



City of Hamilton
PLANNING COMMITTEE ADDENDUM

Meeting #: 19-007
Date: April 30, 2019
Time: 9:30 a.m.
Location: Council Chambers, Hamilton City Hall
71 Main Street West

Lisa Chamberlain, Legislative Coordinator (905) 546-2424 ext. 4605

	Pages
5. COMMUNICATIONS	
*5.1 Correspondence from the Lakewood Beach Community Council respecting 310 Frances Avenue and the April 16th Planning Committee meeting Recommendation: Be received.	3
6. DELEGATION REQUESTS	
*6.2 Mark Clem respecting 45 Amelia Street being added to the Municipal Register of Properties of Cultural Heritage Value or Interest (Item 7.4) (For Today's meeting)	5
*6.3 David Partanen, Canadian Coalition for Firearm Rights, respecting Perspectives on the Efficacy of Proposed Federal legislation and Municipal By-laws respecting Firearms (For the May 14th meeting)	6
7. CONSENT ITEMS	
7.4 Hamilton Municipal Heritage Committee Report 19-003 (To be distributed)	
*7.4.a Report 19-003	

8. PUBLIC HEARINGS / DELEGATIONS

8.1 Applications to Amend the Urban Hamilton Official Plan, the Township of Glanbrook Zoning By-law No. 464, the City of Hamilton Zoning By-law No. 05-200, and for Approval of a Draft Plan of Subdivision for Lands Located at 78 and 80 Marion Street

*8.1.a Staff Presentation 7

*8.1.b Written Submissions 37

(i) Rose and Russ Bartolini

(ii) Donald and Ann Pryer

(iii) Dena Jones

8.2 Application for a Zoning By-law Amendment for Lands Located at 122 and 126 Augusta Street and 127 Young Street, and 125 Young Street, Hamilton (PED19089) (Ward 2)

*8.2.a Staff Presentation 44

8.3 Entertainment on Outdoor Commercial Patios - Extension and Establishment of the Temporary Use By-laws (PED16155(b)) (City Wide)

*8.3.a Staff Presentation 62

9. STAFF PRESENTATIONS

9.1 Residential Care Facilities and Group Homes (Urban Area) - Human Rights and the Zoning By-law Discussion Paper (CI 19-B) (PED19091) (City Wide)

*9.1.a Staff Presentation 71

10. DISCUSSION ITEMS

*10.3 Licensing and By-law Services, Technology "Add-On" (PED19090) (City Wide) 88

12. NOTICES OF MOTION

*12.1 Zoning By-law Amendment for 1400 Baseline Road 93

*12.2 Ways to Better Protect Hamilton Trees on Private Property 94

Chamberlain, Lisa

From: Lakewood Beach Community Council
Sent: April 29, 2019 10:02 AM
To: Chamberlain, Lisa
Cc: Pearson, Maria; Clark, Brad; Whitehead, Terry; Partridge, Judi; JP Danko; Collins, Chad; Farr, Jason; Wilson, Maureen; Johnson, Brenda
Subject: 310 Frances Avenue

Good Morning Lisa, would you please be able to add this to tomorrow agenda as Communications to the Planning Committee?

Dear Madam Chair & Committee Members,

We are seeking your clarification on questions that have been raised by the residents since the meeting of April 16th; substantive and procedural. Some of these queries you might wish to address prior to approving the Minutes of the April 16th meeting.

Substantive:

Can you please advise when Staff will be reporting back to Committee?

We had thought going forward, documents/information/updates would be more public and easily available in order to provide the residents with information and possibly an opportunity for input.

Since the meeting, we asked again for electronic copies of the Studies. We were again told NO, they will not be made available to the public electronically until an Agenda is online for the unknown Tuesday Planning Committee meeting. (the documents are public, but according to Staff the process isn't. Hence, unlike opa/zba planning applications, won't electronically release on a usb stick)

We also asked for minutes and what the outcome was of the April 24th, Development Review Team meeting. We were told the applicant was asked to make revisions, but we have to wait for the details. We can read about the outcome when Staff provide Committee with a 'high level summary' of that meeting and it is on some future agenda.

Can you please clarify the intent of the Motion?

Procedural:

Can you please advise why the Report to Council (and minutes) excluded the addition of the Staff Presentation to the Agenda. The presentation by Staff is showing as a Public Hearing/Delegation rather than a walk on presentation. As well, our slide presentation is not reflected in the reports/minutes. Those exclusions result in no accessible copies on the city's website and we believe, a legal public record that isn't complete.

Can you also please advise why the Motion appeared as a Direction contained in the Information Section of the meeting Report to Council on April 24? Shouldn't Council have been advised a Motion was made, that there was a seconder, it was electronically voted upon, and carried during the April 16th Planning Committee meeting? Those details are indicated in the Minutes, but were not in the Report to Council. Are some Motions ratified at Council and others aren't?

We also believe Clr Partridge provided some directions to Staff that were omitted in the Report - direction to bump up our area in the planning process with a potential report back by the Fall; as well as a report back on other properties zoned RM5 (no height restriction). We're not positive on this, but we had always thought Directions to Staff form part of the public record for addition to the Outstanding Business List to ensure follow through.

We have also always thought Motions and Directions were different so we're confused by the Report/Minutes of the 16th.

It's quite possible we are unnecessarily worried & do not fully grasp the stages of a Site Plan process (or that we misinterpreted Committee's intent). Our understanding is that issues/concerns have already been identified and shared with the applicant as conditions of approval. (ie we read about sewer upgrades in a recent CBC article) It is also rumoured a follow up DRT meeting has been scheduled. We can't help but question if this is even fair to the applicant when Committee (once they receive information) may choose to exercise Council's authority and amend any issues/concerns/conditions/revisions.

Lastly, out of courtesy to the residents who had planned on speaking but were unable to. On behalf of the residents who provided other delegates with parts of their presentations; we would like to ask that rather than the public record reflecting "did not attend", those 2 individuals be afforded the same respectful wording another delegate who also wasn't present received. Specifically, "were unable to attend but ..." Those particular residents made an effort. As a courtesy, we would ask that the record reflect their efforts instead of leaving one to believe they were 'no shows'.

We look forward to any clarifications Committee can provide.

Thank you!

Respectfully,

Lakewood Beach Community Council

Form: Request to Speak to Committee of Council

Submitted Monday, April 29, 2019 - 10:41 am

==Committee Requested==

Committee: Planning Committee

==Requestor Information==

Name of Individual: Mark Clem

Name of Organization: Home owner 45 Amelia St

Contact Number:

Email Address:

Mailing Address:

Reason(s) for delegation request: speak to committee when
45 Amelia st is up for discussion

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No

6.3

Form: Request to Speak to Committee of Council

Submitted on Monday, April 29, 2019 - 10:04 am

==Committee Requested==

Committee: Planning Committee

==Requestor Information==

Name of Individual: David Partanen

Name of Organization: Canadian Coalition for Firearm Rights

Contact Number:

Email Address:

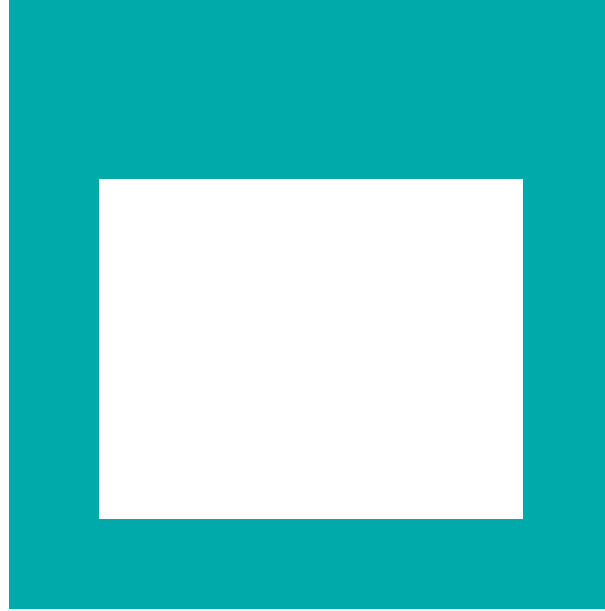
Mailing Address:

Hamilton, ON

Reason(s) for delegation request: To ensure that all parties involved have an understanding of end goals and to provide additional perspectives on the efficacy of proposed federal legislation and municipal by-laws as they relate to public safety, those directly affected by them, and viable alternatives, if necessary.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? Yes



WELCOME TO THE CITY OF HAMILTON

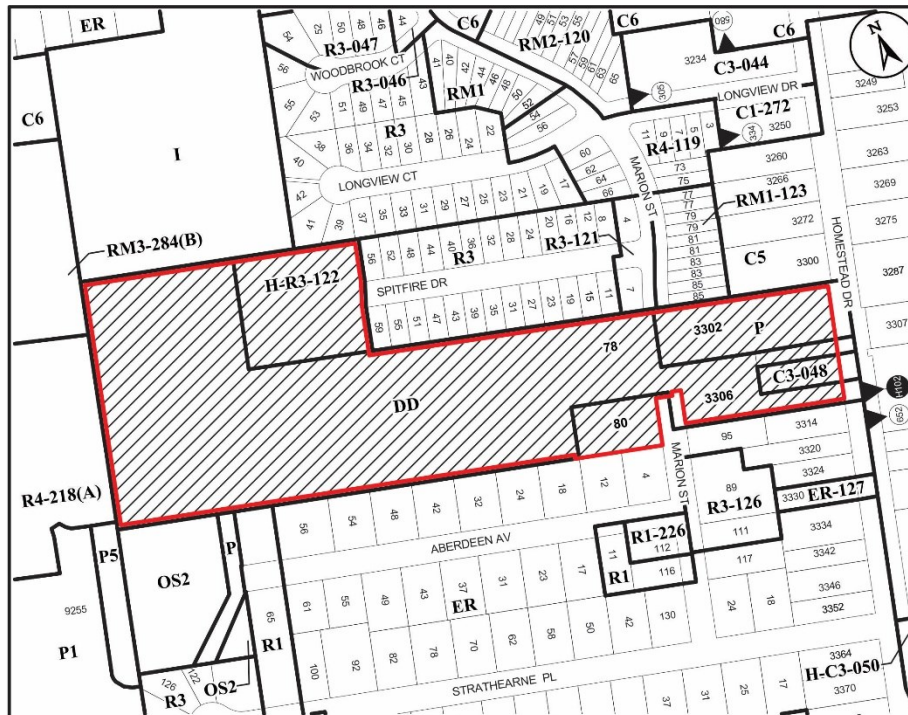
PLANNING COMMITTEE

April 30, 2019

PED19046 – (ZAC-18-003)

Applications to Amend the Urban Hamilton Official Plan, the Township of Glanbrook Zoning By-law No. 464, the City of Hamilton Zoning By-law No. 05-200, and for Approval of a Draft Plan of Subdivision for Lands Located at 78 and 80 Marion Street and 3302 and 3306 Homestead Drive, Glanbrook.

Presented by: Jennifer Roth



● Site Location



Key Map - Ward 11

N.T.S.

Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
ZAC-18-003

Date:
January 3, 2019

Appendix "A"

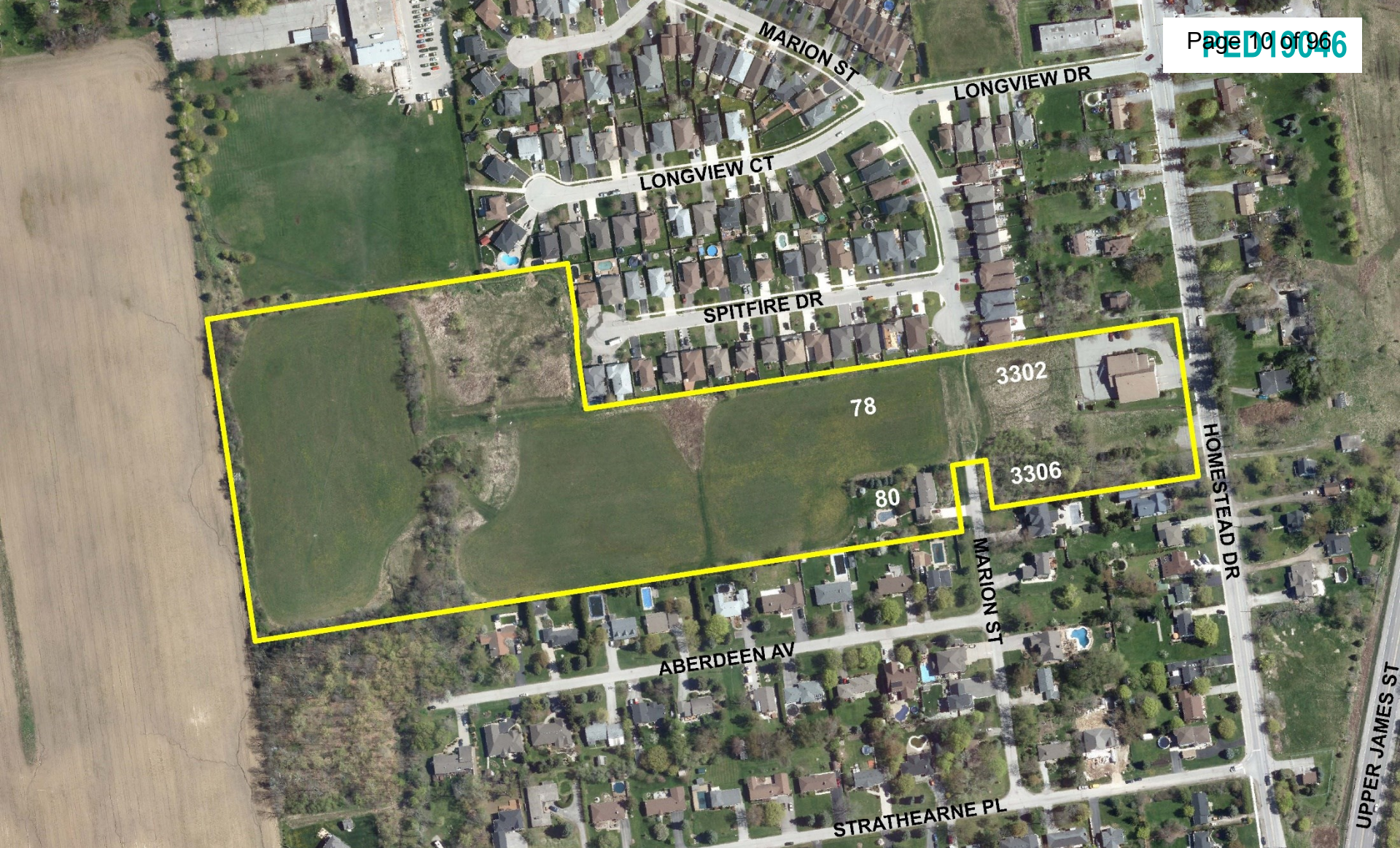
Scale:
N.T.S.

Planner/Technician:
JR/JAL

Subject Property

78 & 80 Marion Street & 3302 & 3306 Homestead Drive

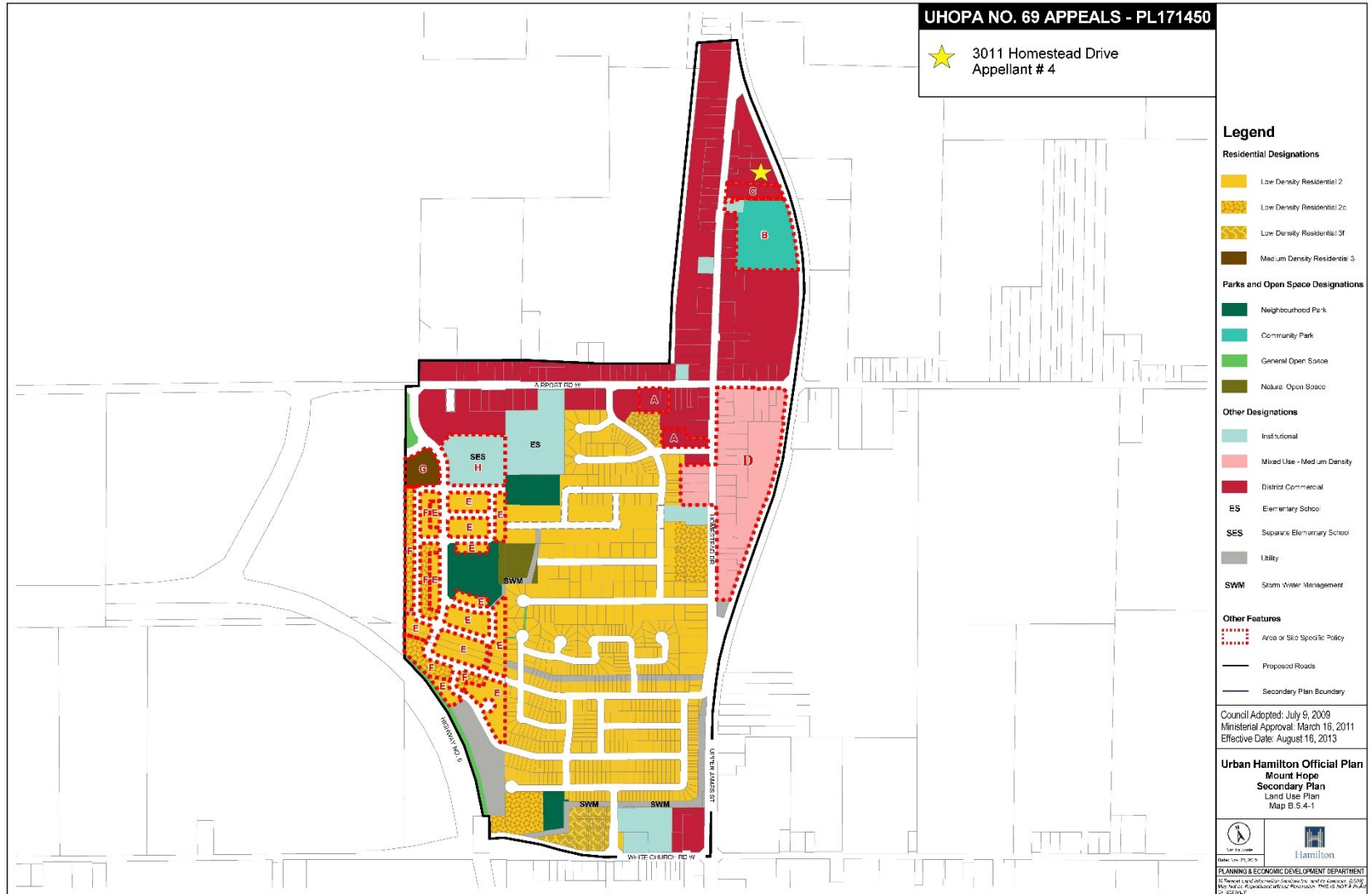
Change in Zoning from Deferred Development "DD" Zone, Existing Residential "ER" Zone, Residential "H-R3-122" Zone and Public "P" Zone to Conservation Hazard Land (P5-x) Zone in the City of Hamilton Zoning By-law 05-200 and to Residential "R4-a" Zone, Modified and Residential "R4-b" Zone, Modified in the Town of Glanbrook Zoning By-law No. 464

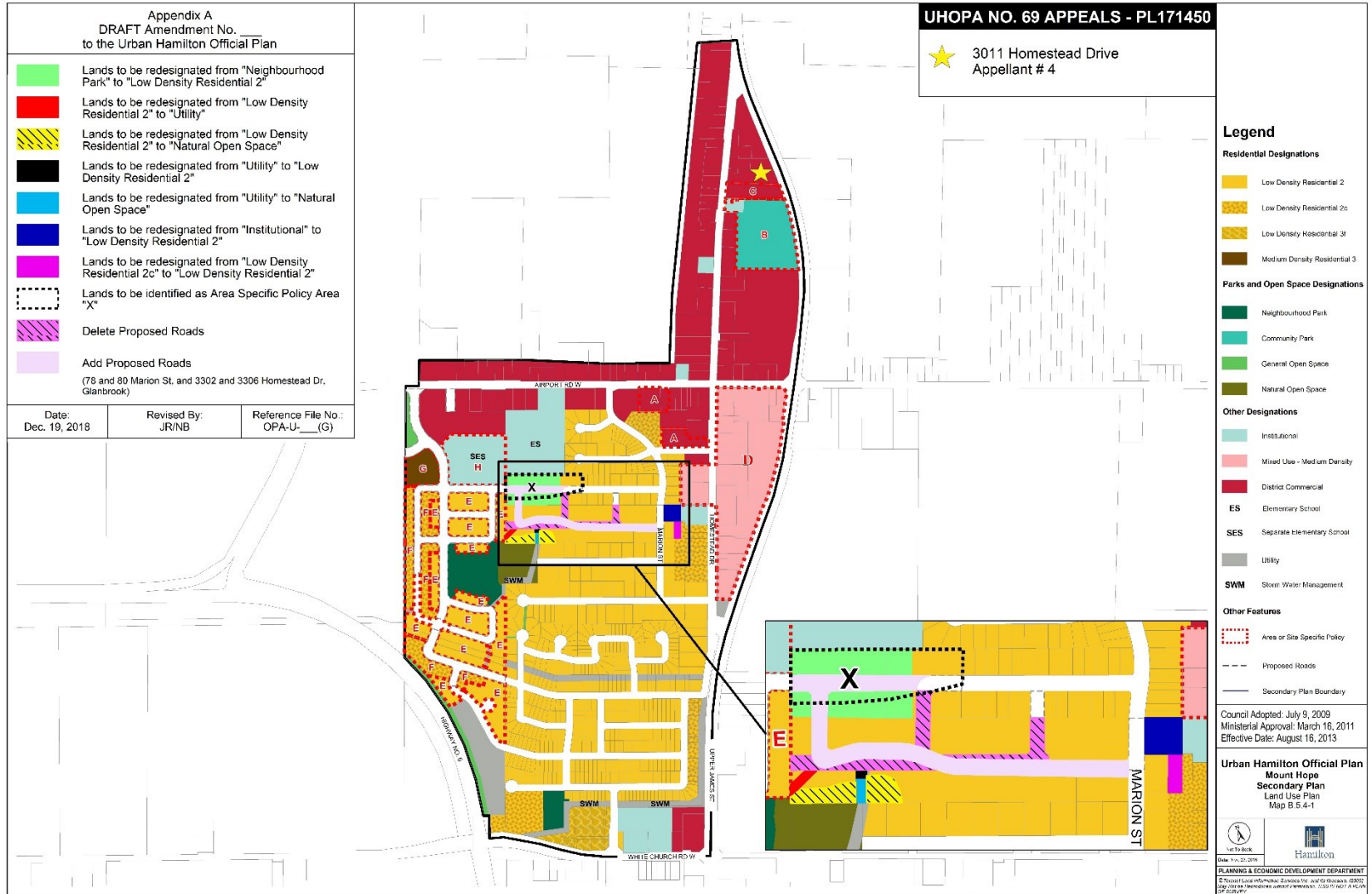


SUBJECT PROPERTY




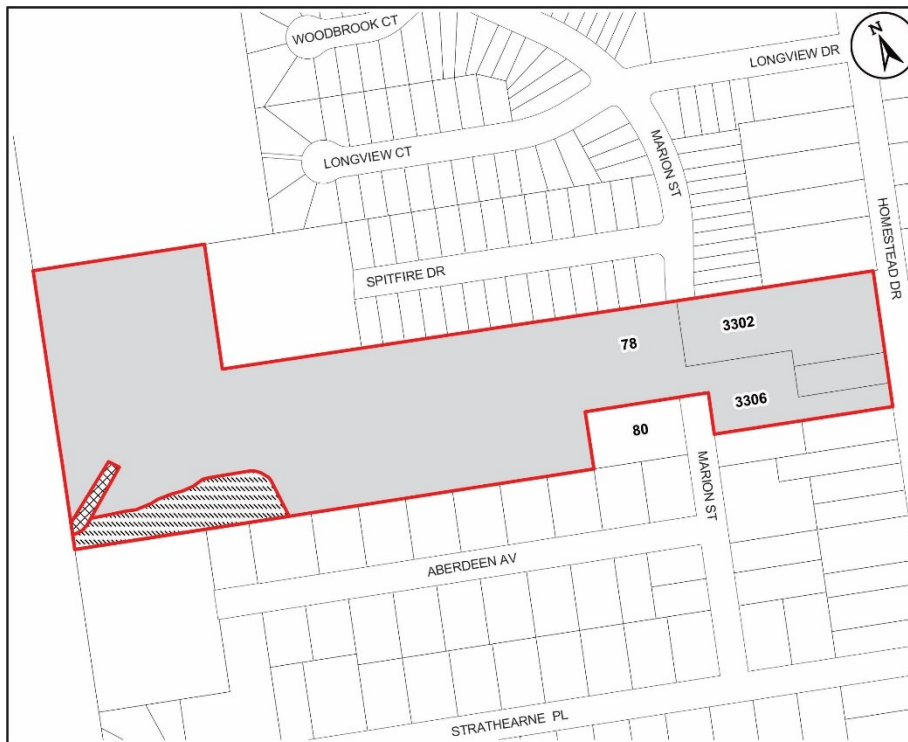
78 & 80 Marion Street and 3302 & 3306 Homestead Drive, Glanbrook











This is Schedule "A" to By-law No. 19- Passed the day of, 2019		_____ Mayor _____ Clerk
<h3>Schedule "A"</h3> <p>Map Forming Part of By-law No. 19-_____</p> <p>to Amend By-law No. 464</p>		Subject Property 78 & 80 Marion Street & 3302 & 3306 Homestead Drive Block 1 - Change in zoning from "DD" to "R4-312" Zone Block 2 - Refer to By-law No. 05-200 Block 3 - Refer to By-law No. 05-200 Block 4 - Change in zoning from "H-R3-122" to "R4-312a" Zone Block 5 - Change in zoning from "DD" to "R4-312a" Zone Block 6 - Change in zoning from "H-R3-122" to "R4-312" Zone Block 7 - Change in zoning from "ER" to "R4-312" Zone Block 8 - Change in zoning from "P" to "R4-312" Zone
Scale: N.T.S.	File Name/Number: ZAC-18-003	 Hamilton
Date: March 6, 2019	Planner/Technician: JR/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		



This is Schedule "A" to By-law No. 19- Passed the day of, 2019		_____ Mayor _____ Clerk
<h3>Schedule "A"</h3> Map Forming Part of By-law No. 19-_____ to Amend By-law No. 05-200 Maps 1748 & 1785		Subject Property 78 & 80 Marion Street & 3302 & 3306 Homestead Drive  Block 1 - Lands to be added to the Zoning By-law No. 05-200 and zoned Conservation / Hazard Land (P5, 722) Zone  Block 2 - Lands to be added to the Zoning By-law No. 05-200 and zoned Conservation / Hazard Land (P5, 722) Zone  Refer to By-law No. 464
Scale: N.T.S.	File Name/Number: ZAC-18-003	 Hamilton
Date: March 6, 2019	Planner/Technician: JR/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		



End of Spitfire Drive looking west



Existing Spitfire Drive bulb



Woodlot in back of site



Marion Street stub



Single detached dwelling adjacent to Marion Street stub



Semis next to Marion Street extension



Informal connection to continue Marion Street



Back of fire hall, view east



On Marion connection, view west



Phase 1 lands with open space block, looking west



On future Marion cxn looking north, singles on Spitfire Drive



Marion Street looking north



Southern property limit, adjacent to ER house



ER house on Marion Street



Marion Street looking south



Marion Street



Fire Hall from Homestead Drive



3306 Homestead Drive

Craftsman Style

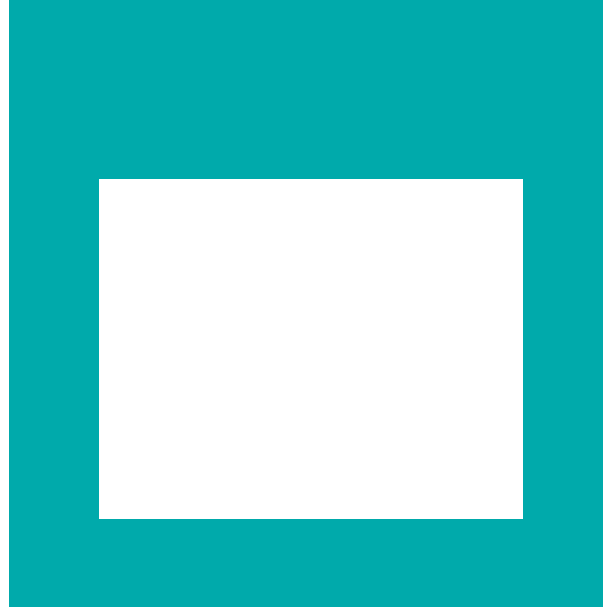


Traditional Style



Modern Farmhouse





THANK YOU FOR ATTENDING

THE CITY OF HAMILTON PLANNING COMMITTEE

Chamberlain, Lisa

From: rose Bartolini
Sent: April 27, 2019 10:08 AM
To: Roth, Jennifer; Johnson, Brenda
Subject: Fwd: Aberdeen Avenue & Marion Development in Mount Hope

To ensure I am understood correctly. When I was referring to comparable, I was referring that the house size and square footage is comparable with our houses on Aberdeen.

----- Forwarded message -----

From: rose Bartolini <rose.bartolini@hamilton.ca>
Date: Fri, Apr 26, 2019 at 6:15 PM
Subject: Re: Aberdeen Avenue & Marion Development in Mount Hope
To: Roth, Jennifer <Jennifer.Roth@hamilton.ca>
Cc: Johnson, Brenda <Brenda.Johnson@hamilton.ca>

Sounds good, thank you.

On Wed, Apr 24, 2019 at 10:08 AM Roth, Jennifer <Jennifer.Roth@hamilton.ca> wrote:

Good morning Rose:

Thank you for your email. I will ensure that this is included in the public record.

I will be discussing with the developer the options to address the concern of compatibility and will touch base with Councillor Johnson when we have potential solutions.

The remainder of your concerns, drainage, parking, stop signs and streetlighting will be fully addressed through conditions of the draft plan approval of the subdivision.

Thank you

Jennifer Roth, MCIP, RPP

Planner I

Community Planning & GIS
Planning & Economic Development Department
71 Main Street West, 5th Floor
Hamilton ON, L8P 4Y5
Telephone: 905-546-2424 ex. 2058
Fax: 905-546-4202

Please consider the environment before printing this email.

From: rose Bartolini · _____
Sent: April 23, 2019 9:27 PM
To: Roth, Jennifer <Jennifer.Roth@hamilton.ca>; Johnson, Brenda <Brenda.Johnson@hamilton.ca>
Subject: Aberdeen Avenue & Marion Development in Mount Hope

Thank you for your input yesterday. We appreciate all the information you provided. Please forward our concerns at the upcoming meeting.

My most important suggestion is to keep the houses comparable to accommodate privacy. The feeling of being watched by the neighbours through their second storey windows would be intrusive.

We do care about drainage as we do not want flooding.

Please look at driveway parking, street parking and visitor parking to ensure the streets will not be flooded with vehicles; as some of our other streets (Provident, Rosebury etc)

Take great care when reviewing stop signs / speed bumps as the Spitfire throughway will probably cause issues.

When choosing street lighting please use light bulbs that will keep our streets safe.

Thank you Rose & Russ Bartolini

8.1

Jennifer Roth
Coordinator Planning Committee
Planning and Economic Development, Planning Division
71 Main Street West
Hamilton, ON
L8P 4Y5

RECEIVED
APR 26 2019

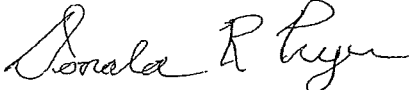
We would like to make this written submission to the City of Hamilton in respect to the proposed Draft Plan of Subdivision for lands located at 78 and 80 Marion Street and 3302 and 3306 Homestead Drive, Glanbrook, (Ward 11).

These comments and concerns were compiled following the Neighbourhood Information Meeting held April 23, 2019.

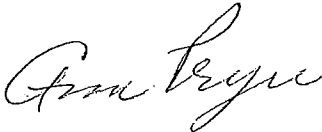
The following consists of Two Concerns and Two additional Features. Please see next page.

An email of this document has also been forwarded. An additional copy has been forwarded to Councilor Brenda Johnson.

Yours very truly,

 April 25th, 2019

Donald R. Pryer

 April 25, 2019

Ann Pryer

Property Owners:

TWO MAIN CONCERNS:

Grade Elevation for adjoining properties

Some verbal assurance was given, at the Neighbourhood Information Meeting, that the lands for the new development would NOT BE HIGHER than the land level of adjoining properties. This is critical since a number of the present properties have inground pools and would be impacted by any excessive drainage. We ask that this aspect receives the utmost attention.

Drainage

This apparently has been addressed based on comments made and explanations given at the Neighbourhood Information Meeting held April 23, 2019.

It should be noted, however, that the present topography and natural drainage pattern conveys water along a ditch between properties at 42 and 32 Aberdeen Ave. This water then continues to drain through a culvert under the Aberdeen roadway over to Strathern Ave. and southward etc. This ditch is the low point of all properties along Aberdeen Ave. During times of heavy rainfall and/or snow melt considerable quantities of water could be carried.

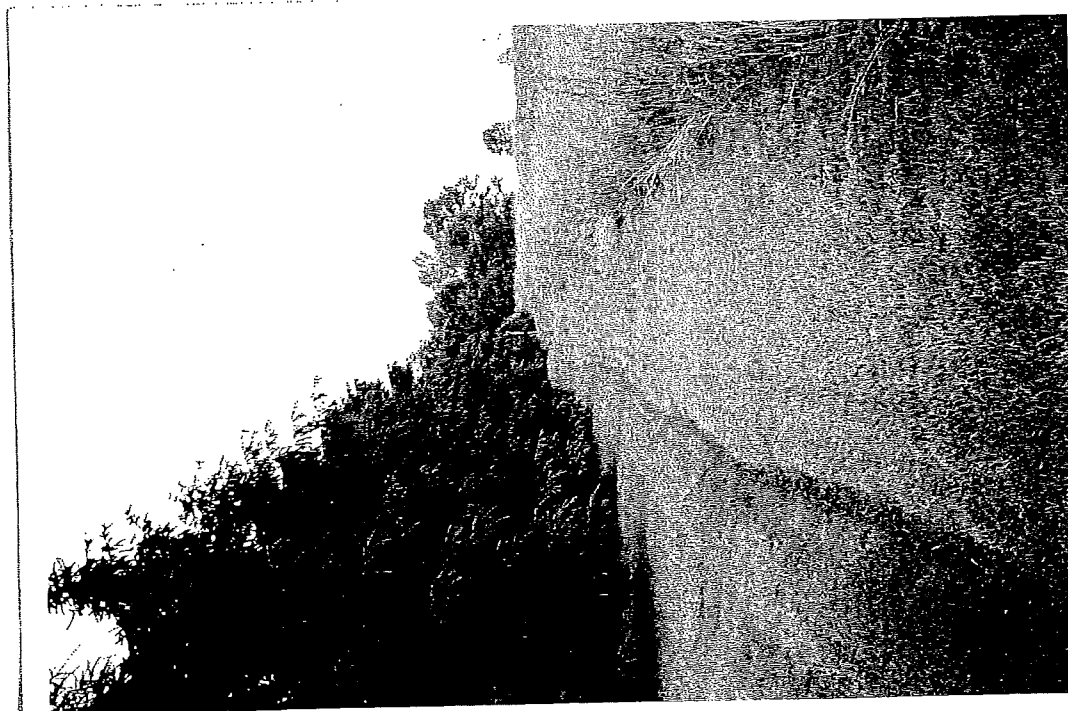
In relation to the 2 concerns listed above, we would welcome any pertinent discussion with technical personnel.

TWO ADDITIONAL FEATURES:

We do concur with the number of views expressed of the Neighbourhood Information Meeting that it would be desirable to have "low rise" house design plans for the new homes to be constructed immediately behind the existing homes on the north side of Aberdeen Ave. It is also be noted that the existing homes are nearly all ranch style or split-level structures.

An area at the rear of our property has been maintained since 1980 (dated photographs 2002 included in hard copy). It would be desirable if we were allowed to secure (purchase) a few extra feet of this section. This would allow proper maintenance and control of existing vegetation and fence line.

Thank you for allowing this input and an additional thank you to councilor Brenda Johnson for arranging the Neighbourhood Information Meeting.



Chamberlain, Lisa

From: Jones, Dena
Sent: April 29, 2019 10:33 AM
To: Roth, Jennifer
Subject: Mount Hope pending construction

Hello Jennifer,

I met you at the meeting at The Wing on April 23rd.

I am a resident on Aberdeen Avenue in Mount Hope.

I have been to every meeting so far and would like to express my concerns so that they may be escalated for the city meeting being held tomorrow.

Most of my neighbours were present on the 23rd. All of our properties – our back yard faces the current green space where the construction will be happening.

It would be much preferred if the homes going in behind us would be one story homes so that the second floors wouldn't be peering right into our yards. Some of us have pools (I am one of those houses) - this is a big concern for us. The lack of privacy there will now be with multi-level homes going right into our back yards. As is the water drainage and many other concerns.

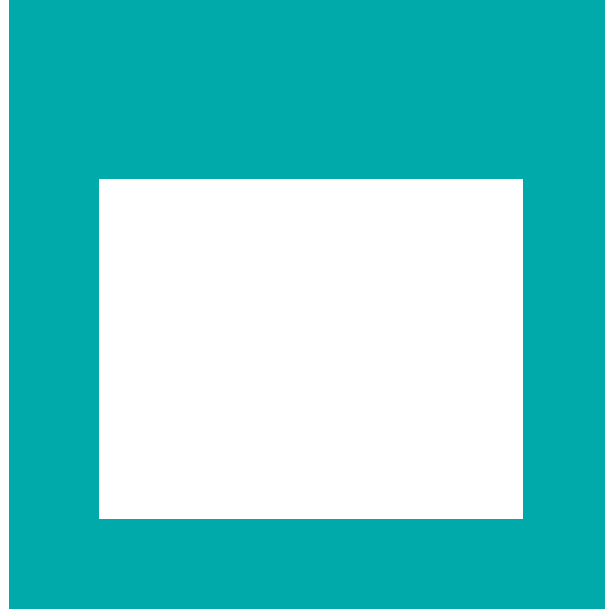
We know we don't really have a voice - we were apprised of a changes in plans to the originally suggested plans merely a week before the city was going to meet again on the subject.

Will there be fences going in? Any type of privacy wall for us?

Thank you for listening to us last week at the Wing!

Dena Jones

This message may contain confidential and/or privileged information. If you are not the addressee or authorized to receive this for the addressee, you must not use, copy, disclose, or take any action based on this message or any information herein. If you have received this message in error, please advise the sender immediately by reply email and delete this message. Thank you for your cooperation.



WELCOME TO THE CITY OF HAMILTON
PLANNING COMMITTEE

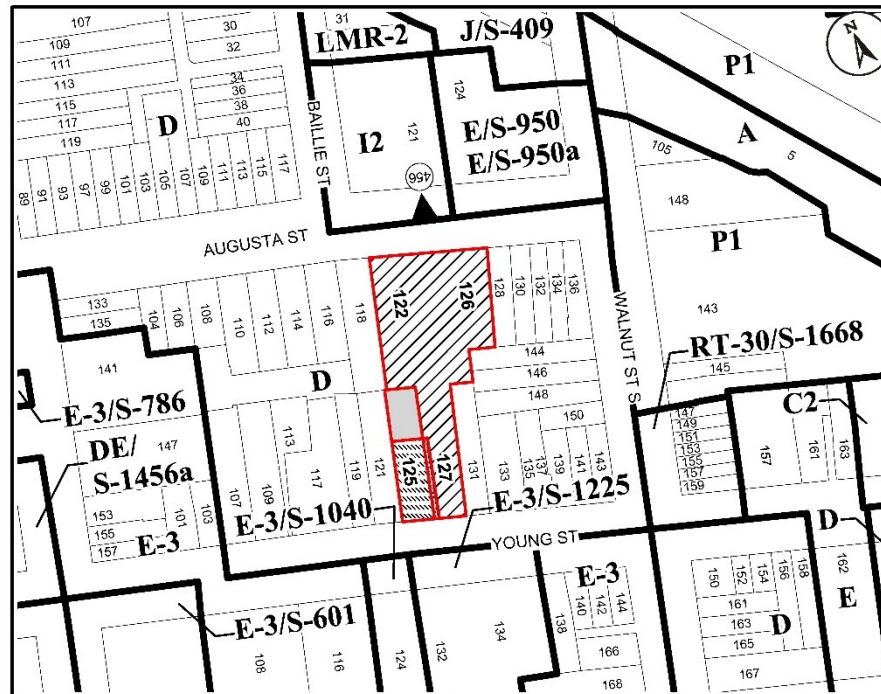
April 30, 2019

PED19089 – (ZAC-18-013)

Application for a Zoning By-law Amendment for Lands Located at 122 & 126 Augusta Street and 127 Young Street, and 125 Young Street, Hamilton.

Presented by: Mark Kehler





● Site Location



Key Map - Ward 2

N.T.S.

Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
ZAC-18-013

Date:
April 4, 2019





Appendix "A"

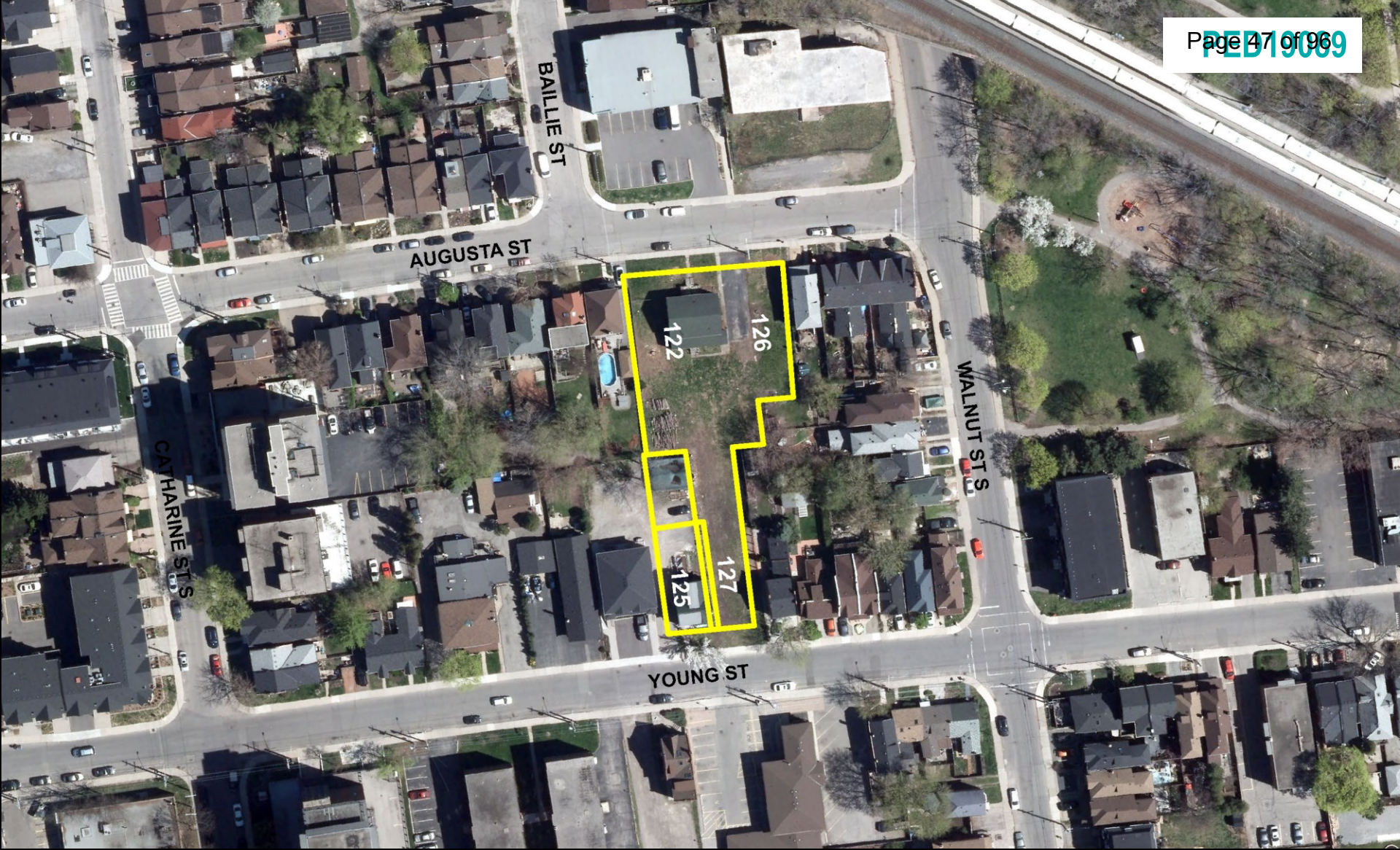
Scale:
N.T.S.

Planner/Technician:
MK/AL

Subject Property

122 & 126 Augusta Street and 127 & 125 Young Street

-  **Block 1** - "E-3/S-1767-H" (High Density Multiple Dwellings) District, Modified, Holding
-  **Block 2** - "E-3/S-1767" (High Density Multiple Dwellings) District, Modified
-  **Block 3** - "D/S-1767-H" (Urban Protected Residential - One and Two Family Dwellings, Etc.) District, Modified, Holding
-  **Block 4** - "D/S-1767-H" (Urban Protected Residential - One and Two Family Dwellings, Etc.) District, Modified, Holding

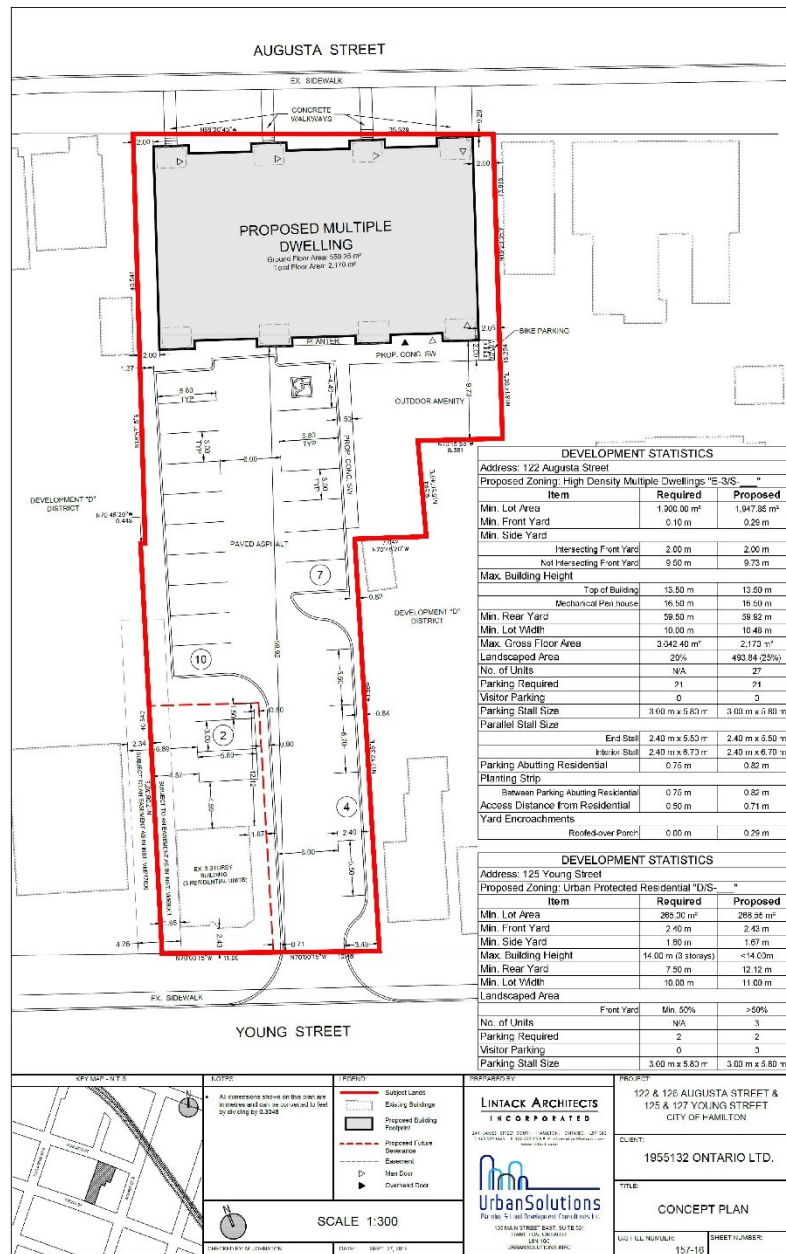


SUBJECT PROPERTY



122 & 126 Augusta Street and 127 & 125 Young Street, Hamilton





	FRONT ELEVATION	
	JOB No. 16.090	DWG. No. A4.1
	LINTACK ARCHITECTS	
	INCORPORATED 244 JAMES STREET SOUTH, HAMILTON, ONTARIO, L8P 3K3 T: 905.522.1635 • F: 905.522.2209 • E: info@lntack.com www.lntack.com	
SCALE: NTS	DATE: FEB 2018	NEW DEVELOPMENT AUGUSTA + YOUNG
		HAMILTON, ON





ELEVATION	
JOB No. 16.090	DWG. No. A4.2
LINTACK ARCHITECTS INCORPORATED 244 JAMES STREET SOUTH, HAMILTON, ONTARIO, L8P 3R3 T: 905.522.2209 • E: information@lntack.com www.lntack.com	
SCALE: NTS	DATE: FEB 2018
NEW DEVELOPMENT AUGUSTA + YOUNG HAMILTON, ON	





Subject Lands as seen from Augusta Street looking south.





Existing development located to the west of the Subject Lands, as seen from Augusta Street looking south.





Existing development located to the east of the Subject Lands, as seen from Augusta Street looking south.





Existing development located to the north of the Subject Lands, as seen from Augusta Street looking north.





Existing development located to the northeast of the Subject Lands, as seen from Augusta Street looking northeast.





Subject Lands as seen from Young Street looking north.





Existing development located to the west of the Subject Lands, as seen from Young Street looking north.





Existing development located to the east of the Subject Lands, as seen from Young Street looking north.





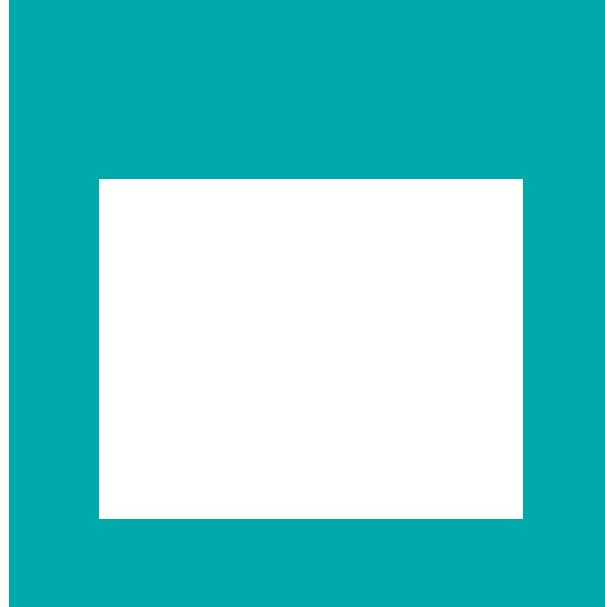
Existing development located to the south of the Subject Lands, as seen from Young Street looking south.





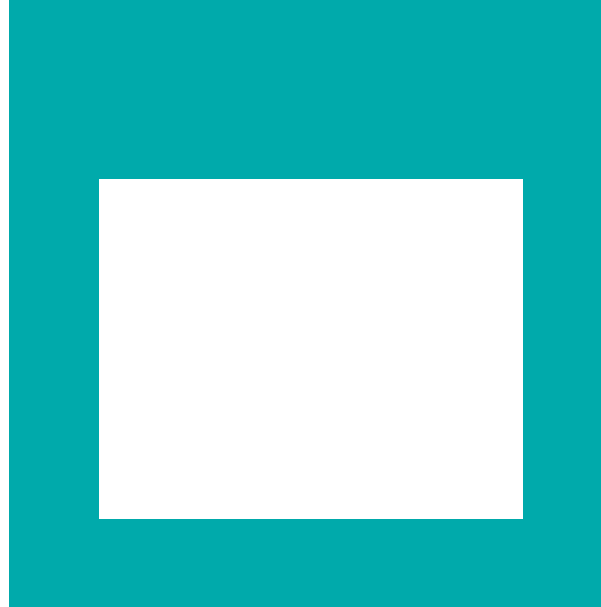
Existing development located to the southwest of the Subject Lands, as seen from Young Street looking southwest.





THANK YOU FOR ATTENDING

THE CITY OF HAMILTON PLANNING COMMITTEE



WELCOME TO THE CITY OF HAMILTON

Temporary Use By-laws
– Outdoor Commercial Patios (Pilot Project Areas)

April 30, 2019 – Planning Committee Meeting

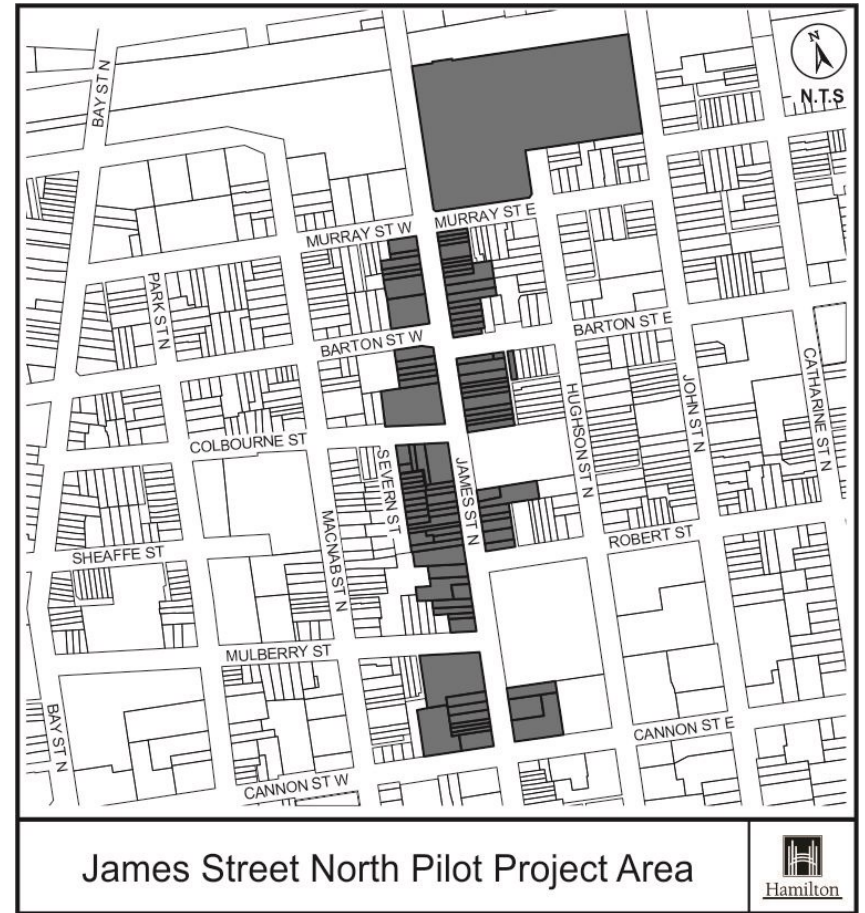
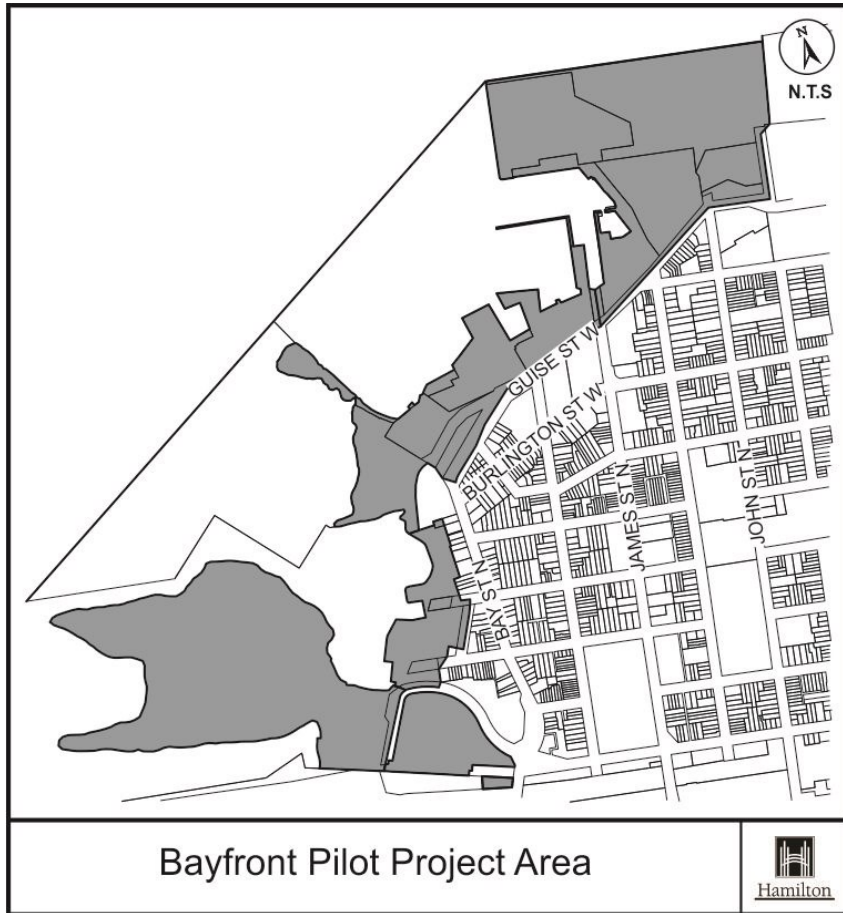
Context and Background

- Council directed staff consider allowing commercial entertainment/recreation, including live or recorded music and dance facilities, on licenced Outdoor Commercial Patios.
- Implemented by the Zoning By-laws and amendment to the Noise By-law
- Council opted for a Pilot project approach

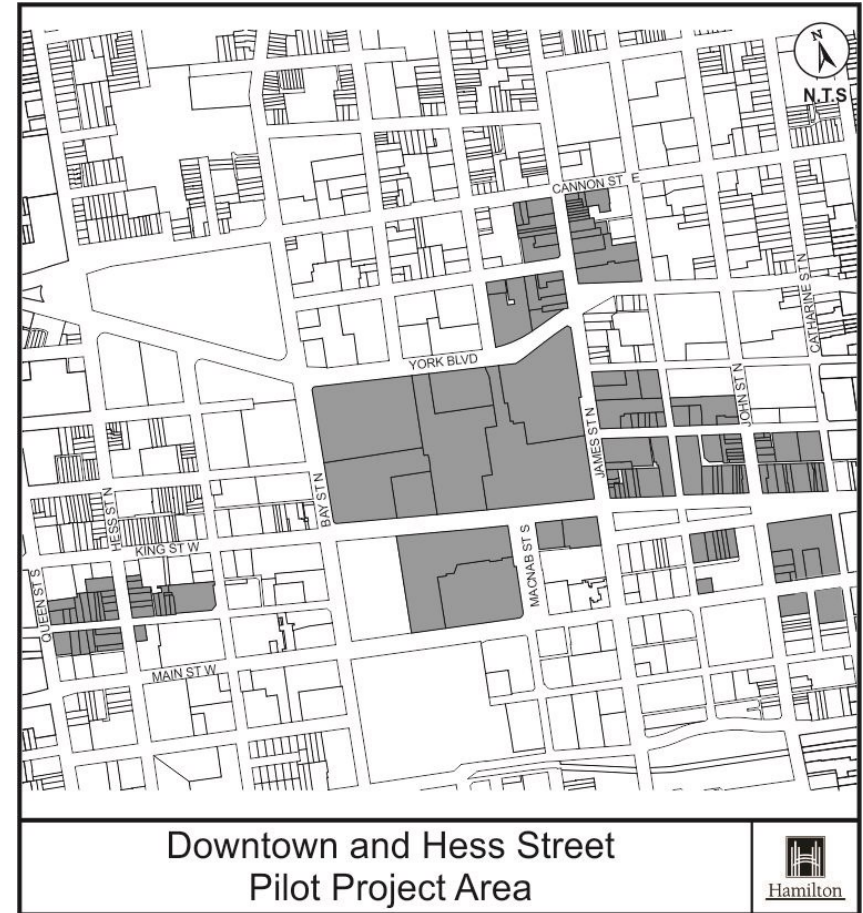
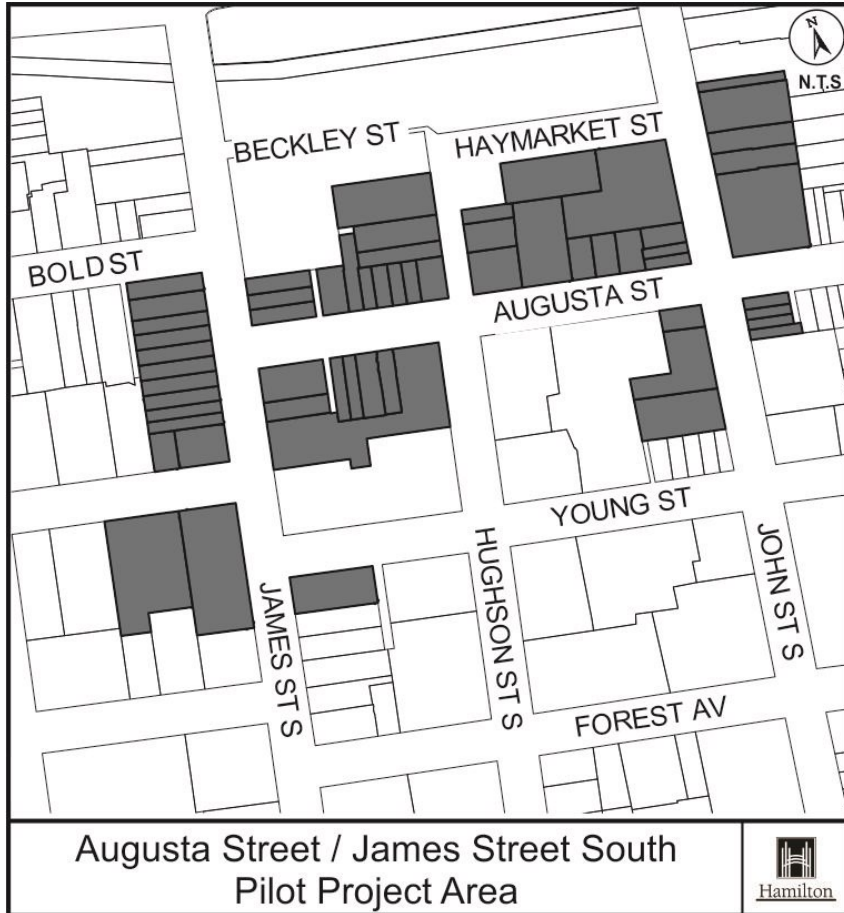
Context and Background

- May 10, 2017 - three Temporary Use By-laws for Zoning By-laws Nos. 6593, 05-200, 3581-86
- Applied to seven urban pilot project areas and the rural area (Settlement Commercial Areas, Golf Clubs, etc.)
- The By-laws were established for a period of 24 months. They expire on May 10, 2019.

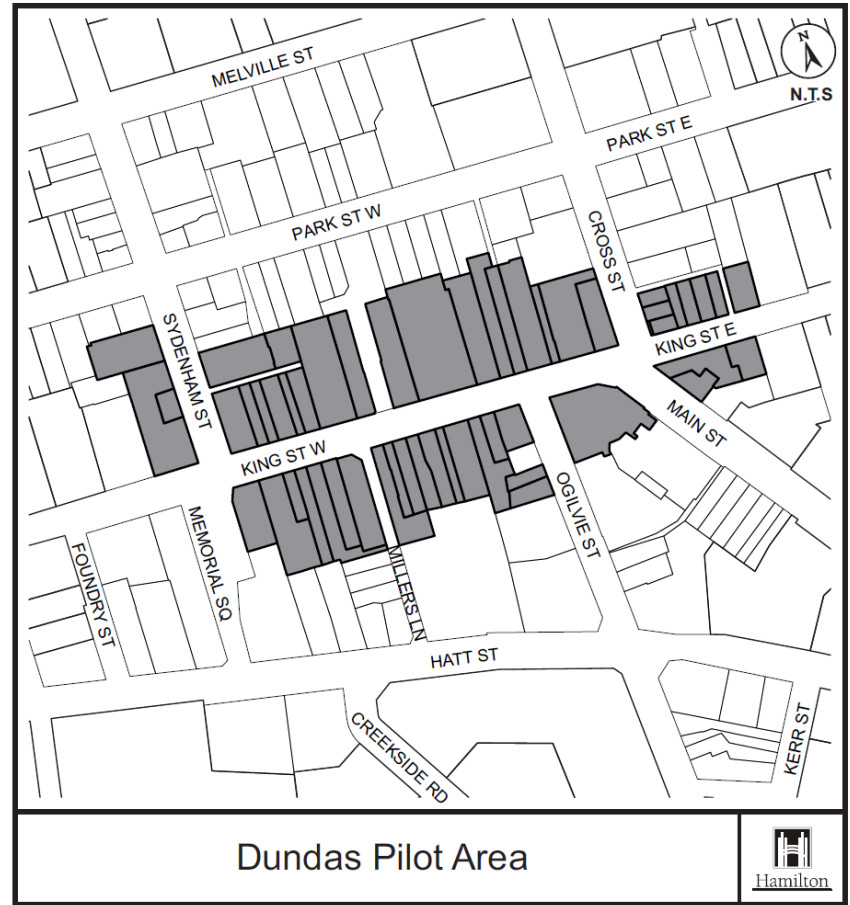
Urban Area Pilot Project Areas (2017)



Urban Area Pilot Project Areas (2017)



Urban Area Pilot Project Areas (2017)



Temporary Use By-laws

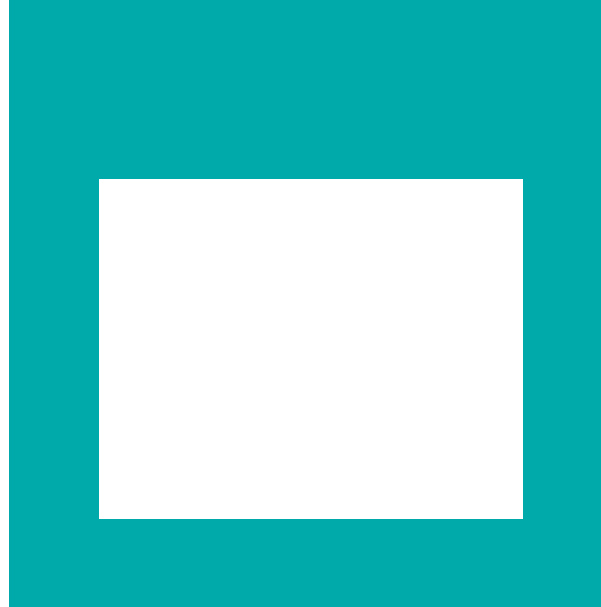
- When the Commercial and Mixed Use zoning was included in Zoning By-law No. 05-200 new Temporary Use By-law No. 17-155 was required for lands that were subject to Zoning By-law Nos. 6593 and 3581-86.
- Affected - Downtown Dundas and Upper James Street
- No appeals were received
- It will expire on June 22, 2019

Temporary Use By-law Extensions

- Extensions required to all Temporary Use By-laws for 36 month period– expire May 1, 2022:
 - By-law No. 17-082 (Zoning By-law No. 6593) – for James Street North and Augusta/James Street South (West Harbour Area (Bayfront) area has been removed);
 - By-law No. 17-083 (Zoning By-law No. 05-200) – for parts of the Downtown area, Hess Village and the rural area; and,
 - By-law 17-155 Zoning By-law No. 05-200) – for Downtown Dundas and parts of Upper James Street.

One new Temporary Use By-law

- 2018 - Lands within James Street North and Augusta/James Street South areas have been included in Zoning By-law No. 05-200 (under appeal);
- Require these 2 areas to be included in a new Temporary Use by-law because By-law 17-082 extension will not longer apply once the Zoning By-law 05-200 is in effect;
- Temporary Use By-law - 36 month period– expire May 1, 2022:



WELCOME TO THE CITY OF HAMILTON

**Residential Care Facility/Group Home
Human Rights and the Zoning By-Law
within the Urban Area**

April 30, 2019 – Planning Committee Meeting

Background and Context

- This Review was directed by City Council in response to a specific OMB hearing (Lynwood Charlton) and the Ontario Human Rights Commission (OHRC) concerns respecting Zoning By-law regulations for RCFs; and,
- Any amended and new regulations to be incorporated into new residential zones and undertake any amendments to existing regulations within Zoning By-law No. 05-200.

Purpose

- To review the Zoning By-law regulations (e.g. radial separation distance, location, capacity, counselling) for residential care facilities/group homes;
- Does not address other housing forms - retirement homes, emergency shelters, correctional facilities, and long term care homes; affordable housing and City's Licensing By-law.
- To engage with Planning Committee and Council on RCF's in advance of the new residential zones being developed

History

- 24 hour supervised living arrangement where between 4-50 residents live in a congregate living situation shared/individual bedrooms, common living area and meals are provided.
- Developed in the 1970's and 1980's in response to provincial direction of 'deinstitutionalization'.
- Welcoming more residents into neighbourhood areas.

History (cont'd)

- City of Hamilton developed Zoning By-law regulations (No. 6593) including a definition, capacity by zone and a radial separation distance (distance between RCF's) within all residential zones;
- Stoney Creek, Flamborough, Glanbrook, Dundas, permit group homes in a limited way within their Zoning By-laws

Note: some RCF's are licensed by the City of Hamilton; other RCF's are privately run or a supervised by Provincial ministries

Shifts in the Development and Zoning related to RCF's

- In 2001, retirement homes (a subset of RCF's) were defined separately in Hamilton Zoning By-law No. 6593.
- In 2007, the radial separation distance was removed for retirement homes in Zoning By-law 6593 (By-law 07-328)
- In 2015, the radial separation distance was removed for RCF's in rural area

Shifts in the Development and Zoning related to RCF's (cont'd)

- The congregate living model is shifting towards independent living arrangement with on-site supports (e.g. common dining room / cafeteria, nurse, etc.) based on the needs of the residents.

Summary of Proposed Regulations

- Addressed 4 different Zoning By-law matters:
 - Definition;
 - Capacity and Location of RCF's by Zone Type (e.g. low, medium and high density);
 - Radial separation distance; and,
 - Counselling services in RCF's.

Background - Definition

- Definition in Zoning By-laws
 - Residential Care facility; or
 - Group Home
- Similar descriptions of use

Preliminary Recommendations - Definition

- Remove the capacity in a facility and include within a zone regulation.
- Remove description as to why a person is living in a RCF and what type of services they are to receive.

Background - Capacity by Zone

- Existing Regulations - Capacity
 - Minimum 3 residents
 - Maximum 50 residents
- Existing Regulations – Locations
 - Not permitted
 - Permitted in a one or two residential zones
 - Permitted in any zone, except industrial

Note: a RCF/group home must be contained within a single-detached or wholly detached dwelling

Preliminary Recommendations - Capacity by Zone)

Low Density Zones (single/semi-detached dwellings)

Minimum capacity: 4 residents

Maximum capacity: 6 residents

Medium Density (including the Community Institutional (I2) Zone)

Minimum capacity: 4 residents

Maximum capacity: 24 residents

High Density Zone (including the Commercial Mixed Use High Density Zone)

Minimum capacity: 15 residents

Maximum capacity: none

Background - Radial Separation Distance

- All former municipalities include a radial separation distance (RDS) – range from 275 m to 1.6 km
- Hamilton has 2 moratorium areas:
 - Queen Street South, Hunter Street West, James Street South and Main Street West; and,
 - Wellington Street South, Railway tracks, Sherman Avenue South and King Street East.

Preliminary Recommendations - Radial Separation Distance)

- Delete both radial separation distance and mortarium areas

Background - Counselling Services

- Counselling is permitted as an accessory use for the residents within the facility only

Preliminary Recommendations - Counselling Services

- Allow Counselling (Social Service Establishment) in conjunction with a RCF in the:
 - Major Institutional (I3) Zone;
 - Transit Oriented Corridor-Mixed Use Medium Zone (TOC1);
and,
 - Mixed Use Medium Density (C5) Zone.

Next Steps Public Consultation -

- **Who**

- key stakeholders (e.g. operators, housing organizations);
- residents.

- **How**

- Option 1 – key stakeholder meeting
- Option 2 - hold Public Information Centres (PIC's) coupled with other housing issues (e.g. 2nd dwelling units)
- Option 3 – City web posting inviting written comments



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Licensing and By-Law Services Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	April 30, 2019
SUBJECT/REPORT NO:	Licensing and By-Law Services, Technology "Add-On" (PED19090) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Dawn Johnson (905) 546-2424 Ext. 5809 Carolina Castro-Garcia (905) 546-2424 Ext. 4327
SUBMITTED BY:	Ken Leendertse Director, Licensing and By-law Services Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION(S)

- (a) That Council approve the single source procurement, pursuant to Procurement Policy #11 – Non-competitive Procurements, for the procurement of a by-law enforcement module (“add-on” to the existing parking system) and hardware, including printers, associated custom application development, system implementation and training, for the purpose of issuance and tracking of Licensing and By-Law Services penalties in the City of Hamilton and that the General Manager of the Planning and Economic Development Department be authorized to negotiate, enter into and execute a Contract and any ancillary documents required to give effect thereto with gtechna, a Division of ACCEO Solutions Inc., in a form satisfactory to the City Solicitor;
- (b) That the General Manager of Planning and Economic Development be authorized to appropriate \$145,000 from the Capital Project Account No. 4901445100, Parking Lots-Service Repairs to the 2019 approved Capital Project Account No. 4501957900, Handheld Ticketing Device-System Integration.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Licensing and By-Law Services, Technology "Add-On" (PED19090)
(City Wide) - Page 2 of 5**

EXECUTIVE SUMMARY

This Report requests authorization to expend the 2019 Council approved capital funds to acquire the by-law enforcement module to “add-on” to the existing system currently used by Hamilton Municipal Parking System.

Licensing and By-Law Services would like to continue to support the Smart City initiative by providing a portal for citizens to view substantiation for Administrative Penalty enforcement cases. Currently citizens must come into the office to review evidence for screenings or request emailed packages or mailouts when preparing for hearings. The addition of the “add-on” software/hardware will increase efficiencies and effectiveness and streamline the enforcement process from penalty issuance to collection. The software will allow for the creation of an automated mobile ticketing system (handheld device for penalty notice issuance) and citizen viewing portal.

Staff recommends the purchase of the system “add-on” to Parking’s existing system as it is more cost effective and efficient than purchasing a new system, this will support the Smart City initiative.

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: The total expense for the project is not to exceed \$345,000.

The Capital Project Account No. 4501957900 Handheld Ticketing Device-System Integration, was approved for \$200,000 in 2019. Due to changes in Parking Operations, staff recommends the appropriation of \$145,000 from the Capital Project Account No. 4901445100, Parking Lots-Service Repairs to the 2019 approved Capital Project Account No. 4501957900, Handheld Ticketing Device-System Integration

Staffing / Legal: N/A

HISTORICAL BACKGROUND

On November 23, 2016, Council adopted Item 8.3 of Planning Committee Report 16-020 (PED16219) providing staff authorization to negotiate a single source contract in a form satisfactory to the City Solicitor, with Groupe Techna Incorporated to upgrade the parking enforcement system currently used to issue and track parking tickets in the City of Hamilton.

**SUBJECT: Licensing and By-Law Services, Technology "Add-On" (PED19090)
(City Wide) - Page 3 of 5**

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Procurement Policy Reference – Policy # 2, Approval Authority
 Procurement Policy Reference – Policy # 11, Non-Competitive Procurements
 Capital Project Budget Appropriation

RELEVANT CONSULTATION

Planning and Economic Development, Hamilton Municipal Parking System, Corporate Services, Financial Planning, Administration and Policy and Financial Services Divisions were consulted in the preparation of this Report.

ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)

Currently in the division officers are using ticket books for manual issuance. Staff manually prepared disclosure packages for citizens for hearings. The implementation of the system would create efficiencies for officers, back-office administration and create a smart viewer for citizens.

The handheld ticket technology is not new to the City of Hamilton. Similar technology is currently being used for parking enforcement. The same vendor and technology proposed, is also being utilized in other municipalities for parking and by-law enforcement.

The use of the handheld technology, will increase the information available to municipal by-law enforcement officers, providing access to real-time data, reducing time to capture citizen information. The real-time reporting will expand to the back-office processing and management, providing access to the work of the officers, providing additional tools to report on performance and activities.

This change to the handheld software and hardware will create efficiencies and improve customer service as follows:

- Ticketing capability from cell phones and handheld printers;
- Back-end application for robust real-time communication and reporting (improved customer service and Key Performance Indicators);
- Time saving electronic barcode scanning of identification;
- Payment processing integration;
- Citizen online access to evidence supporting charges laid;
- allow for barcode scanning of identification, increasing productivity, reducing errors in transcribing penalties;
- improve eligibility of penalty notices;
- improve response time for customer inquiries;

**SUBJECT: Licensing and By-Law Services, Technology "Add-On" (PED19090)
(City Wide) - Page 4 of 5**

- reduce paper handling for by-law infractions; and,
- improve penalty payments and compliance with municipal by-laws for repeat offenders.

It is recommended that Licensing and By-Law Services enter into the contract expansion ("add-on" to the same used in parking) with the current vendor, Gtechna, to create the by-law enforcement module to add-on to the existing parking system. This is the most cost effective and efficient method to administer online penalty issuance and screenings. Purchase of a new system would be estimated over \$1,000,000. The original system used by parking, currently in the process of being upgraded was purchased in 2011 for approximately \$750,000. The existing system used in parking would have a "add-on" of the by-law enforcement module (including hardware), not to exceed \$345,000.

Council approved that capital projects are reviewed in accordance with the City's approved Capital Policies. For each Capital Project Closing report, staff determines if projects can be closed (inactivated). Due to changes in Parking Operations, staff recommends the appropriation of \$145,000 from the Capital Project Account No. 4901445100, Parking Lots-Service Repairs to the 2019 approved Capital Project Account No. 4501957900, Handheld Ticketing Device-System Integration.

ALTERNATIVES FOR CONSIDERATION

N/A

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Clean and Green

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

**SUBJECT: Licensing and By-Law Services, Technology "Add-On" (PED19090)
(City Wide) - Page 5 of 5**

APPENDICES AND SCHEDULES ATTACHED

None

KL:st

CITY OF HAMILTON

MOTION

Planning Committee Date: April 30, 2019

MOVED BY COUNCILLOR

SECONDED BY COUNCILLOR.....

Zoning By-law Amendment for 1400 Baseline Road

WHEREAS the City owns the property located at 1400 Baseline Road; and,

WHEREAS City Council has declared the lands surplus to the requirements of the City and authorized and directed Real Estate staff to sell the lands;

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to investigate amending the Urban Lakeshore Secondary Plan (Urban Hamilton Official Plan) and the City of Stoney Creek Zoning by-law No. 3692-92, for the purpose of updating the planning permissions for the lands and establishing a land use designation and zoning requirements that reflect the highest/best use of the land; and,
- (b) That staff be directed to prepare a report and implementing by-laws for the approval of Planning Committee;
- (c) That staff be directed to provide adequate public notice pertaining to item (b) above, in accordance with the Planning Act; and,
- (d) That the General Issues Committee’s Outstanding Business List item “Tourism Gateway Centre in Winona” be considered complete and removed.

12.2

CITY OF HAMILTON NOTICE OF MOTION

Planning Committee Date: April 30, 2019

MOVED BY COUNCILLOR FARR.....

WAYS TO BETTER PROTECT HAMILTON TREES ON PRIVATE PROPERTY

WHEREAS, the City of Hamilton has unanimously declared a Climate Emergency.

WHEREAS, trees are like the lungs of the planet. They breathe in carbon dioxide and breathe out oxygen. Additionally, they provide habitat for birds and other wildlife. They control flooding and improve water quality.

WHEREAS, Forests Ontario's "50 million tree" program, which aimed to plant that many trees by 2025 and has helped 4,000 landowners in rural Ontario by subsidizing the planting of 2.3 million trees annually is being eliminated in July by the current Ontario Government.

WHEREAS, the City of Hamilton currently has a by-law to protect trees on municipally owner lands;

WHEREAS, our current City of Hamilton By-laws only protect trees on private property within woodlands 0.5 acres in size or more, with limited protection in Ancaster, Dundas, and Stoney Creek for individual trees;

WHEREAS, the City of Hamilton's Tree Protection Guidelines, adopted by Council in 2010, provide a process for protecting trees on private lands as part of a *Planning Act* application;

WHEREAS, the City's existing urban tree canopy is under threat from invasive species;

THEREFORE BE IT RESOLVED;

That the appropriate staff from Planning and Economic Development provide a verbal update on the Urban Forest Strategy to the Planning Committee before the June 2019 public consultation on the Urban Forest Strategy; and that the update include ways we may better protect trees on private property.

CITY OF HAMILTON

MOTION

Planning Committee Date: April 30, 2019

MOVED BY COUNCILLOR FARR.....

SECONDED BY COUNCILLOR.....

WAYS TO BETTER PROTECT HAMILTON TREES ON PRIVATE PROPERTY

That the Rules of Order be waived to allow for the introduction of a Motion respecting Ways to Better Protect Hamilton Trees on Private Property.

CITY OF HAMILTON

MOTION

Planning Committee Date: April 30, 2019

MOVED BY COUNCILLOR FARR.....

SECONDED BY COUNCILLOR.....

WAYS TO BETTER PROTECT HAMILTON TREES ON PRIVATE PROPERTY

WHEREAS, the City of Hamilton has unanimously declared a Climate Emergency.

WHEREAS, trees are like the lungs of the planet. They breathe in carbon dioxide and breathe out oxygen. Additionally, they provide habitat for birds and other wildlife. They control flooding and improve water quality.

WHEREAS, Forests Ontario's "50 million tree" program, which aimed to plant that many trees by 2025 and has helped 4,000 landowners in rural Ontario by subsidizing the planting of 2.3 million trees annually is being eliminated in July by the current Ontario Government.

WHEREAS, the City of Hamilton currently has a by-law to protect trees on municipally owner lands;

WHEREAS, our current City of Hamilton By-laws only protect trees on private property within woodlands 0.5 acres in size or more, with limited protection in Ancaster, Dundas, and Stoney Creek for individual trees;

WHEREAS, the City of Hamilton's Tree Protection Guidelines, adopted by Council in 2010, provide a process for protecting trees on private lands as part of a *Planning Act* application;

WHEREAS, the City's existing urban tree canopy is under threat from invasive species;

THEREFORE BE IT RESOLVED;

That the appropriate staff from Planning and Economic Development provide a verbal update on the Urban Forest Strategy to the Planning Committee before the June 2019 public consultation on the Urban Forest Strategy; and that the update include ways we may better protect trees on private property.