



City of Hamilton

CITY COUNCIL ADDENDUM

Friday, July 13, 2018, 9:30 A.M.

Council Chambers, Hamilton City Hall

71 Main Street West

5. COMMUNICATIONS

- *5.6 Correspondence from Lakewood Beach Community Council respecting the Reserve Policies Update (FSC18065).

Recommendation: Be received and referred to the consideration of Item 7 of the Audit, Finance and Administration Committee Report 18-010.

8. NOTICES OF MOTIONS

- *8.1 OPSEU Local 216 and Banyan Community Services
- *8.2 Hamilton Steel Summit
- *8.3 Request for an Independent, Provincial Review of Forensic Psychiatric Patient Escapes from the St. Joseph's Healthcare Forensic Psychiatric Unit (Hamilton) and Mandatory GPS Monitoring of those Forensic Psychiatric Patients with Outside Passes
- *8.4 Sidewalk Redevelopment - Ward 4
- *8.5 500 MacNab St. N. Renewal Project
- *8.6 Ward 2 Discretionary Funded Project
- *8.7 To Create a Hamilton General Hospital Safety Zone

- *8.8 Free Residential Composter Pilot
- *8.9 Continued Investments in Ward 3 Parks and Playgrounds at 430 Cumberland and the new Century St Parkette
- *8.10 No Parking Signs on Aberdeen Avenue and Herkimer Street
- *8.11 Demolition Permit - 82 Lynbrook Drive

10. PRIVATE AND CONFIDENTIAL

- *10.2 Property Acquisition to Support the Transit Maintenance and Storage Facility (PW18045(a)) (Ward 3) (distributed under separate cover)

Pursuant to Section 8.1, Sub-section (c) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (c) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land for City purposes.
- *10.2.a Property Acquisition to Support the Transit Maintenance and Storage Facility (PW18045(b)) (Ward 3) (distributed under separate cover)
- *10.3 Integrity Commissioner / Lobbyist Registrar Appointment (LS18044/CL18005) (City Wide) (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 matter pertains to an identifiable individual, include City employees.

11. BY-LAWS AND CONFIRMING BY-LAW

- *11.15 196

Being a By-law to amend By-law No. 14-153, City of Hamilton Development Charges By-law, 2014, to Revise Definitions and Policy Regarding Industrial Development Expansions

Ward: City Wide
- *11.16 197

A By-law to Amend By-law No. 17-225, being a By-law to Establish a System of Administrative Penalties

Ward: City Wide

- *11.17 198
To Rename Highland Road to Highland Road West
Ward: 6
- *11.18 199
A By-law to Prohibit Drive School Instructing in the Restricted Areas
Ward: 5
- *11.19 200
To Amend Zoning By-law No. 05-200 (Hamilton), as amended by By-law No. 17-112, Respecting Lands Located at 50 Albright Drive
ZAH-18-032
Ward: 5
- *11.20 201
To Amend Zoning By-law No. 6593 (Hamilton), as amended by By-law No. 17-155, Respecting Lands Located at 52 Ottawa Street North
ZAH-18-036
Ward: 5
- *11.21 202
To Adopt Official Plan Amendment No. 108 to the Urban Hamilton Official Plan Respecting 20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Lang Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Street (Hamilton)
Ward: 4
- *11.22 203
To Amend Zoning By-law No. 05-200 Respecting Lands Located at 20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Land Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, and 24 Hayes Avenue, Hamilton
ZAC-18-010/25T-201802
Ward: 4

*11.23 204

To Adopt Official Plan Amendment No. 17 to the Rural Hamilton Official Plan Respecting 1915, 1995 and 1997 Jerseyville Road West (Ancaster)

Ward: 14

*11.24 205

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 1915, 1995 and 1997 Jerseyville Road West, Ancaster

ZAC-17-080 &RHOPA-17-037

*11.25 206

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 21 Mill Street North (Flamborough)

ZAR-18-011

Ward: 15

Pilon, Janet

From: Lakewood Beach Community Council <LakewoodBeachCC@hotmail.com>
Sent: July-12-18 9:28 AM
To: DL - Council Only
Cc: Pilon, Janet
Subject: Reserve Policies Update (FCS18065) AF&A Item 8.2

Dear Honourable Mayor & Members of Council,

For years we have wondered why the purchase of 605 Highway #8 was area-rated to only the Stoney Creek residents as **Parkland** when the intent of the purchase was always a city-wide civic purpose. (food bank, parking lot, historical society, eventual community centre/sports complex)

Now that we're almost to the end of our 10 years of loan repayment to the Parkland reserve fund, we see within this report future repayments will be allocated to the Property Purchases Reserve fund which is city-wide & not area-rated.

We would respectfully request that Council consider retroactive adjustments for the taxpayers of Wards 9, 10 and lower 11 as well as end the area-rating of the remaining Parkland loan repayments due to the fact our tax levies by-law does not area rate Property Purchases for civic purposes.

Sincerely,

Viv / Anna / Nancy
Lakewood Beach Community Council

CITY OF HAMILTON

NOTICE OF MOTION

Council Date: July 13, 2018

MOVED BY COUNCILLOR T. JACKSON.....

OPSEU Local 216 and Banyan Community Services

WHEREAS, Members of OPSEU Local 216 of Arrell Youth Centre operated by Banyan Community Services find themselves in a critical situation being locked out on April 27, 2018 and without a contract since April 1, 2017;

WHEREAS, Youth in care have been displaced from their communities and the services they rely on;

WHEREAS, 60 youth justice workers at the Arrell Youth Centre are now in a lockout after workers refused to accept a benefit co-sharing arrangement that would cost a full-time employee approximately \$1,200 a year and result in a \$20,000 savings to the employer; and

WHEREAS, the City of Hamilton has a vested interest in protecting the integrity of the Province of Ontario Labour laws and the principal of negotiating collective agreements in good faith;

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton ask Banyan Community Services to uphold the integrity of Ontario Labour Laws, which are based on a presumption of good faith bargaining by both parties;
- (b) That the City of Hamilton call on Banyan Community Services to find a resolution to the lockout without imposing further hardship on workers and their families; and
- (c) That if Banyan Community Services refuses to resume bargaining in good faith, the City of Hamilton ask both the Minister of Labour and the Minister of Children, Community and Social Services, the Prime Minister of Canada, and the Premier of Ontario to intervene in order to uphold the integrity of the Ontario Labour Laws, and the underlying principal that both parties in a dispute must, in good faith, negotiate a Collective Agreement; and, that all local MP's and MPP's be copied.

CITY OF HAMILTON

NOTICE OF MOTION

Council Date: July 13, 2018

MOVED BY COUNCILLOR S. MERULLA.....

Hamilton Steel Summit

WHEREAS, Hamilton is Canada's Steel City,

WHEREAS the steel industry in Hamilton supports thousands of jobs in Hamilton and in neighbouring communities,

WHEREAS, the City of Hamilton is committed to protecting the welfare and best interest of employees and pensioners in the Hamilton steel industry,

WHEREAS the City of Hamilton is committed to supporting and standing up for our world-class steel industry,

WHEREAS, the City of Hamilton wants to engage community partners and industry stakeholders to make our City's voice heard.

THEREFORE BE IT RESOLVED:

- (a) That the City Manager be directed to plan and execute a Hamilton Steel Summit through which members of Council and the public can hear directly from representatives of the steel industry about the challenges being faced in the steel industry, and any efforts that governments of all levels can make to support our steel industry, to be held no later than September 26, 2018;
- (b) That staff in the City Manager's Office, Economic Development Division and Clerks Office work with the Mayor and the Chair of the City's Steel Committee to finalize the format and agenda for the Summit;
- (c) That the Mayor write to Hamilton's MPs, MPPs, labour unions and Chambers of Commerce to invite them to attend the Summit;
- (d) That the Summit be open to members of the public who wish to make delegations;
- (e) That the costs associated with the Hamilton Steel Summit be funded from the Tax Stabilization Reserve, up to a maximum of \$5,000; and
- (f) That staff be directed to report to the General Issues Committee with a summary of the Hamilton Steel Summit, along with recommendations for a longer term Engagement Strategy with the Federal and Provincial governments, by December 2018.

CITY OF HAMILTON

NOTICE OF MOTION

Council: July 13, 2018

MOVED BY COUNCILLOR T. WHITEHEAD.....

Request for an Independent, Provincial review of Forensic Psychiatric Patient Escapes from the St. Joseph's Healthcare Forensic Psychiatric Unit (Hamilton) and Mandatory GPS Monitoring for those Forensic Psychiatric Patients with Outside Passes

WHEREAS, the City of Hamilton understands the significant work and value of the St. Joseph's Healthcare Forensic Psychiatric Unit in the treatment and reintegration of forensic psychiatric patients into the community;

WHEREAS, the City of Hamilton supports the spirit of reintegration into the community of those experiencing mental health issues, who have been involved in a criminal act, upon the completion of the appropriate rehabilitation;

WHEREAS, there have been approximately 26 patients, who have gone missing, from the St. Joseph's Healthcare Forensic Psychiatric Unit in the last three years;

WHEREAS, two of the three patients who have escaped in the last 4 weeks had deemed as being high-risk, violent offenders by the Ontario Review Board;

WHEREAS, although Mohawk College, which is adjacent to the St. Joseph's Healthcare Forensic Psychiatric Unit, has protocols in place to protect the students in the buildings when notified of an escape, cannot protect students outside of the facility or in student housing;

WHEREAS, the community is demanding that higher standards of monitoring and securing the forensic psychiatric patients at the St. Joseph's Healthcare Forensic Psychiatric Unit, and the right to not only feel safe, but to be safe;

WHEREAS, although the St. Joseph's Healthcare Forensic Psychiatric Unit has protocols in place to address matters of missing forensic psychiatric patients, those protocols are clearly not sufficient;

THEREFORE, BE IT RESOLVED:

- (a) That, in the interest of public safety and to assist the St. Joseph's Healthcare Forensic Psychiatric Unit in determining more effective methods of monitoring and securing forensic psychiatric patients, the Mayor correspond with the Honourable

Christine Elliott, Deputy Premier and Minister of Health and Long-term Care, to request the Ministry to perform an independent, provincial review of all escapes to-date from this facility, and to provide a report of their findings and recommendations; and,

- (b) That the Honourable Christine Elliott, Deputy Premier and Minister of Health and Long-term Care, also be requested to consider making it mandatory for all forensic psychiatric patients, who have outside passes, to be fitted with a GPS monitor to assist those charged with their custody and treatment to better monitor the whereabouts of those patients.

CITY OF HAMILTON

NOTICE OF MOTION

Council Date: July 13, 2018

MOVED BY COUNCILLOR S. MERULLA.....

Sidewalk Redevelopment – Ward 4

That Capital Rehabilitation and Technical staff be authorized and directed to proceed with the sidewalk redevelopment in Ward 4, at an approximate cost of \$65,000, to be funded from the Ward 4 Area Rating Reserve Account.

CITY OF HAMILTON

NOTICE OF MOTION

Council Date: July 13, 2018

MOVED BY COUNCILLOR C. COLLINS.....

500 MacNab St. N. Renewal Project

WHEREAS, it is proposed that Energy, Fleet & Facilities Management Division (EFFM) shall manage schedule, scope, budget and owner administration of projects (throughout the project phases of Initiation, Planning, Execution and Close-Out), on behalf of the CityHousing Hamilton as client; similar to Facilities' project delivery for Libraries, Police, Recreation and Lodges;

WHEREAS, on June 27, 2018, City of Hamilton Council approved a Capital Project Manager, reporting within Public Works Department, Energy, Fleet & Facilities Management Division, and delivering key capital projects with CityHousing Hamilton as client;

WHEREAS Public Works staff do not have direct authority to negotiate contracts, request issuance of Purchase Orders, work or invoices on behalf of CityHousing Hamilton, which are part of the capital project management responsibilities;

WEREAS the details of Public Works' project delivery for CityHousing Hamilton shall be defined by a Service Level Agreement, currently in progress;

WHEREAS the project at 500 MacNab Street has strict funding deadlines for completing the entire package of work required by March 31, 2020 with only 21 months until this deadline;

WHEREAS City staff are proactively assisting CityHousing Hamilton on 500 MacNab Street in parallel with (in advance of) defining all terms of the Service Level Agreement; and,

WHEREAS, on July 11, 2018, CityHousing Hamilton Board of Directors has directed and authorized the CEO of CityHousing Hamilton to negotiate and enter into a single source contract with ERA Architects Inc. as the prime design consultant for the Passive House tower renewal of 500 MacNab St N, due to the required project completion timeline from a funder, with terms acceptable to legal counsel;

THEREFORE, BE IT RESOLVED:

That City staff in the Public Works Department be directed to proceed with a non competitive contract negotiation with ERA Architects Inc. for the 500 MacNab St. N renewal project in accordance with the CityHousing Hamilton Board of Directors resolution, on behalf of the CityHousing Hamilton as client with terms acceptable to the CEO of CityHousing Hamilton and CityHousing Hamilton Legal Counsel.

CITY OF HAMILTON

NOTICE OF MOTION

Council Date: July 13, 2018

MOVED BY COUNCILLOR J. FARR.....

Ward 2 Discretionary Funded Project

WHEREAS, Council on June 13, 2018, approved the erection of the Snail Mural on the east wall of the Clairmont Access at street level at the intersection of Victoria Avenue South and Stinson Street;

WHEREAS, the Stinson Community is concerned for children’s safety and continues to be proactive in creating a safe pedestrian environment;

WHEREAS, specifically, the Stinson Community is concerned respecting automobile speeds along Stinson Street and have worked toward mitigating this issue through public art at the intersection of Victoria Avenue South and Stinson Street;

WHEREAS, a mural has been commissioned and completed depicting a slow down Snail, with all appropriate approvals and assistance on erection from Ken Coit (Culture Division);

WHEREAS, a funding source for the installation of the Slow Down Snail was not identified in the earlier approvals; and

WHEREAS, based on the concerns raised by the Stinson Community, it is prudent to move the installation of the Slow Down Snail mural from street level at the intersection of Victoria Avenue South and Stinson Street to the overpass of the Claremont Access.

THEREFORE BE IT RESOLVED:

- (a) That the Slow Down Snail mural be installed at the intersection of Victoria & Stinson Street (SW) on the overpass of the Claremont Access; and
- (b) That the funding in the amount no greater than \$1,500 for installation of the mural be funded from the Ward 2 Discretionary ID # 3301809200.

CITY OF HAMILTON

NOTICE OF MOTION

Council: July 13, 2018

MOVED BY COUNCILLOR M. GREEN.....

To Create a Hamilton General Hospital Safety Zone

WHEREAS, friendly Streets Hamilton, an initiative of Environment Hamilton and Cycle Hamilton, have been working to support and engage community stakeholders in securing safer cycling and walking conditions in urban Hamilton;

WHEREAS, friendly Streets Hamilton engaged over 200 community stakeholders and residents in assessing current challenges and barriers to walking and biking in the Beasley, Keith, and Gibson-Landsdale neighbourhoods; d

WHEREAS, residents of the Beasley, Keith, and Gibson-Landsdale neighbourhoods have raised concerns about the challenges they face when walking or biking in the area;

WHEREAS, the area surrounding the Hamilton General Hospital in particular has a high volume of trucks and vehicles, with insufficient pedestrian crossings and bike lanes, making it hazardous for patients, visitors, and residents navigating the area; and,

WHEREAS, a natural foot-route to the hospital entrance from the parking lot and to the medical centre with over 2,000 patients per month attend Stroke Clinic at that corner which is currently unsafe due to high truck traffic.

THEREFORE, BE IT RESOLVED:

- (a) That an overhead pedestrian crossing with appropriate signage be installed on Victoria Ave. N. at Copeland Ave. to be funded out of the Ward 3 Capital Reserve account 108053 to the upset amount of \$75k;
- (b) that the appropriate staff report back on the feasibility of re-routing trucks away from Victoria Ave. N. and Wellington Ave. N.;
- (c) That the appropriate staff report back to the Public Works Committee respecting creating an alleyway bike path with direct access to the hospital; and,
- (d) That staff be directed to investigate any additional traffic calming measures that would enhance the safety of the area surrounding the Hamilton General Hospital.

CITY OF HAMILTON

MOTION

Council: July 13, 2018

MOVED BY COUNCILLOR M. GREEN.....

SECONDED BY MAYOR/COUNCILLOR.....

That the Rules of Order be waived to allow for the introduction of a Motion to Create a Hamilton General Hospital Safety Zone.

CITY OF HAMILTON

MOTION

Council: July 13, 2018

MOVED BY COUNCILLOR M. GREEN.....

SECONDED BY MAYOR/COUNCILLOR.....

To Create a Hamilton General Hospital Safety Zone

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- (d) That staff be directed to investigate any additional traffic calming measures that would enhance the safety of the area surrounding the Hamilton General Hospital.

CITY OF HAMILTON

NOTICE OF MOTION

Council: July 13, 2018

MOVED BY COUNCILLOR M. GREEN.....

Free Residential Composter Pilot

WHEREAS, the Central Composting Facility has been shut-down in response to odour issues and an increased number of odour complaints;

WHEREAS, green bin material is currently being redirected to the landfill while the City procures a third-party processor for said material;

WHEREAS, adding more waste to the landfill in the long-run is counter to the City of Hamilton's 2012 Solid Waste Management Master Plan, which states: "The City of Hamilton must lead and encourage the changes necessary to adopt the principle of Waste Minimization"; and,

WHEREAS, providing free residential composter units will incentivize more sustainable practices and will help reduce the organic waste being diverted to the landfill;

THEREFORE, BE IT RESOLVED:

That the Director of Public works be directed to provide lower city Wards 1-5 residents free residential compost units as a part of an ongoing diversion project for the summer months of July and August to be funded out Ward 3 Capital Reserve account 108053 with an upset limit of \$35k and report back on the feasibility of extending this as a city wide annual waste diversion initiative.

CITY OF HAMILTON

MOTION

Council: July 13, 2018

MOVED BY COUNCILLOR M. GREEN.....

SECONDED BY MAYOR/COUNCILLOR.....

That the Rules of Order be waived to allow for the introduction of a Motion Free Residential Composter Pilot.

CITY OF HAMILTON

MOTION

Council: July 13, 2018

MOVED BY COUNCILLOR M. GREEN.....

SECONDED BY MAYOR/COUNCILLOR.....

Free Residential Composter Pilot

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THEREFORE, BE IT RESOLVED:

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CITY OF HAMILTON

NOTICE OF MOTION

Council: July 13, 2018

MOVED BY COUNCILLOR M. GREEN.....

Continued Investments in Ward 3 Parks and Playgrounds at 430 Cumberland and the new Century Street Parkette

WHEREAS, direct investments in our community public spaces, parks, and playgrounds have been identified through extensive neighbourhood engagement as well as through our City of Hamilton strategic priorities; and,

WHEREAS, capital upgrades are currently underway at 430 Cumberland as well as the redevelopment of the former parking lot into a Century Street Parkette;

THEREFORE BE IT RESOLVED:

- (a) That \$75,000 be provided to City Housing Hamilton for the construction of a new playground at the property located at 430 Cumberland Avenue, Hamilton;
- (b) That staff be directed to undertake a public art process to plan, select, fabricate and install a work of Public Art in the Century Street Parkette with a budget of \$150,000 that includes student input from neighbouring Cathedral Highschool, the direct neighbourhood, as well as other community engagement as, deemed appropriate by way of our public art process; and,
- (c) That both projects be funded out of the Ward 3 Capital Reserve account 108053.

CITY OF HAMILTON

MOTION

Council: July 13, 2018

MOVED BY COUNCILLOR M. GREEN.....

SECONDED BY MAYOR/COUNCILLOR.....

That the Rules of Order be waived to allow for the introduction of a Motion respecting Continued Investments in Ward 3 Parks and Playgrounds at 430 Cumberland and the new Century Street Parkette.

CITY OF HAMILTON

MOTION

Council: July 13, 2018

MOVED BY COUNCILLOR M. GREEN.....

SECONDED BY MAYOR/COUNCILLOR.....

Continued Investments in Ward 3 Parks and Playgrounds at 430 Cumberland and the new Century Street Parkette

WHEREAS, direct investments in our community public spaces, parks, and playgrounds have been identified through extensive neighbourhood engagement as well as through our City of Hamilton strategic priorities; and,

WHEREAS, capital upgrades are currently underway at 430 Cumberland as well as the redevelopment of the former parking lot into a Century Street Parkette;

THEREFORE BE IT RESOLVED:

- (a) That \$75,000 be provided to City Housing Hamilton for the construction of a new playground at the property located at 430 Cumberland Avenue, Hamilton;
- (b) That staff be directed to undertake a public art process to plan, select, fabricate and install a work of Public Art in the Century Street Parkette with a budget of \$150,000 that includes student input from neighbouring Cathedral Highschool, the direct neighbourhood, as well as other community engagement as, deemed appropriate by way of our public art process; and,
- (c) That both projects be funded out of the Ward 3 Capital Reserve account 108053.

CITY OF HAMILTON

NOTICE OF MOTION

COUNCIL
DATE: July 13, 2018

MOVED BY COUNCILLOR J. FARR.....

No Parking Signs on Aberdeen Avenue and Herkimer Street

That the "No Stopping" signs along the bicycle lane between Aberdeen Avenue and Herkimer Street be changed to "No Parking" signs, thus bringing them in line with the signage on the adjacent Markland Avenue and other local residential streets.

CITY OF HAMILTON

MOTION

COUNCIL
DATE: July 13, 2018

MOVED BY COUNCILLOR J. FARR.....

SECONDED BY COUNCILLOR

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CITY OF HAMILTON

MOTION

COUNCIL
DATE: July 13, 2018

MOVED BY COUNCILLOR J. FARR.....

SECONDED BY COUNCILLOR

That the Rules of Order be waived to allow for the introduction of a Motion respecting No Parking Signs on Aberdeen Avenue and Herkimer Street.

CITY OF HAMILTON

NOTICE OF MOTION

COUNCIL
DATE: July 13, 2018

MOVED BY COUNCILLOR T. WHITEHEAD.....

Demolition Permit – 82 Lynbrook Drive

WHEREAS, the owner of 82 Lynbrook Drive has experienced a fire in their home making it uninhabitable;

WHEREAS, the time is running out with the insurance settlement; and,

WHEREAS, the owner intends to rebuild the dwelling at 82 Lynbrook Drive as soon as practicable;

THEREFORE BE IT RESOLVED:

THAT the owner of 82 Lynbrook Drive be permitted to apply for and receive a building permit to demolish the dwelling at 82 Lynbrook Drive without having to comply with the following three standard rebuild conditions as required under the Demolition Control Bylaw being:

- 1) the requirement to register the rebuild agreement on title,
- 2) the required letter of security, and
- 3) the requirement to apply for the new dwelling at the same time as the demolition permit is applied for.

CITY OF HAMILTON

MOTION

COUNCIL
DATE: July 13, 2018

MOVED BY COUNCILLOR T. WHITEHEAD.....

SECONDED BY COUNCILLOR

Demolition Permit – 82 Lynbrook Drive

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WHEREAS, the time is running out with the insurance settlement; and,

WHEREAS, the owner intends to rebuild the dwelling at 82 Lynbrook Drive as soon as practicable;

THEREFORE BE IT RESOLVED:

THAT the owner of 82 Lynbrook Drive be permitted to apply for and receive a building permit to demolish the dwelling at 82 Lynbrook Drive without having to comply with the following three standard rebuild conditions as required under the Demolition Control Bylaw being:

- 1) the requirement to register the rebuild agreement on title,
- 2) the required letter of security, and
- 3) the requirement to apply for the new dwelling at the same time as the demolition permit is applied for.

CITY OF HAMILTON

MOTION

COUNCIL
DATE: July 13, 2018

MOVED BY COUNCILLOR T. WHITEHEAD.....

SECONDED BY COUNCILLOR

That the Rules of Order be waived to allow for the introduction of a Motion respecting Demolition Permit – 82 Lynbrook Drive.

Authority: Item 4, Audit, Finance &
Administration Committee
Report 18-010 (FCS18053(a))
CM: July 13, 2018
Ward: City Wide
Bill No. 196

CITY OF HAMILTON

BY-LAW NO. 18-

**Being a By-law to amend By-law 14-153
City of Hamilton Development Charges By-law, 2014
To Revise Definitions and Policy Regarding Industrial Development Expansions**

WHEREAS section 19 of the *Development Charges Act, 1997, S.O. 1997, c.27* (hereinafter referred to as the "Act") provides for amendments to be made to development charges by-laws;

WHEREAS the Council of the City of Hamilton has determined that certain amendments should be made to the Development Charges By-law, 2014 (By-law14-153);

WHEREAS, in accordance with section 10 of the Act, at its meeting of May 9, 2018, the Council of the City of Hamilton approved a background study through Report FCS18053 dated May 7, 2018 entitled "City of Hamilton Development Charges By-law 14-153 Background Study Re: Industrial Development Expansion Policy Amendment."

WHEREAS, as required by section 10 of the Act, the said development charges background study has been completed and made public a minimum of 60 days prior to passing this development charges By-law amendment;

WHEREAS, as required by section 11 of the Act, this By-law amendment is being enacted within one year of the completion of the said development charges background study, titled "City of Hamilton Development Charges By-law 14-153 Background Study Re: Industrial Development Expansion Policy Amendment" prepared by staff, dated May 7, 2018;

WHEREAS the Council of the City of Hamilton has given notice and held a public meeting on July 11, 2018 in accordance with section 12 the Act regarding its proposals for this development charges By-law amendment;

WHEREAS the Council of the City of Hamilton, through its Audit, Finance and Administration Committee, has received written submissions and heard all persons who applied to be heard no matter whether in objection to, or in support of, the said By-law amendment;

WHEREAS the Council of the City of Hamilton, at its meeting of July 13, 2018, has adopted and approved the said background study and the development charges policies recommended by the General Manager of the Finance and Corporate Services Department to be included in this By-law amendment and determined that no further public meetings are required under section 12 of the Act; and

WHEREAS the Council of the City of Hamilton, at its meeting of May 9, 2018, approved a Report FCS18053 dated May 7, 2018 entitled "City of Hamilton Development Charges By-law 14-153 Background Study Re: Industrial Development Expansion Policy Amendment."

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

1. Section 1 of By-law 14-153 is hereby amended by replacing Definition (q) with the following:

"existing industrial building" shall have the same meaning as that term is defined under Ontario Regulation 82/98 under the Act, but, for clarity, shall only include buildings for which a final inspection by a City Building Inspector has been conducted and passed, resulting in a finalized Building Permit.

2. Sections 17, 19 and 20 of By-law 14-153 is hereby amended by replacing the sections with the following:

17. No development charge shall be imposed on:

- (a) one or more enlargements of an existing industrial building as defined herein, up to a maximum of fifty percent (50%) of the gross floor area of the existing industrial building.
- (b) one or more industrial buildings on the same lot or parcel of land as one or more existing industrial buildings, up to a maximum of fifty percent (50%) of the combined gross floor area of the existing industrial buildings.

19. The cumulative total of the gross floor area previously exempted hereunder shall be included in the determination of the amount of the exemption applicable to any subsequent enlargement.

20. Where:

- (a) a subdivision of a lot or parcel of land subsequent to any enlargement or additional industrial building previously exempted hereunder results in the existing industrial building being on a lot or parcel separate from the development previously, further exemptions, if any, pertaining to the existing industrial building shall be calculated on the basis of the lot or parcel of land as it exists at the time of said enlargement or additional industrial building.

- (b) lands are merged or otherwise added to a lot or parcel of land after July 16, 2018, the exemption in 17 (b) shall only be available to development on the lot or parcel of land as it existed as of July 16, 2018 and the exemption in subsection 17(b) shall not apply to any development on lands that were merged with or added to a lot or parcel of land after July 16, 2018.
3. The City Clerk is hereby authorized and directed to consolidate this and any other duly enacted amendments to By-law 14-153 into the main body of the said By-law, and to make any necessary and incidental changes to numbering and nomenclature thereof arising from the said consolidation.
4. This By-law shall come into force and take effect at 12.01 a.m. on July 16, 2018.

PASSED this 13th day of July, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

For Office Use Only, this doesn't appear in the by-law - Clerk's will use this information in the Authority Section of the by-law

Is this by-law derived from the approval of a Committee Report? Yes

Committee: Chair and Members Report No.: FCS18053 (a) Date: 07/11/2018
Ward(s) or City Wide: City Wide (MM/DD/YYYY)

Prepared by: Joe Spiler

Phone No: (905) 546-2424 Ext. 4519

For Office Use Only, this doesn't appear in the by-law

Bill No. 197

CITY OF HAMILTON

BY-LAW NO. 18-

A By-law to Amend By-law No. 17-225, being a By-law to Establish a System of Administrative Penalties

WHEREAS Council enacted a By-law to Establish a System of Administrative Penalties, being By-law No. 17-225; and

WHEREAS this By-law amends By-law No. 17-225;

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

1. The amendments in this By-law include any necessary grammatical, numbering and lettering changes.
2. Schedule A of By-law No. 17-225 is amended by adding a new Table 13 entitled BY-LAW NO. 10-118 Being a By-law to regulate Exterior Property Maintenance Including Vegetation, Waste and Graffiti.

TABLE 13: BY-LAW NO. 10-118 TO REGULATE EXTERIOR PROPERTY MAINTENANCE INCLUDING VEGETATION, WASTE AND GRAFFITI				
ITEM	COLUMN 1 DESIGNATED BY- LAW & SECTION		COLUMN 2 SHORT FORM WORDING	COLUMN 3 SET PENALTY
1	10-118	3(1)(a)	Fail to keep vegetation clean/cleared up	\$75.00
2	10-118	4(1)	Fail to keep yard/porch free and clear of all waste	\$95.00
3	10-118	4(1.1)	Fail to keep boulevard free and clear of all waste	\$95.00
4	10-118	4(2)	Use yard of any property for depositing waste	\$95.00
5	10-118	4(5)(a)(i)	Fail to ensure waste is placed in container made of rigid, watertight construction	\$95.00
6	10-118	4(5)(a)(ii)	Fail to ensure waste is placed in container with a tight-fitting cover	\$95.00
7	10-118	4(5)(a)(iii)	Fail to ensure waste is placed in container maintained in good condition without holes or spillage	\$95.00
8	10-118	4(5)(a)(iv)	Fail to ensure waste is placed in closed or emptied, rinsed and cleaned container so as to prevent escape of offensive odour or waste	\$95.00
9	10-118	4(5)(a)(v)	Fail to ensure waste is placed in container located in rear yard	\$95.00
10	10-118	4(5)(b)	Allow waste to accumulate for longer than 10 days	\$95.00
11	10-118	4(6)(a)	Fail to ensure exterior bulk/roll-off container disposal system is equipped with operable covers	\$95.00
12	10-118	4(6)(a)	Fail to ensure cover of exterior bulk/roll-off container disposal system is not left open, except when actively loaded	\$95.00

TABLE 13: BY-LAW NO. 10-118 TO REGULATE EXTERIOR PROPERTY MAINTENANCE INCLUDING VEGETATION, WASTE AND GRAFFITI				
ITEM	COLUMN 1 DESIGNATED BY- LAW & SECTION		COLUMN 2 SHORT FORM WORDING	COLUMN 3 SET PENALTY
13	10-118	4(6)(b)	Fail to ensure exterior bulk/roll-off container disposal system is large enough to contain all waste generated between collections	\$95.00
14	10-118	4(6)(c)	Fail to ensure exterior bulk/roll-off container disposal system is not loaded beyond the top of container	\$95.00
15	10-118	4(7)(a)	Have more than 2 compost heaps on property	\$95.00
16	10-118	4(7)(b)(i)	Fail to ensure compost heap is not larger than 1 m ³	\$95.00
17	10-118	4(7)(b)(ii)	Fail to ensure compost heap is located a minimum of 1 meter from any property line	\$95.00
18	10-118	4(7)(b)(iii)	Fail to ensure compost heap enclosed on all sides by prescribed material	\$95.00
19	10-118	5(1)	Fail to clean exterior of building/structure/erection/object on property of graffiti	\$95.00
20	10-118	6(1)	Deposit waste on property without prior written authorization	\$225.00
21	10-118	6(2)	Deposit waste on City property without prior written authorization	\$225.00
22	10-118	7(1)	Fail to keep private drain operational and in repair	\$225.00
23	10-118	7(2)	Obstruct/permit the obstruction of private drain	\$225.00
24	10-118	7(3)	Obstruct/cause/permit the obstruction of a watercourse on their property	\$325.00
25	10-118	7.1(a)	Allow water from swimming pool/hot tub/spa/water feature/rain barrel/water container to drain on to adjacent property	\$95.00
26	10-118	7.1(b)	Allow water from swimming pool/hot tub/spa/water feature/rain barrel/water container to drain into sanitary/storm sewer not in compliance with Sewer Use By-law	\$95.00
27	10-118	8(1)	Place/arrange inoperative agricultural machinery/vehicle on farm so as to create a safety/health hazard to persons on property	\$100.00
28	10-118	8(1)	Place/arrange inoperative agricultural machinery/vehicle on farm so as to block emergency access to or from property	\$100.00
29	10-118	8(1)(a)	Fail to screen inoperative agricultural machinery/vehicle on farm from view from outside property lines using wall/solid structure/hedge	\$100.00
30	10-118	8(1)(b)	Fail to keep inoperative agricultural machinery/vehicle on farm set back 100 m from property lines	\$100.00
31	10-118	9(1)(a)	Fail to ensure active well/cistern/cesspool/privy vault/pit/excavation is secured by a fence with a warning signs	\$325.00
32	10-118	9(1)(b)	Fail to ensure any well/cistern/cesspool/privy vault/pit/excavation not in active use is permanently sealed/secured by fence/cover/other means	\$325.00
33	10-118	9(2)	Fail to keep surface of steps/walks/driveways/parking spaces/similar areas of property maintained so as to afford safe passage	\$125.00
34	10-118	9(3)	Fail to keep yard of property clean/free from objects/conditions that might create health/fire/accident hazard/unsafe conditions	\$125.00

PASSED this 13th day of July, 2018

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 14, Planning Committee
Report: 18-011(PED18159)
CM: July 13, 2018
Ward: 6

Bill No. 198

CITY OF HAMILTON

BY-LAW NO. 18-

To Rename Highland Road to Highland Road West

WHEREAS notice of the proposal to pass this by-law was published in the Hamilton Mountain News prior to the passing of this by-law;

AND WHEREAS the Council of the City of Hamilton, through the Economic Development and Planning Committee, has heard all persons who applied to be heard no matter whether in objection to or in support of this by-law;

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

1. The name of the street municipally known as Highland Road, more particularly described as follows:

PIN 16932-0048 (LT)

Part of the Road Allowance between Concessions 7 and 8, Saltfleet; lying west of Upper Mount Albion Road.

City of Hamilton.

is hereby changed to Highland Road West.

2. That this by-law comes into force and takes effect on the date of its registration in The Hamilton Land Registry Office for the Land Titles Division of Wentworth 62.

PASSED this 13th day of July, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 16, Planning Committee
Report 18-011 (PED17179(a))
CM: July 13, 2018
Ward: 5

Bill No. 199

CITY OF HAMILTON
BY-LAW NO. 18-

A By-law to Prohibit Driving School Instructing in the Restricted Areas

WHEREAS subsection 10(2) of the Municipal Act, 2001 permits a single-tier municipality to pass by-law respecting the health, safety and well-being of persons and the protection of persons and property;

WHEREAS subsection 128(1) of the Municipal Act, 2001 permits a municipality to prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances; and

WHEREAS in the interest of nuisance control, and in order to protect against the danger to health and safety presented by having an abundance of driving school vehicles providing instruction in particular neighbourhoods, and in order to promote health and safety by ensuring that student drivers are tested in an unfamiliar area, to ensure more accurate evaluation of the students' driving ability, Council for the City of Hamilton considers it desirable to regulate and govern the training of persons by a Driving School Instructor in designated restricted areas;

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

DEFINITIONS AND INTERPRETATION

1. For the purposes of this By-law, the following definitions shall apply:

"Authorized Sign" means any sign, pavement marking or other device which has been placed, installed or erected on a Highway under authority of this By-law to designate, regulate and/or enforce the provisions of this By-law;

"Director" means the Director of Licensing and By-law Services or any successor thereof, or their designate;

"Driving School" means any business or establishment which employs Driving School Instructors, to teach persons to operate Motor Vehicles;

"Driving School Instructor" means a Person who for compensation teaches others to drive a Motor Vehicle as a driving instructor and who is employed by a Driving School Operator or is self-employed in the business of teaching persons to operate a Motor Vehicle;

“Driving School Motor Vehicle” means a motor vehicle that is being used by a Driving School Instructor for the purpose of teaching a person to operate a Motor Vehicle which is equipped with a properly functioning service brake actuator that may be operated by the driving instructor;

“Driving School Operator” means a person who runs, operates or carries on the business of a Driving School;

“Driving School Permit” means a valid driving school licence issued by the Province of Ontario pursuant to the Highway Traffic Act;

“DriveTest Examiner” means a person employed by a DriveTest Centre who evaluates individual driving skills on Ministry of Transportation approved routes and provides a pass/fail report;

“Highway” includes a common and public highway, street, avenue, parkway, driveway, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof;

“Motor Vehicle” means an automobile, motorcycle, motor assisted bicycle, unless otherwise indicated in the *Highway Traffic Act*, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a street car, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine;

“Officer” means a Police Officer or person responsible for the enforcement of the provision of this By-law;

“Person” means an individual, firm, corporation, association or partnership;

“Residential Local Road” means an Urban Residential Local Road as described in the City’s Transportation Master Plan; and

“Restricted Area” means the areas outlined on Appendix 1 to this By-law.

GENERAL PROHIBITIONS

- 2.(1) No Driving School Instructor providing driving lessons shall operate or permit the operation of a motor vehicle on any Highway listed in Appendix 2 and located within a “Restricted Area”.
- 2.(2) No Driving School Operator shall cause or permit the operation of a motor vehicle providing driving lessons on any Highway listed in Appendix 2 and located within a “Restricted Area”.
- 2.(3) Notwithstanding Sections 2(1) and 2(2) a motor vehicle used by a Driving School Instructor for providing driving lessons may be operated within the “Restricted Area” provided that:
 - (a) the student to whom Driving School instruction is being provided lives within the “Restricted Area”; and

- (b) while in the “Restricted Area” the student carries proof of residence and presents such proof of residence to an Officer upon demand; and
- (c) the Driving School Instructor proceeds to and from the student’s residence using the most direct route to and from the closest area outside the “Restricted Area”.

ENFORCEMENT AND ADMINISTRATION

- 3.(1) An Officer is hereby vested with the authority to administer and enforce the provisions of this By-law.
- 3.(2) The Director is hereby authorized to place, erect and maintain such Authorized Signs as may be necessary to give effect to the provisions of this By-law or which are authorized by the Schedule to this By-law.

PENALTY

- 4.(1) Every Person who contravenes any provision of this By-law is guilty of an offence.
- 4.(2) Every Person who is convicted of an offence is liable to a fine under the *Municipal Act, 2001*.
- 4.(3) Every Person who is convicted of an offence is liable to a fine under the *Provincial Offences Act*, of not more than \$5,000.00, exclusive of costs.

GENERAL PROVISIONS

- 5. If a court of competent jurisdiction declares any provision or part of a provision of this By-law invalid, the provision or part of a provision is deemed severable from this By-law and it is the intention of Council that the remainder of this By-law shall continue to be in force.

ENACTMENT

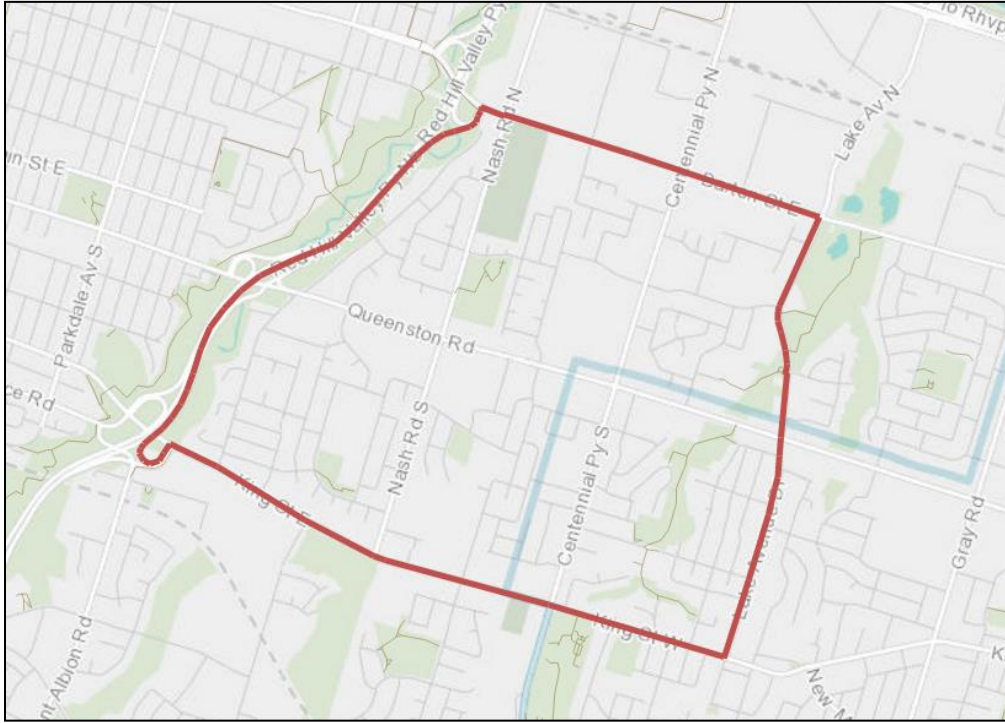
- 6. This By-law comes into force on the date of its passing.

PASSED this 13th day of July, 2018

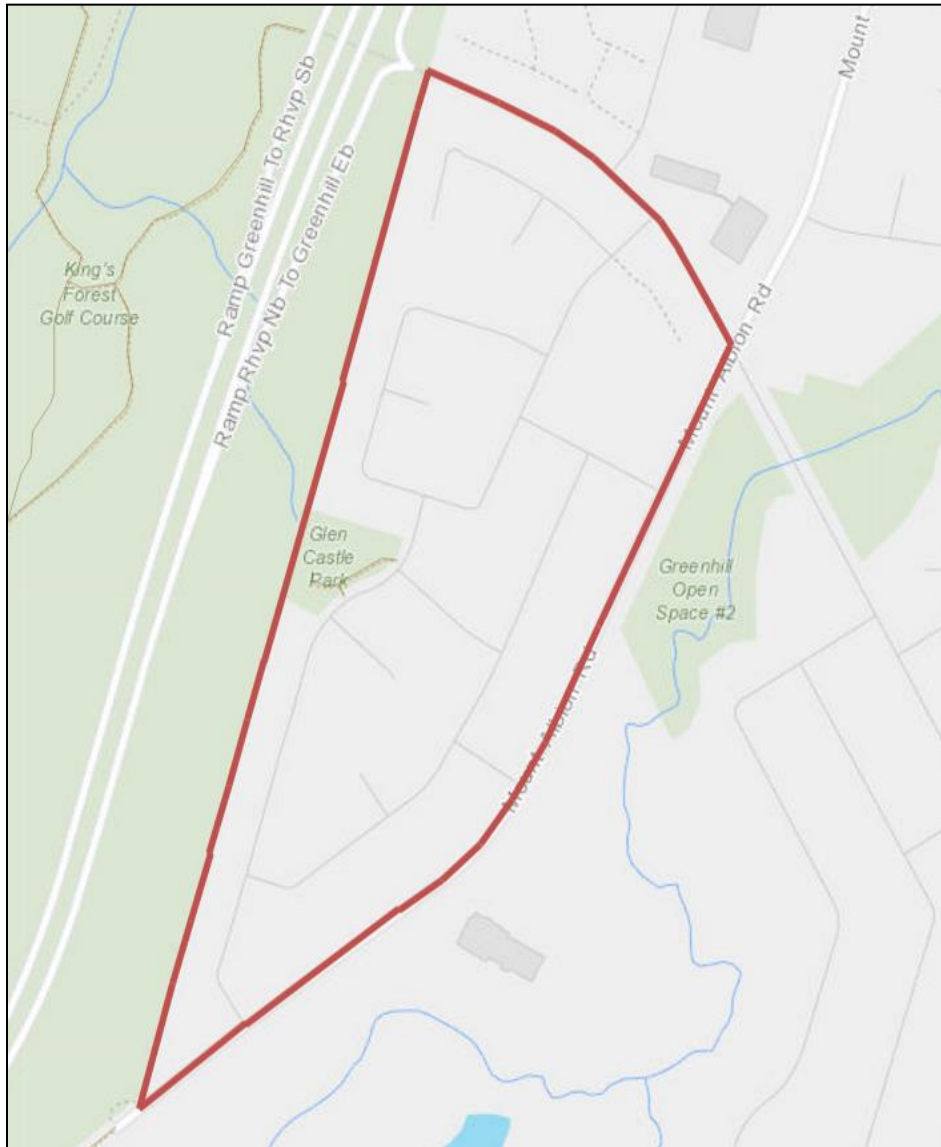
F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

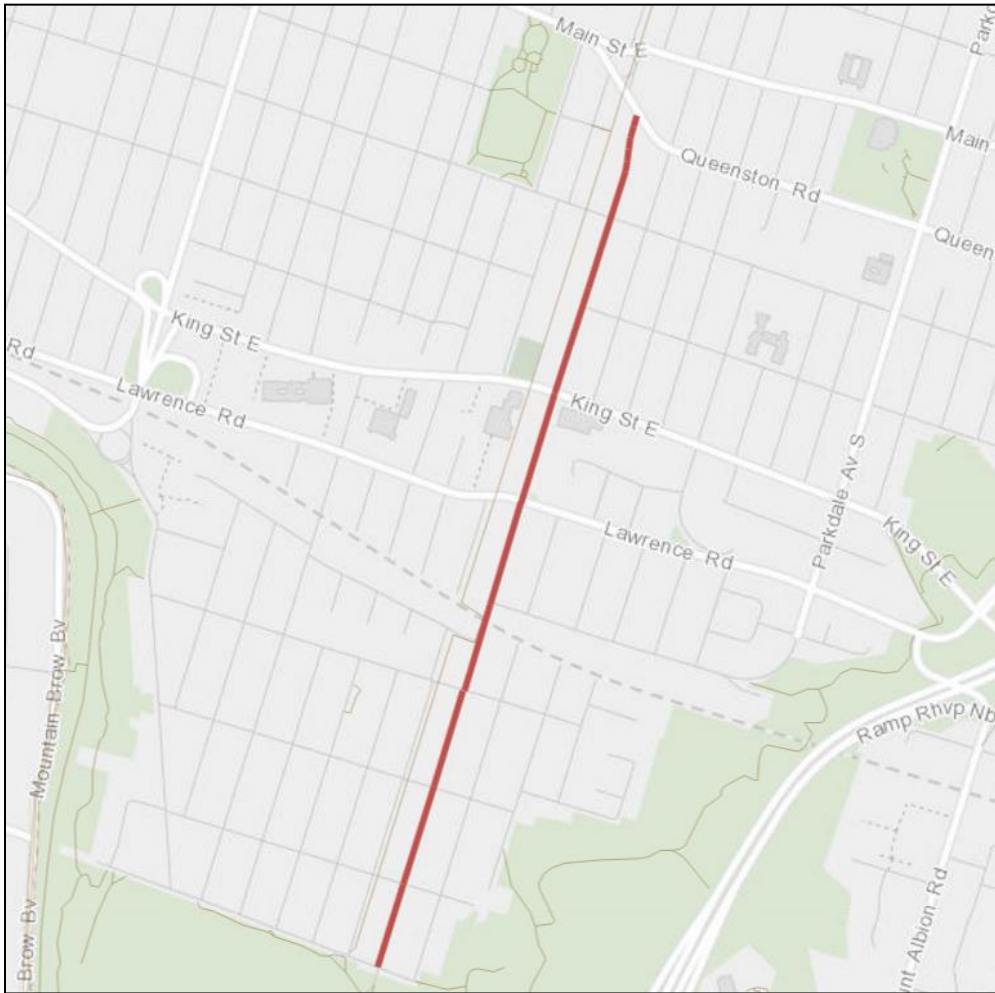
Appendix "1"



— RESTRICTED AREA



_____ RESTRICTED AREA



_____ RESTRICTED AREA

Appendix "2"

Nugent Drive
Crawford Drive
Kentley Drive
Oakland Drive
Ellingwood Avenue
Janet Court
Pottruff Road North
Violet Drive
Grandville Avenue
Delawana Drive
Lake Avenue North
Village Drive
Fairington Crescent
Cochrane Road
Rainbow Drive
Woodman Drive
Glen Castle Drive
Kingswood Drive
Forest Hill Crescent

Authority: Item 31, Planning and
Economic Development
Committee
Report: 06-005
CM: April 12 ,2006
Ward: 5

Bill No. 200

CITY OF HAMILTON

BY-LAW NO. 18-

To Amend Zoning By-law No. 05-200 (Hamilton), as amended By By-law 17-112, respecting lands located at 50 Albright Drive

WHEREAS the City of Hamilton has in force several Zoning By-laws which apply to the different areas incorporated into the City by Virtue of the *City of Hamilton Act*, 1999, Statutes of Ontario, 1999 Chap 14;

AND WHEREAS the City of Hamilton is the lawful successor to the former Municipalities, identified in Section 1.7 of By-law No. 05-200;

AND WHEREAS it is desirable to enact a new Zoning By-law to comprehensively deal with Zoning through the City;

AND WHEREAS the first stage of the new Zoning By-law, being By-law No. 05-200, came into force on the 25th day of May, 2005;

AND WHEREAS the Council of the City of Hamilton, in adopting Section 31 of Report 06-005 of the Planning and Economic Development Committee at its meeting held on the 12th day of April, 2006, 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.

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

1. That Schedule "A" appended to and forming part of Zoning By-law No. 05-200 (Hamilton) as amended by By-law No.17-112, is hereby amended by changing the zoning from the Community Institutional "I2,502- H95" Zone, Modified, Holding to Community Institutional. "I2, 502" Zone, Modified on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

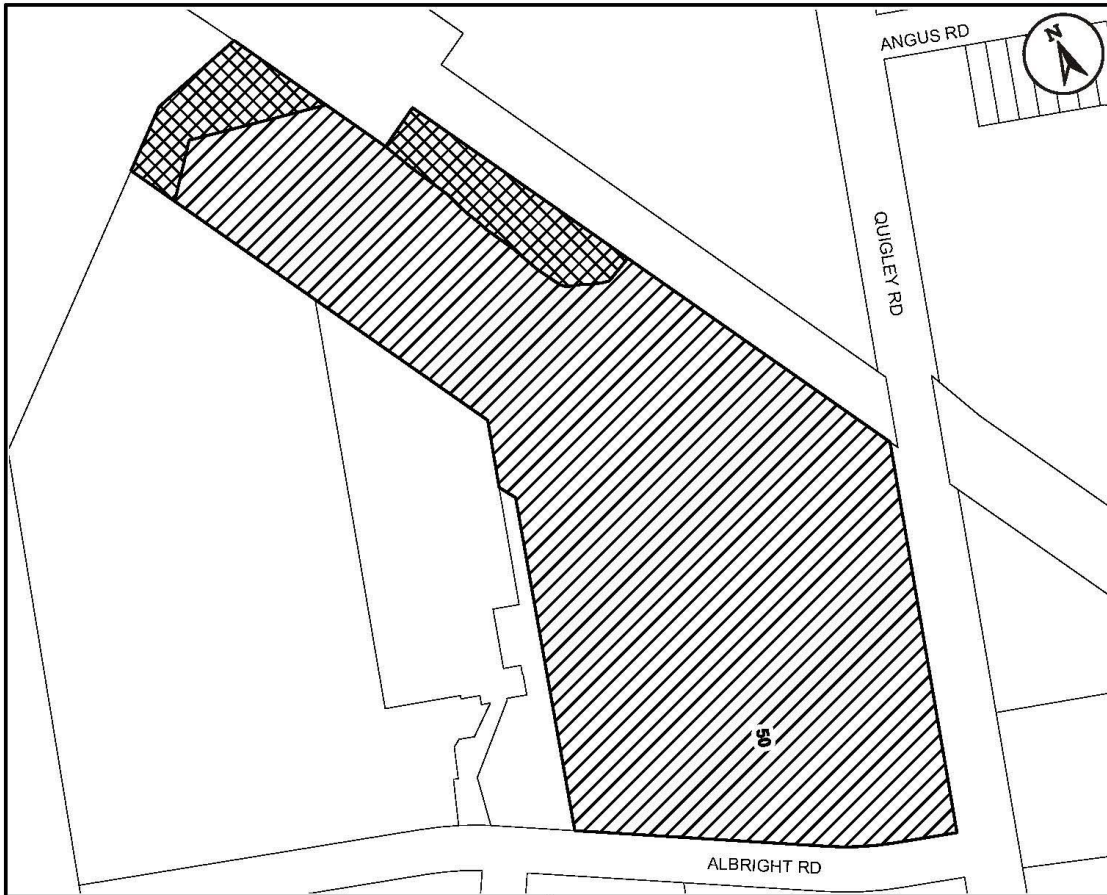
2. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "I2, 502" (Community Institutional) District, Modified provisions.
3. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 13th day of July, 2018.

F. Eisenberger
Mayor

J.Pilon
Acting City Clerk

ZAH-18-032



This is Schedule "A" to By-law No. 18- Passed the day of, 2018	_____ Mayor _____ Clerk
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<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: 10px 0 0 0;">to Amend By-law No. 05-200 Maps 1246 & 1299</p>	<p>Subject Property 50 Albright Road</p> <p> Block 1 - Change from Community Institutional "I2, 502, H50" Zone, Modified, Holding Zone to the Community Institutional "I1, 502" Zone, Modified.</p> <p> Block 2 - Refer to By-law 05-200</p>
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Scale: N.T.S.	File Name/Number: <small>ZAC-15-046 / UHOPA-15-21 / 25CDM-201515 / 25T-201508</small>	
Date: July 9, 2018	Planner/Technician: JS/S	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Authority: Item 31, Planning and Economic
Development Committee
Report: 06-005
CM: April 12, 2006
Ward: 5

Bill No. 201

CITY OF HAMILTON

BY-LAW NO. 18-

**To Amend Zoning By-law No. 6593, as amended By By-law No. 17-155,
Respecting Lands Located at
52 Ottawa Street North**

WHEREAS the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap.14, Sch. C did incorporate, as of January 1st, 2001, the municipality “City of Hamilton”;

AND 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”;

AND 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;

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

AND WHEREAS the Council of the City of Hamilton, in adopting Item 31 of Report 06-005 of the Planning and Economic Development Committee at its meeting held on the 12th day of April 2006, 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,

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

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

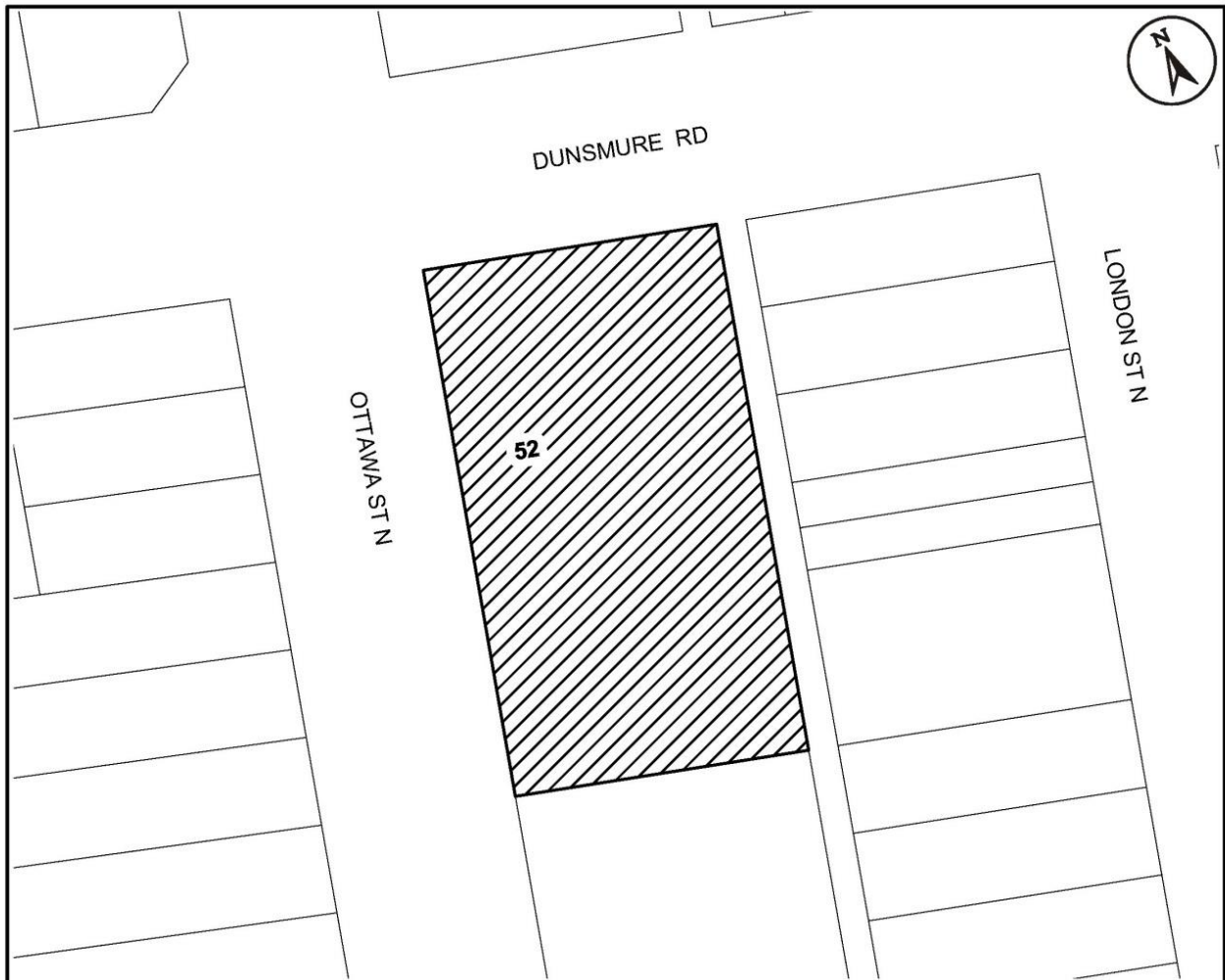
1. That Schedule "A" appended to and forming part of Zoning By-law 6593 (Hamilton) as amended by By-law No.17-155, is hereby amended by changing the zoning from the Community Shopping and Commercial, etc. "H/S-1747-H" Zone, Modified, Holding to Community Shopping and Commercial, etc. "H/S-1747" Zone, Modified on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. 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 "H/S-1747" (Community Shopping and Commercial, etc) District, Modified 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 13th day of July, 2018.

F. Eisenberger
Mayor

J.Pilon
Acting City Clerk

ZAH-18-036



This is Schedule "A" to By-law No. 18-
 Passed the day of, 2018


 Mayor

 Clerk

Schedule "A"

 Map Forming Part of
 By-law No. 18-_____

 to Amend By-law No. 6593

Subject Property
 52 Ottawa Street North

Scale: N.T.S.	File Name/Number: ZAH-18-036
Date: July 6, 2018	Planner/Technician: JS/AL
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	



Authority: Item 10, Planning Committee
Report: 18-011 (PED18158)
CM: July 13, 2018
Ward: 4

Bill No. 202

CITY OF HAMILTON

BY-LAW NO. 18-

To Adopt:

**Official Plan Amendment No. 108 to the
Urban Hamilton Official Plan**

Respecting:

**20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Lang Street,
and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, and 24 Hayes Street
(Hamilton)**

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

1. Amendment No. 108 to the Urban Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 13th day of July, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Urban Hamilton Official Plan Amendment No. 108

The following text, together with Appendix “A” – Volume 3, Map 2 – Urban Site Specific Key Map, attached hereto, constitutes Official Plan Amendment No. 108 to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose of this Amendment is to add a site specific policy to the subject lands. The effect of this Amendment is to allow for the comprehensive redevelopment of the subject lands for residential uses at an overall minimum density of 115 units per net residential hectare and a maximum density of 165 units per net residential hectare over the entire site.

2.0 Location:

The lands affected by this Amendment are generally located at the north east corner of Queenston Road and Reid Avenue and are known municipally as 20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Lang Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, and 24 Hayes Street in the former City of Hamilton.

3.0 Basis:

The basis for permitting this Amendment is:

- The proposed development is consistent with the Neighbourhoods policies of the Urban Hamilton Official Plan;
- The proposed development is compatible with existing land uses in the immediate area, implements the Intensification policies of the Urban Hamilton Official Plan, and contributes to the development of a complete community by providing a range of housing forms; and,
- 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 Volume 3 – Special Policy Areas, Area Specific Policies, and Site Specific Policies

Text

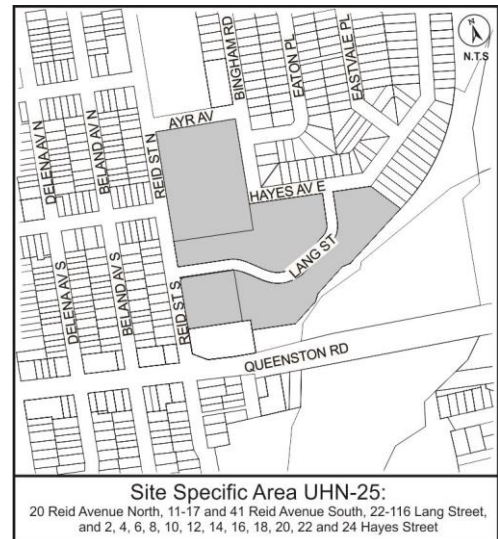
4.1.1 Chapter C – Urban Site Specific Policies

a. That Volume 3, Chapter C – Urban Site Specific Policies be amended by adding a new Site Specific Policy, as follows:

“UHN-25 Lands located at 20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Lang Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, and 24 Hayes Street, former City of Hamilton

1.0 For the lands located at 20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Lang Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, and 24 Hayes Street, former City of Hamilton, designated Neighbourhoods, and identified as Site Specific Policy Area UHN-25, the following policies shall apply:

- a) In accordance with Section B.2.3.2 – Affordable Housing Policies and Section E.3.3 – Residential Uses – General Policies of Volume 1, the lands are intended to be redeveloped with a full range of housing types and tenures, including street townhouse dwellings, maisonette dwellings, stacked townhouses dwellings, block townhouse dwellings and multiple dwellings, as well as an affordable housing component.
- b) Notwithstanding Policies E.3.4.4, E.3.5.7, and E.3.6.6 b) of Volume 1, the net residential density shall be between 115 and 165 units per hectare.”



Maps

4.1.2 Map

- a. That Volume 3, Map 2 – Urban Site Specific Key Map be amended by identifying the subject lands as UHN-25, 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 Official Plan Amendment is Schedule “1” to By-law No. 18-202 passed on the 13th of July, 2018.

The City of Hamilton

F. Eisenberger
MAYOR

J. Pilon
ACTING CITY CLERK

Appendix A
 APPROVED Amendment No. 108
 to the Urban Hamilton Official Plan

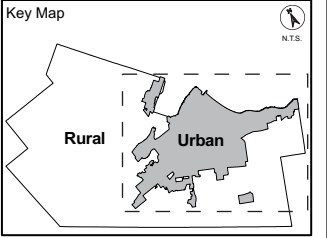
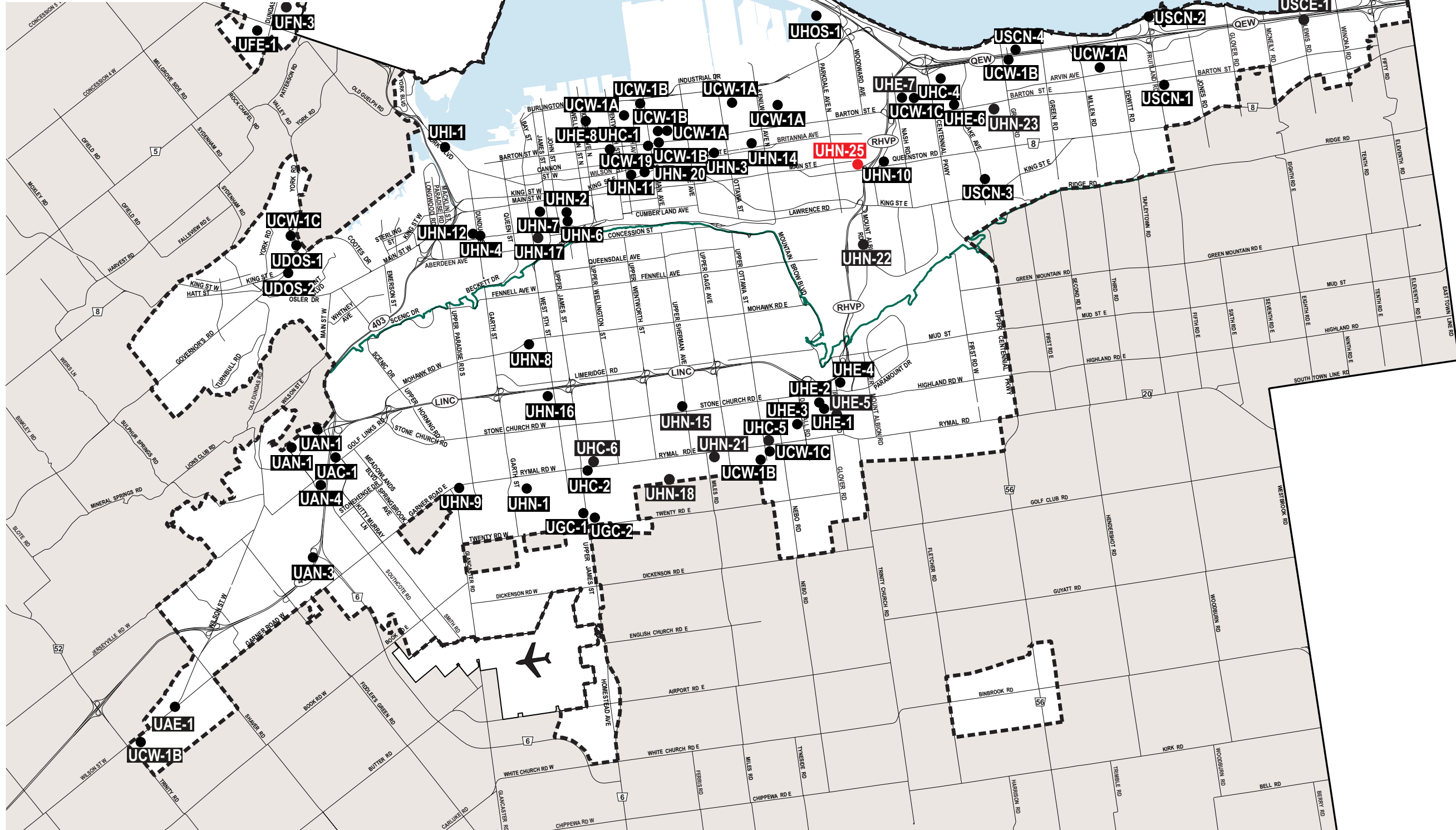
 Lands to be identified as
 Site Specific Policy Area UHN-25

(20 Reid Avenue North, 11-17 and 41 Reid Avenue South,
 22-116 Lang Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20,
 22 and 24 Hayes Street, Hamilton)

Date:
 July 11, 2018

Revised By:
 AL/NB








Reference File No.:
 OPA-U-108(H)



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 10, Planning Committee,
Report 18-011 (PED18158)
CM: July 13, 2018
Ward: 4

Bill No. 203

CITY OF HAMILTON

BY-LAW NO. 18-

To Amend Zoning By-law No. 05-200

Respecting Lands Located at 20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Lang Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue, Hamilton

WHEREAS Council approved Item 10 of Report PED18-011 of the Planning Committee at its meeting held on the 13th day of July, 2018;

AND WHEREAS this By-law conforms with the Urban Hamilton Official Plan upon adoption of Official Plan Amendment No. 108.

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

1. That Map No. 1092 of Schedule "A" – Zoning Maps of Zoning By-law No. 05-200, is amended by changing the zoning from the Community Institutional (I2) Zone to the Downtown Multiple Residential (D6, 696) and (D6, 696, H70) Zone, and adding lands to Zoning By-law 05-200 as Downtown Multiple Residential (D6, 696) and (D6, 696, H70) Zone, and Conservation/Hazard Land (P5) Zone for the applicable lands, the extent and boundaries of which are shown as in Schedule "A" annexed as hereto and forming of this By-law.
2. That Schedule "C": Special Exceptions of Zoning By-law No. 05-200, is hereby amended by adding an additional special exception as follows:

"696 Within the lands zoned Downtown Multiple Residential (D6, 696) Zone, identified on Map No. 1092 of Schedule "A" – Zoning Maps and described as 20 Reid Avenue North, 11-17 and 41 Reid Avenue South, 22-116 Lang Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue, the following special provisions shall apply:

a) Notwithstanding Section 3: Definitions and only for the purposes of Special Exception 696 the following definitions shall apply:

i) Block Townhouse Dwelling Shall mean a building divided vertically by a common or party wall, into a minimum of three and a maximum of eight Dwelling Units fronting on a laneway or common condominium driveway, each of which having an independent

entrance at grade, but shall not include a maisonette.

ii) Maisonette Dwelling

Shall mean a building used exclusively for residential purposes divided vertically into a minimum of four and a maximum of 16 back-to-back Dwelling Units, by two or more common walls which prevent internal access between units and extend from the base of the foundation to the roof line, and each Dwelling Unit having an independent entrance at grade.

iii) Stacked Townhouse Dwelling

Shall mean a building divided vertically and horizontally into a minimum of three and a maximum of 24 Dwelling Units, by common walls which prevent internal access between units, with each Dwelling Unit having one or more private entrances at grade.

b) Notwithstanding Section 4.3 b), 4.6 d) and e) 4.23 d) and in addition to Section 4.21 c) of this By-law the following shall apply:

A) Section 4.3 b) shall not apply to **Blocks “2”, “4”, “4a”, “5”, “7”, and “7a”** for a standard condominium.

B) Permitted Yard Encroachments

1. A porch, deck or canopy including any associated stairs may encroach into any required yard to a maximum of 1.8 metres.

2. A balcony may encroach into any required yard to a maximum of 1.8 metres, except for a required side yard of not more than one third of its width or 1.8 metres, whichever is lesser.

- | | | |
|----|--|--|
| C) | Home Business | Block Townhouse Dwellings, Maisonette Dwellings and Stacked Townhouse Dwellings shall be permitted to have a Home Business in accordance with Section 4.21 c) i) – iii). |
| D) | Setback to a Conservation/Hazard Land (P5) Zone | All buildings or structures located on a property shall be setback a minimum of 5.0 metres. |
| c) | Notwithstanding Section 5.1 a) v) c) and 5.6 a) of this By-law the following special provisions shall apply: | |
| A) | Restriction of Architectural Wall or Feature within a Required Planting Strip | Where a planting strip is provided, as per Section 5.1 a) v) c), any architectural wall or feature within the Planting Strip shall be limited to a maximum height of 2.0 metres. |
| B) | Parking Requirements | Parking spaces shall be provided in the minimum quantity specified below: |
| | Block Townhouse Dwelling
Maisonette Dwelling
Stacked Townhouse Dwelling | 1 for each dwelling unit. No additional parking shall be required for an Accessory Dwelling Unit. |
| | Multiple Dwelling | |
| | i) Dwelling units less than 50.0 square metres in gross floor area | 0.3 per unit; |
| | ii) Dwelling units greater than 50.0 square metres in gross floor area | 1. 0.80 for each dwelling unit; |
| | | 2. Notwithstanding B) ii) 1. above, 0.45 for each dwelling unit in a multiple dwelling in <u>Block “7”</u> as shown on |

Figure 20 of Schedule "F" –
Special Figures.

- iii) Units with 3 or more bedrooms 0.3 per unit.
- d) For the purposes of Special Exception No. 696 a maximum of 840 dwelling units shall be permitted.
- e) For the purposes of Special Exception No. 696 the following special provisions shall apply to **Block "1" and "3"** as shown on Figure 20 of Schedule "F" – Special Figures:
 - i) Notwithstanding Section 6.6.1 the permitted uses shall be restricted to Street Townhouse Dwelling Units.
 - ii) In addition to i) above, an accessory dwelling unit shall only be permitted within an end unit.
 - iii) Notwithstanding Section 6.6.2.2 the following special provisions shall apply:
 - A) Minimum Lot Area 120.0 square metres for each dwelling unit.
 - B) Minimum Unit Width 4.8 metres for each dwelling unit.
 - C) Minimum Front Yard 1. 4.5 metres for the dwelling;
and,
2. 6.0 metres for the garage.
 - D) Minimum Side Yard 1. Minimum 1.2 metres except for the side yard related to the common wall of the dwelling unit, which shall have a minimum 0 metre side yard;

2. 1.5 metres to a flankage yard.
 - E) Minimum Rear Yard 7.0 metres;
 - F) Building Height 1. Minimum 9.0 metres; and,

2. Maximum 12.0 metres.

G) Maximum Number of 8;
Street Townhouse
Dwelling Units in a
Row

f) For the purposes of Special Exception No. 696 the following special provisions shall apply to **Block "2"** as shown on Figure 20 of Schedule "F" – Special Figures:

i) Notwithstanding Section 6.6.1 of this By-law, the permitted uses shall be restricted to Block Townhouse Dwelling Units.

ii) In addition to i) above, an accessory unit shall only be permitted within an end unit.

iii) Notwithstanding Section 3: Definition of this By-law, as it relates to Front Lot Line, the lot line abutting Ayr Avenue shall be deemed the front lot line.

iv) Notwithstanding Sections 5.1 d) and 6.6.2 of this By-law, the following special provisions shall apply to Block Townhouse Dwellings:

A) Minimum Lot Width 12.0 metres;

B) Minimum Front Yard 1.5 metres;

C) Maximum Flankage 3.0 metres;
Yard

D) Minimum Side Yard 6.0 metres;

E) Minimum Rear Yard 1.5 metres;

F) Building Height 1. Minimum 9.0 metres; and,

2. Maximum 12.0 metres.

G) Required Parking Space Location 1. The required parking spaces for such dwelling unit shall be located a minimum distance of 5.8 metres from the

condominium road.

- H) Minimum Setback to a Condo Road
 - 1. 4.5 metres to the dwelling.
 - I) Minimum Distance between End Walls
 - 2.4 metres;
 - J) Visitor Parking Spaces
 - 1. Parking for visitors shall be provided on the basis of 0.25 per dwelling unit for each unit fronting on a condominium road.
 - 2. Notwithstanding J) 1. above, no visitor parking spaces shall be required for Accessory Dwelling Units.
 - 3. In addition to J) 1. above, visitor parking spaces shall be provided on **Blocks “4” and “4a”** as shown on Figure 20 of Schedule “F” – Special Figures.
- g) For the purposes of Special Exception No. 696 the following special provisions shall apply to **Block “4” and “4a”** as shown on Figure 20 of Schedule “F” – Special Figures:
- i) Notwithstanding Section 3: Definition of this By-law, as it relates to Front Lot Line, the westerly lot line abutting Reid Avenue South shall be deemed the front lot line.
 - ii) Notwithstanding Section 6.6.1 of this By-law, only the following uses shall be permitted on **Block “4”** as shown on Figure 20 of Schedule “F” – Special Figures:

Stacked Townhouse Dwellings; and,
Maisonette Dwellings.
 - iii) Notwithstanding Section 6.6.1 of this By-law, only the following uses shall be permitted on **Block “4a”** as shown on Figure 20 of Schedule “F” – Special Figures:

Block Townhouse Dwellings;

Stacked Townhouse Dwellings; and,
Maisonette Dwellings.

- iv) In addition to iii) above, an Accessory Dwelling Unit shall only be permitted within the end unit of a Block Townhouse Dwelling.
- v) Notwithstanding Sections 5.1 d) and 6.6.2 of this By-law, the following provisions shall apply to **Block “4” and “4a”** as shown on Figure 20 of Schedule “F” – Special Figures:
 - A) Minimum Lot Width 12.0 metres;
 - B) Minimum Front Yard 3.0 metres;
 - C) Minimum Rear Yard 2.0 metres;
 - D) Minimum Side Yard
 - 1. 10.0 metres from northerly lot line; and,
 - 2. 4.5 metres from the southerly lot line.
 - E) Minimum Setback to a Condominium Road 4.5 metres;
 - F) Minimum Distance between End Walls 2.4 metres;
 - G) Visitor Parking Spaces
 - 1. Parking for visitors shall be provided on the basis of 0.25 per dwelling unit for each unit fronting on a condominium road.
 - 2. Notwithstanding G) 1. above, no visitor parking spaces shall be required for Accessory Dwelling Units.
 - 2. Visitor parking spaces required in G) 1. above shall be provided in addition to visitor parking spaces required for **Block “2”** as shown on Figure 20 of Schedule “F” – Special

Figures.

- | | | |
|----|------------------------------------|--|
| H) | Minimum Landscaped Area | 10 percent of the lot area. |
| I) | Minimum Planting Strip Requirement | <ol style="list-style-type: none">1. 3.0 metres along a front lot line; and,2. 2.0 metres along a rear lot line.3. In addition to Sections I) 1. and 2. above, an Architectural Wall or Feature shall be provided within the required planting strip adjacent to visitor parking abutting the Reid Avenue South street line on <u>Block "4a"</u> as shown on Figure 20 of Schedule "F" – Special Figures. |
- vi) In addition to v) above, the following special provisions shall apply to Block Townhouse Dwellings:
- | | | |
|----|----------------------------------|--|
| A) | Building Height | <ol style="list-style-type: none">1. Minimum 9.0 metres; and,2. Maximum 12.0 metres. |
| B) | Maximum Number of Dwelling Units | 18; |
| C) | Minimum Amenity Area | 25.0 square metres per unit. |
| D) | Required Parking Space Location | Required parking spaces for such dwelling unit shall be located a minimum distance of 5.8 m from a condominium road. |
- vii) In addition to v) above, the following special provisions shall apply to Maisonette Dwellings and Stacked Townhouse Dwellings:

- A) Minimum Flankage Yard 4.5 metres;
 - B) Building Height
 1. Minimum 9.0 metres; and,
 2. Maximum 15.0 metres;
 - C) Minimum Private Amenity Area
 1. 3.0 square metres per dwelling unit; and,
 2. Private Amenity Area shall be designed for the exclusive use of the dwelling unit.
 - D) Required Parking Space Location
 1. The required parking spaces for such dwelling unit shall be located a minimum distance of 5.8 m from a condominium road.
 2. Notwithstanding Section D) 1. above, visitor parking spaces shall not be subject to the minimum distance requirement.
- h) For the purposes of Special Exception No. 696 the following special provisions shall apply to **Block "5"** as shown on Figure 20 of Schedule "F" – Special Figures:
- i) Notwithstanding Section 3: Definition of this By-law, as it relates to Front Lot Line, Hayes Avenue shall be deemed the front lot line.
 - ii) Notwithstanding Section 6.6.1 of this By-law, only the following uses shall be permitted:

Block Townhouse Dwellings;
Maisonette Dwellings; and,
Stacked Townhouse Dwellings.
 - iii) In addition to iii) above, an Accessory Dwelling Unit shall only be permitted within the end unit of a Block Townhouse Dwelling.

iv) Notwithstanding Sections 5.1 d) and 6.6.2 of this By-law, the following provisions shall apply to **Block “5”** as shown on Figure 20 of Schedule “F” – Special Figures:

- A) Minimum Front Yard 2.0 metres;
- B) Minimum Flankage Yard 3.0 metres;
- C) Minimum Side Yard
 - 1. 3.0 metres;
 - 2. Notwithstanding Section C) 1. above, 1.0 metres to Areas “1”, “2”, and “3” as shown on Figure 20 of Schedule “F” – Special Figures.
 - 3. Notwithstanding Sections C) 1. and 2. above, 6.0 metres shall be required where the side lot line abuts the Red Hill Valley Expressway.
- D) Minimum Rear Yard 6.0 metres;
- E) Minimum Setback to a Condominium Road 4.5 metres to the front of the dwelling unit;
- F) Minimum Distance between End Walls 2.4 metres;
- G) Minimum Landscaped Area 20 percent of the lot area.
- H) Minimum Planting Strip
 - 1. 2.0 metres to a front lot line; and,
 - 2. 3.0 metres to a flankage lot line.
- I) Visitor Parking Spaces
 - 1. Parking for visitors shall be provided on the basis of 0.25 per dwelling unit.
 - 2. Notwithstanding I) 1. above,

no visitor parking spaces shall be required for Accessory Dwelling Units.

3. Notwithstanding Section I) 1. above, no Visitor Parking shall be required for a Block Townhouse Dwelling unit or a Maisonette Dwelling Unit that fronts onto a street.

- v) In addition to iv) above, the following special provisions shall apply to Block Townhouse Dwellings:

- | | |
|-------------------------------------|--|
| A) Building Height | 1. Minimum 9.0 metres; and
2. Maximum 12.0 metres. |
| B) Maximum Number of Dwelling Units | 18; |
| D) Minimum Amenity Area | 25.0 square metres per unit; |
| C) Required Parking Space Location | Required parking spaces for such dwelling unit shall be located a minimum distance of 5.8 m from a condominium road. |

- vi) In addition to iv) above, the following special provisions shall apply to Maisonette Dwellings and Stacked Townhouse Dwellings:

- | | |
|---------------------------------|---|
| A) Building Height | 1. Minimum 9.0 metres; and,
2. Maximum 15.0 metres; |
| B) Minimum Private Amenity Area | 1. 3.0 square metres per dwelling unit; and,
2. Private Amenity Area shall be designed for the exclusive use of the dwelling unit. |

- C) Required Parking Space Location
1. The required parking spaces for such dwelling unit shall be located a minimum distance of 5.8 m from a condominium road.
 2. Notwithstanding Section 1. above, visitor parking spaces shall not be subject to the minimum distance requirement.
- i) For the purposes of Special Exception No. 696 the following special provisions shall apply to **Block "6"** as shown on Figure 20 of Schedule "F" – Special Figures:
- i) Notwithstanding Section 6.6.1 of this By-law, the permitted uses shall be restricted to Block Townhouse Dwelling Units.
 - ii) In addition to iii) above, an Accessory Dwelling Unit shall only be permitted within the end unit.
 - iii) Notwithstanding Section 3: Definition of this By-law, as it relates to Front Lot Line, the lot line abutting Hayes Avenue shall be deemed the front lot line.
 - iv) Notwithstanding Sections 5.1 d) and 6.6.2 of this By-law, the following special provisions shall apply to Block Townhouse Dwellings:
 - A) Minimum Lot Width 12.0 metres;
 - B) Minimum Front Yard 3.0 metres;
 - C) Minimum Side Yard 6.0 metres;
 - D) Minimum Rear Yard 5.0 metres;
 - E) Building Height
 1. Minimum 9.0 metres; and,
 2. Maximum 12.0 metres.
 - F) Required Parking Space Location The required parking spaces for such dwelling unit shall be located a minimum distance of 5.8 metres from the

condominium road.

- G) Minimum Setback to a Condominium Road 4.5 metres;
 - H) Minimum Distance between End Walls 2.4 metres;
 - I) Visitor Parking Spaces
 - 1. Parking for visitors shall be provided on the basis of 0.25 per dwelling unit.
 - 2. Notwithstanding I) 1. above, no visitor parking spaces shall be required for Accessory Dwelling Units.
- j) For the purposes of Special Exception No. 696 the following special provisions shall apply to **Block “7” and “7a”** as shown on Figure 20 of Schedule “F” – Special Figures:
- i) **Blocks “7” and “7a”** as shown on Figure 20 of Schedule “F” – Special Figures, shall be considered as one lot for the purposes of implementing regulations j) iv) A) – K) below.
 - ii) Notwithstanding Section 3: Definition of this By-law, as it relates to Front Lot Line, Reid Avenue South shall be deemed the front lot line.
 - iii) Notwithstanding Section 6.6.1 of this By-law, the permitted uses shall be restricted to Multiple Dwellings.
 - iv) Notwithstanding Section 6.6.2 of this By-law, the following provisions shall apply to **Block “7”** and **Block “7a”** as shown on Figure 20 of Schedule “F” – Special Figures:
 - A) Minimum Lot Width 12.0 metres;
 - B) Minimum Front Yard
 - 1. 8.0 metres;
 - 2. Notwithstanding 1. above, 3.0 metres shall be permitted for a length not exceeding 20.0 metres.
 - C) Minimum Flankage 3.0 metres;

Yard

- | | | |
|----|--|---|
| D) | Minimum Side Yard | 3.0 metres; |
| E) | Minimum Rear Yard | 3.0 metres; |
| F) | Maximum Building Height | <ol style="list-style-type: none">1. 29.0 metres;2. Notwithstanding 1. above, 38.0 metres shall be permitted in <u>Block “7a”</u> as shown on Figure 20 of Schedule “F” – Special Figures. |
| G) | Visitor Parking Spaces | Parking for visitors shall be provided on the basis of 0.25 per dwelling unit. |
| H) | Minimum Amenity Area | <ol style="list-style-type: none">1. 3.0 square metres per dwelling unit located on <u>Block “7”</u> as shown on Figure 20 of Schedule “F” – Special Figures; and,2. 5.0 square metres per dwelling unit located on <u>Block “7a”</u> as shown on Figure 20 of Schedule “F” – Special Figures. |
| I) | Minimum Landscaped Area | 10 percent of the lot area. |
| J) | Minimum Planting Strip Abutting a Street | 3.0 metres; |
| K) | Minimum Bicycle Parking Requirements | <ol style="list-style-type: none">1. 5 Short Term Bicycle Parking Spaces shall be provided per multiple dwelling; and,2. 0.5 Long Term Bicycle Parking spaces shall be |

provided per unit.

3. That Map 1092 on Schedule “A” – Zoning Maps of By-law No. 05-200, be amended the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A” to this By-law by: ,
 - a) Change in zoning from the Community Institutional (I2) Zone to the Downtown Multiple Residential (D6, 696, H70) and (D6, 696) Zone;
 - b) Lands to be added to Zoning By-law 05-200 as Downtown Multiple Residential (D6, 696) Zone; and,
 - c) Lands to be added to Zoning By-law 05-200 as Conservation / Hazard Lands (P5) Zone.
4. That Schedule “D” – Holding Provisions, of By-law No. 05-200, be amended by adding the additional Holding Provision as follows:
 - “70. Notwithstanding Section 6.6 of this By-law, within lands zoned Downtown Multiple Residential (D6,696) Zone on Map 1092 on Schedule “A” – Zoning Maps, and described as 20 Reid Avenue North (Hamilton), and further shown as **Blocks “1”, “2”, and “3”** on Figure 20, Schedule “F” – Special Figures, no development shall be permitted until such time as:
 - (i) a signed Record of Site Condition (RSC) has been submitted to the City of Hamilton and the Ministry of the Environment and Climate Change (MOECC). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MOECC, and submission of the City of Hamilton’s current RSC administration fee.
5. That Schedule “F” – Special Figures, of By-law 05-200, be amended by adding Figure 20, hereto annexed as Schedule “B” to this By-law.
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*.
7. That this By-law No. shall come into force and be deemed to have come into force in accordance with Subsection 34(21) of the *Planning Act*, either upon the date of passage of this By-law or as provided by the said Subsection.

To Amend Zoning By-law No. 05-200
Respecting Lands Located at 20 Reid Avenue North, 11-17 Reid Avenue South, 22-116 Lang Street, and
2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue (Hamilton)

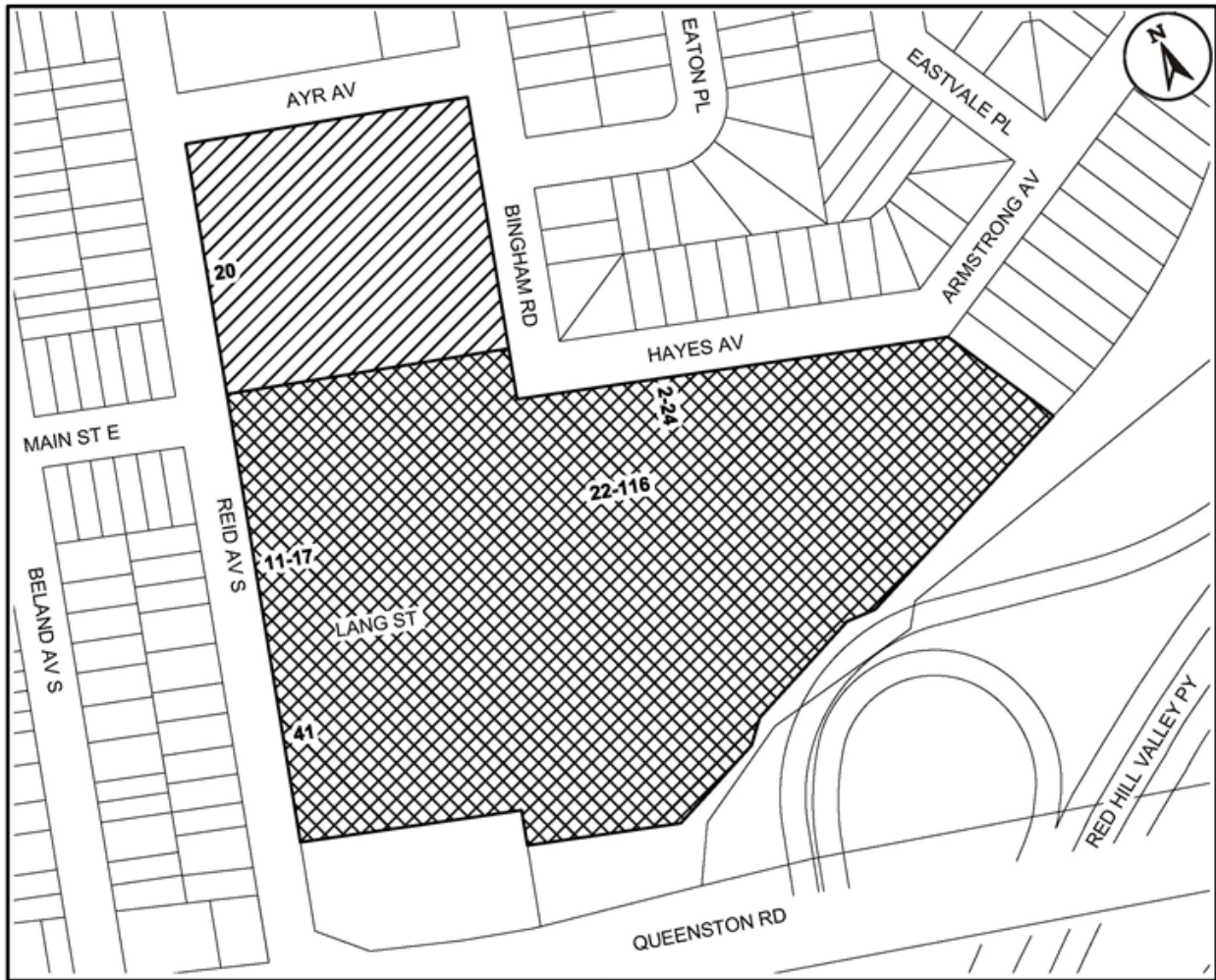
Page 16 of 18

PASSED this 13th day of July, 2018

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAC-18-010/25T-201802




This is Schedule "A" to By-law No. 18-
 Passed the day of, 2018


 Mayor

 Clerk

Schedule "A"
Map Forming Part of
By-law No. 18-_____
to Amend By-law No. 05-200
Maps 1092 & 1141

Subject Property
 20 Reid Avenue North, 11-17 & 41 Reid Avenue South,
 22-116 Lang Street & 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22
 and 24 Hayes Avenue, Hamilton (Ward 4)

 **Block 1** - Lands zoned to
 Downtown Multiple Residential (D6, 696, H70)
 Zone, Modified for Street Townhouse Dwellings

 **Block 2** - Lands zoned to
 Downtown Multiple Residential (D6, 696) Zone,
 Modified for Block Townhouses Dwellings

Scale:
 N.T.S.
 Date:
 June 22, 2018

File Name/Number:
 ZAC-18-010 / 25T-201802
 Planner/Technician:
 KH/AL





Figure 20 to Schedule F - Special Figures

Date:
June 22, 2018

Legend

- | | | | |
|---|--|--|--|
|  Block 1 |  Block 4 |  Block 6 |  Block 8 |
|  Block 2 |  Block 4a |  Block 7 |  Area "1" |
|  Block 3 |  Block 5 |  Block 7a |  Area "2" |
| | | |  Area "3" |



Authority: Item 13, Planning Committee
Report: 18-011 (PED18118)
CM: July 13, 2018
Ward: 14

Bill No. 204

CITY OF HAMILTON

BY-LAW NO. 18-

To Adopt:

**Official Plan Amendment No. 17 to the
Rural Hamilton Official Plan**

Respecting:

**1915, 1995 and 1997 Jerseyville Road West
(Ancaster)**

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

1. Amendment No. 17 to the Rural Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 13th day of July 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Rural Hamilton Official Plan Amendment No. 17

The following text, together with Appendix “A” – Volume 3, Appendix A - Site Specific Key Map, attached hereto, constitutes Official Plan Amendment No. 17 to the Rural Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to establish a Rural Site Specific Policy to permit the growing and harvesting of medical marihuana in facilities having a maximum gross floor area for a single greenhouse which shall not exceed 13,000 square metres, a maximum gross floor area shall not exceed 2,000 square metres for each new medical marihuana building, and all buildings and structures shall not exceed 20% lot coverage.

2.0 Location:

The lands affected by this Amendment are known municipally as 1915, 1995 and 1997 Jerseyville Road West within the City of Hamilton (former Town of Ancaster).

3.0 Basis:

The basis for permitting this Amendment is:

- The proposed Amendment is consistent in that it is an agricultural use and that it recognizes innovative on-farm diversification.
- The proposed Amendment is compatible with existing agricultural and commercial uses in the immediate area.
- The proposed Amendment is compatible with planned agricultural use 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 Volume 3 – Special Policy and Site Specific Areas

Text

4.1.1 Chapter B – Rural Site Specific Areas

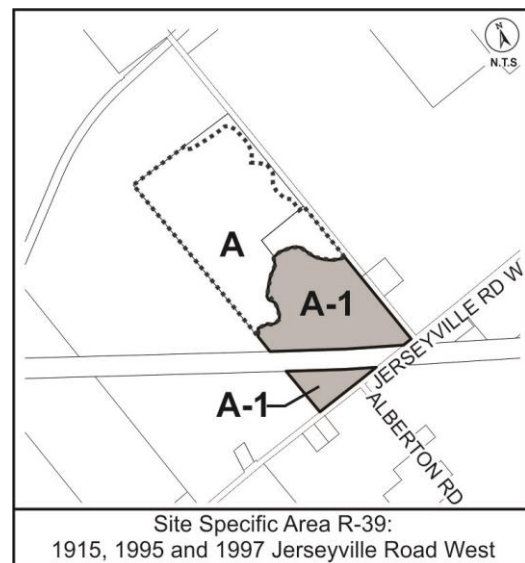
- a. That Volume 3, Chapter B – Rural Site Specific Areas be amended by adding a new Site Specific Policy, as follows:

“R-39 Lands known municipally as 1915, 1995 and 1997 Jerseyville Road West former Town of Ancaster.

- 1.0 For the lands known municipally as 1915, 1995 and 1997 Jerseyville Road West, designated Agriculture and identified as Areas A and A-1 in Site Specific Area R-39, notwithstanding Policy D.2.1.1.4. b) of Volume 1, the following policies shall apply:

- 1.1 For lands in Area A-1:

- a) The gross floor area for any new facility for medical marihuana growing and harvesting shall not exceed 2,000 square metres per building; and,
- b) Notwithstanding 1.1 a), the maximum gross floor area for one greenhouse containing medical marihuana growing and harvesting shall not exceed 13,000 square metres in Area.



- 1.2 For lands in Area A:

- a) The maximum gross floor area for all new buildings and structures devoted to a Medical Marihuana Growing and Harvesting Facility shall not exceed 2,000.0 square metres.

- 1.3 For lands in Area A and Area A-1:

- a) All buildings and structures used for medical marihuana growing and harvesting shall not exceed a combined lot coverage of 20%."

Schedules and Appendices

4.1.2 Appendix

- a. That Volume 3, Appendix A – Site Specific Key Map be amended by identifying the subject lands as Site Specific Policy R-39, as shown on Appendix "A" attached to this Amendment.

5.0 Implementation:

An implementing Zoning By-Law Amendment and Site Plan Control Application will give effect to the intended uses on the subject lands.

This Official Plan Amendment is Schedule "1" to By-law No. 18-203 passed on the 13th of July, 2018.

The City of Hamilton

F. Eisenberger
MAYOR

J. Pilon
ACTING CITY CLERK

Appendix A
 APPROVED Amendment No. 17
 to the Rural Hamilton Official Plan



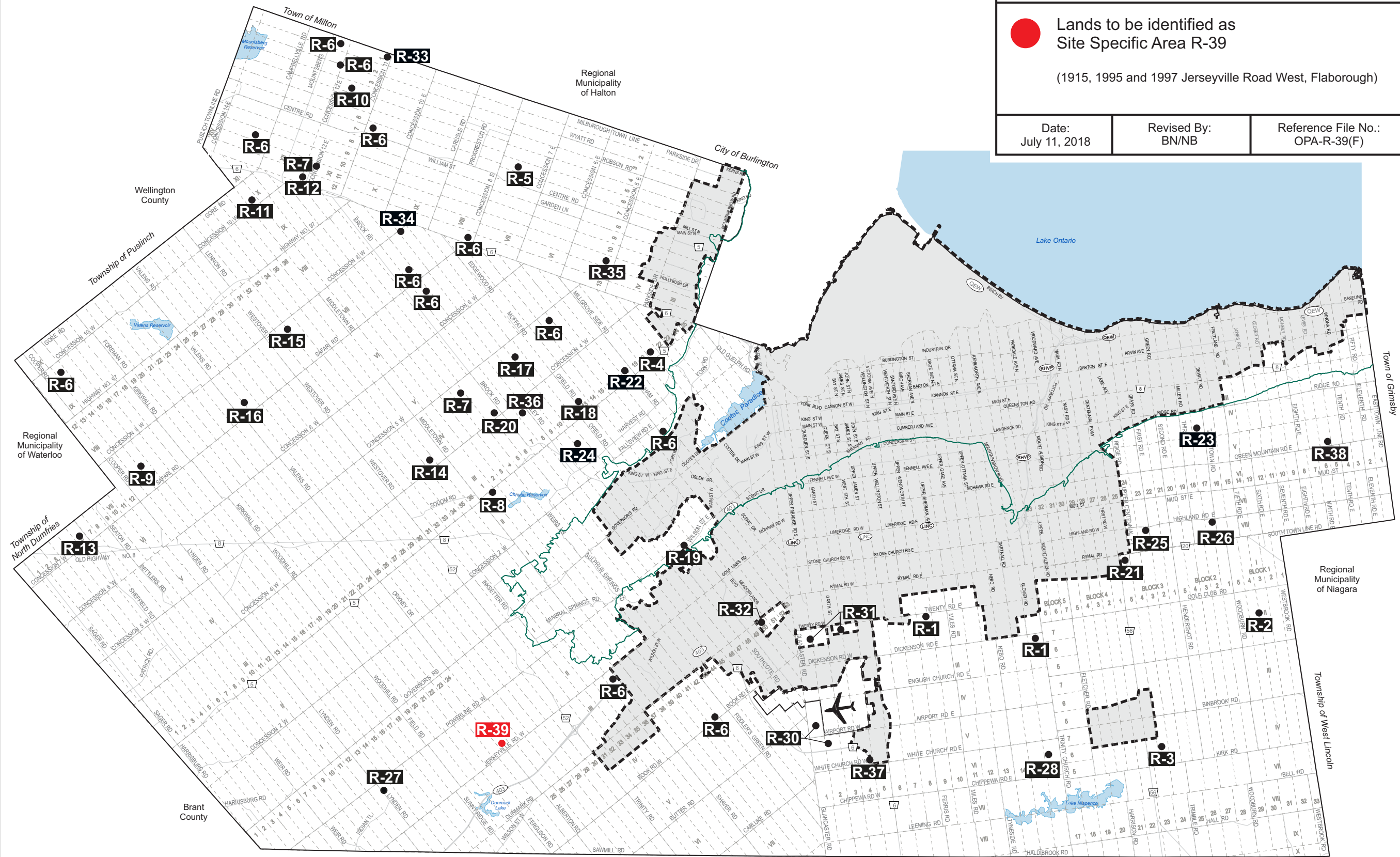
Lands to be identified as
 Site Specific Area R-39

(1915, 1995 and 1997 Jerseyville Road West, Flabourgh)

Date:
 July 11, 2018

Revised By:
 BN/NB

Reference File No.:
 OPA-R-39(F)



- Legend**
- Site Specific Areas (SSA)
 - R-** Refers to Rural Site Specific Area #, Volume 3, Chapter B
- Other Features**
- Urban Area
 - John C. Munro Hamilton International Airport
 - Niagara Escarpment
 - Urban Boundary
 - Municipal Boundary

Council Adoption: September 27, 2006
 Ministerial Approval: December 24, 2008
 Effective Date: March 7, 2012

**Rural Hamilton Official Plan
 Volume 3: Appendix A
 Site Specific Key Map**

Not To Scale
 Date: April 6, 2018

Authority Item 13, Planning Committee
Report 18-011 (PED18118)
CM: July 13, 2018
Ward: 14

Bill No. 205

CITY OF HAMILTON

BY-LAW NO. 18-

To Amend Zoning By-law 05-200 Respecting Lands Located at 1915, 1995 and 1997 Jerseyville Road West, Ancaster

WHEREAS Council approved Item 13 of Report 18-011 of the Planning Committee, at its meeting held on July 13, 2018;

WHEREAS this By-law will be in conformity with the Rural Hamilton Official Plan upon approval of Official Plan No. 17.

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

1. That Map No. RU131 and RU143 of Schedule "A" – Zoning Maps of Zoning By-law No. 05-200 be amended as follows:
 - a) by changing the zoning from the Agriculture (A1) and (A1, 116) Zones to the Agriculture (A1, 689, H30) Zone, to the extent and boundaries of which are shown on Schedule "A" annexed hereto and forming part of this By-law.
2. That Schedule "C" Special Exceptions, Subsection 116 of By-law No. 05-200 is amended by deleting the following:

1997 Jerseyville Road West	Maps 131 and 143
----------------------------	------------------

3. That Schedule "C" – Special Exceptions, of By-law No. 05-200 is hereby amended by adding a special exception as follows:

689. Within those lands zoned Agriculture (A1) Zone, identified on Maps RU131 and RU143, of Schedule "A" – Zoning Maps and described as:

Property address	Map number
1915, 1995 and 1997 Jerseyville Rd W.	RU131 and RU143

The following special provisions shall apply:

- a) In addition to Section 3: Definitions, for the purposes of this By-law, the definition of Greenhouse shall mean a building or structure used for

Agriculture that is climatically controlled and made primarily of translucent building material.

- b) Notwithstanding Subsection 12.1.3.1 m) i), the following applies to the subject lands:
 - i) The lands subject to the Agricultural (A1, 689) Zone shall be deemed to be one lot for the purposes of this Site Specific By-law.
 - ii) One greenhouse for a Medical Marihuana Growing and Harvesting Facility shall be permitted and shall not exceed 13,000 square metres of gross floor area.
 - iii) In addition to ii) above, the maximum gross floor area for all new buildings and structures, including greenhouses, devoted to a Medical Marihuana Growing shall not exceed 2,000 square metres of gross floor area per building.
 - iv) No access to Alberton Road shall be permitted.
 - v) Visual barrier and landscaped berm to screen facility from street.
 - c) In addition to the requirements of Subsection 12.1.3.1 m) the following applies to the subject lands:
 - i) The maximum lot coverage for all buildings and structures, including greenhouses, devoted to a Medical Marihuana Growing and Harvesting Facility shall not exceed 20% of the combined lot area.
4. That Schedule D – Holding Provisions, of By-law No. 05-200, be amended by adding the additional Holding Provision as follows:

Notwithstanding Section 12.1 of this By-law, within the lands zoned Agriculture (A1, 689) Zone, on Maps RU131 and RU143, of Schedule “A” – Zoning Maps, and described as 1915, 1995 and 1997 Jerseyville Road West, the H Symbol applicable to the lands referred to in Section 1 of this By-law shall prohibit development of the lands for a Medical Marihuana Growing and Harvesting Facility and shall be removed conditional upon:

- a) Prior to issuance of a Change of Use Permit to allow the use Medical Marihuana Growing and Harvesting the proponent shall:
 - i) hold a community open house to explain the existing and proposed development;
 - ii) prepare and implement a Good Neighbours Strategy to the satisfaction of the Director of Planning and Chief Planner;

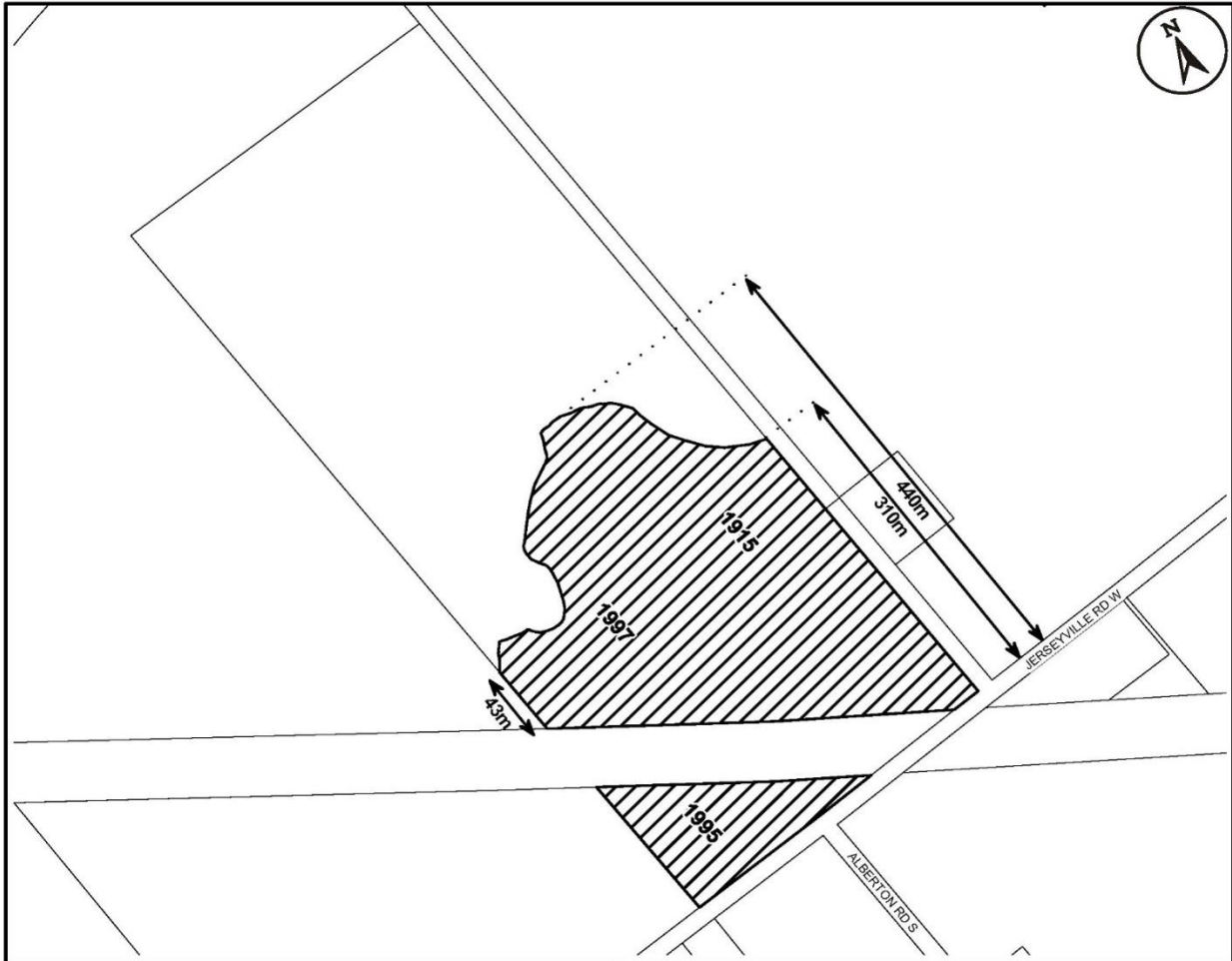
- iii) prepare and submit a Safety Strategy for the operation of the site, in consultation with Hamilton Police Services;
 - iv) prepare and submit a construction management plan which will assess the existing road conditions to the satisfaction of the Director of Corridor Management and pay for any damage to the road as deemed necessary by the City as a result of the construction on the site; and,
 - v) prepare and submit an odour management strategy to the satisfaction of the Director of Planning and Chief Planner.
5. 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*.
6. That this By-law No. 18-205 shall come into force and deemed to come into force in accordance with Subsection 34(21) of the *Planning Act*, either upon the date of passage of the By-law or as otherwise provided by the said subsection.

PASSED this 13th day of July, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAC-17-080/RHOPA-17-037



<p>This is Schedule "A" to By-law No. 18-</p> <p>Passed the day of, 2018</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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<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: 10px 0 0 0;">to Amend By-law No. 05-200 Maps RU131 & RU143</p>	<p>Subject Property</p> <p>1915, 1995 & 1997 Jerseyville Road West, Ancaster</p> <p> Change in Zoning from Agriculture (A1), (A1, 116) Zone to Agriculture (A1, 689, H30) Zone</p>
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Scale: N.T.S.	File Name/Number: ZAC-17-080 & RHOPA-17-037	
Date: May 2, 2018	Planner/Technician: BN/VS	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

CITY OF HAMILTON

BY-LAW NO. 18-

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 21 Mill Street North (Flamborough)

WHEREAS Council approved Item 9 of Report 18-011 of the Planning Committee, at the meeting held on July 13, 2018;

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

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

1. That Map No. 482 of Schedule "A" of Zoning By-law No. 05-200 be amended as follows:
 - (a) For a change in zoning from the Neighbourhood Institutional (I1) Zone to the Neighbourhood Institutional (I1, 694) Zone on lands described in Schedule "A";
2. That Schedule "C" – Special Exemptions of Zoning By-law No. 05-200, as amended, is hereby further amended by adding the following:
 - 694 Within the lands zoned Neighbourhood Institutional (I1) Zone, identified on Map No. 482 of Schedule "A" and described as 21 Mill Street North, the following special provisions shall apply:
 - a. In addition to the uses permitted in Section 8.1.1, the following use shall also be permitted:
 - (i) Office
 - b. Notwithstanding any other provisions of this By-law, the building existing on the effective date of this By-law shall be deemed to comply with the regulations for any required setbacks, front yard, façade building length, flankage yard, rear yard, lot width, lot area and building height.
 - c. Notwithstanding Section 5.2(b) a parking space size shall be 2.6 metres in width and 5.5 metres in length;
 - d. Notwithstanding Section 5.2(f) a barrier free parking space shall 4.4 metres in width and be 5.5 metres in length;
 - e. Notwithstanding Section 5.2(i) no minimum aisle width shall be required when abutting a public laneway.

To Amend Zoning By-law No. 05-200
Respecting Lands Located at 21 Mill Street North (Flamborough)

Page 2 of 3

- f. Notwithstanding Section 5.6(c) a minimum of 19 parking spaces shall be provided.

PASSED this 13th day of July, 2018.

Fred Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAR-18-011



This is Schedule "A" to By-law No. 18- Passed the day of, 2018	_____ Mayor _____ Clerk
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<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. 05-200 Map 482</h3>	Subject Property 21 Mill Street North, Flamborough Change in zoning from Neighbourhood Institutional (I1) Zone to Neighbourhood Institutional (I1, 694) Zone
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Scale: N.T.S.	File Name/Number: ZAR-18-011		PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Date: May 30, 2018	Planner/Technician: AB/AL		