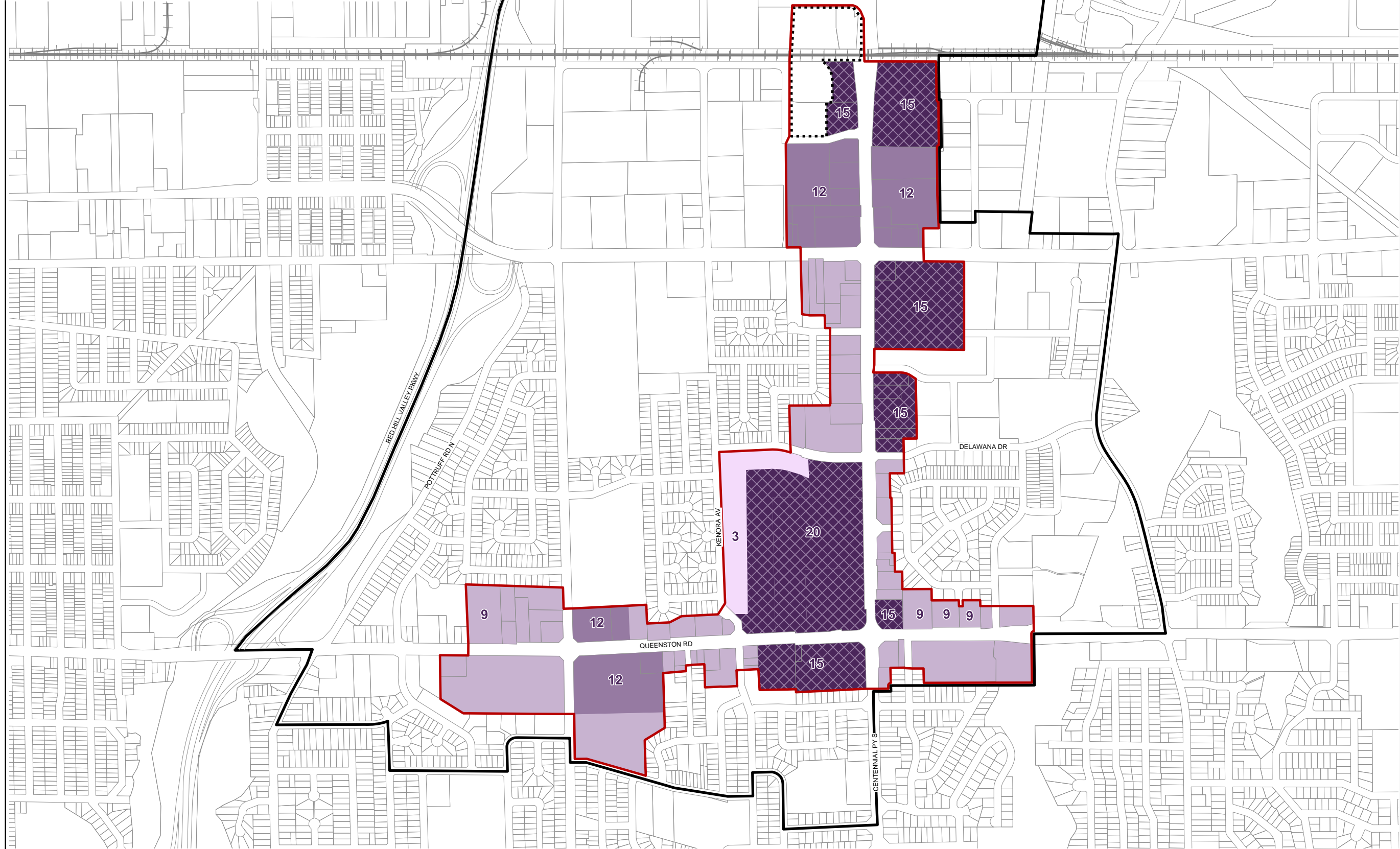
Centennial Neighbourhoods Secondary Plan  
 Maximum Building Heights in the Node Map B. 6. 7-2  
 to be added to the Urban Hamilton Official Plan

Date:  
 February 7, 2018

Revised By:  
 MP/NB

Reference File No.:  
 Centennial NBH

**Note:** Building Heights  
 outside of Node Boundary  
 shall be recognized as of  
 the date of this Plan.



**Legend**

- Max. 3 Storeys
- Max. 6-8 Storeys  
(9 where indicated)
- Max. 12 Storeys
- Greater than 12 Storeys
- Railways
- Commuter Bus and Rail Station
- Sub-Regional Service Node Boundary
- Secondary Plan Boundary

**Urban Hamilton Official Plan  
 Centennial Neighbourhoods  
 Secondary Plan**  
 Maximum Building Heights in the Node  
 Map B.6.7-2



Not To Scale





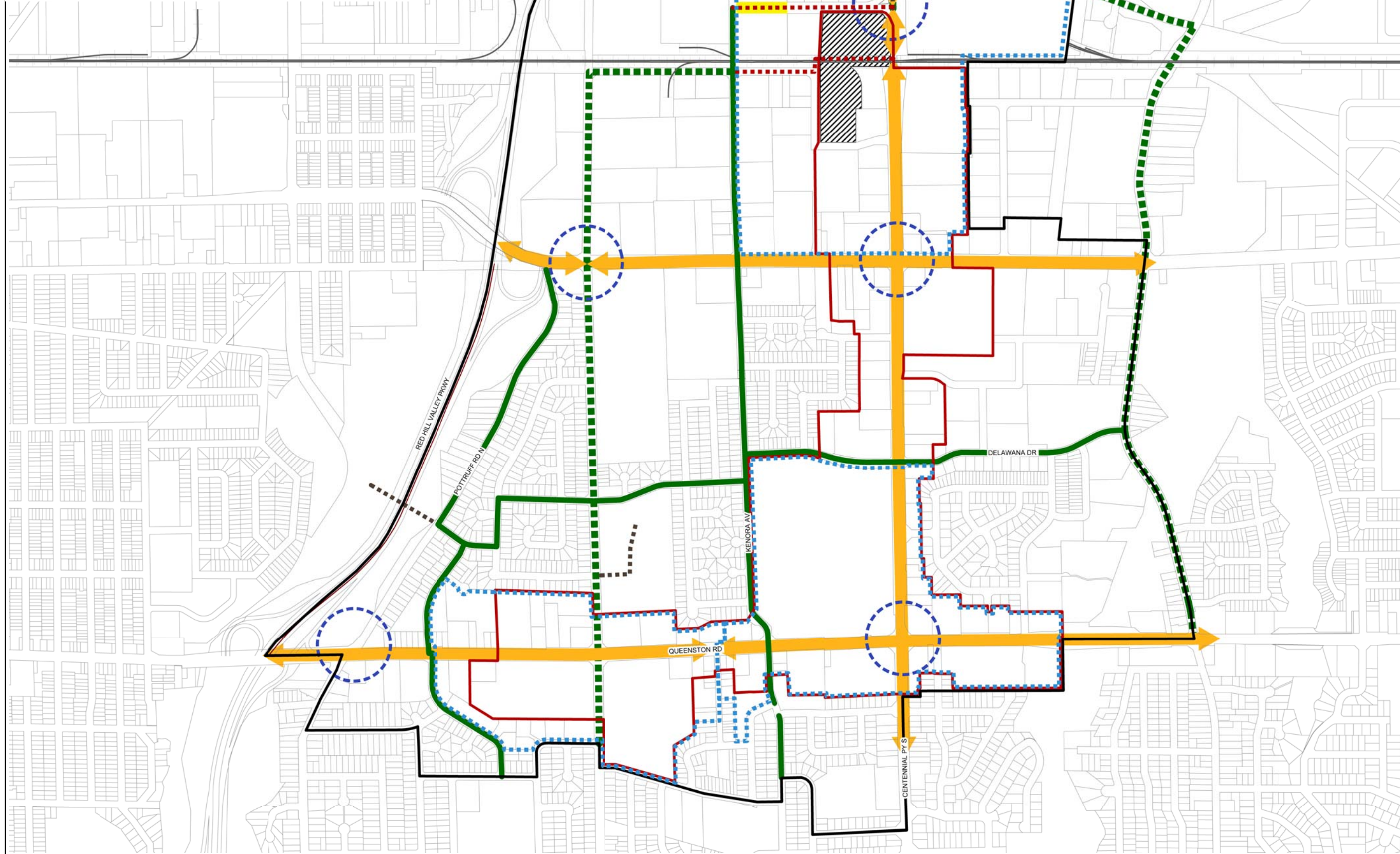
Appendix H  
 APPROVED Amendment No. 92  
 to the Urban Hamilton Official Plan

Centennial Neighbourhoods Secondary Plan  
 Transportation and Connections Map B. 6. 7-3  
 to be added to the Urban Hamilton Official Plan

Date:  
 February 7, 2018

Revised By:  
 MP/NB

Reference File No.:  
 Centennial NBH



**Legend**

- Proposed Trails
- Proposed Walking and Cycling Connection
- Higher Order Transit Station Area
- Neighbourhood Greenways
- Planned Cycling Infrastructure
- Proposed Road Extension
- Commuter Bus and Rail Station
- Higher Order Transit Station
- Streetscape Improvement Area
- Prominent Intersection
- Gateway Improvement Area
- Sub-Regional Service Node Boundary
- Railways
- Secondary Plan Boundary

**Urban Hamilton Official Plan**  
**Centennial Neighbourhoods**  
**Secondary Plan**  
 Transportation and Connections  
 Map B.6.7-3

Not To Scale

Date: August 2017

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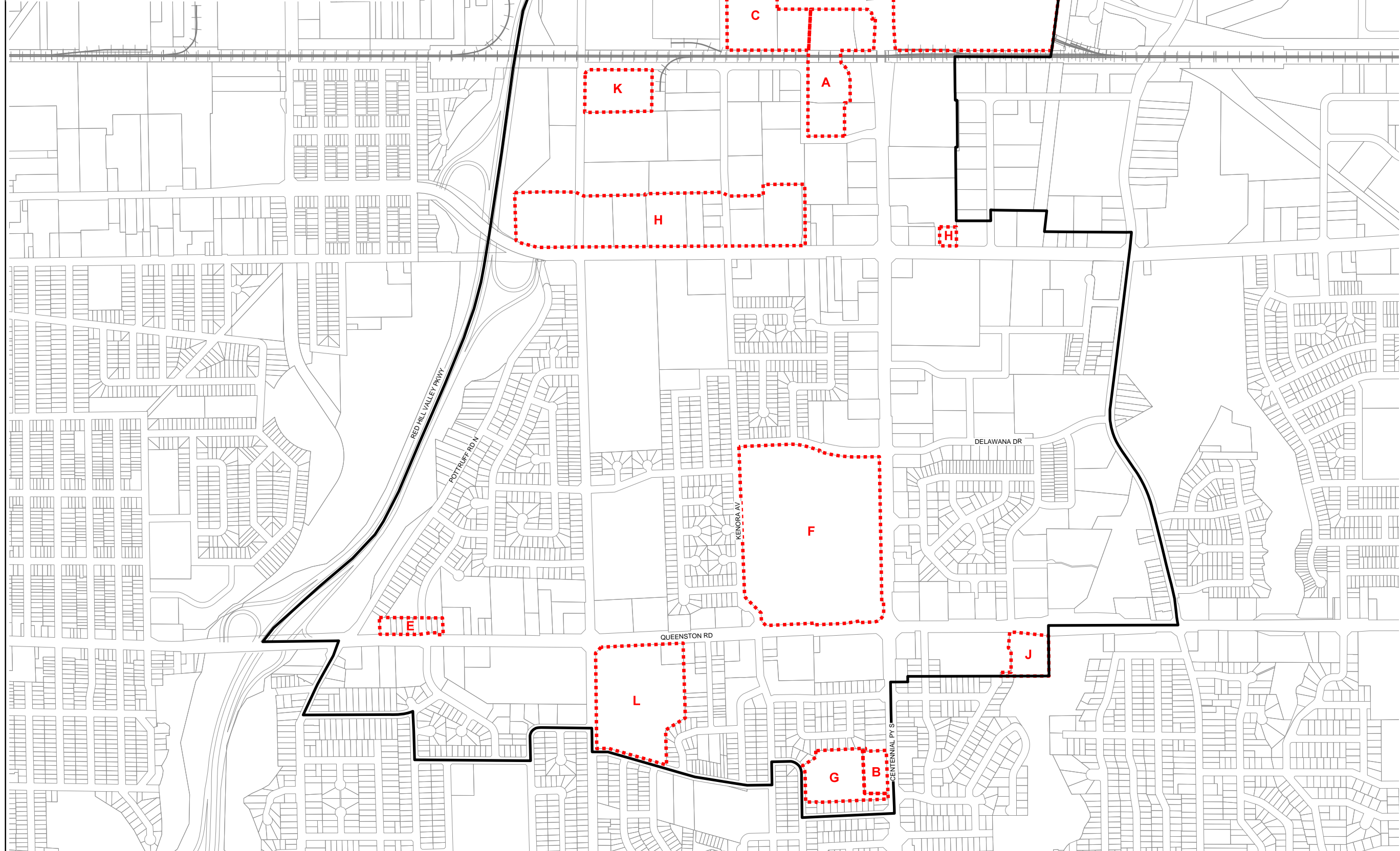
Appendix I  
 APPROVED Amendment No. 92  
 to the Urban Hamilton Official Plan

Centennial Neighbourhoods Secondary Plan  
 Site Specific Policy Areas Map B. 6. 7-4 to  
 be added to the Urban Hamilton Official Plan




Date:  
 February 7, 2018

Revised By:  
 MP/NB

Reference File No.:  
 Centennial NBH



**Legend**

-  Site Specific Policy Areas
-  Railways
-  Secondary Plan Boundary

**Urban Hamilton Official Plan**  
**Centennial Neighbourhoods**  
**Secondary Plan**  
 Site Specific Policy Areas  
 Map B.6.7-4



Not To Scale



Date: August 2017

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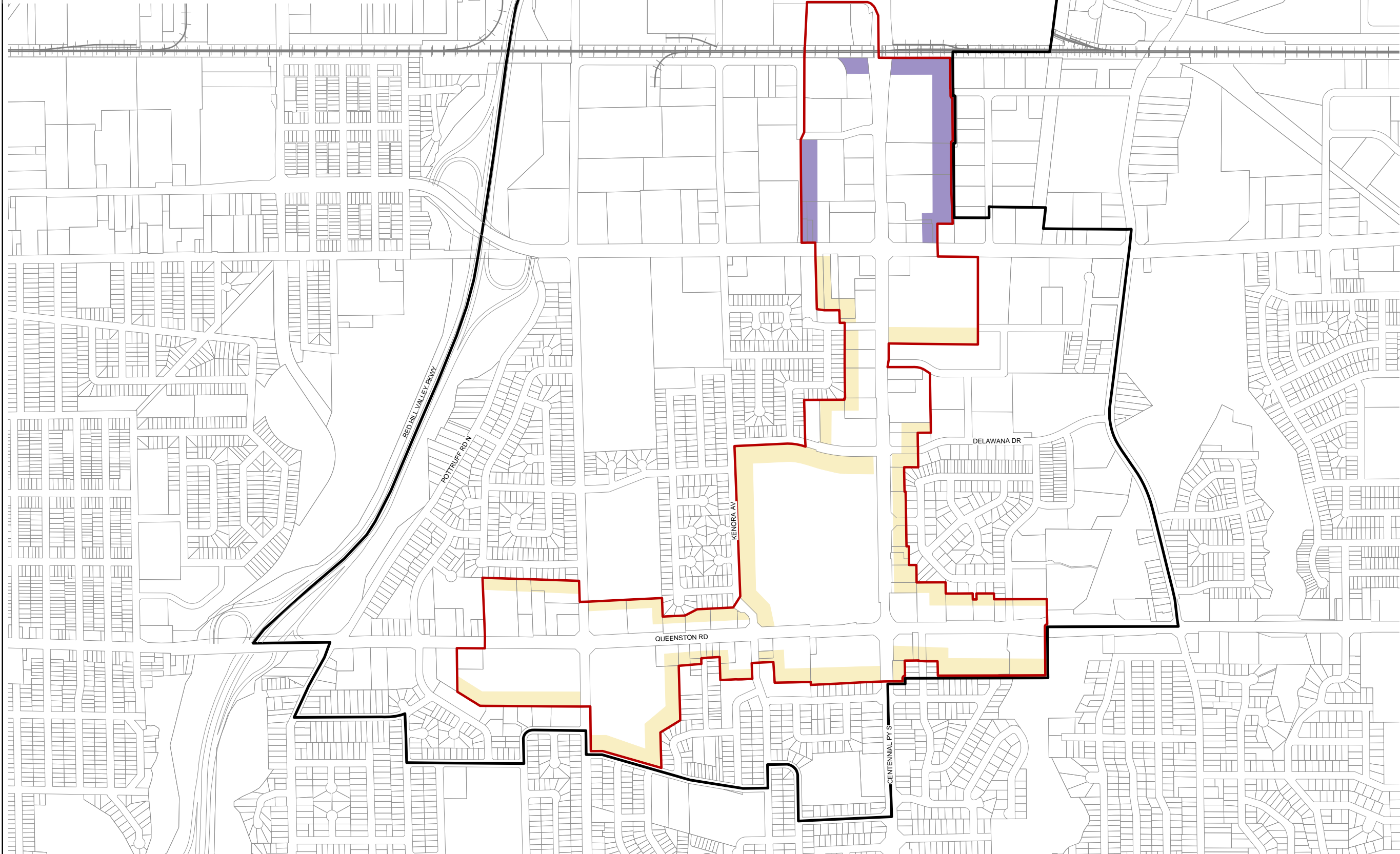
Appendix J  
APPROVED Amendment No. 92  
to the Urban Hamilton Official Plan

Centennial Neighbourhoods Secondary Plan  
Transition Areas Appendix A to be added  
to the Urban Hamilton Official Plan






Date:  
February 7, 2018

Revised By:  
MP/NB

Reference File No.:  
Centennial NBH



**Legend**

-  Industrial Transition Areas
-  Neighbourhood Transition Areas
-  Railways
-  Sub-Regional Service Node Boundary
-  Secondary Plan Boundary

**Urban Hamilton Official Plan**  
**Centennial Neighbourhoods**  
**Secondary Plan**  
Transition Areas  
Appendix A



Not To Scale


Date: August 2017



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Appendix K  
 APPROVED Amendment No. 92  
 to the Urban Hamilton Official Plan

















 Lands to be deleted from Old Town Secondary Plan and added to Centennial Neighbourhoods Secondary Plan

Date:  
 February 7, 2018

Revised By:  
 MP/NB

Reference File No.:  
 Centennial NBH

**Legend**

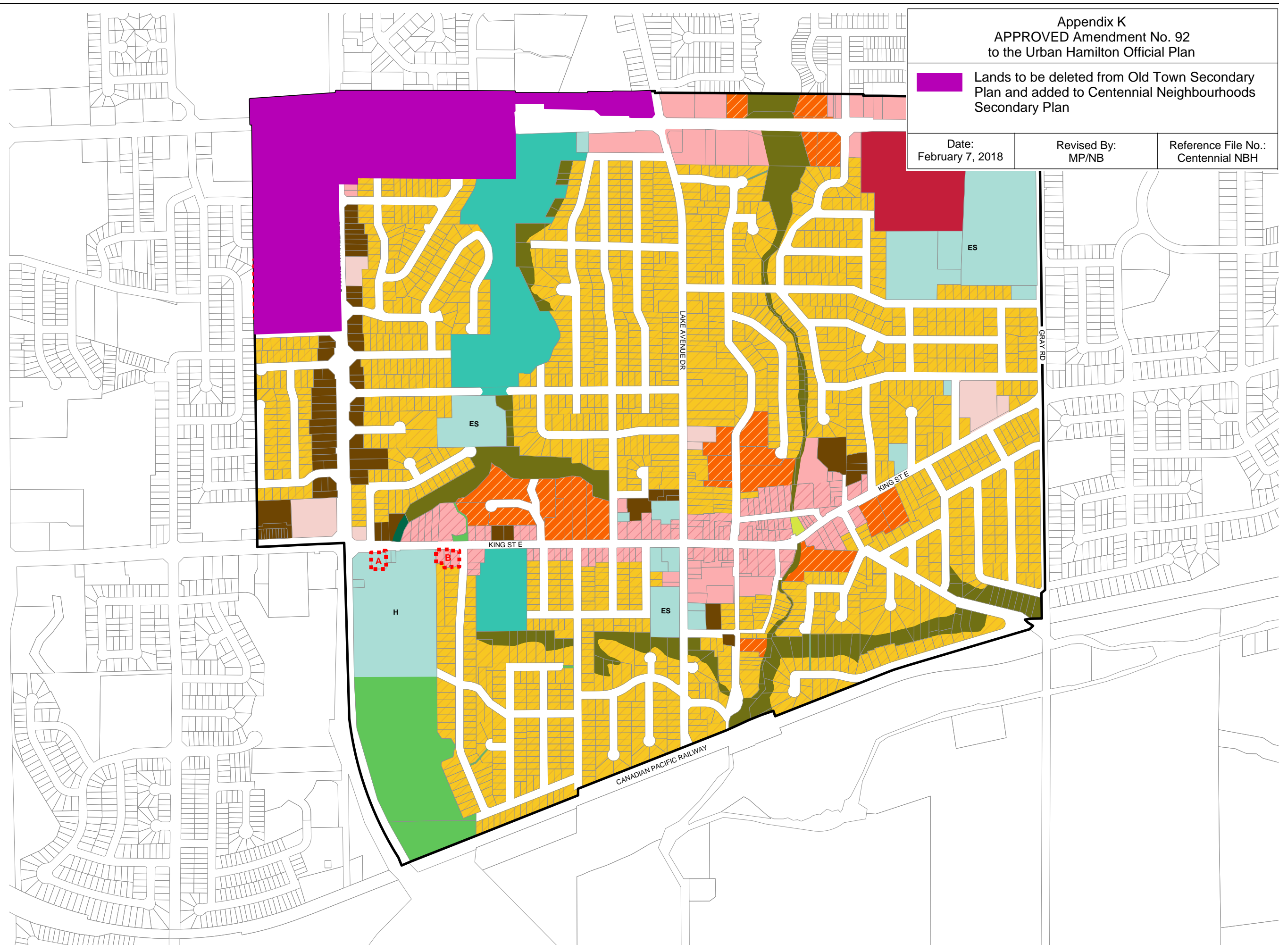
- Residential Designations**
-  Low Density Residential 2a
  -  Medium Density Residential 3
  -  High Density Residential 1
- Commercial and Mixed Use Designations**
-  Local Commercial
  -  Mixed Use - Medium Density
  -  Mixed Use - Medium Density - Pedestrian Predominant
  -  Mixed Use - High Density
  -  District Commercial
- Parks and Open Space Designations**
-  Parkette
  -  Neighbourhood Park
  -  Community Park
  -  General Open Space
  -  Natural Open Space
- Other Designations**
-  Institutional
  - ES** Elementary School
  - H** Historic Site
- Other Features**
-  Area or Site Specific Policy
  -  Secondary Plan Boundary

Council Adopted: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan**  
**Old Town**  
**Secondary Plan**  
 Land Use Plan  
 Map B.7.2-1



Date: Aug. 16, 2013  
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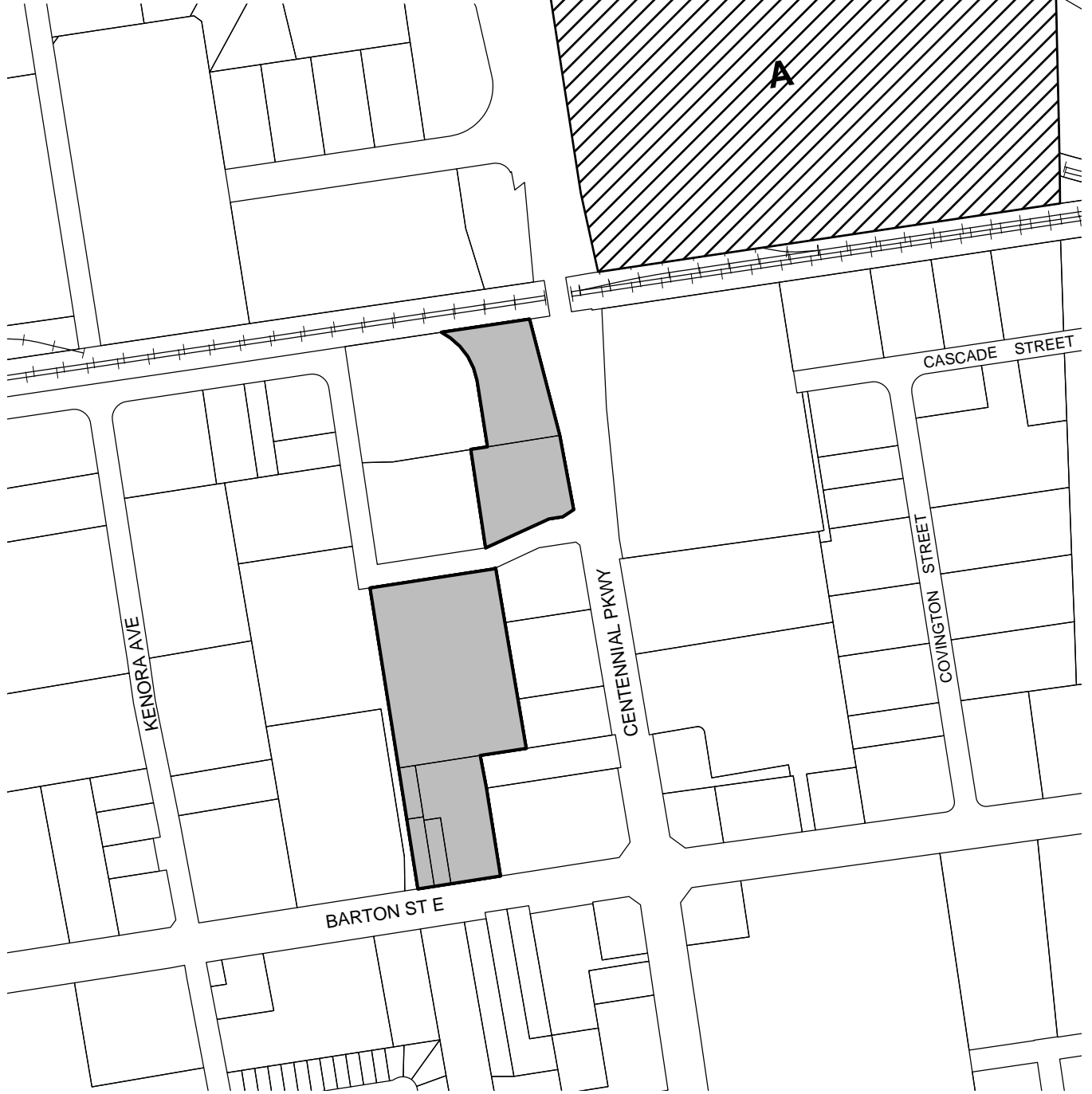
Appendix M  
 APPROVED Amendment No. 92  
 to the Urban Hamilton Official Plan

Map to be deleted from the  
 Urban Hamilton Official Plan



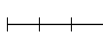
Date:  
 February 7, 2018

Revised By:  
 MP/NB

Reference File No.:  
 Centennial NBH



Legend

-  UH-1f
-  UHC-4
-  Railways

Council Adopted: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

Urban Hamilton Official Plan  
 Volume 3: Map H-4  
 Area Specific Policies



Not To Scale

Date: Aug. 16, 2013



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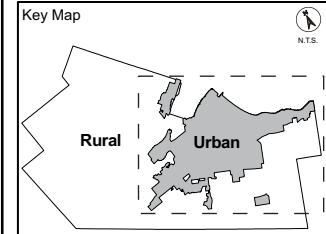
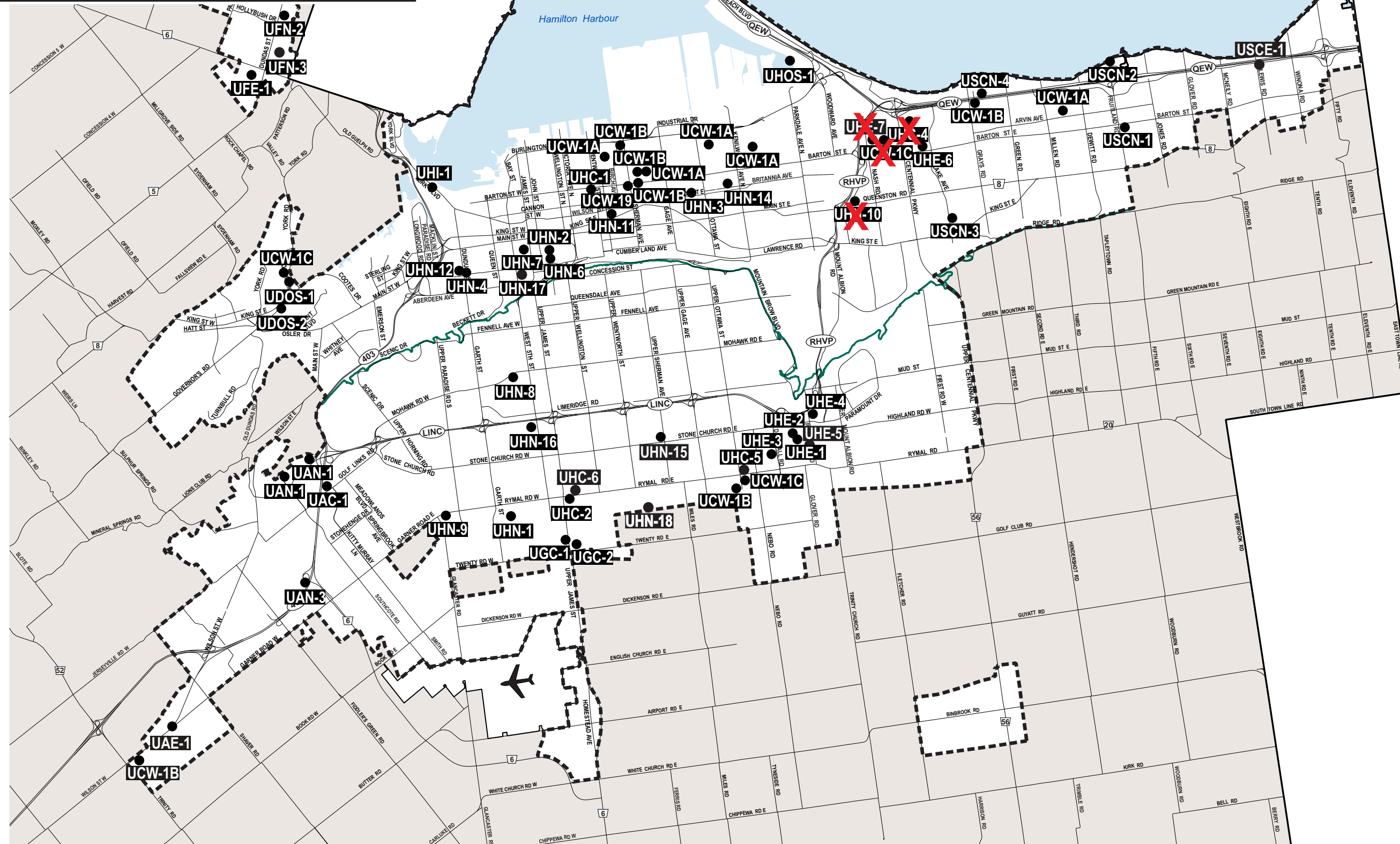
Appendix N  
 APPROVED Amendment No. 92  
 to the Urban Hamilton Official Plan

**X** Urban Site Specific Areas to be removed:  
 UHC-4  
 UCW-1C  
 UHN-10  
 UHE-7

Date:  
 February 7, 2018

Revised By:  
 PM/NB

Reference File No.:  
 Centennial NBH



Note: For Rural Site Specific Areas, refer to Volume 3: Appendix A of the Rural Hamilton Official Plan.

**APPEAL**

The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal – see illustration on Schedules E and E-1, Volume 1

**Legend**

- Site Specific Areas (SSA)
- U- Refers to Urban Site Specific Area #, Volume 3, Chapter B
- Other Features**
- Rural Area
- ✈ John C. Munro Hamilton International Airport
- Niagara Escarpment
- - - Urban Boundary
- Municipal Boundary

Council Adoption: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan**  
**Volume 3: Map 2**  
**Urban Site Specific Key Map**

Not To Scale

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**Authority:** Item 10, Planning Committee  
Report: 18-002 (PED18007)  
CM: February 14, 2018  
Ward: 1

**Bill No. 030**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

#### **To Amend Zoning By-law No. 6593 Respecting Lands Located at 347 Charlton Avenue West, Hamilton**

**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”;

**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”;

**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;

**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);

**WHEREAS** the Council of the City of Hamilton, in adopting Item 10 of Report 18-002 of the Planning Committee at its meeting held on the 14<sup>th</sup> day of February, 2018, which recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided; and

**WHEREAS** this By-law will be in conformity with the Urban Hamilton Official Plan approved August 16, 2013.

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

1. That Sheet No. W14 of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton), as amended, is further amended by changing from the “D” (Urban Protected Residential – One and Two Family Dwellings, etc.) District to the “DE/S-1753” (Low Density Multiple Dwelling) District, Modified on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.



2. That the “DE” (Low Density Multiple Dwelling) District provisions, as contained in Section 10A of Zoning By-law No. 6593, be modified with the following special requirements:
- (a) That in addition to Section 10A(1), of Zoning By-law No. 6593 a multiple dwelling shall be restricted to a maximum of six (6) dwelling units, and no dwelling unit shall be permitted in a basement or cellar.
  - (b) That Section 10A(1) (viii) shall not apply.
  - (c) That in addition to Section 10A(2), any ornamental and architectural elements shall not exceed 11.5 metres in height.
  - (d) That notwithstanding Section 10A(3)(i), a front yard depth of at least 0 metres.
  - (e) That notwithstanding Section 10A(3)(ii)(c), for a multiple dwelling, a side yard along each side lot line of a width of at least 2.0 metres.
  - (f) That notwithstanding Section 10A(4)(iii)(b), for a multiple dwelling consisting of more than four dwelling units and not more than six dwelling units, a width of at least 14.8 metres and an area of at least 85.8 square metres for each Class A dwelling unit.
  - (g) That notwithstanding Section 18(3)(vi)(d), a roofed-over or screened but otherwise unenclosed one-storey porch at the first storey level, including eaves and gutters, may project the full width of the front yard.
  - (h) That notwithstanding Section 18A(1)(a), a residential parking rate of 1.0 space per dwelling unit shall be provided.
  - (i) Section 18A(1)(b) shall not apply.
  - (j) Section 18A(1)(c) shall not apply.
  - (k) That notwithstanding Section 18A(7), every required parking space, other than a parallel parking space, shall have dimensions not less than 2.6 metres wide and 5.5 metres long.
  - (l) That notwithstanding Subsection 18A(11)(a), not less than 1.3 metres from an adjoining residential district boundary, except for a maximum 3.5 metre long portion along the easterly lot line which may be located less than 0.0 metres from a residential district boundary.
  - (m) That notwithstanding Section 18A(12)(a), for the parking area referred to in Section 2 (j) of this By-law, between the boundary of the parking area and the adjoining residential district an area landscaped with a planting strip shall not be required for a maximum 3.5 metre long portion along the easterly lot line.

- (n) That notwithstanding Subsection 18A(25), where a multiple dwelling is adjacent to a residential district that does not permit such uses, every access driveway to the multiple dwelling shall be located not less than 1.5 metres from the common boundary between the district in which multiple dwelling is located and the district that does not permit such uses.
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 "DE" (Low Density Multiple Dwelling) District, provisions, subject to the special requirements referred to in Section 2.
  4. That Sheet No. W14 of the District Maps is amended by marking the lands referred to in Section 1 of this By-law as "DE/S-1753".
  5. That By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1753.
  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** this 14<sup>th</sup> day of February, 2018.

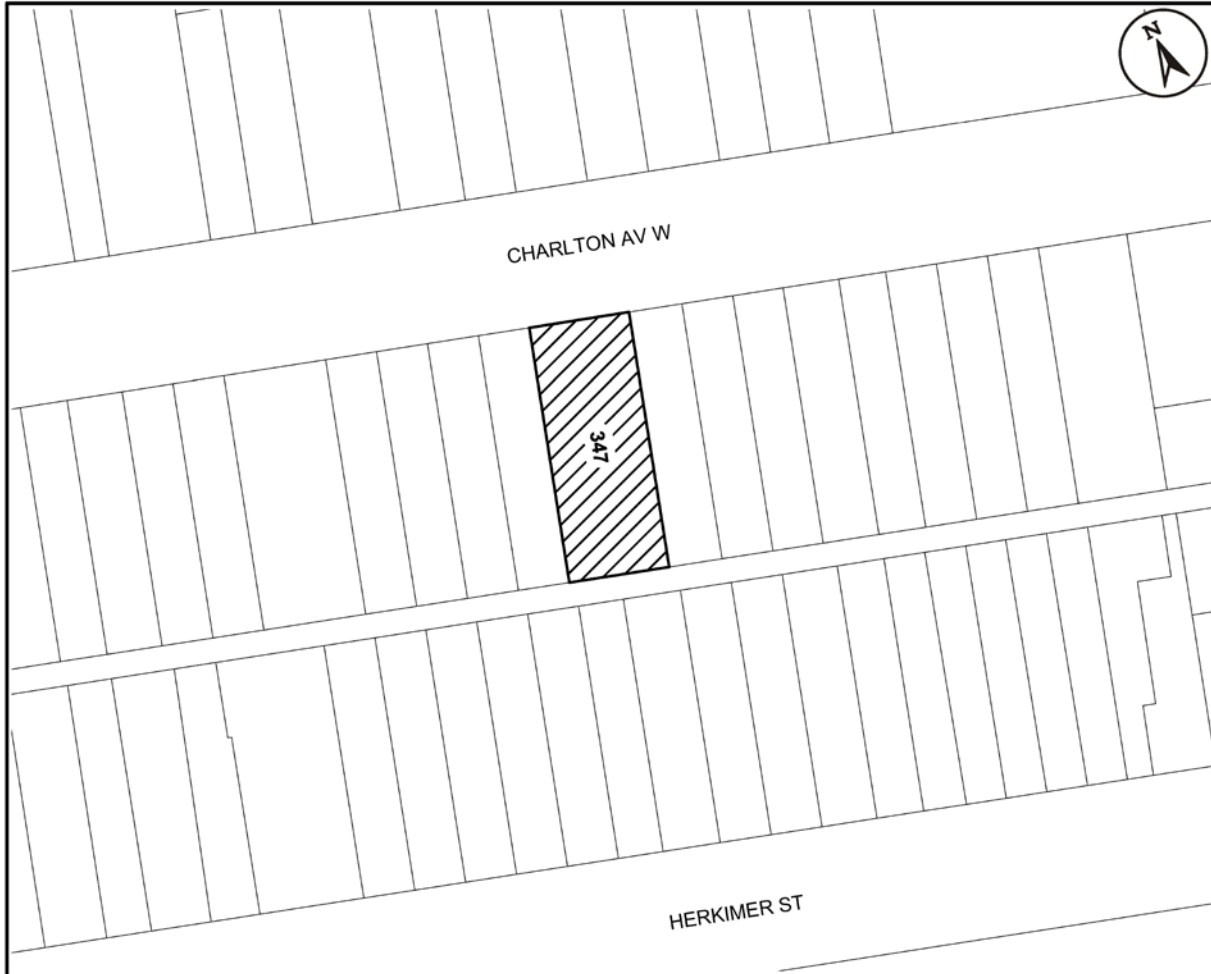
---

F. Eisenberger  
Mayor

---

R. Caterini  
City Clerk

ZAC-17-018



This is Schedule "A" to By-law No. 18-  Passed the ..... day of ....., 2018	----- Mayor  ----- Clerk
---	--------------------------------------

<h2 style="margin: 0;">Schedule "A"</h2>  <h3 style="margin: 0;">Map Forming Part of By-law No. 18-_____</h3>  <h3 style="margin: 0;">to Amend By-law No. 6593</h3>	<p><b>Subject Property</b>                  347 Charlton Avenue West</p> <p> Change in zoning from the "D" (Urban Protected Residential - One and Two Family Dwelling, etc.) District to the "DE/S-1753" (Low Density Multiple Dwelling) District, Modified</p>
---	---

Scale: N.T.S.	File Name/Number: ZAC-17-018	
Date: Dec. 12, 2017	Planner/Technician: DB/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

**Authority:** Item 17, Planning Committee  
Report: 18-002 (PED18012)  
CM: February 14, 2018  
Ward: 1, 3, 4, 5, 9

**Bill No. 031**

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

**To Adopt:**

**Official Plan Amendment No. 94 to the  
Urban Hamilton Official Plan**

Respecting:

**Text and Schedule/Mapping Amendment to Implement Transit Oriented Corridor  
Zoning for Wards 1, 3, 4, 5 and 9**

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

1. Amendment No. 94 to the Urban Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

**PASSED** this 14<sup>th</sup> day of February, 2018.

---

F. Eisenberger  
Mayor

---

R. Caterini  
City Clerk

# Urban Hamilton Official Plan Amendment No. 94

The following text, together with:

Appendix "A"	Volume 3, Map 1 – Area Specific Policies Key Map
Appendix "B"	Volume 3, Map H-12 – Area Specific Policies

attached hereto, constitutes Official Plan Amendment No. 94 to the Urban Hamilton Official Plan.

**1.0 Purpose and Effect:**

The purpose of this amendment is to extend the approved Area Specific Policy UH-6 in Volume 3 of the Urban Hamilton Official Plan to implement new Transit Oriented Corridor Zoning.

The effect of this amendment to the Urban Hamilton Official Plan is to prohibit certain uses that are not supportive of an LRT system.

**2.0 Location:**

The lands affected by this Amendment are located on Queenston Road between Jefferson Avenue and Reid Avenue.

**3.0 Basis:**

The basis for permitting this Amendment is as follows:

- The changes ensure the City’s planning documents:
  - support residential and commercial intensification;
  - do not impede the operation of the LRT system;
  - incorporate the appropriate built form and urban design regulations; and,

- o remove regulatory barriers for new investment and / or redevelopment opportunities in accordance with the City's Open for Business mandate; and,
- The Amendment is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe.

**4.0 Text and Schedule / Map Changes**

**4.1 Volume 3 – Special Policy Areas, Area Specific Policies and Site Specific Policies**

4.1.1 Text

- a) That Area Specific Policy UH-6 in Chapter B - Urban Area Specific Policies be amended by
  - i. deleting the title “Certain lands located on King Street between Victoria Street and the Delta and Queenston Road between the Delta and just west of Parkdale Avenue” and replacing it with “Certain lands located on King Street East between Victoria Avenue and the Delta, Main Street East between the Delta and the Queenston Traffic Circle, and Queenston Road between the Queenston Traffic Circle and Reid Avenue South”; and,
  - ii. deleting the text “certain lands located on King Street between Victoria Street and the Delta and Queenston Road between the Delta and just west of Parkdale Avenue, shown as Area Specific UH-6 on Maps H-9 to H-11” and replacing it with “Lands located on King Street East between Victoria Avenue and the Delta, Main Street East between the Delta and the Queenston Traffic Circle, and Queenston Road between the Queenston Traffic Circle and Reid Avenue South, shown as Area Specific UH-6 on Maps H-9 to H-12”;

so that the Policy reads as follows:

**"UH-6** Lands located on King Street East between Victoria Avenue and the Delta, Main Street East between the Delta and the Queenston Traffic Circle, and Queenston Road between the Queenston Traffic Circle and Reid Avenue South

**1.0** The following policies shall apply to lands located on King Street East between Victoria Avenue and the Delta, Main Street East between the Delta and the Queenston Traffic Circle, and Queenston Road between the Queenston Traffic Circle and Reid Avenue South, shown as Area Specific "UH-6" on Maps H-9 to H-12:"

4.1.2 Volume 3 Maps

- a) That Map 1 – Area Specific Policies Key Map be amended by identifying Area Specific Policy "UH-6", as shown on Appendix "A" of this amendment.
- b) That new Area Specific Policies Map H-12 be added to Chapter C - Urban Area Specific Policies, as shown on Appendix "B" of this amendment.

**5.0 Implementation:**

An implementing Zoning By-Law Amendment will give effect to this Amendment.


This is Schedule "1" to By-law No. 18-031 passed on the 14<sup>th</sup> of February, 2018.

**The  
City of Hamilton**

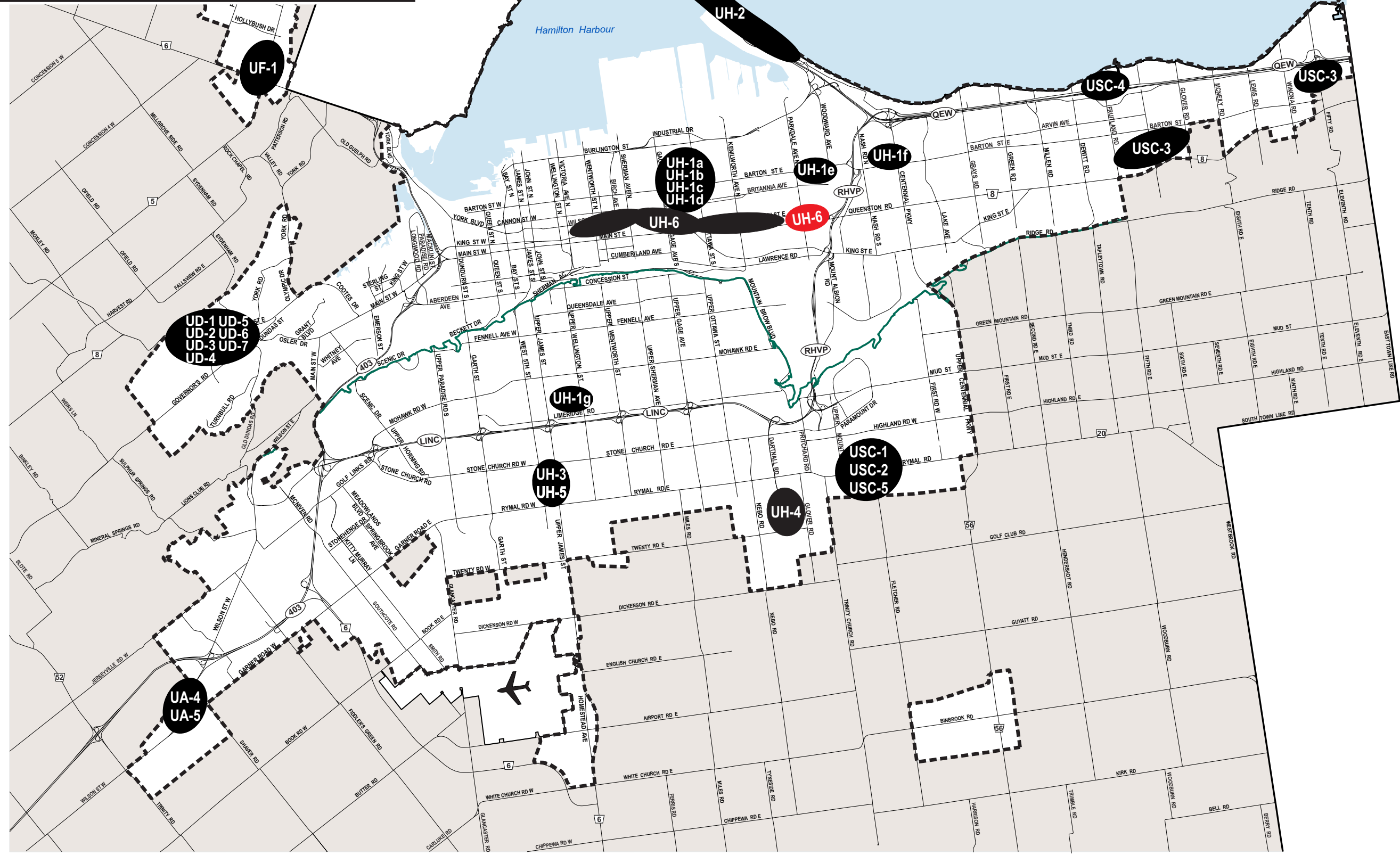
\_\_\_\_\_  
F. Eisenberger  
MAYOR

\_\_\_\_\_  
R. Caterini  
CITY CLERK

Appendix A  
 APPROVED Amendment No. 94  
 to the Urban Hamilton Official Plan

 Add UH-6 identifier to the map in accordance with Map H-12







Date: February 7, 2018	Revised By: MG/NB	Reference File No.: CI-17-B
---------------------------	----------------------	--------------------------------



**APPEAL**

The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal – see illustration on Schedules E and E-1, Volume 1

**Legend**

-  Refers to Urban Area Specific Policy Area #, Volume 3, Chapter B
- Other Features**
-  Rural Area
-  John C. Munro Hamilton International Airport
-  Niagara Escarpment
-  Urban Boundary
-  Municipal Boundary

Council Adoption: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan  
 Volume 3: Map 1  
 Area Specific Policies Key Map**

 Not To Scale

 Hamilton


Date: May 1, 2017

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

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Appendix B  
 APPROVED Amendment No. 94  
 to the Urban Hamilton Official Plan

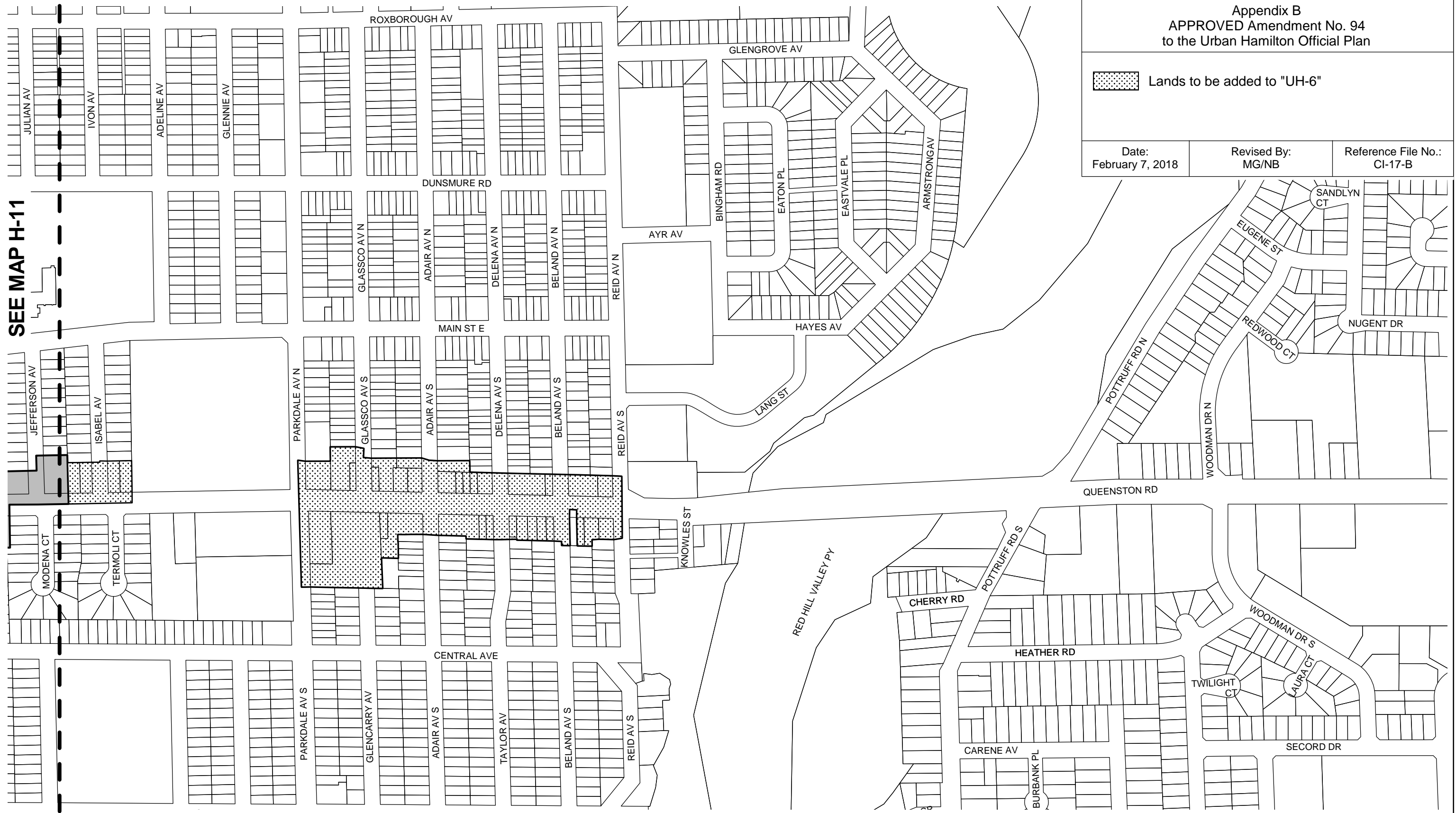
 Lands to be added to "UH-6"

Date:  
February 7, 2018

Revised By:  
MG/NB

Reference File No.:  
CI-17-B

SEE MAP H-11



Legend

 UH-6

Urban Hamilton Official Plan  
 Volume 3: Map H-12  
 Area Specific Policies



Not To Scale



Date: Sep. 6, 2017

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

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**Authority:** Item 17, Planning Committee  
Report 18-002 (PED18012)  
CM: February 14, 2018  
Ward: 1, 3, 4, 5, 9  
**Bill No. 032**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

#### **To Amend Zoning By-law No. 05-200 To Extend New Transit Oriented Corridor Zones between Jefferson Avenue (Hamilton) and Irene Avenue (Stoney Creek), Create One New Transit Oriented Corridor Zone, and Amend Existing Transit Oriented Corridor Zones**

**WHEREAS** the City of Hamilton has in force several Zoning By-laws which apply to different areas incorporated into the City by virtue of the *City of Hamilton Act, 1999*, S.O. 1999, Chap. 14;

**WHEREAS** the City of Hamilton is the lawful successor to the former Municipalities identified in Section 1.7 of By-law No. 05-200;

**WHEREAS** the first stage of the new Zoning By law, being By-law No. 05-200, came into force on the 25<sup>th</sup> day of May, 2005;

**WHEREAS** the Council of the City of Hamilton, in adopting Item 17 of Report PED18-002 of the Planning Committee, at its meeting held on the 14<sup>th</sup> day of February, 2018, which recommended that Zoning By-law No. 05-200 be amended as hereinafter provided; and,

**WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan, upon approval of Official Plan Amendment Nos. 92 and 94.

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

1. That SECTION 2: INTERPRETATION of By-law No. 05-200 is hereby amended as follows:
  - 1.1. That Section 2.1.g) be deleted and replaced as follows:

"g)	Transit Oriented Corridor Zones	
	Transit Oriented Corridor Mixed Use Medium Density	TOC1
	Transit Oriented Corridor Local Commercial	TOC2
	Transit Oriented Corridor Multiple Residential	TOC3
	Transit Oriented Corridor Mixed Use High Density	TOC4"

2. That SECTION 4: GENERAL PROVISIONS of By-law No. 05-200 is hereby amended as follows:

- 2.1. That Subsection 4.12 VACUUM CLAUSE be amended by deleting Subsection e) and replacing it with the following new clauses:

“e) Transit Oriented Corridor Zones

- i) Notwithstanding any other provisions of this By-law, any lot within the Transit Oriented Corridor Zones of this By-law, and the location thereon of any building or structure, existing on the effective date of this By-law, shall be deemed to comply with the regulations for any required setbacks, front yard, flankage yard, rear yard, lot width, lot area, and building height and are permitted by this By-law.
- ii) In addition to Subsection i), and notwithstanding Subsections 11.4.3 a) i), 11.4.3 d) i), and 11.4.3 g) ii) and iii), within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, an addition or alteration to an existing commercial building, to a maximum of 10% of the existing Gross Floor Area existing on the date of the passing of the By-law, shall be permitted.”

- 2.2. That Subsection 4.18 c) TEMPORARY USES be amended by deleting the word “or” after TOC2, and by adding the words “or TOC4” after the word TOC3, so that it reads as follows:

“Temporary retailing in a Downtown D1, D2, D3 or D4 Zone or in a Transit Oriented Corridor TOC1, TOC2, TOC3, or TOC4 Zone, or in a Commercial and Mixed use C1, C2, C3, C4, C5, C5a, C6, and C7 Zone in accordance with the following provisions:”

3. That SECTION 5: PARKING REGULATIONS of By-law No. 05-200 is hereby amended as follows:

- 3.1. That Subsection 5.6 h) be amended by deleting the word “and” after the word (TOC2), and by adding the words “and (TOC4)” after the word “(TOC3)”, so that it reads as follows:

“Notwithstanding Subsection e), for any use, except a Medical Clinic, within a Transit Oriented Corridor (TOC1), (TOC2), (TOC3) and (TOC4) Zone located in all or part of a building existing on the effective date of this By-law, no parking spaces are required, provided that the number of parking spaces which existed on the effective date of this By-law shall continue to be provided and maintained except a use shall not be required to provide additional parking beyond that which is required by Subsection 5.6.e) of this By-law. Where an addition, alteration or expansion of an existing building is proposed, the parking requirements of Subsection 5.6.e) shall only apply to the increased gross floor area of the building.”

- 3.2. That Subsection 5.7 e) be amended by deleting the word “and” after the word (TOC2), and by adding the words “and (TOC4)” after the word “(TOC3)”, so that it reads as follows:

“Notwithstanding Subsection b) and in addition to Subsection c), in the Transit Oriented Corridor (TOC1), (TOC2), (TOC3), and (TOC4) Zones, long-term bicycle parking shall be provided in the minimum quantity specified in accordance with the following requirements:”

- 3.3. That Subsection 5.7 f) be amended by deleting the word “above” after the words “Section c) and e), deleting the word “a” after the word “within” and before the word “the”, and by deleting the words “(TOC1), (TOC2) and (TOC3) before the word “Zones” so that it reads as follows:

“Notwithstanding Subsections c) and e), for any use within the Transit Oriented Corridor Zones or the Commercial and Mixed Use Zones, located in all or part of a building existing on the effective date of this By-law, no bicycle parking spaces are required, provided that the number of bicycle parking spaces which existed on the effective date of this By-law shall continue to be provided and maintained except a use shall not be required to provide additional bicycle parking beyond that which is required by Subsection c) and e) of this By-law. Where an addition, alteration or expansion of an existing building is proposed, the bicycle parking requirements of Subsections c) and e) shall only apply to the increased gross floor area of the building.”

- 3.4. That Subsection 5.6 c) iv. be amended by adding the following new regulation for “Shopping Centre” so that it reads as follows:

Shopping Centre (Transit Oriented Corridor Zones)	i)	0 for less than 450.0 square metres of gross floor area;
	ii)	1 for each 17.0 square metres of gross floor area between 450.0 square metres and 4,000.0 square metres; and,
	iii)	1 for each 50.0 square metres of gross floor area greater than 4,000.0 square metres.

4. That SECTION 11: TRANSIT ORIENTED CORRIDOR ZONES be amended by:

- 4.1. That the title of SECTION 11.1 be amended by deleting “11.1 MIXED USE (TOC1) ZONE” and replacing it with “11.1 TRANSIT ORIENTED CORRIDOR MIXED USE MEDIUM DENSITY (TOC1) ZONE”;
- 4.2. That Subsection 11.1.1 be amended by deleting the word “Studio” and replacing it with “Artist Studio”;
- 4.3. That Subsection 11.1.1 be amended by adding the following new permitted uses:  
  
“Communications Establishment  
Performing Arts Theatre”
- 4.4. That Subsection 11.1 be amended by adding the following new Subsection:

**“11.1.1.1 RESTRICTED USES**

In addition to Subsection 11.1.1, the following use shall be permitted in accordance with the following restrictions:

- i) Restriction of Uses within a building:
  1. The finished floor elevation of any dwelling unit shall be a minimum of 0.9 metres above grade; and,
  2. Notwithstanding Subsection 11.1.1.1 i) 1., a minimum of one dwelling unit shall be permitted in a basement or cellar.
- ii) Residential Care Facility:
  1. Maximum Capacity for Residential Care Facility is 20 residents.
- iii) Emergency Shelter:
  1. Maximum Capacity for Emergency Shelter is 50 residents.
- iv) Emergency Shelter and Residential Care Facility:
  1. Except as provided for in Subsection 2, every Emergency Shelter and

Residential Care Facility shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by a Residential Care Facility, Emergency Shelter, Corrections Residence, or Correctional Facility.

2. Where the radial separation distance from the lot line of an Emergency Shelter or Residential Care Facility existing on the date of passing of this By-law is less than 300 metres to the lot line of any other lot occupied by an existing Residential Care Facility, Emergency Shelter, Corrections Residence, or Correctional Facility, either of the existing Residential Care Facility or Emergency Shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.”
- 4.5. That Subsection 11.1.3 a) iii) be amended by deleting the word “maximum” between the words “a” and “setback” and replacing it with “minimum”;
  - 4.6. That Subsection 11.1.3 a) v) be deleted;
  - 4.7. That Subsection 11.1.3 c) i) be amended by adding the words “or lot containing a residential use” after the words “Institutional Zone”;
  - 4.8. That Subsection 11.1.3 c) ii) be deleted;
  - 4.9. That Subsection 11.1.3 d) be amended by adding the following new subsection:
    - “iv) In addition to the definition of Building Height, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations:

- A. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not exceed 10% of the floor area of the storey directly beneath;
- B. The wholly enclosed or partially enclosed amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of 3.0 metres from the exterior walls of the storey directly beneath; and,
- C. The wholly enclosed or partially enclosed amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 3.0 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.”

4.10. That Subsection 11.1.3 g) ii) and iii) be deleted and replaced with the following regulations:

- “ii) For an interior lot or a through lot the minimum width of the ground floor façade facing the front lot line shall be greater than or equal to 75% of the measurement of the front lot line.
- iii) For a corner lot the minimum combined width of the ground floor façade facing the front lot line and flankage lot line shall be greater than or equal to 50% of the measurement of all lot lines abutting the street.”

4.11. That Subsection 11.1.3 g) be amended by adding the following new regulation:

- “iv) In addition to Subsection 11.1.3 g) ii) and iii), the minimum width of the ground floor façade facing the front and flankage lot lines shall exclude access driveways and any required yards within a lot line abutting a street.”

4.12. That Subsections 11.1.3 g) iv), v), vi) and vii) be renumbered to 11.1.3 g) v), vi), vii) and viii) respectively.

4.13. That Subsection 11.1.3 g) be amended by adding the following new regulation:

“ix) Notwithstanding Subsection 11.1.3, for properties designated under the Ontario Heritage Act, any alternative building design or building materials approved through the issuance of a Heritage Permit shall be deemed to comply with this Subsection.”

4.14. That Subsection 11.1.3 h) be deleted and replaced with the following new regulations:

“h) Minimum Amenity Area for Dwelling Units and Multiple Dwellings

On a lot containing more than 10 dwelling units, the following Minimum Amenity Area requirements shall be provided:

- i) An area of 4.0 square metres for each dwelling unit less than 50 square metres;
- ii) An area of 6.0 square metres for each dwelling unit more than 50 square metres;
- iii) In addition to the definition of Amenity Area, an Amenity Area located outdoors shall be unobstructed and shall be at or above the surface, and exposed to light and air and may include balconies and patios; and,
- iv) In addition to the definition of Amenity Area, the required Amenity Area shall be provided exclusively for the residential component and shall be functionally separated from public areas associated with any commercial component.”

4.15. That Subsections 11.1.3 k), l) and m) be deleted.

4.16. That SECTION 11.1 be amended by adding the following new subsection as Section 11.1.4 as follows:



**“11.1.4 SINGLE DETACHED, SEMI-DETACHED AND DUPLEX DWELLINGS EXISTING AT THE DATE OF THE PASSING OF THE BY-LAW (February 14, 2018)**

In addition to Subsection 4.12 f) and in accordance with subsection 34(10) of the Planning Act, R.S.O.,1990, c.P.13, an addition or alteration to a single detached or duplex dwelling not permitted by the by-law but existing at the date of the passing of the by-law that increases the volume or size of the interior of the building shall be permitted as follows:

- i) The increase shall not exceed a maximum of 10% of the Gross Floor Area of the building existing at the date of the passing of the by-law;
- ii) Subsection 11.1.3 d) i) shall not apply; and,
- iii) The existing side yard setbacks are maintained for the addition.”

4.17. That Subsections 11.1.4 Parking, 11.1.5 Accessory Buildings, 11.1.6 Urban Farmers Market, and 11.1.7 Regulations for Community Gardens and Urban Farms as Accessory Uses be renumbered to 11.1.5 Parking, 11.1.6 Accessory Buildings, 11.1.7 Urban Farmers Market, and 11.1.8 Regulations for Community Gardens and Urban Farms as Accessory Uses;

4.18. That the title of SECTION 11.2 be amended by deleting “11.2 LOCAL COMMERCIAL (TOC2) ZONE” and replacing it with “11.2 TRANSIT ORIENTED CORRIDOR LOCAL COMMERCIAL (TOC2) ZONE”;

4.19. That Subsection 11.2.1 be amended by adding the following new permitted uses in alphabetical order to the existing permitted uses:

“Artist Studio  
Communications Establishment  
Dwelling Unit in Conjunction with a Commercial Use  
Performing Arts Theatre”

4.20. That Subsection 11.2.1 be amended by deleting the following permitted uses:

“Dwelling Unit(s)  
Multiple Dwelling

Studio”

4.21. That Subsection 11.2 be amended by adding the following new Subsection:

**“11.2.1.1 RESTRICTED USES** In addition to Subsection 11.2.1, the following use shall be permitted in accordance with the following restrictions:

i) Uses Permitted Above the Ground Floor:

1. Notwithstanding Subsection 11.2.1, a Dwelling Unit(s) in Conjunction with a Commercial Use shall only be permitted above the ground floor.”

4.22. That Subsection 11.2.3 h) be deleted.

4.23. That Subsections 11.2.3 i) and j) be renumbered to Subsections 11.2.3 h) and i) respectively.

4.24. That the title of SECTION 11.3 be amended by deleting “11.3 MULTIPLE RESIDENTIAL (TOC3) ZONE” and replacing it with “11.3 TRANSIT ORIENTED CORRIDOR MULTIPLE RESIDENTIAL (TOC3) ZONE”;

4.25. That Subsection 11.3.1 be amended by:

- i) deleting the phrase “Existing uses shall also be permitted within the existing building”; and,
- ii) adding the following commercial uses in alphabetical order to the existing permitted uses:

“Artist Studio  
Catering Service  
Commercial School  
Communications Establishment  
Craftsperson Shop  
Day Nursery  
Financial Establishment  
Office  
Performing Arts Theatre  
Personal Services  
Repair Service  
Restaurant  
Retail

Tradesperson's Shop"

4.26. That Subsection 11.3 be amended by adding the following new Subsection

**"11.3.1.1 RESTRICTED USES** In addition to Subsection 11.3.1, the following use shall be permitted in accordance with the following restrictions:

- i) Restriction of Uses within a building:
  - 1. The finished floor elevation of any dwelling unit shall be a minimum of 0.9 metres above grade; and,
  - 2. Notwithstanding Subsection 11.3.1.1 i) 1., a minimum of one dwelling unit shall be permitted in a basement or cellar.
- ii) Residential Care Facility and Emergency Shelter:
  - 1. Maximum Capacity for Residential Care Facility is 20 residents.
- iv) Emergency Shelter and Residential Care Facility:
  - 1. Except as provided for in Subsection 2, every Emergency Shelter and Residential Care Facility shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by a Residential Care Facility, Emergency Shelter, Corrections Residence, or Correctional Facility.
  - 2. Where the radial separation distance from the lot line of an Emergency Shelter or Residential Care Facility existing on the date of passing of this By-law is less than 300 metres to the lot line of any other lot occupied by an existing Residential Care Facility, Emergency Shelter, Corrections

Residence, or Correctional Facility, either of the existing Residential Care Facility or Emergency Shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in which it is located.”

4.27. That Subsection 11.3.2 a) iii) be amended by deleting the word “maximum” between the words “a” and “setback” and replacing it with “minimum”;

4.28. That Subsection 11.3.3 c) ii) be amended by renumbering it to 11.3.3 c) iii) and deleting the word “maximum” between the words “a” and “setback” and replacing it with “minimum” so that it reads as follows:

“iii) Notwithstanding ii), minimum 6.0 metres for that portion of a building providing an access driveway to a garage.”

4.29. That Subsection 11.3.2 e) be amended by deleting the words “with the exception of TOC3 Zone” after “Institutional Zone” and before “to a maximum of 22.0 metres” and by adding the following new subsection:

“iv) In addition to the definition of Building Height, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations:

A. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not exceed 10% of the floor area of the storey directly beneath;

B. The wholly enclosed or partially enclosed amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of 3.0 metres from the exterior walls of the storey directly beneath; and,

C. The wholly enclosed or partially enclosed amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 3.0 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.”

4.30. That Subsection 11.3.2 f) ii) and iii) be deleted and replaced with the following regulations:

- “ii) For an interior lot or a through lot the minimum width of the ground floor façade facing the front lot line shall be greater than or equal to 50% of the measurement of the front lot line.
- iii) For a corner lot the minimum combined width of the ground floor façade facing the front lot line and flankage lot line shall be greater than or equal to 30% of the measurement of all lot lines abutting the street.”

4.31. That Subsection 11.3.2 f) be amended by adding the following new regulation:

- “iv) In addition to Subsection 11.3.2 f) ii) and iii), the minimum width of the ground floor façade facing the front and flankage lot lines shall exclude access driveways and any required yards within a lot line abutting a street.”

4.32. That Subsections 11.3.2 f) iv), v) and vi) be renumbered to 11.3.2 f) v), vi) and vii) respectively.

4.33. That Subsection 11.3.2 h) be deleted and replaced with the following new regulations:

- “h) Minimum Amenity Area for Dwelling Units and Multiple Dwellings
  - On a lot containing more than 10 dwelling units, the following Minimum Amenity Area requirements shall be provided:
    - i) An area of 4.0 square metres for each dwelling unit less than 50 square metres;
    - ii) An area of 6.0 square metres for each dwelling unit more than 50 square metres;
    - iii) In addition to the definition of Amenity Area, an Amenity Area located outdoors shall be unobstructed and shall be at or above the surface, and exposed to light and air and may include balconies and patios; and,
    - iv) In addition to the definition of Amenity Area, the required Amenity Area shall be provided exclusively for the residential component and

shall be functionally separated from public areas associated with any commercial component.”

4.34. That Subsections 11.3.2 j) and k) be deleted.

4.35. That SECTION 11.3 MULTIPLE RESIDENTIAL (TOC3) ZONE be amended by adding the following new subsections as SECTIONS 11.3.4 and 11.3.5 and renumbering the subsequent Subsections:

**“11.3.4 SINGLE DETACHED, SEMI-DETACHED AND DUPLEX DWELLINGS EXISTING AT THE DATE OF THE PASSING OF THE BY-LAW (February 14, 2018)**

In addition to Subsection 4.12 f), an addition or alteration to a single detached or duplex dwelling not permitted by the by-law but existing at the date of the passing of the by-law that increases the volume or size of the interior of the building shall be permitted as follows:

- i) The increase shall not exceed a maximum of 10% of the Gross Floor Area of the building existing at the date of the passing of the by-law;
- ii) Subsection 11.3.3 e) i) shall not apply; and,
- iii) The existing side yard setbacks are maintained for the addition.

**11.3.5 COMMERCIAL USES IN COMMERCIAL BUILDINGS EXISTING AT THE DATE OF THE PASSING OF THE BY-LAW (February 14, 2018)**

Commercial uses that were legally established within buildings existing at the date of the passing of the by-law may convert to any commercial use permitted in Subsection 11.3.1.”

4.36 That SECTION 11: TRANSIT ORIENTED CORRIDOR ZONES is amended by including the following new subsections:

## **“11.4 TRANSIT ORIENTED CORRIDOR MIXED USE HIGH DENSITY (TOC4) ZONE”**

***Explanatory Note:*** *The TOC4 Zone is applied within the Centennial Sub-Regional Service Node, along the major arterial road that functions as a higher order transit corridor. The Zone provides for a mixture of service commercial and retail uses intended to serve a regional market and the day-to-day needs of residents in the immediate area. The intent of the built form requirements is to create a people place through the design and physical arrangement of service commercial, retail and high density residential uses to facilitate the function of the area as a major transit hub.*

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a Transit Oriented Corridor Mixed Use High Density (TOC4) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

### **11.4.1 PERMITTED USES**

- Artist Studio
- Beverage Making Establishment
- Catering Service
- Commercial Entertainment
- Commercial Recreation
- Commercial School
- Communications Establishment
- Craftsperson Shop
- Day Nursery
- Dwelling Unit(s) in conjunction with a Commercial Use
- Financial Establishment
- Hotel
- Laboratory
- Long Term Care Facility
- Medical Clinic
- Microbrewery
- Office
- Performing Arts Theatre
- Personal Services
- Place of Assembly
- Place of Worship
- Repair Service
- Restaurant
- Retail
- Retirement Home
- Social Services Establishment
- Tradesperson’s Shop
- Urban Farmers Market
- Veterinary Service

- 11.4.1.1 RESTRICTED USES**
- i) In addition to Subsection 11.4.1, the following use shall be permitted in accordance with the following restrictions:
1. Restriction of Uses within a Building
    - A. Notwithstanding Subsection 11.4.1, a Dwelling Unit(s) in conjunction with a Commercial Use shall only be permitted above the ground floor.
- 11.4.2 PROHIBITED USES**
- i) Notwithstanding Subsection 11.4.1, the following uses are prohibited, even as an accessory use:
- Drive-Through Facility
  - Motor Vehicle Dealership
  - Motor Vehicle Gas Bar
  - Motor Vehicle Rental Establishment
  - Motor Vehicle Service Station
  - Motor Vehicle Washing Establishment
- ii) Notwithstanding Subsection 11.4.1, the following use is prohibited, except if considered an accessory use to another permitted use:
- Garden Centre
- 11.4.3 REGULATIONS**
- a) Building Setback from a Street Line
- i) Maximum 3.0 metres, except where a visibility triangle is required for a driveway access.
  - ii) Notwithstanding Subsection i), a minimum setback of 6.0 metres for that portion of a building providing an access driveway to a garage.
  - iii) Where a building(s) exists and complies with Subsection 11.4.3 g) ii) and iii), additional building(s) constructed on the lot shall not be subject to Subsection 11.4.3 a) i) and ii) as it relates to the setback from a lot line.



- b) Minimum Rear Yard 7.5 metres.
- c) Minimum Interior Side Yard 7.5 metres abutting a Residential Zone or Institutional Zone.
- d) Building Height
  - i) Minimum 11.0 metres;
  - ii) Maximum 40.0 metres;
  - iii) In addition to Subsection 11.4.3 d) i) and notwithstanding Subsection 11.4.3 d) ii), any building height above 11.0 metres may be equivalently increased as the yard increases beyond the minimum yard requirement established in Subsection 11.4.3 b) and c) when abutting a Residential or Institutional Zone, to a maximum building height of 22.0 metres;
  - iv) Any portion of a building above 22.0 metres in height, to a maximum of 40.0 metres, shall be setback a minimum of 29.5 metres from the rear or interior side lot line when abutting a Residential or Institutional Zone;
  - v) In addition to the definition of Building Height, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations:
    - A. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not exceed 10% of the floor area of the storey directly beneath;
    - B. The wholly enclosed or partially enclosed amenity area, or portion of a building designed to provide

access to a rooftop amenity area shall be setback a minimum of 3.0 metres from the exterior walls of the storey directly beneath; and,

- C. The wholly enclosed or partially enclosed amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 3.0 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.
- e) Maximum Gross Floor Area for Microbrewery 700.0 square metres.
- f) Maximum Gross Floor Area for an Office Building 10,000.0 square metres.
- g) Built Form for New Development In the case of buildings constructed after the effective date of this by-law or additions to buildings existing as of the effective date of this by-law:
- i) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street.
  - ii) For an interior lot or a through lot, the minimum width of the ground floor façade facing the front lot line shall be greater than or equal to 75% of the measurement of the front lot line.
  - iii) For a corner lot, the minimum combined width of the ground floor façade facing the front lot line and flankage lot line shall be greater than or equal to 75% of the measurement of all lot lines abutting a street.
  - iv) In addition to Subsection 11.4.3 g) ii) and iii), the minimum width of the ground floor façade facing the front lot line shall exclude access driveways and required yards along a lot line abutting a

street.

- v) No parking, stacking lanes, or aisles shall be located between the required building façade and the front lot line or flankage lot line.
  - vi) A minimum of one principal entrance shall be provided:
    - 1. within the ground floor façade that is setback closest to the street; and,
    - 2. shall be accessible from the building façade with direct access from the public sidewalk.
  - vii) Notwithstanding the definition of planting strip, a sidewalk shall be permitted where required by Subsection vi).
  - viii) For commercial development existing at the time of passing of this by-law, Subsections 11.4.3 g) ii) and iii) shall not apply to new commercial buildings subject to the following:
    - 1. The maximum Gross Floor Area of each building shall be 650 square metres; and,
    - 2. Notwithstanding Subsection 11.4.3 d) i), the minimum Building Height shall be 4.5 metres.
  - ix) Notwithstanding Subsection 11.4.3, for properties designated under the Ontario Heritage Act, any alternative building design or building materials approved through the issuance of a Heritage Permit shall be deemed to comply with this Section.
  - x) The first storey shall have a minimum height of 3.6 metres and a maximum height of 4.5 metres.
- h) Minimum Amenity Area for Dwelling Units in Conjunction with a Commercial
- On a lot containing more than 10 dwelling units, the following Minimum Amenity Area requirements shall be provided:

Use

- i) An area of 4.0 square metres for each dwelling unit less than 50 square metres;
  - ii) An area of 6.0 square metres for each dwelling unit more than 50 square metres;
  - iii) In addition to the definition of Amenity Area, an Amenity Area located outdoors shall be unobstructed and shall be at or above the surface, and exposed to light and air and may include balconies and patios; and,
  - iv) In addition to the definition of Amenity Area, the required Amenity Area shall be provided exclusively for the residential component and shall be functionally separated from public areas associated with any commercial component.
  
- i) Planting Strip Requirements  
Where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone and not a laneway, a minimum 1.5 metre wide Planting Strip shall be provided and maintained.
  
- j) Visual Barrier
  - i) A visual barrier shall be required along any lot line abutting an Institutional Zone or Residential Zone in accordance with the requirements of Subsection 4.19 of this By-law.
  - ii) Notwithstanding Subsection 11.4.3 j) i), no visual barrier(s) shall be permitted between the building façade and the street.
  
- k) Outdoor Storage
  - i) No outdoor storage of goods, materials, or equipment shall be permitted.
  - ii) Notwithstanding Subsection 11.4.3 k) i), the display of goods or materials for retail purposes accessory to a retail use shall only be permitted in a front yard or flankage yard.

**11.4.4 PARKING**

In accordance with the requirements of Section 5 of this By-law.

- 11.4.5 ACCESSORY BUILDINGS**
- i) In accordance with the requirements of Subsection 4.8 of this By-law.
  - ii) Notwithstanding Subsection 11.4.5 i), accessory buildings and structures shall not be subject to 11.4.3 a).

- 11.4.6 URBAN FARMERS MARKET** In accordance with the requirements of Subsection 4.28 of this By-law.”

5. That Schedule “A” – Zoning Maps of By-law No. 05-200 is hereby amended by including the Transit Oriented Corridor Zone boundaries, as shown on the Maps numbered 1091, 1140-1143, 1193 and 1194, attached as Schedule “1” of this By-law.

6. That Schedule “C” – Special Exceptions of By-law No. 05-200 is hereby amended by adding additional Special Exceptions as follows:

“627. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3) Zone, identified on Maps 1141 and 1142 of Schedule “A” – Zoning Maps, and described as 531 Queenston Road, the following special provisions shall apply:

- a) In addition to Subsection 11.3.1, the following use shall also be permitted within the building existing on the date of passing of this By-law:

Medical Clinic

- b) **Planting Strip** A planting strip with an average width of 1.0 metre, but not less than 0.9 metres, shall be provided and maintained along the northerly lot line, commencing at the easterly lot line, westerly for a distance of at least 8.0 metres.

- c) **Visual Barrier** Notwithstanding Subsection 4.19, a visual barrier not less than 1.2 metres in height and not more than 2.0 metres in height shall be provided and maintained along the entire northerly lot line.

628. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3) Zone, identified on Maps 1141 and 1142 of Schedule “A” – Zoning Maps, and described as 535 and 537 Queenston Road, the following special provisions shall apply:

- a) In addition to Subsection 11.3.1, the following uses shall also be permitted within the building existing on the date of passing of this By-law.

Medical Clinic.

- b) In addition to Clause a), the maximum Gross Floor Area of the use permitted in Clause a) shall be 65 square metres.
- c) Notwithstanding Subsection 5.1.a) v) b), a 3.0 metre wide planting strip shall be required and permanently maintained between the street line and any parking spaces and aisles giving direct access to abutting parking spaces, excluding driveways extending directly from the street, only where an encroachment agreement has not been entered into with the City of Hamilton, for a minimum 3.0 m planting strip within the widened road allowance limits of Queenston Road.
- d) Subsection 5.1.b) v) shall not apply for the existing building(s).
- e) Subsection 5.1.b) ix) shall not apply for the existing building(s).
- f) Visual Barrier
- i) Notwithstanding Subsection 4.19, a visual barrier not less than 1.2 metres in height and not more than 2.0 metres in height shall be provided and maintained along the entire northerly lot line for the lands located at 535 Queenston Road.
  - ii) Notwithstanding Subsection 4.19, a visual barrier not less than 1.2 metres in height and not more than 2.0 metres in height shall be provided and maintained along the entire easterly and northerly lot lines for the lands located at 537 Queenston Road.

629. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Maps 1142, 1193, 1194 of Schedule “A” – Zoning Maps, and described as:

Property Address	Map Number
711 Queenston Road	Map 1142
714 Queenston Road	Map 1142
720 Queenston Road	Map 1142
724 Queenston Road	Map 1142
727 Queenston Road	Map 1142
732 Queenston Road	Map 1142

735 Queenston Road	Map 1142
736 Queenston Road	Map 1142
744 Queenston Road	Map 1142 and Map 1193
750 Queenston Road	Map 1142 and Map 1193
754 Queenston Road	Map 1142 and Map 1193
771 Queenston Road	Map 1142
816 Queenston Road	Map 1194
822 Queenston Road	Map 1194
16 Clapham Road	Map 1142

The following special provisions shall also apply:

- a) Notwithstanding Subsection 11.1.1, only the following uses shall be permitted:

- Artist Studio
- Beverage Making Establishment
- Catering Service
- Commercial Entertainment
- Commercial Recreation
- Commercial School
- Communications Establishment
- Craftsperson Shop
- Day Nursery
- Dwelling Unit(s) in conjunction with a Commercial Use
- Financial Establishment
- Hotel
- Laboratory
- Medical Clinic
- Microbrewery
- Office
- Performing Arts Theatre
- Personal Service
- Place of Assembly
- Place of Worship
- Repair Service
- Restaurant
- Retail
- Social Services Establishment
- Tradesperson's Shop
- Transportation Depot
- Urban Farmer's Market
- Veterinary Service

- b) Notwithstanding Subsections 11.1.3 g).iii).1., and h), and in addition to

Subsections 11.1.1, 11.1.3 d) and 11.1.3 g) ii) and iii) 2., the following regulations shall also apply:

i) Restricted Uses In addition to Subsection 11.4.1, the following use shall be permitted in accordance with the following restrictions:

1. Restriction of Uses within a Building

A. Notwithstanding Subsection 11.4.1, a Dwelling Unit(s) in conjunction with a Commercial Use shall only be permitted above the ground floor.

B. Notwithstanding Subsection 11.4.1, a Day Nursery shall only be permitted above the ground floor.

i) Building Height In addition to the definition of Building Height, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations:

A. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area does not exceed 10% of the floor area of the storey directly beneath;

B. The wholly enclosed or partially enclosed amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of 3.0 metres from the exterior walls of the



storey directly beneath; and,

C. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 3.0 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.

- |      |  |  |
|------|--|--|
| iii) | Built Form for New Development   | 1. For a corner lot, the minimum combined width of the ground floor façade facing the front lot line and flankage lot line shall be greater than or equal to 75% of the measurement of the front lot line and flankage lot line; and,                      |
|      |  | 2. In addition to Subsection 11.1.3 g) ii) and iii) 2., and in addition to Clause b) iii) 1., the minimum width of the ground floor façade facing the front lot line shall exclude access driveways and required yards along a lot line abutting a street. |
| iv)  | Minimum Amenity Area for Dwelling Units in conjunction with a Commercial Use | On a lot containing more than 10 dwelling units, the following Minimum Amenity Area requirements shall be provided:  |
|      |  | 1. An area of 4.0 square metres for each dwelling unit less than 50 square metres;   |
|      |  | 2. An area of 6.0 square metres for each dwelling unit more than 50 square metres;   |
|      |  | 3. In addition to the definition of Amenity Area, an Amenity Area located outdoors shall be unobstructed and shall be at or above the surface, and exposed to light and air; and,  |

4. In addition to the definition of Amenity Area, the required Amenity Area shall be provided exclusively for the residential component and shall be functionally separated from public areas associated with any commercial component.

iii) Screening Rooftop mechanical equipment shall be located and/or screened from view of any abutting street.

630. Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, identified on Map 1142 of Schedule “A” – Zoning Maps, and described as part of 695 and 697 Queenston Road, the following special provision shall also apply:

- a) Notwithstanding Subsection 4.20 c), the existing outdoor commercial patio shall be permitted in the front yard.
- b) Notwithstanding Subsection 11.4.3 d) ii) and iv), the maximum Building Height shall be 22.0 metres.

631. Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, identified on Maps 1142 and 1193 of Schedule “A” – Zoning Maps, and described as 7 & 9 Greenford Drive, 760 Queenston Road, and part of 770 Queenston Road, the following special provision shall also apply:

- a) Notwithstanding Subsection 11.4.3 d) ii) and iv), the maximum Building Height shall be 22.0 metres.

632. Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, identified on Maps 1142, 1143, 1193 and 1194 of Schedule “A” – Zoning Maps, and described as:

Property Address	Map Number
Part of 770 Queenston Road	1142, 1143, 1193 & 1194
792 Queenston Road	1194
800 Queenston Road	1194
817 Queenston Road	1143 & 1194

The following special provisions shall also apply:

- a) Notwithstanding Subsection 11.4.3 d) ii) and iv), and in addition to Subsection 11.4.3 d) i) and iii), the following regulations shall apply:
  - i) Maximum Building Height shall be 47.0 metres; and,

- ii) Any portion of a building above 22.0 metres in height, to a maximum of 47.0 metres, shall be setback a minimum of 29.5 metres from the rear or interior side lot line when abutting a Residential or Institutional Zone.

633. Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, identified on Maps 1142, 1143, and 1194 of Schedule “A” – Zoning Maps, and described as 75 Centennial Parkway North (Eastgate Square), shown as Figure 11 of Schedule “F” – Special Figures, the following special provisions shall also apply:

The following Table 1 is provided for information only:

**Table 1**

Gross Floor Area (GFA) (square metres)	Application
30,763.0	<p>Shall be considered 50% of the total site GFA existing on the date of passing of this By-law (February 14, 2018)</p> <p>This number is for the purposes of maximum alterations and building footprint redistribution permitted under the Vacuum Clause</p> <p>This number is also for the purposes of minimum demolition and reconstruction prior to trigger of Mixed Use Development (plus 0.1 square metre)</p>
59,992.0	Shall be considered the GFA of the principal shopping centre building (Eastgate Square) existing on the date of passing of this By-law (February 14, 2018)
60,000.0	Shall be considered the GFA of the principal shopping centre building (Eastgate Square) existing on the date of passing of this By-law (February 14, 2018), rounded up to the nearest ten
61,525.0	Shall be considered the total site GFA existing on the date of passing of this By-law (February 14, 2018), including the principal shopping centre building (59,992.0) and the two existing stand-alone commercial buildings (511.0 + 1,022.0)
80,405.0	<p>Shall be considered 130% of the GFA of the existing principal shopping centre building (59,992.0), plus the GFA approved by HM/A-08:316 (1,858.0)</p> <p>This number is for the purposes of expansions under the Vacuum Clause</p>

91,288.0	Shall be considered 150% of the total site GFA existing on the date of passing of this By-law (February 14, 2018)
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- a) The lands described as 75 Centennial Parkway North (Eastgate Square), as shown as Figure 11 of Schedule “F” – Special Figures shall be considered as one Corner Lot for zoning purposes, notwithstanding any consolidation or division of the lot.
- b) Notwithstanding the Definitions in Section 3, for the purposes of this By-law, the front lot line is deemed to be Centennial Parkway North.
- c) For the purposes of Special Exception No. 633, the following provisions shall apply to **Area A** as shown on Figure 11 of Schedule “F” – Special Figures:

- A) In addition to the Definitions in Section 3, for the purpose of Special Exception No. 633, the following definition shall apply:

Block Townhouse Dwelling	Shall mean a dwelling divided vertically into three or more dwelling units, by common walls which prevent internal access between units and extend from the base of the foundation to the roof line and for a horizontal distance of not less than 35 percent of the horizontal depth of the building but shall not include a maisonette.
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- B) In addition to the Permitted Uses [Subsection 11.4.1], the following uses shall also be permitted:

Dwelling Unit(s)  
Multiple Dwelling

- C) Notwithstanding the Permitted Uses [Subsection 11.4.1] and in addition to the Prohibited Uses [Subsection 11.4.2], a Block Townhouse Dwelling(s) shall not be permitted.

- D) Notwithstanding the Restricted Uses [Subsection 11.4.1.1], the residential uses contained in Subsection 11.4.1 and Clause b) B) of Special Exception No. 633 shall be permitted on the ground floor.

- E) Notwithstanding the Building Height requirements [Subsection 11.4.3 d)] the following Building Height shall apply:

- i) Minimum 7.5 metres; and,

- ii) Maximum 11.0 metres.
- d) For the purposes of Special Exception No. 633, the following provisions shall apply to **Area B** as shown on Figure 11 of Schedule “F” – Special Figures:
- A) Notwithstanding the minimum and maximum Building Height requirements [Subsection 11.4.3 d) i), ii) and iv)], and in addition to the Building Height stepback requirements [Subsection 11.4.3 d) iii)], the following regulations shall apply to new development:
    - i) The minimum building height abutting Queenston Road shall be 11.0 metres;
    - ii) The minimum building height abutting Centennial Parkway North shall be 7.5 metres;
    - iii) The maximum building height shall be 62.0 metres; and,
    - iv) Any portion of a building above 22.0 metres in height, to a maximum of 62.0 metres, shall be setback a minimum of 89.5 metres from any streetline abutting Kenora Avenue and Delawana Drive within the extent of the boundaries of Area A.
  - B) Notwithstanding the minimum Building Height requirements [Subsection 11.4.3 d)i)], a minimum height of 6.0 metres shall be permitted for any addition to the principal building existing on the date of the passing of this By-law.
  - C) Notwithstanding the regulations for Outdoor Commercial Patios [Subsection 4.20 c) and d)], an outdoor commercial patio shall be permitted to provide commercial entertainment consisting of recorded music only, on a lot where such lot is separated from a Residential Zone by a laneway or street.
  - D) Notwithstanding the minimum Building Façade Facing the Front and Flankage Lot Line requirements [Subsection 11.4.3 g) ii) and iii)], the following regulations apply:
    - i) The minimum width of the ground floor façade facing Queenston Road within Area B shall:
      - 1. Be greater than or equal to 75% of the measurement of that portion of the streetline abutting Queenston Road

located within Area B;

2. Comply with the maximum Building Setback from a Street Line requirements [Subsection 11.4.3 a)].
- ii) The minimum width of the ground floor façade facing Centennial Parkway North within Area B shall:
1. Be greater than or equal to 75% of the measurement of that portion of the streetline abutting Centennial Parkway North located within Area B; and,
  2. Comply with the maximum Building Setback from a Street Line requirements [Subsection 11.4.3 a)].
- iii) In addition to the minimum Building Façade Facing the Front and Flankage Lot Line requirements [Subsection 11.4.3 g) iv) and clauses d) D) i) and ii) of Special Exception No. 633], the calculation of the measurement of the streetline width shall not include:
1. Any portion of the lot width occupied by a public transit facility; and,
  2. Any portion of the lot width occupied by an existing building within 25.0 metres of the streetline abutting Centennial Parkway North.

E) Expansions to Existing Principal Shopping Centre Building

Notwithstanding Expansion Regulations for Existing Buildings [Subsections 4.12 e)ii)], maximum Building Setback from a Street Line [Subsection 11.4.3 a)i)], minimum Building Height [Subsection 11.4.3 d)i)], minimum Building Façade Facing the Front and Flankage Lot Lines [Subsection 11.4.3 g)ii) and iii)] and in addition to Location of Buildings Existing on the date of Passing of the By-law [Subsection 4.12 e)i)], the following regulations in Table 2 shall apply to the principal shopping centre building legally existing on the date of passing of the By-law:

<b>Table 2</b>	<b>Maximum GFA of the Resulting Building</b>	<b>Minimum GFA of the Resulting Building</b>
Expansions (not including any demolition)	80,405.0 square metres	N/A
Reconfiguration (with demolition and alteration)	80,405.0 square metres	30,764.0 square metres

- F) Trigger for Mixed Use Development – Expansions of Existing Buildings on the Lot
- i) In addition to the Regulations of the Transit Oriented Corridor Mixed Use High Density (TOC4) Zone [Subsection 11.4.3], where development on the lot in the form of new buildings or additions to existing buildings exceeds 30,763 square metres, resulting in a total gross floor area that exceeds 91,288 square metres for the entire lot, the following regulation shall apply:
1. For each square metre of commercial or institutional use provided above 91,288 square metres, a minimum of 3.0 square metres of residential use shall be required.
- G) Trigger for Mixed Use Development – Demolitions with Reconstruction of Existing Buildings on the Lot
- i) In addition to the Regulations of the Transit Oriented Corridor Mixed Use High Density (TOC4) Zone [Subsection 11.4.3], where development or redevelopment occurs on the lot in the form of demolitions with reconstruction, where the demolished portion exceeds a gross floor area of 30,763 square metres, the following regulation shall apply:
1. For each square metre of commercial or institutional use provided above 61,525 square metres, a minimum of 3.0 square metres of residential use shall be required.
- H) Notwithstanding the minimum Building Height [Subsection 11.4.3 d)i) and Clause d)A) i) and ii) of Special Exception No. 633], minimum Building Façade Facing the Front and Flankage Lot Lines [Subsection 11.4.3 g)ii) and iii) and Clause d)D) of Special Exception No. 633] and Built Form Requirements for Small Scale Commercial Buildings [Subsection 11.4.3 g)viii)], for commercial development existing at the time of passing of this by-law, Subsections 11.4.3 g) ii) and iii) and Clause d)D) of Special

Exception No. 633 shall not apply to new commercial buildings subject to the following requirements:

- i) The maximum Gross Floor Area of each building shall be 1,000 square metres for single occupant commercial buildings;
  - ii) The maximum Gross Floor Area of each building shall be 1,200 square metres for multi-tenant commercial buildings; and,
  - iii) The minimum Building Height shall be 6.0 metres.
- l) The Principal Entrance requirements [Subsection 11.4.3 g)vi)] shall only apply to buildings constructed after the date of passing of this By-law (February 14, 2018).

634. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Map 1091 of Schedule "A" – Zoning Maps, and described as 165 Queenston Road, the following special provision applies:

- a) In addition to Subsection 11.1.1 Permitted Uses, and notwithstanding Subsection 11.1.2 Prohibited Uses, the existing Motor Vehicle Service Station shall also be permitted.
- b) In addition to Subsection 4.12 e), Section 5, and Subsection 11.1.3, any parking spaces and drive aisles existing on the date of passing of this By-law (February 14, 2018) shall be deemed to comply with the regulations for any required setbacks, location on the lot, and number of parking spaces.

635. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3) Zone, identified on Map 1141 of Schedule "A" – Zoning Maps, and described as 505 Queenston Road, the following special provisions apply:

- a) In addition to Subsection 11.3.1, the following use shall also be permitted within the building existing on the date of passing of this By-law.

Office

- b) In addition to Subsection 5.1 a) v), a minimum of 140 square metres of landscaped area shall be provided and maintained within the required front yard.
- c) In addition to Clause a), a visual barrier shall be required along any lot line abutting an Institutional Zone or Residential Zone, with the exception of TOC3 Zone, in accordance with the requirements of Subsection 4.19 of



this By-law.

636. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3) Zone, identified on Map 1141 of Schedule “A” – Zoning Maps, and described as 509 Queenston Road, the following special provisions shall also apply:

a) In addition to Subsection 11.3.1, the following use shall also be permitted within the building existing on the date of passing of this By-law:

Denture Clinic

b) Notwithstanding Subsection 5.1 a) v), a 1.5 metre wide planting strip shall be required and permanently maintained between the street line and any parking spaces and aisles giving direct access to abutting parking spaces, excluding driveways extending directly from the street, only where an encroachment agreement has not been entered into with the City of Hamilton, for a minimum 1.5 metre planting strip within the widened road allowance limits of Queenston Road.

c) Subsection 5.1.b) iii) shall not apply for the existing building(s).

d) Subsection 5.1.b) ix) shall not apply for the existing building(s).

e) Visual Barrier      i) Notwithstanding Subsection 4.19, a visual barrier not less than 1.2 metres and not more than 2.0 metres in height shall be required and maintained along the northerly lot line.

ii) Notwithstanding Subsection 4.19, a visual barrier not less than 1.2 metres and not more than 2.0 metres in height shall be required and maintained along the easterly lot line, commencing at the northerly lot line, southerly for a distance of at least 26.0 metres.

637. Within the lands zoned Transit Oriented Corridor Mixed Use High Density (TOC4) Zone, identified on Maps 1142 and 1193 of Schedule “A” – Zoning Maps, and described as 670, 674, 686, 692, 700 and 706 Queenston Road, shown as Figure 12 of Schedule “F” – Special Figures, the following special provisions shall also apply:

The following Table 1 is provided for information only:

**Table 1**

<b>Gross Floor Area (GFA) (square metres)</b>	<b>Application</b>
8,867.0	Shall be considered 50% of the total site GFA existing on the date of passing of this By-law (February 14, 2018)
9,671.0	Shall be considered the GFA of the largest stand-alone commercial building existing on the date of passing of this By-law (February 14, 2018)  This number is for the purposes of minimum demolition and reconstruction prior to trigger of Mixed Use Development
13,540.0	Shall be considered 140% of the GFA of the largest stand-alone commercial building existing on the date of passing of this By-law (February 14, 2018)  This number is for the purposes of expansions under the Vacuum Clause
17,733.0	Shall be considered the total site GFA existing on the date of passing of this By-law (February 14, 2018), including the multi-unit commercial building (6,245.0), large scale stand-alone commercial building (9,671.0), gas bar (108.0), four small scale stand-alone commercial buildings (282.0 + 277.0 + 500.0 + 650.0)
21,602.0	Shall be considered the total site GFA assuming a 40% expansion to the existing largest stand-alone commercial building existing on the date of passing of this By-law (February 14, 2018)
26,600.0	Shall be considered 150% of the total site GFA existing on the date of passing of this By-law (February 14, 2018)

- a) For the purposes of Special Exception No. 637, the following special regulations shall apply to **Areas A and B**, as shown on Figure 12 of Schedule “F” – Special Figures:
- A) The lands described as 670, 674, 686, 692, 700 and 706 Queenston Road, as shown as Figure 12 of Schedule “F” – Special Figures shall be considered as one Corner Lot for zoning purposes, notwithstanding any consolidation or division of the lot.
  - B) Notwithstanding Section 3, for the purposes of this By-law, the front lot line is deemed to be Queenston Road.
  - C) Notwithstanding Prohibited Uses [Subsection 11.4.2 i)], the following provisions apply:

- i) A Drive-Through Facility, existing on the date of passing of this By-law shall be permitted in Areas A1, A2, A3 and A5.
  - ii) A Motor Vehicle Service Station, existing on the date of passing of this By-law, shall be permitted only as an accessory use and may be permitted in Areas A and B.
  - iii) A Motor Vehicle Gas Bar, existing on the date of passing of this By-law, shall only be permitted in Area A4.
- D) For the existing building with a drive through facility located within Area A1, the following special regulations shall apply:
  - i) Subsection 4.25 c) ii) shall not apply; and,
  - ii) Subsection 11.4.3 g) v) shall not apply.
- E) Relocation of Drive Through Facilities outside Areas A1, A2, A3 and A5
  - i) The existing drive through facilities located within Areas A1, A2, A3 and A5 may be permitted to relocate on the same lot outside of Areas A1, A2, A3 and A5 subject to the following requirements:
    1. A maximum of four drive through facilities shall be permitted on the lot; and,
    2. All relocated drive through facilities shall comply with the Drive Through regulations and Built Form for New Development regulations [Subsections 4.25 and 11.4.3 g)].
- F) Reconstruction of Drive Through Facilities within Areas A1, A2, A3 and A5
  - i) Notwithstanding Subsection 11.4.3 g), the existing drive through facilities located within Areas A1, A2, A3 and A5 may be demolished and reconstructed within Areas A1, A2, A3 and A5; and,
  - ii) Notwithstanding Subsection 11.4.3 d)i) the minimum building height shall be 4.5 metres.
- G) The existing Motor Vehicle Gas Bar located within Area A4 may be permitted to relocate on the same lot outside of Area A4 subject to

the following requirements:

- a) Minimum Yard abutting a street 60.0 metres
- b) Minimum Yard for Fuel Pump Islands, Fuel Pumps and Canopies 60.0 metres
- c) Minimum Planting Strip Requirements 3.0 metres in width shall be required abutting any Residential Zone or Institutional Zone property line.
- d) Maximum Gross Floor Area for Accessory Retail Uses to a Motor Vehicle Gas Bar 175.0 square metres

H) Trigger for Mixed Use Development – Expansions of Existing Buildings on the Lot

- i) In addition to the Regulations of the Transit Oriented Corridor Mixed Use High Density (TOC4) Zone [Subsection 11.4.3], where development on the lot in the form of new buildings or additions to existing buildings exceeds 9,671.0 square metres, resulting in a total gross floor area that exceeds 26,600.0 square metres for the entire lot, the following regulation shall apply:

- 1. For each square metre of commercial or institutional use provided above 26,600.0 square metres, a minimum of 3.0 square metres of residential use shall be required.

I) Trigger for Mixed Use Development – Demolitions with Reconstruction of Existing Buildings on the Lot

- i) In addition to the Regulations of the Transit Oriented Corridor Mixed Use High Density (TOC4) Zone [Subsection 11.4.3], where development or redevelopment occurs on the lot in the form of demolitions with reconstruction, where the demolished portion exceeds a gross floor area of 9,671.0 square metres, the following regulation shall apply:

1. For each square metre of commercial or institutional use provided above 21,602.0 square metres, a minimum of 3.0 square metres of residential use shall be required.
- J) Notwithstanding the minimum Building Height [Subsection 11.4.3 d i)], a minimum height of 6.0 metres shall be permitted for any addition to any building existing on the date of the passing of this By-law.
- K) Expansions to Existing Buildings:

Notwithstanding the Expansion Regulations for Existing Buildings [Subsections 4.12 e)ii)], the maximum Building Setback from a Street Line [Subsection 11.4.3 a)i)], minimum Building Height [Subsection 11.4.3 d)i)], minimum Building Façade Facing the Front and Flankage Lot Lines [Subsection 11.4.3 g)ii) and iii)] and in addition to Location Regulations of Buildings Existing on the date of Passing of the By-law [Subsection 4.12 e)i)], the following regulations in Table 2 shall apply to the buildings existing on the date of passing of the By-law:

<b>Table 2</b>	<b>Maximum GFA of the Resulting Building</b>	<b>Minimum GFA of the Resulting Building</b>
<i>Existing Largest Stand-Alone Commercial Building (at corner of Nash Road South and Dover Drive)</i>		
Expansions and reconfiguration	13,540.0 square metres	N/A
<i>All other Existing Buildings</i>		
Expansions (not including any demolition)	110% of the GFA of the buildings existing on the date of passing of this by-law	N/A

- b) For the purposes of Special Exception No. 637, the following special regulations shall apply to **Area A** as shown on Figure 12 of Schedule “F” – Special Figures:
- A) Notwithstanding the minimum Building Façade Facing the Front and Flankage Lot Lines [Subsection 11.4.3 g) ii) and iii)], the following regulations apply:
- i) The minimum width of the ground floor façade facing Queenston Road within Area A shall:

1. Be greater than or equal to 75% of the measurement of that portion of the streetline abutting Queenston Road located within Area A;
  2. Comply with the maximum Building Setback from a Street Line requirements [Subsection 11.4.3 a)].
- ii) The minimum width of the ground floor façade facing Nash Road within Area A shall:
1. Be greater than or equal to 75% of the measurement of that portion of the streetline abutting Nash Road located within Area A; and,
  2. Comply with the maximum Building Setback from a Street Line requirements [Subsection 11.4.3 a)].
- iii) In addition to Subsection 11.4.3 g) iv) and clauses b) A) i) and ii) of Special Exception No. 637, the calculation of the measurement of the streetline may not include the width of any lands located within Area A4.
- c) For the purposes of Special Exception No. 637, the following special provisions shall apply to **Area B** as shown on Figure 12 of Schedule “F” – Special Figures:
- A) In addition to the Definitions of Section 3, for the purpose of Special Exception No. 637, the following definition shall apply:
- |                          |   |
|--------------------------|---|
| Block Townhouse Dwelling | Shall mean a dwelling divided vertically into three or more dwelling units, by common walls which prevent internal access between units and extend from the base of the foundation to the roof line and for a horizontal distance of not less than 35 percent of the horizontal depth of the building but shall not include a maisonette. |
|--------------------------|---|
- B) In addition to the Permitted Uses [Subsection 11.4.1], the following uses shall also be permitted:
- Block Townhouse Dwelling  
Conference or Convention Centre  
Dwelling Unit(s)  
Educational Establishment

Emergency Shelter  
Lodging House  
Long Term Care Facility  
Multiple Dwelling  
Residential Care Facility  
Retirement Home

- C) Notwithstanding the Restricted Uses [Subsection 11.4.1.1], residential uses contained in Subsection 11.4.1 and Clause c) B) shall be permitted on the ground floor.
- D) In addition to the Restricted Uses regulations [Subsection 11.4.1.1], the following restriction of uses shall apply:
- i) Residential Care Facility
    1. Maximum capacity for a Residential Care Facility is 20 residents.
  - ii) Emergency Shelter
    2. Maximum capacity for an Emergency Shelter is 50 residents.
  - iii) Emergency Shelter and Residential Care Facility:
    1. Except as provided in Clause c) D) iii) 2., every Emergency Shelter or Residential Care Facility shall be situated on a lot having a minimum radial separation distance of 300 metres from any lot line of such lot measured to the lot line of any other lot occupied by a Residential Care Facility, Emergency Shelter, Corrections Residence, or Correctional Facility; and,
    2. Where the radial separation distance from the lot line of an Emergency Shelter, or Residential Care Facility existing on the date of passing of this By-law, is less than 300 metres to the lot line of any other lot occupied by an existing Residential Care Facility, Emergency Shelter, Corrections Residence, or Correctional Facility, the existing Residential Care Facility may be expanded or redeveloped to accommodate not more than the permitted number of residents permitted by the Zone in

which it is located.

- E) Notwithstanding the maximum Building Setback from a Street Line, minimum and maximum Building Height, stepback regulations, and minimum Building Façade Facing the Front or Flankage Lot Line requirements [Subsection 11.4.3 a), d) i), ii), iii) and iv), g) iii)], the following regulations shall apply:
- i) Building Setback from a Street
    - 1. Minimum 3.0 metres for a building with residential units on the ground floor facing a street;
    - 2. Maximum 4.5 metres, except where a visibility triangle is required for a driveway access;
    - 3. Notwithstanding Clause c) E) i) 2., a minimum setback of 6.0 metres is required for that portion of a building providing access to a driveway or garage; and,
    - 4. Where a building(s) exists and complies with Subsection c) E) iii) 1., additional building(s) constructed on the lot shall not be subject to Clauses c) E) i) 1. and 2.
  - ii) Building Height
    - 1. Minimum 7.5 metres;
    - 2. Maximum 22.0 metres;
    - 3. In addition to minimum Building Height [Subsection 11.4.3 d) i)] and notwithstanding maximum Building Height [Clause c) E) ii) 2.], the minimum building height may be equivalently increased as the yard increases beyond the minimum yard requirement established in Subsections 11.4.3 b) and c), when abutting a Residential or Institutional Zone, to a maximum of 22.0 metres.
  - iii) Built Form for New
    - 1. The minimum width of the ground floor façade facing Nash Road within



Development	Area B shall be greater than or equal to 40% of the measurement of that portion of the streetline abutting Nash Road located within Area B.
-------------	---

F) Notwithstanding any other provisions of this By-law, vehicular access for commercial purposes shall be prohibited from Dover Drive.

638. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Map 1142 of Schedule "A" – Zoning Maps, and described as 558 Queenston Road, the following special provisions shall also apply:

- a) Notwithstanding Subsection 4.20 c) i), an outdoor commercial patio shall be permitted on a lot where any lot line abuts a Residential Zone; and,
- b) Notwithstanding Subsection 11.1.3 b), no minimum rear yard setback is required."

7. That Schedule "F" – Special Figures of By-law No. 05-200 is hereby amended by adding Special Figures 11 and 12.

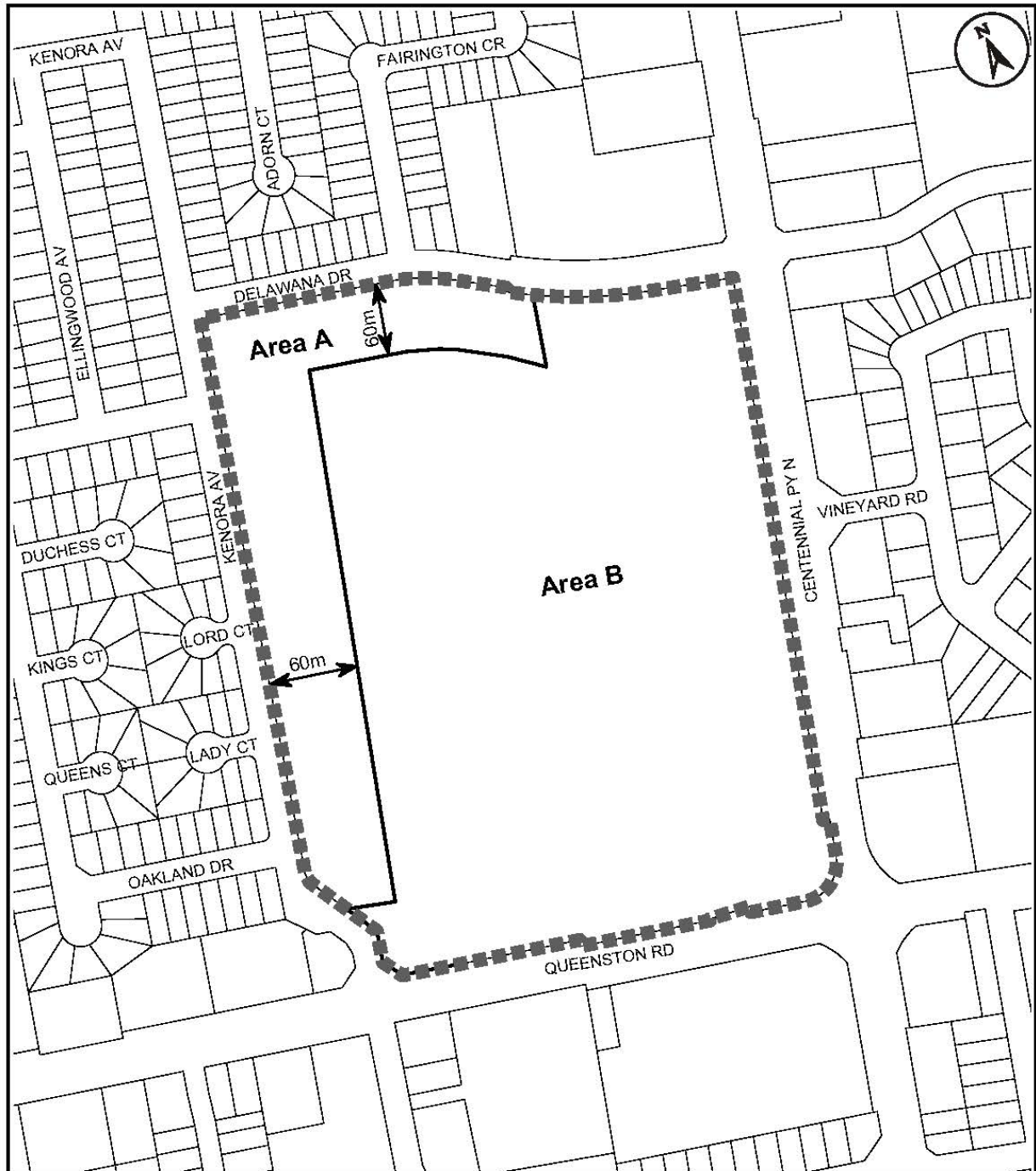


Figure 11: 75 Centennial Parkway North (Eastgate Square)

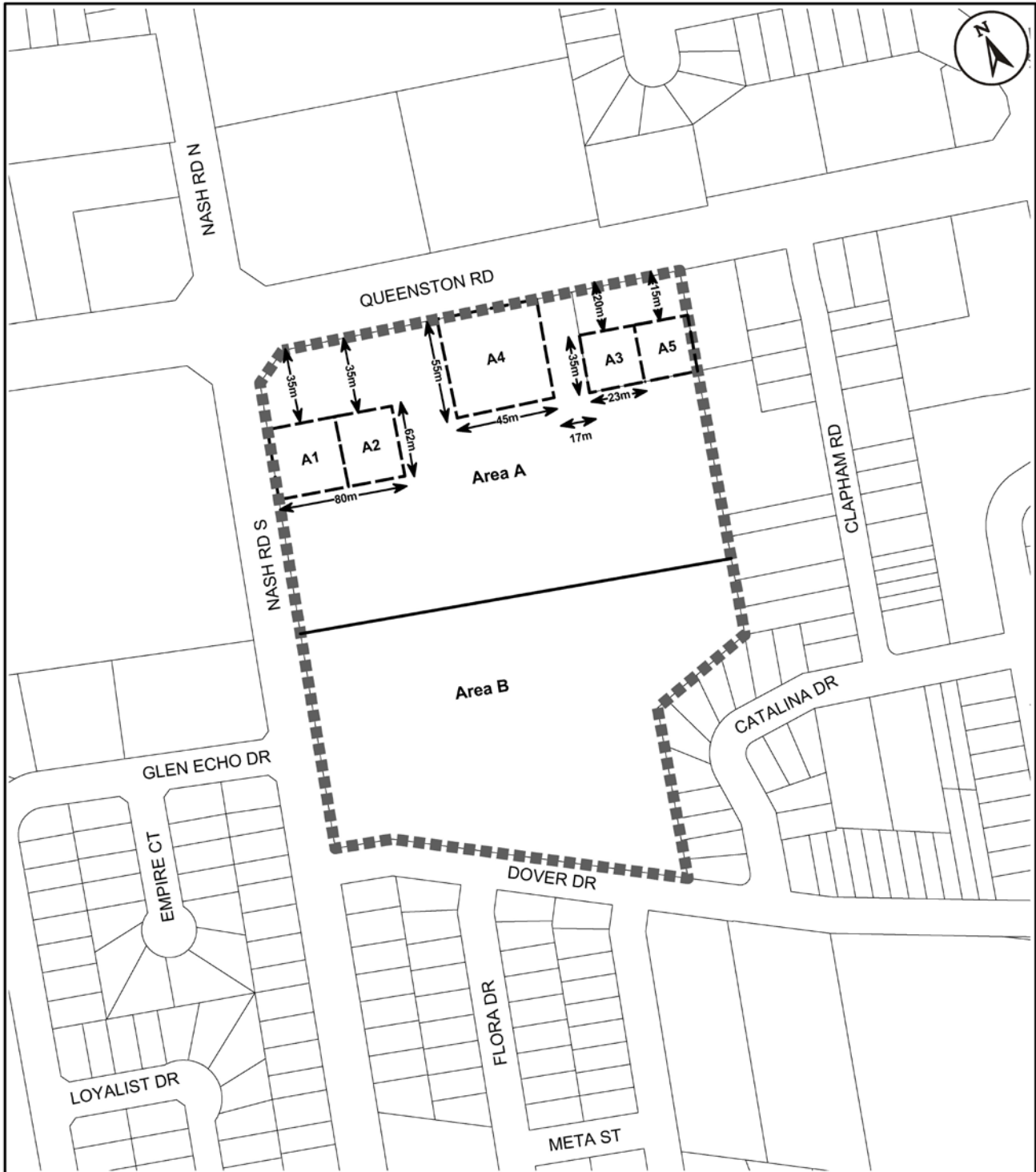
Date:  
January 9, 2018

Legend

■ ■ ■ ■ Subject Area - Special Exception 633



Hamilton  
PLANNING AND ECONOMIC  
DEVELOPMENT DEPARTMENT



**Figure 12:** 670, 674, 686, 692, 700 and 706 Queenston Road, Hamilton

Date:  
February 7, 2018

**Legend**

■ ■ ■ ■ Subject Area - Special Exception 637



8. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law in accordance with the *Planning Act*.
9. That for the purposes of the Building Code, this By-law or any part of it is not made until it has actually come into force as provided by Section 34 of the *Planning Act*.
10. That this By-law come into force in accordance with Section 34 of the *Planning Act*.

**PASSED** this 14<sup>th</sup> day of February, 2018.

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F. Eisenberger  
Mayor

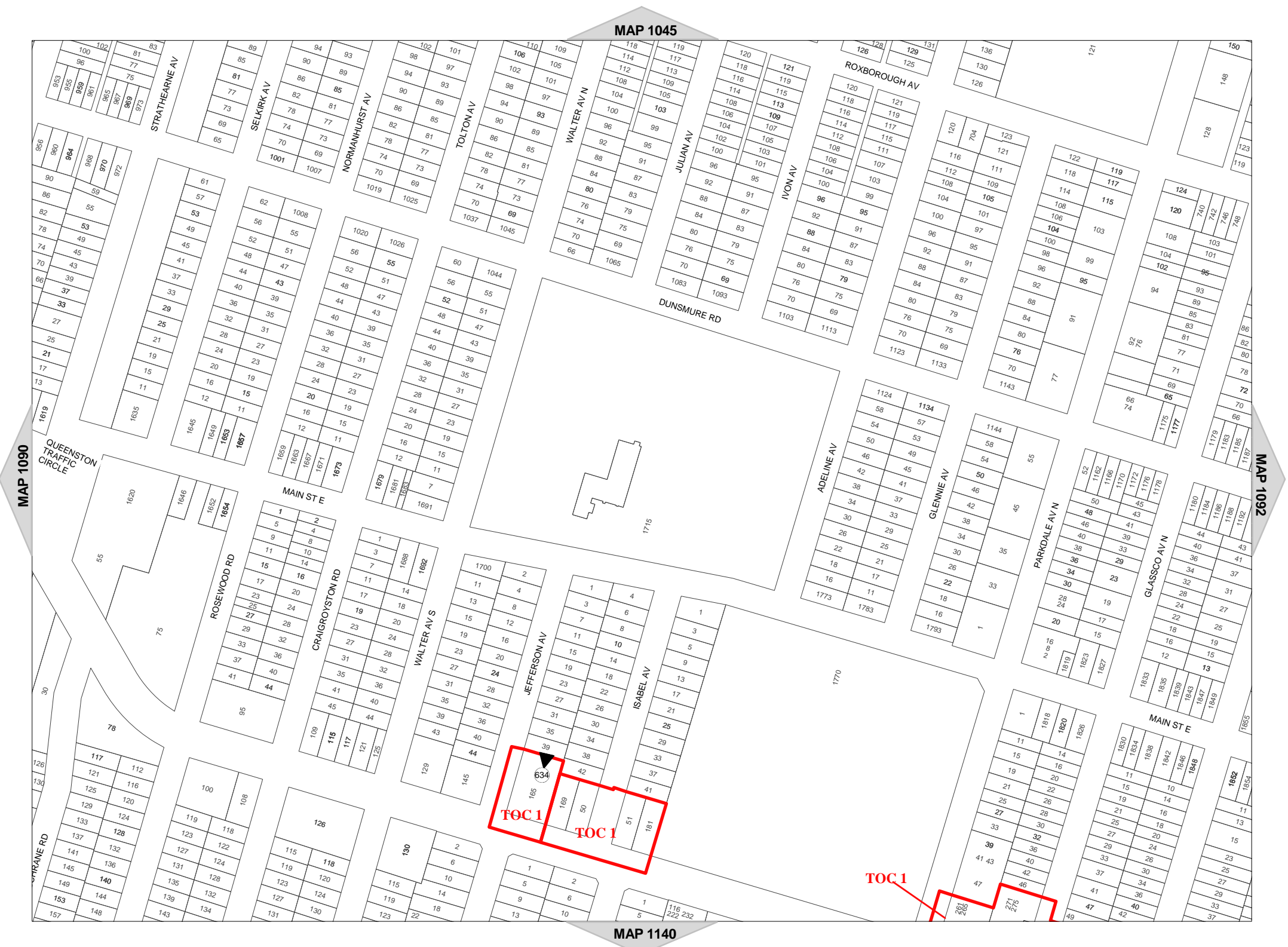
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R. Caterini  
City Clerk



Hamilton  
City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law



- Legend
- Special Exception
  - Holding Provision
  - Urban Boundary
  - Zoning Boundary
  - C.A. Regulated Area
  - Lake
  - Railway

Note: Features in the Legend may not appear in each individual map for every batch series of map



SCALE 1 : 3,332

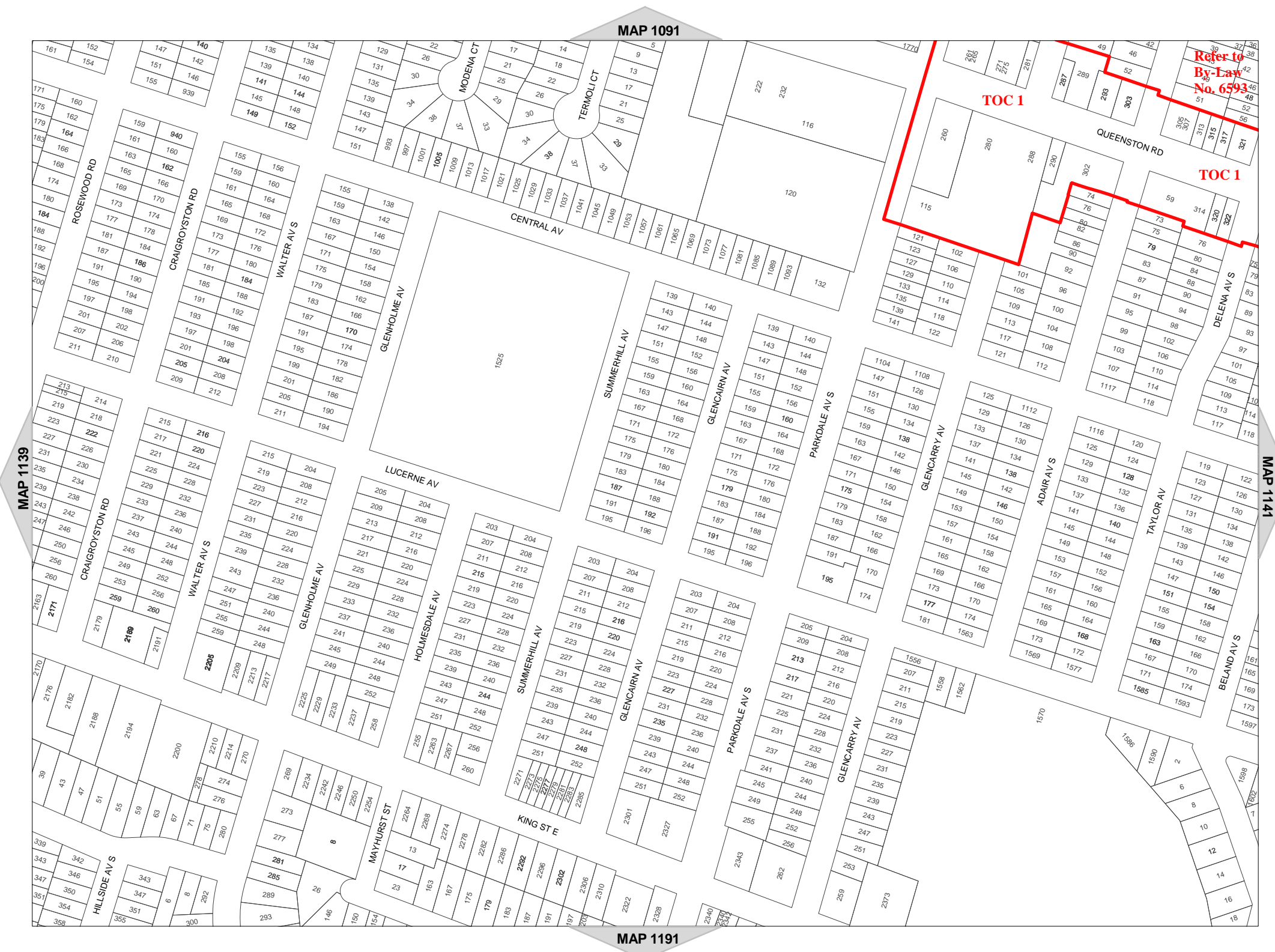
MAP 1091 of Schedule 'A'





Hamilton  
City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law



Legend

- Special Exception
- Holding Provision
- Urban Boundary
- Zoning Boundary
- C.A. Regulated Area
- Lake
- Railway

Note: Features in the Legend may not appear in each individual map for every batch series of map

NORTH



SCALE 1 : 3,332

MAP 1140 of Schedule 'A'



Hamilton  
City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

- Special Exception
- Holding Provision
- Urban Boundary
- Zoning Boundary
- C.A. Regulated Area
- Lake
- Railway

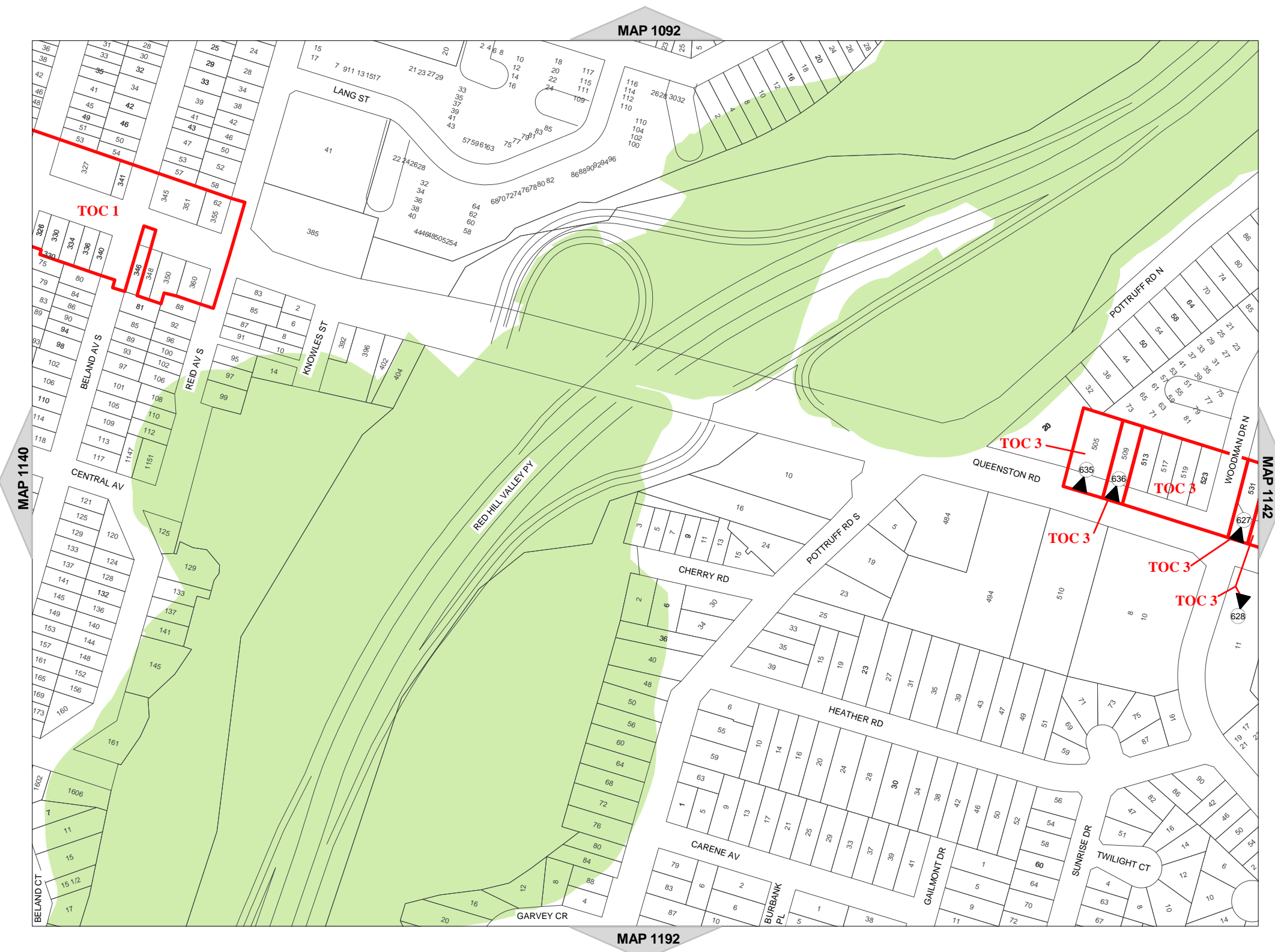
Note: Features in the Legend may not appear in each individual map for every batch series of map

NORTH



SCALE 1 : 3,332

MAP 1141 of Schedule 'A'





Hamilton  
City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

- Special Exception
- Holding Provision
- Urban Boundary
- Zoning Boundary
- C.A. Regulated Area
- Lake
- Railway

Note: Features in the Legend may not appear in each individual map for every batch series of map

NORTH



SCALE 1 : 3,332

MAP 1142 of Schedule 'A'







Hamilton  
City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

- Special Exception
- Holding Provision
- Urban Boundary
- Zoning Boundary
- C.A. Regulated Area
- Lake
- Railway

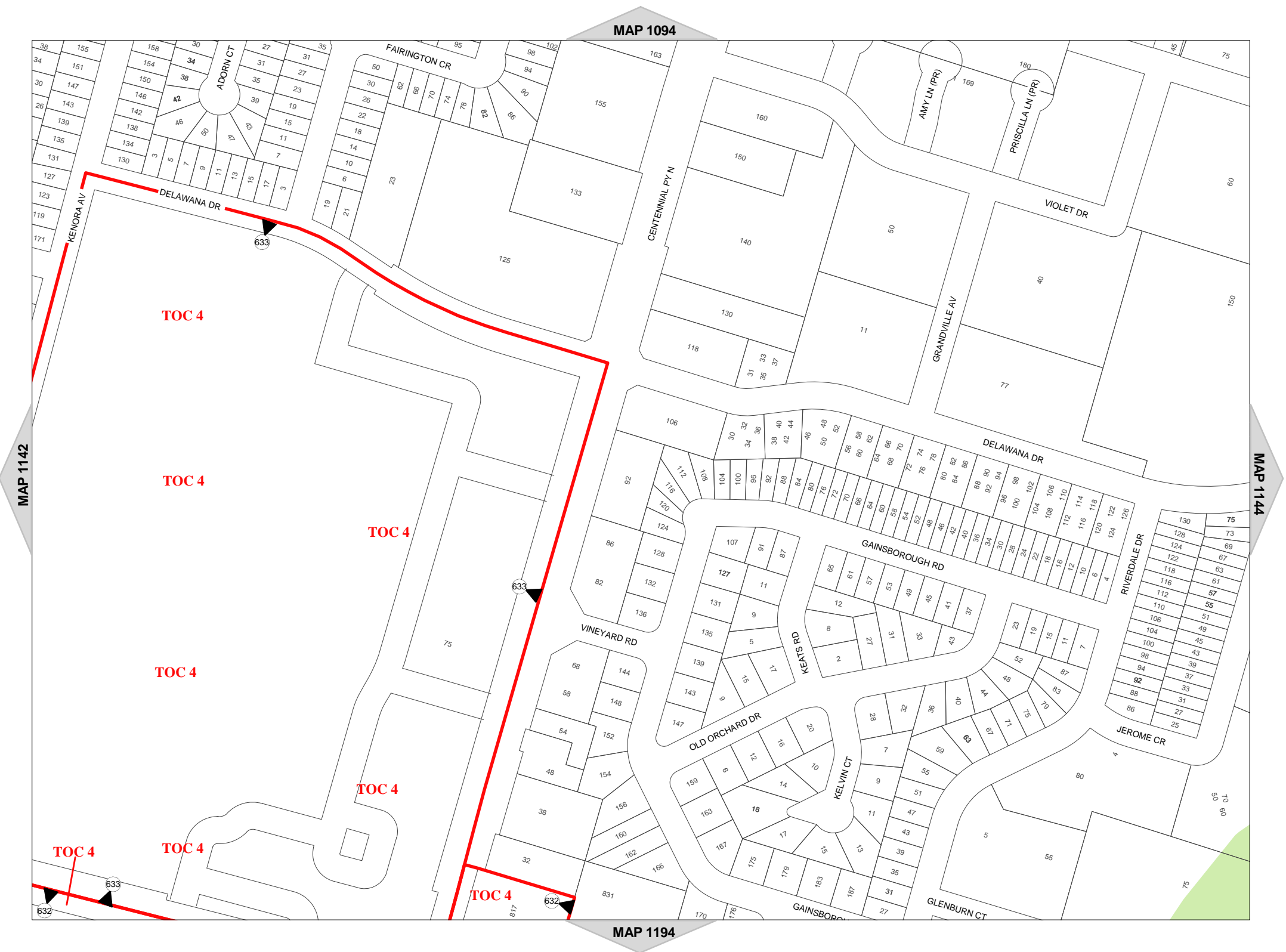
Note: Features in the Legend may not appear in each individual map for every batch series of map

NORTH



SCALE 1 : 3,332

MAP 1143 of Schedule 'A'





Hamilton  
City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law

Legend

- Special Exception
- Holding Provision
- Urban Boundary
- Zoning Boundary
- C.A. Regulated Area
- Lake
- Railway

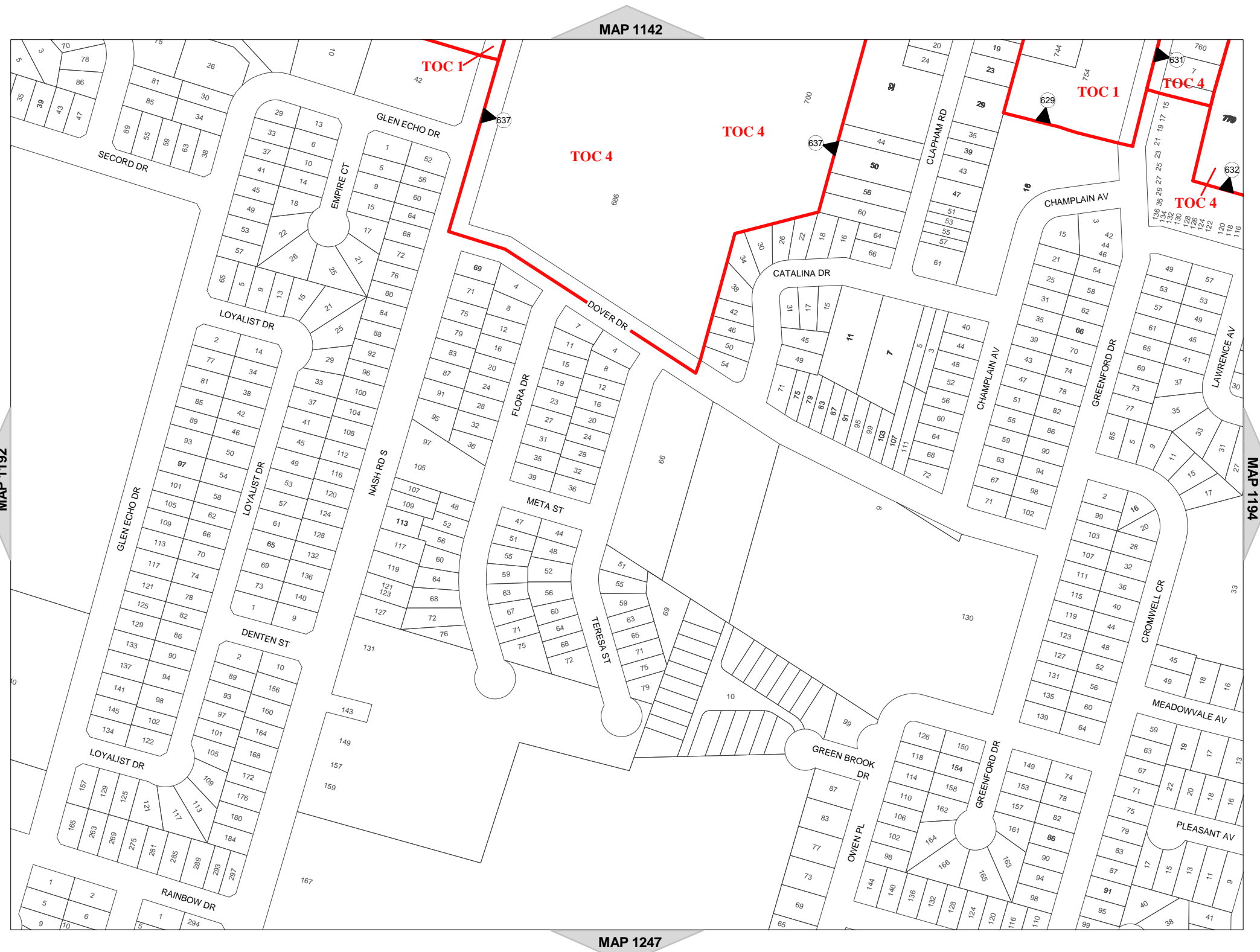
Note: Features in the Legend may not appear in each individual map for every batch series of map

NORTH



SCALE 1 : 3,332

MAP 1193 of Schedule 'A'



MAP 1142

MAP 1192

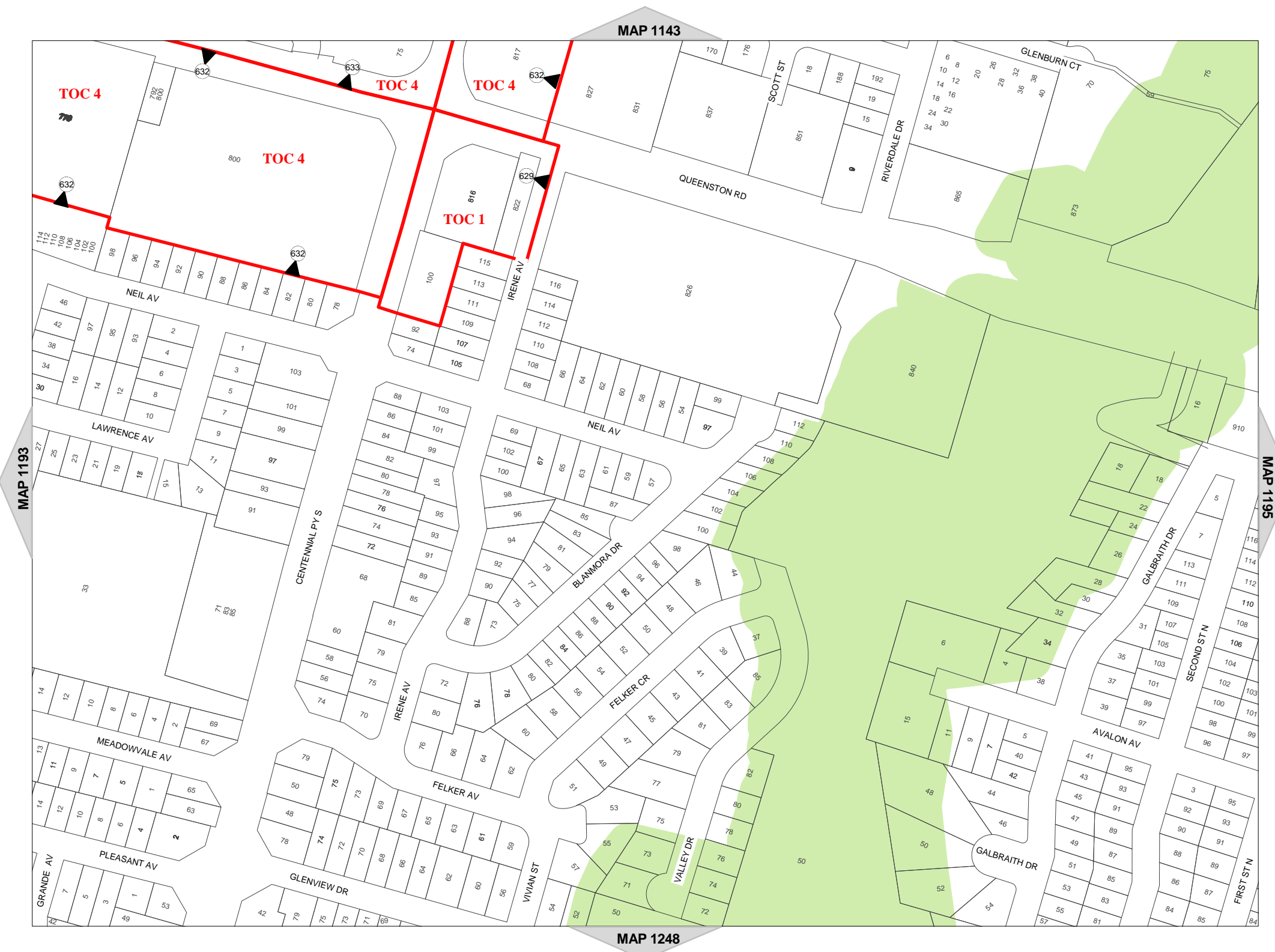
MAP 1194

MAP 1247



Hamilton  
City of Hamilton  
Zoning By-Law 05-200

Map Reference Number	By-Law Number	Effective Date of By-Law



- Legend**
- Special Exception
  - Holding Provision
  - Urban Boundary
  - Zoning Boundary
  - C.A. Regulated Area
  - Lake
  - Railway

Note: Features in the Legend may not appear in each individual map for every batch series of map



SCALE 1 : 3,332

**MAP 1194 of Schedule 'A'**

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

To Confirm the Proceedings of City Council at its meeting held on February 14, 2018.

**THE COUNCIL OF THE  
CITY OF HAMILTON  
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 14<sup>th</sup> day of February, 2018, in respect of each recommendation contained in,

General Issues Committee Report 18-001 – January 11, 2018  
Public Works Committee Report 18-002 – February 5, 2018,  
Planning Committee Report 18-002 – February 6, 2018,  
General Issues Committee Report 18-004 – February 7, 2018,  
Audit, Finance & Administration Report 18-002 – February 12, 2018,  
and  
Emergency & Community Services Report 18-002 – February 12, 2018

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

**PASSED** this 14<sup>th</sup> day of February, 2018.

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F. Eisenberger  
Mayor

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R. Caterini  
City Clerk