



City of Hamilton
PLANNING COMMITTEE ADDENDUM

Meeting #: 19-014
Date: September 17, 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 Hilary Pyper respecting 29 Berry Hill Avenue, Waterdown (Item 11.1)	4
6. DELEGATION REQUESTS	
*6.2 Tom Ker respecting Changes in By-laws regarding Lot Sizes on the Mountain (For the October 1st meeting)	6
*6.3 Julie Cooper respecting Payday Loan Permit for Speedy Money (For the October 15th meeting)	7
*6.4 Sergio Manchia, UrbanSolutions Planning and Land Development Consultants Inc., respecting the Appeal to LPAT for Lands Located at 44 Hughson Street South, 75 James Street South and 9 Jackson Street East (Item 14.1) (For today's meeting)	9
8. PUBLIC HEARINGS / DELEGATIONS	
8.2 Application for Zoning By-law Amendment for Lands Located at 455 Springbrook Avenue, 253 Fair Street and Block 14, Plan 62M-1161 (Ancaster) (PED19169) (Ward 12)	
*8.2.a Staff Presentation	10

8.3	Application for Zoning By-law Amendment for Lands Located at 1351, 1355, 1359 and 1375 Upper James Street and 16, 24, 34, 40 and 48 Stone Church Road East, Hamilton (PED19059) (Ward 8)	
*8.3.b	Agent's Presentation	22
*8.3.c	Additional Written Submissions: (ii) Robert C. Dickson (second submission)	30
*8.3.d	Staff Presentation	31

10. DISCUSSION ITEMS

10.1	Accessory Dwelling Units (Pilot Project) - Temporary Use By-law for City of Hamilton Zoning By-law No. 6593 (PED19176) (Wards 1 and 8)	
*10.1.a	Added Written Comments: (i) Hamilton and District Apartment Association (ii) Merosia Butschynski	48
*10.1.b	Staff Presentation	51

12. NOTICES OF MOTION

*12.1	Electric Vehicle Charging Stations in New Developments	74
*12.2	Upper Mount Albion Road Completion	75

13. GENERAL INFORMATION / OTHER BUSINESS

*13.1	Outstanding Business List	
-------	---------------------------	--

- *13.1.a Items Requiring New Due Dates
 - 12A - Regulation of Rental Housing
 - Current Due Date: September 17, 2019
 - Proposed New Due Date: November 5, 2019

 - 19K - Effect of Heritage Designations on Property Values in Hamilton
 - Current Due Date: TBD
 - Proposed New Due Date: December 3, 2019

 - 19M - Amendment to Nuisance By-law No. 09-110 respecting Cannabis Growing Operations
 - Current Due Date: September 3, 2019
 - Proposed New Due Date: October 15, 2019

 - 19N - Development of a Rural Fill By-law
 - Current Due Date: TBD
 - Proposed New Due Date: October 15, 2019

Chamberlain, Lisa

From: Hilary Pyper <
Sent: September 16, 2019 8:39 AM
To: Chamberlain, Lisa
Subject: 29 Berry hill Ave Waterdown

Hello Lisa,

The following is our letter regarding the Motion going to the September 17th Planning Committee meeting, respecting Properties of Potential Cultural Heritage Interest in Waterdown.

BACKGROUND

My family resides in and continues to enjoy our home at 29 Berry hill Ave in Waterdown. We purchased this property in 2006. The house is less than 80 years old. It was empty at the time of our purchase, was sold "As is", with extensive flaws that were either initially evident and understood, or subsequent surprises discovered. The purchase price was considerable. Risks were taken on acquiring such a property. We invested blood, sweat, tears, and great expense on renovations, repairs, and maintenance with associated high property taxes. We looked forward to an enjoyable future in our home, defined in part by an ability to demonstrate independent pride of ownership. We were quite unaware of the bending anxiety and upheaval that arrived with "The letter".

THE LETTER

At about 4:30 pm, on 28 August 2019, a letter was hand delivered to our home. There was no knock on the door or use of doorbell. The front of the envelope listed "Property owner" --no specific family name. Inside the letter has "FILE FINANCE HOUSE" ---the relation to us being incomprehensible. We have tried to digest this request to add our home to the Municipal Register, but this process has been very superficial and incomplete. We has two business days to respond before a Council Meeting immediately following the Labour Day long weekend at 9:30 am on Tuesday September 3rd.

INITIAL QUESTIONS

We have many! Who made such an application? Why was this done at all? Why now? What is the "Cultural heritage value or interest"? Why such unreasonable urgency? When was this submitted to, processed and debated by - Municipal Heritage Committee? Who is on this committee? When do they meet? What terms of reference do they operate under? What other Waterdown properties were included? What is the definition of property alterations? What are the implications/timelines/nature of reviews when City staff are directed to review the property for potential designation? If changes or impacts are proposed - define the definition of, the power of, staff "Comment" on how to accommodate changes. Who pays for a potential Cultural Heritage Impact Assessment? Does the "Building" extend to a pool and such necessary modification that may be required there? Is heritage interest limited to outside the home - or inside as well? What is related to the whole issue of possible grants - for what, process, funding amounts, likelihood of success etc?And there are many more questions!

INITIAL RESPONSE

On August 29, 2019, my husband took considerable time away from his busy working day and had lengthy unhelpful conversations with Christine Digiantomasso, assistant to Councillor Partridge, Ms Miranda Brunton, Cultural Heritage Planner, and Ms Yvette Rybensky Senior Project Manager Development Planning.

Ms Partridge was completely unavailable with no known office return date. There was no one available in her absence, and yet all of the above conversations directed my husband back to Ms Partridge. How frustrating period. Questions and concerns were posed. It was clearly stated that we would be out of the country - and we still are. Ms Brunton claimed to understand but provide no specific answers - no pathway forward. Ms Rybensky stated simply, "That's democracy". Oh really?

We understand that property owner notification should at least have our names on it, that we be made aware of why a property may be placed on the Register, and that we would have 30 days to respond. How could we possibly prepare a reasonable response when we do not know why the house is potentially of some "cultural Heritage value or interest"?

Council must be given 60 days notice for issues of notice to them - yet we have been provided with minimal time to respond to having our property added to the register.

Within the 60 day period of interim protection, staff can simply, unilaterally change our home from the Register to a designation under The Heritage Act, with a whole new set of implications for us. The Register is therefor not a benign list, but a dangerous first step whereby a City of Hamilton Council will control the enjoyment/independence/and future financial value of our home! Would you, Hamilton City Council like that? Would anyone like that?

The freedom to demonstrate our pride of ownership as we have done in the past, and to possibly alter, improve, seek to subdivide as other non listed owners are able to, is stolen from us! There is also a sense of loss of faith in government due process. Ultimately, the future selling price is restricted. Where is an independent real estate expert to outline for us the potential financial constraints that we may be under? All of this without compensation.

We are away. This issue has generated significant disruption of our holiday in order to navigate through this process, and provide some kind of reasonable response. Attempting to research this, without opportunity to review it with other affected property owners, or seek counsel as necessary, is logistically challenging, incomplete, and stressful.

Again, what is the possible heritage value or interest? Perhaps so that someone might drive to the end of Berry hill Avenue, a dead end street, and just glimpse at our house while they turn around?

At a high level of analysis, presumably such a Register, or eventual designation, is so that the public, even just one member of the public, does not lose something?a visual image, a sense of nostalgia. Now turn that thinking upside down. Such a listing/designation will most certainly create a loss for myself and family. Is that fair when there is no conceivable reasons in our view for Designation? We will agree, it is a nice house, but what possible heritage, or cultural aspects make it necessary to designate?

This process completely disrespects the home owner. Please understand the concept of ownership! Costs for purchase, maintenance, repair, etc fall to us, yet the city could hijack control of "Our" home. You, Councillors, may feel protected by Bylaws and Acts, but my family feels truly violated by this process so far. We feel that this has been unilateral, unjust, underhanded, and even secretive. We are therefore justifiably confused and angry.

We feel strongly that our home should not be added to any Register.

Thank you for your consideration of all of the above.

Sincerely

Hilary and Alex Pyper

September 16, 2019

Sent from my iP

Form: Request to Speak to Committee of Council

Submitted on Tuesday, September 10, 2019 - 10:42 am

==Committee Requested==

Committee: Planning Committee

==Requestor Information==

Name of Individual: Tom Ker

Name of Organization:

Contact Number:

Email Address:

Mailing Address:

Hamilton, ON

Reason(s) for delegation request:

Regarding the change in By-laws regarding lot sizes on the Mountain (article in the Spec on Wednesday Sept 4):

1. By changing the sizes, there will be more water runoff that the area won't be able to handle.
2. How will the road be updated between StoneChurch and Hightower for the increased traffic?
3. Do we have the Municipal resources, ie: police, fire, etc., to handle the increase in population?

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No

Form: Request to Speak to Committee of Council

Submitted on Wednesday, September 11, 2019 - 8:55 am

==Committee Requested==

Committee: Planning Committee

==Requestor Information==

Name of Individual: Julie Cooper

Name of Organization: Speedy Money

Contact Number:

Email Address:

Mailing Address:

90 Centennial Pkwy North
Hamilton, Ontario
L8E 1H7

Reason(s) for delegation request:

My name is Julie Cooper and I currently operate a payday loan and cheque cashing store at 90 Centennial Pkwy North in Hamilton Ontario. I have been at this location for over 8 years and I am licenced under the Ontario Payday loan Act. I was visited by Steven Wood a Hamilton licencing officer on Wednesday Aug 28th, 2019 inquiring about my payday loan permit. It is my understanding after speaking to Mr. Wood that there was a by-law passed in the beginning of 2018 within the city of Hamilton requiring payday loan companies to pay for a permit. Unfortunately I was unaware of that by-law being passed. I spoke to Mr. Wood at great length and he suggested I go to City Hall and see what could be done.

On Thursday Aug 29th, 2019 I attended City Hall and was given the forms to apply for a payday loan permit however advised that I should speak to Steven Wood again before applying. I called Mr. Wood as he was going to speaking to his supervisors as he thought it was unusual that I was missed when they first completed the permits, however was not in licensing at the time so was unsure of how the procedure went. He indicated that I would not be able to apply for a permit as they were not granting anymore. However told me that I should reach out to my city counsel as well as the General Issues Committee. After speaking to many people it is now noted that I should be speaking to the Planning Committee.

Let me tell you a little about myself and my business, as previously stated I have been at that location for over 8 years, we offer payday loans, western Union, cheque cashing. We are a very small store and only carry about 25000 in loan receivables. We do not lend to person on fixed income, example CPP, ODSP, OW.

I will be asking the Planning Committee to add my store to the by-law, I will make the following the submissions. I am not looking to maintain the store long-term, I am seeking the ability to operate for the next 5 years. This will allow me to full fill my lease, as well as plan for closure properly. I will not sell the business, therefore allowing others to use that address for payday loans. I can't believe that when the by-law was written there intent was ever to cause harm to families or put employees out of work. Not allowing me to continue to operate the business as it is today would financially devastate my family, and the families of the employees that I work with.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? Yes

Form: Request to Speak to Committee of Council

Submitted on Friday, September 13, 2019 - 7:53 am

==Committee Requested==

Committee: Planning Committee

==Requestor Information==

Name of Individual: Sergio Manchia, MCIP, RPP

Name of Organization: UrbanSolutions Planning & Land Development Consultants Inc.

Contact Number:

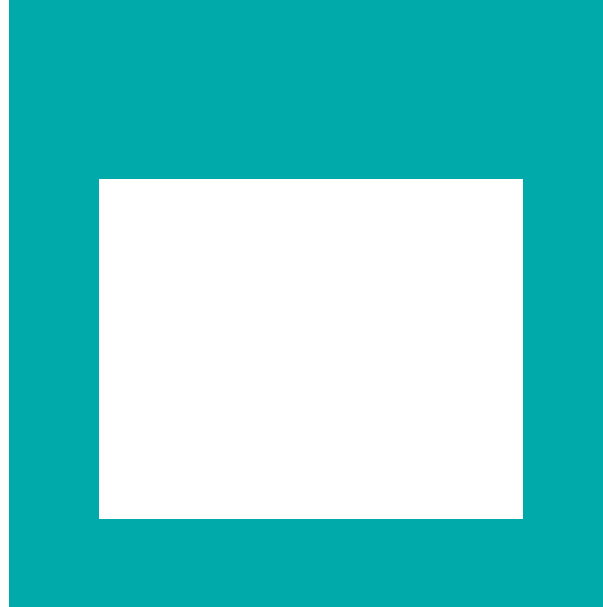
Email Address:

Mailing Address:

Reason(s) for delegation request: To address Committee with regards to the appeal to the Local Planning Appeal Tribunal on the City of Hamilton's Approval of Official Plan Amendment (OPA 102) and Zoning By-law Amendment (By-law 18-114) for the Lands Located at 44 Hughson Street South, 75 James Street South and 9 Jackson Street East.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No



WELCOME TO THE CITY OF HAMILTON

PLANNING COMMITTEE

September 17, 2019

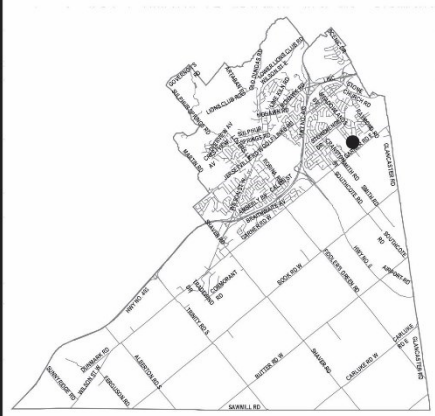
PED19169 – (ZAC-19-032)

Application for Zoning By-law Amendment for Lands Located at
455 Springbrook Avenue, 253 Fair Street and Block 14, Plan 62M-1161.

Presented by: James Van Rooi



● Site Location



Key Map - Ward 12

N.T.S.

Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
ZAC-19-032

Date:
August 1, 2019

Appendix "A"

Scale:
N.T.S.

Planner/Technician:
JV/VS

Subject Property

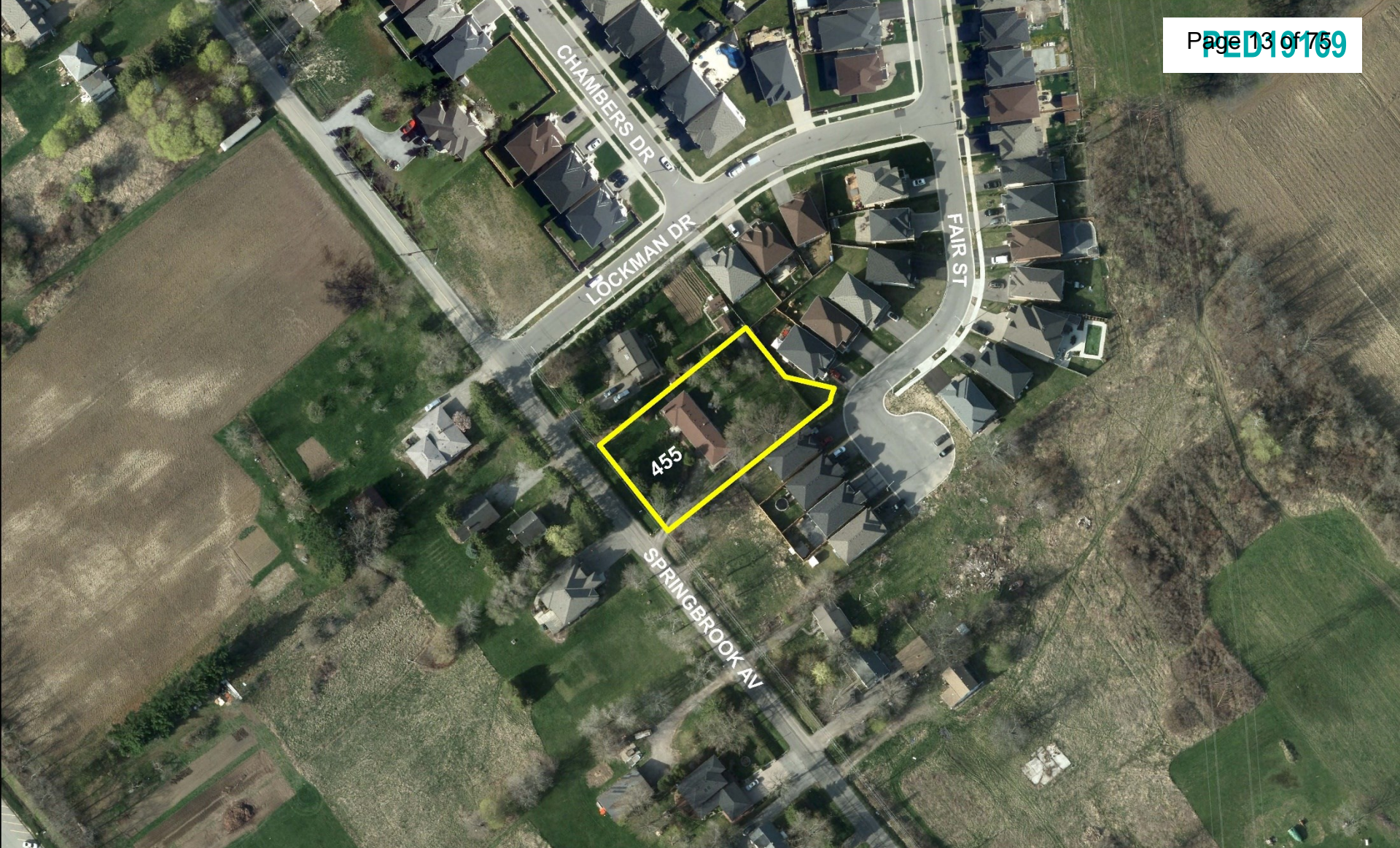
455 Springbrook Avenue and 253 Fair Street and Block 14,
Plan 62M-1161, Ancaster



Block 1 - Change in Zoning from the Agricultural "A" Zone to the Residential "R4-705" Zone, Modified



Block 2 - Change in Zoning from Agricultural "A" Zone and the Residential "R4-563" Zone to the Residential "R4-706" Zone, Modified



SUBJECT PROPERTY



**455 Springbrook Avenue and 253 Fair Street and
Block 14, Plan 62M-1161, Ancaster**





Existing Single Detached 455 Springbrook Avenue



Looking North along Springbrook Avenue



Looking South along Springbrook Avenue



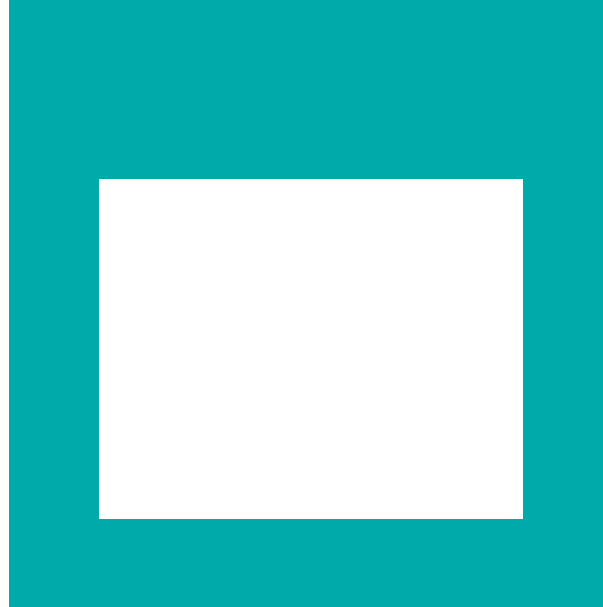
253 Fair Street and Block 14



Properties south of Fair Street



Eg. Properties



THANK YOU FOR ATTENDING

THE CITY OF HAMILTON PLANNING COMMITTEE

STONE CHURCH ROAD EAST

UPPER JAMES STREET



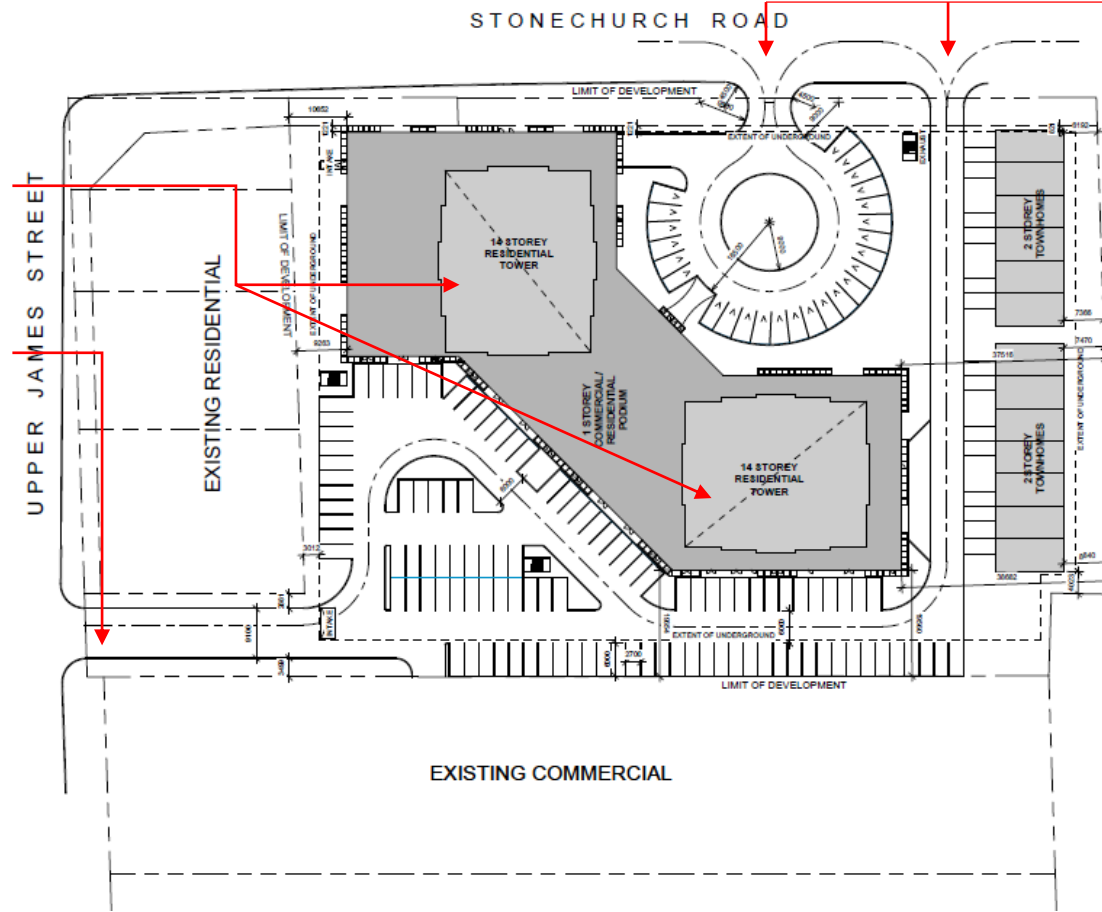
Upper James Street and Stone Church Road

Zoning By-Law Amendment:
ZAC-11-070

2011 Conceptual Site Plan

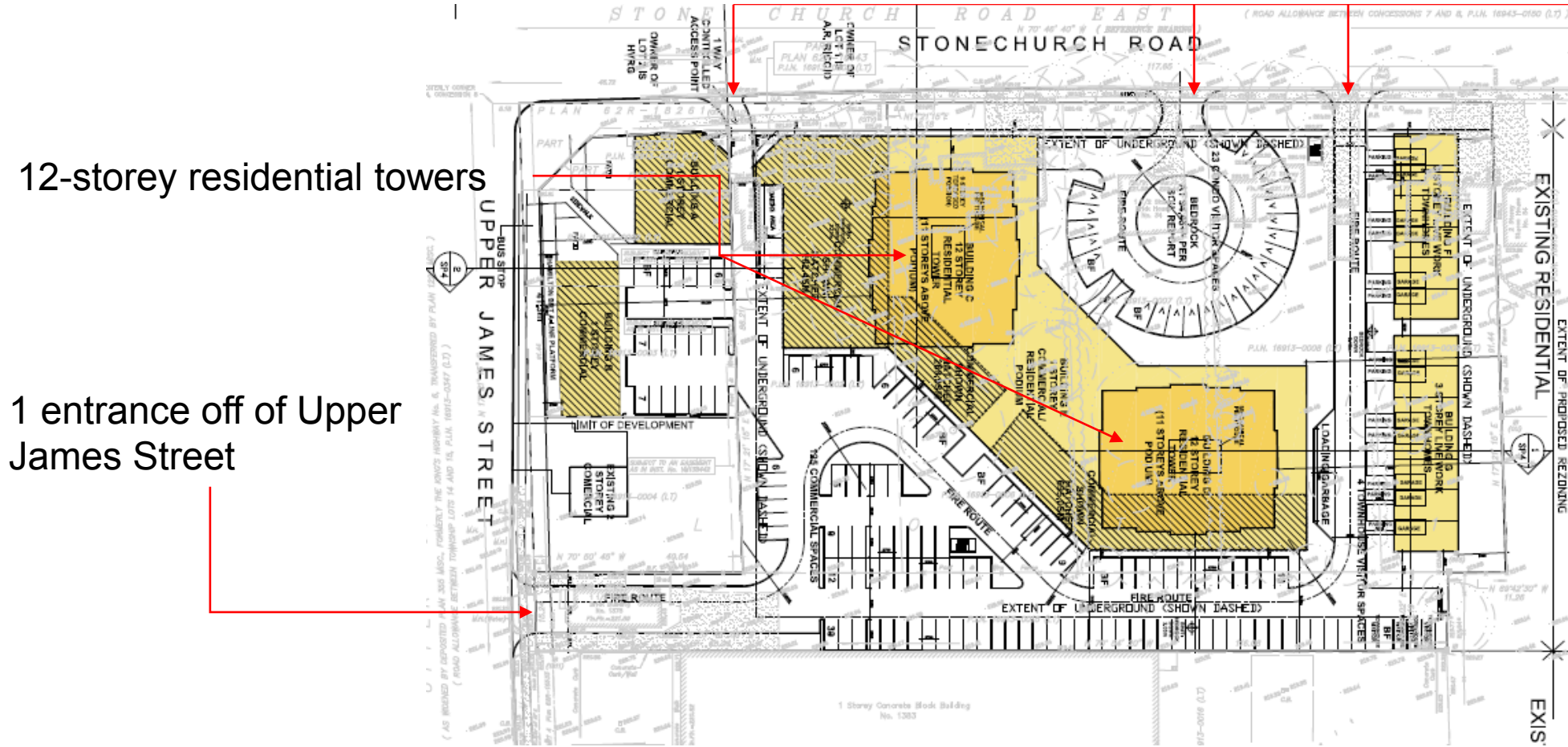
14-storey residential towers

1 entrance off of Upper James Street



2 entrances off of Stone Church Road

2015 Conceptual Site Plan



12-storey residential towers

1 entrance off of Upper James Street

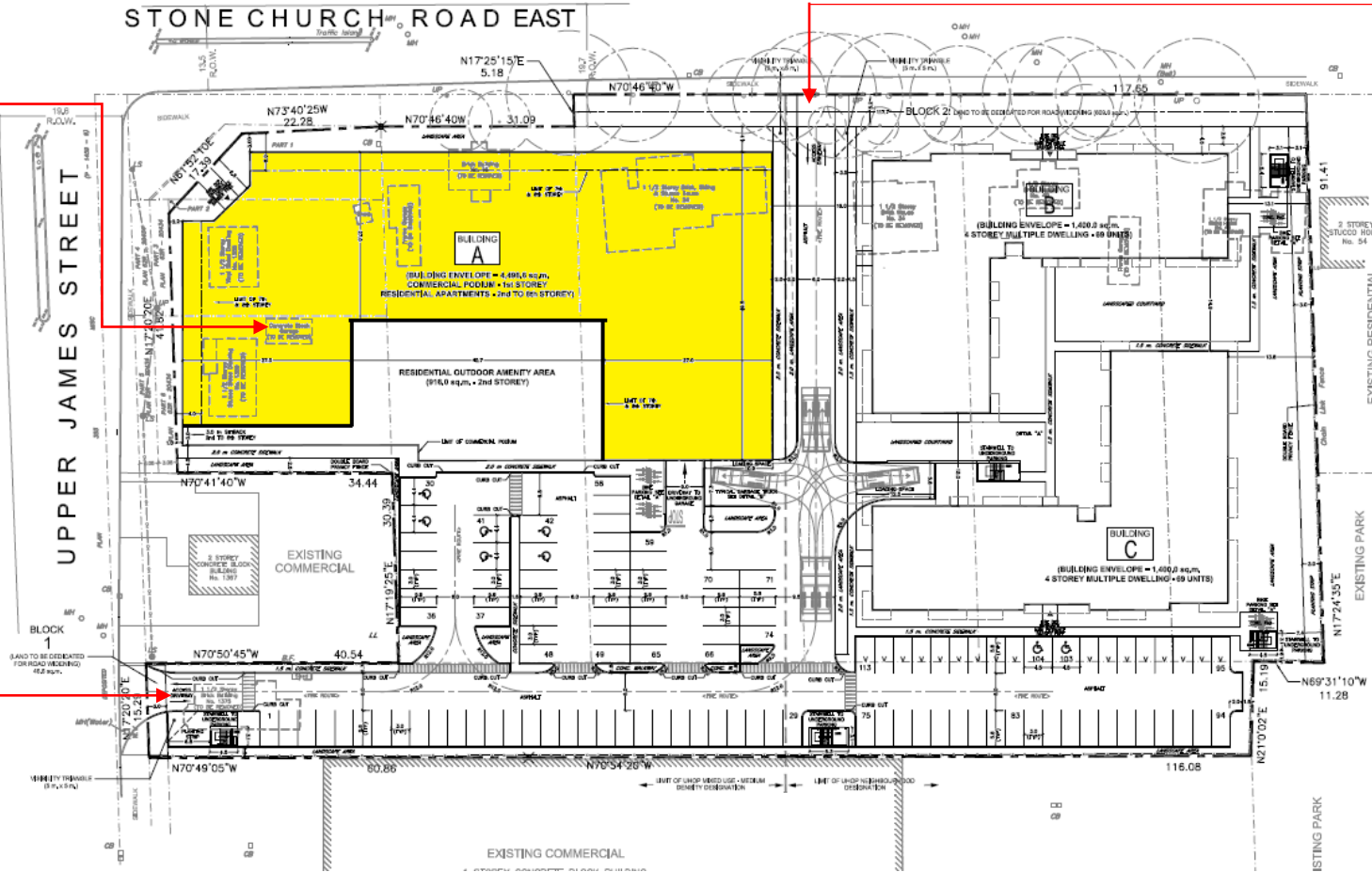
3 entrances off of Stone Church Road

Official Plan Amendment **WOULD** be required

Current Proposed Development (2019)

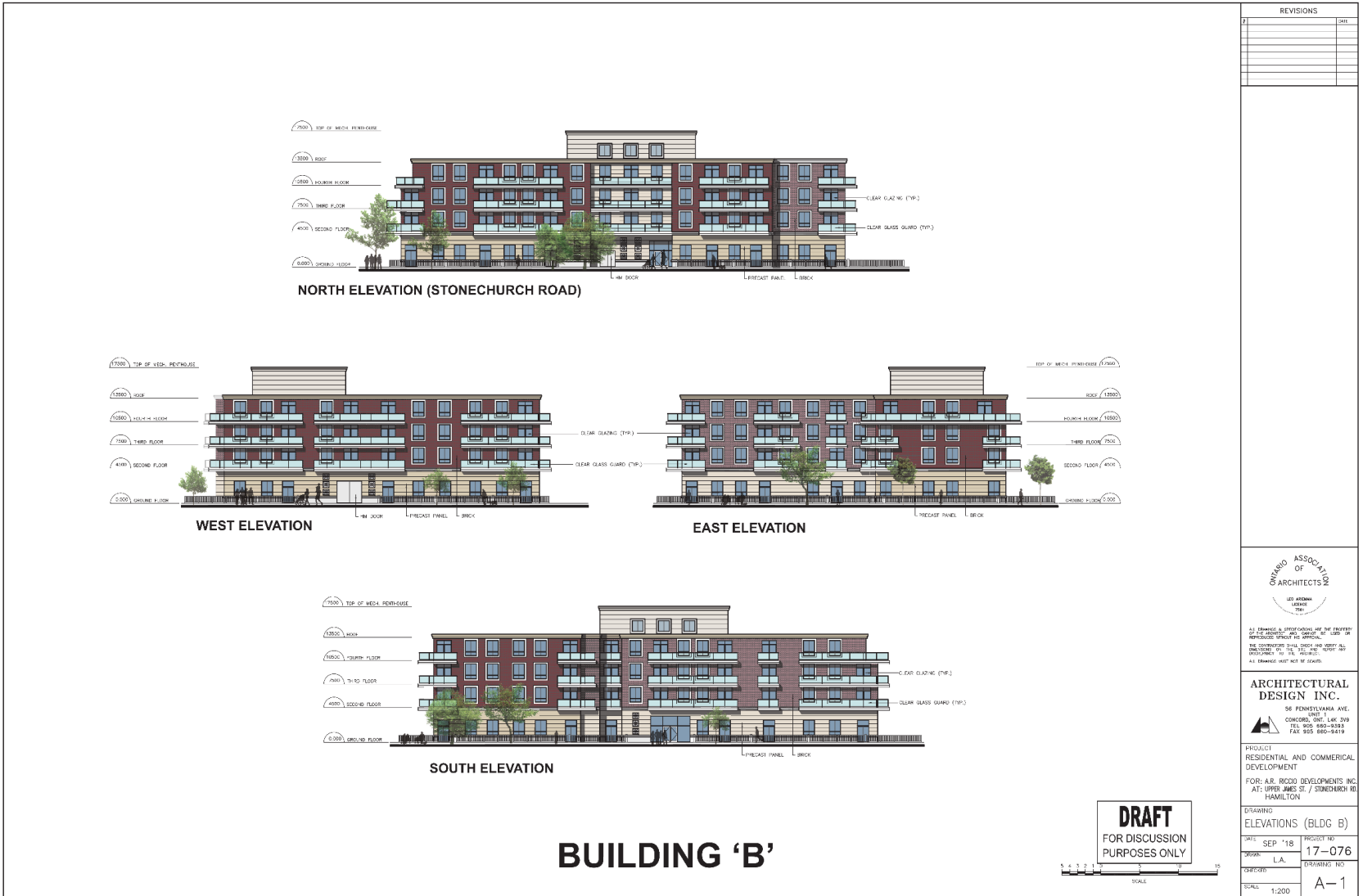
8-storey mixed use building

1 entrance off Upper James Street



1 entrance off Stone Church Road – safe distance from intersection and far enough away from adjacent residential neighbourhood

NO Official Plan Amendment is required



REVISIONS	
NO.	DATE



 ONTARIO ASSOCIATION OF ARCHITECTS



 ARCHITECTURAL DESIGN INC.

56 PENNSYLVANIA AVE. CONROSDALE, ONT. L4C 2V9
 TEL: 905-882-2214 FAX: 905-882-2219

PROJECT: RESIDENTIAL AND COMMERCIAL DEVELOPMENT
 FOR: A.R. BCOO DEVELOPMENTS INC. AT: UPPER JAMES ST. / STONECHURCH RD. HAMILTON

DRAWING: ELEVATIONS (BLDG B)
 DATE: SEP '18 PROJECT NO: 17-076
 DRAWN: L.A. DRAWING NO:
 CHECKED: DRAWING NO:
 SCALE: 1:200 TOTAL: A-1

DRAFT
FOR DISCUSSION
PURPOSES ONLY





Thank You

From: Robert Dickson <
Sent: September 13, 2019 1:17 PM
To: Zajac, George <George.Zajac@hamilton.ca>; Rybensky, Yvette <Yvette.Rybensky@hamilton.ca>
Cc: Danko, John-Paul <John-Paul.Danko@hamilton.ca>
Subject: Critical Omission from Application for Development (PED19059)(Ward 8)

ATTENTION: George Zajac, Yvette Rybensky
Planning and Development
City of Hamilton

RE: Application for Zoning By-law Amendment
File ZAC-11-070
PED 19059 Ward 8

Thank you for providing me with the details of the **Staff Approved Application** for Zoning By-law amendments to permit development of properties at the South East corner of Upper James Street and Stone Church Road in the City of Hamilton.

On careful review, I am deeply concerned that either by accident or lack of information, a description of the lands in close proximity, repeatedly and critically **OMITTED** the presence of Barton Stone – Mt. Hope United Church and Education building, which are located on the South West corner of the same intersection – directly across the street and only a few feet away from the proposed development. In the Application, **land to the West of the development is referred to as “a cemetery”**. **No mention of the Church buildings.** The

Church is Historically designated as a Heritage structure – and is the oldest church in Hamilton. It is in active use for weekly worship and other meetings. It is adjacent to the church's Education Building, which is used daily for many activities – including programs for children. The Church is critical to the appearance of the intersection.

It will be immediately apparent that the presence and use of the Church and Education Building are historically critical and generate large volumes of traffic at an already complex intersection.

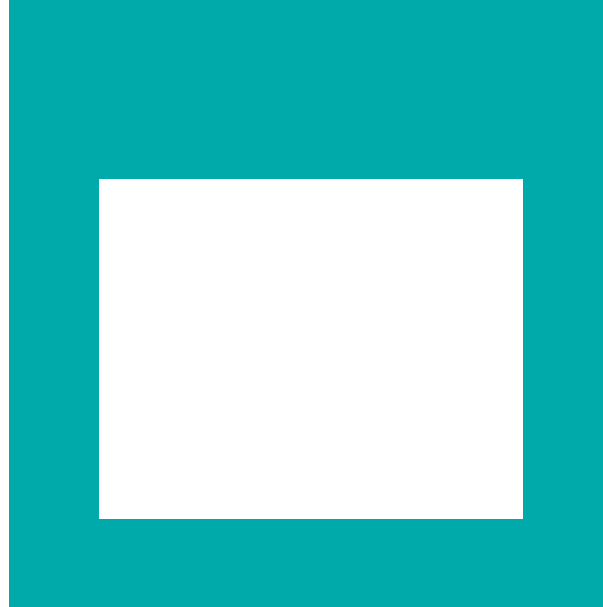
Development as proposed (repeatedly over the years) to the East – across the street from the Church would have major implications for several City departments. Without addition to the proposed application and development, Traffic, Historical Background, Cultural Heritage, Design, Landscape character of the surrounding area, Urban design, Safe Communities Department, Health Hazards, Shading (no more “sunrise services”) etc. will not have had, nor will have, adequate information to make an informed decision about the proposed development – or the current “Staff Approved” Application - already in print and incomplete.

Once again, I strongly oppose the current Application. I would suggest that the property owners adopt the “ALTERNATIVES FOR CONSIDERATION” suggested in the Staff Report.

Please remove my email contact from this email before it is entered into the public domain. Please attach this email to my previous letter of September 4, 2019.

Thank you for your consideration and understanding,

Dr. Robert Dickson



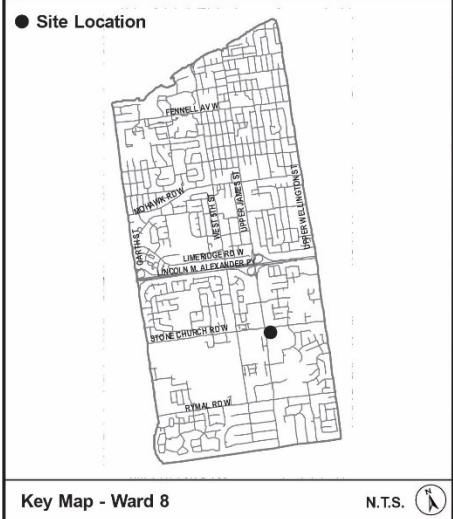
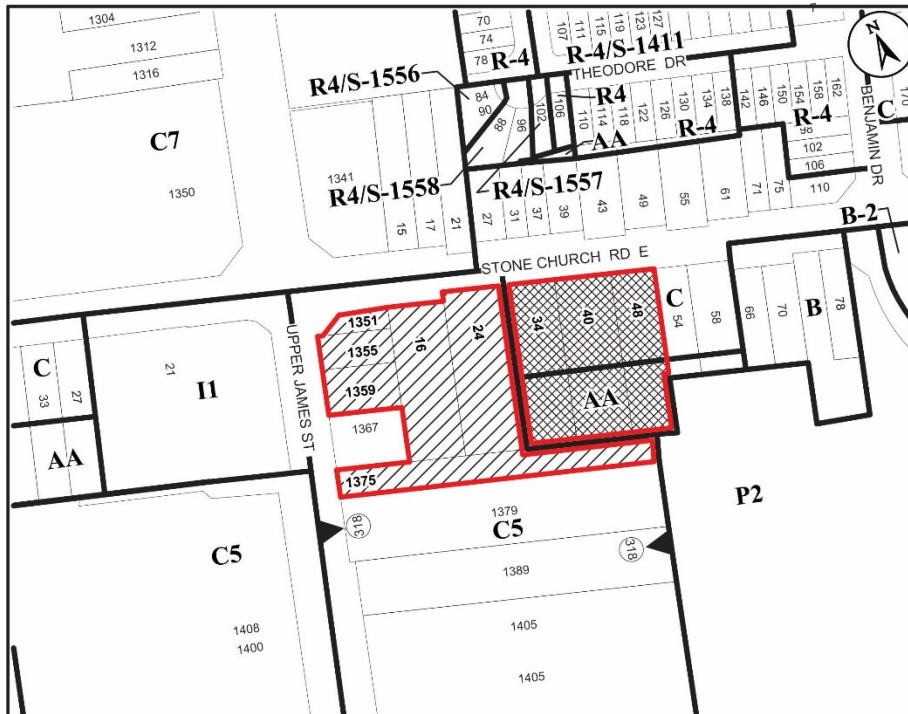
WELCOME TO THE CITY OF HAMILTON
PLANNING COMMITTEE

September 17, 2019

PED19059 – (ZAC-11-070)

Application for Zoning By-law Amendment for Lands Located at
1351, 1355, 1359 and 1375 Upper James Street and
16, 24, 34, 40 and 48 Stone Church Road East, Hamilton.

Presented by: George T. Zajac



Location Map

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

Hamilton

File Name/Number: ZAC-11-070	Date: August 16, 2019
Appendix "A"	Scale: N.T.S.
Planner/Technician: GZJAL	

Subject Property
 1351, 1355, 1359 & 1375 Upper James Street &
 16, 24, 34, 40 & 48 Stone Church Road East

- Block 1** - Change in Zoning from Mixed Use Medium Density (C5, 318) Zone to the Mixed Use Medium Density (C5, 724) Zone
- Block 2** - Lands to be added to Zoning By-law No. 05-200 and Zoned Mixed Use Medium Density (C5, 724) Zone



SUBJECT PROPERTY



**1351, 1355, 1359 & 1375 Upper James Street &
16, 24, 34, 40 & 48 Stone Church Road East, Hamilton**

Urban Hamilton Official Plan (“UHOP”)

Schedule “E” – Urban Structure

Neighbourhoods” (34, 40 and 48 Stone Church Road East),

“Primary Corridor” (16 and 24 Stone Church Road East, 1351, 1355, 1359, and a portion of 1375 Upper James Street)

“Community Node” (16 and 24 Stone Church Road East, 1351, 1355, 1359 and 1375 Upper James Street)

Schedule “E-1” – Urban Land Use Designations

“Neighbourhoods” (34, 40 and 48 Stone Church Road East)

“Mixed Use – Medium Density” (16, 24 Stone Church Road East, 1351, 1355, 1359 and 1375 Upper James Street)

The subject property is also identified as located on a Potential Rapid Transit Line (B.L.A.S.T.) per Appendix B - Major Transportation Facilities and Routes.

NO OFFICIAL PLAN AMENDMENT REQUIRED

- Consistent with the Provincial Policy Statement;
- Conforms to A Place to Grow Plan (2019); and,
- Conforms to the City’s UHOP

CHRONOLOGY

Original Submission – October 27, 2011

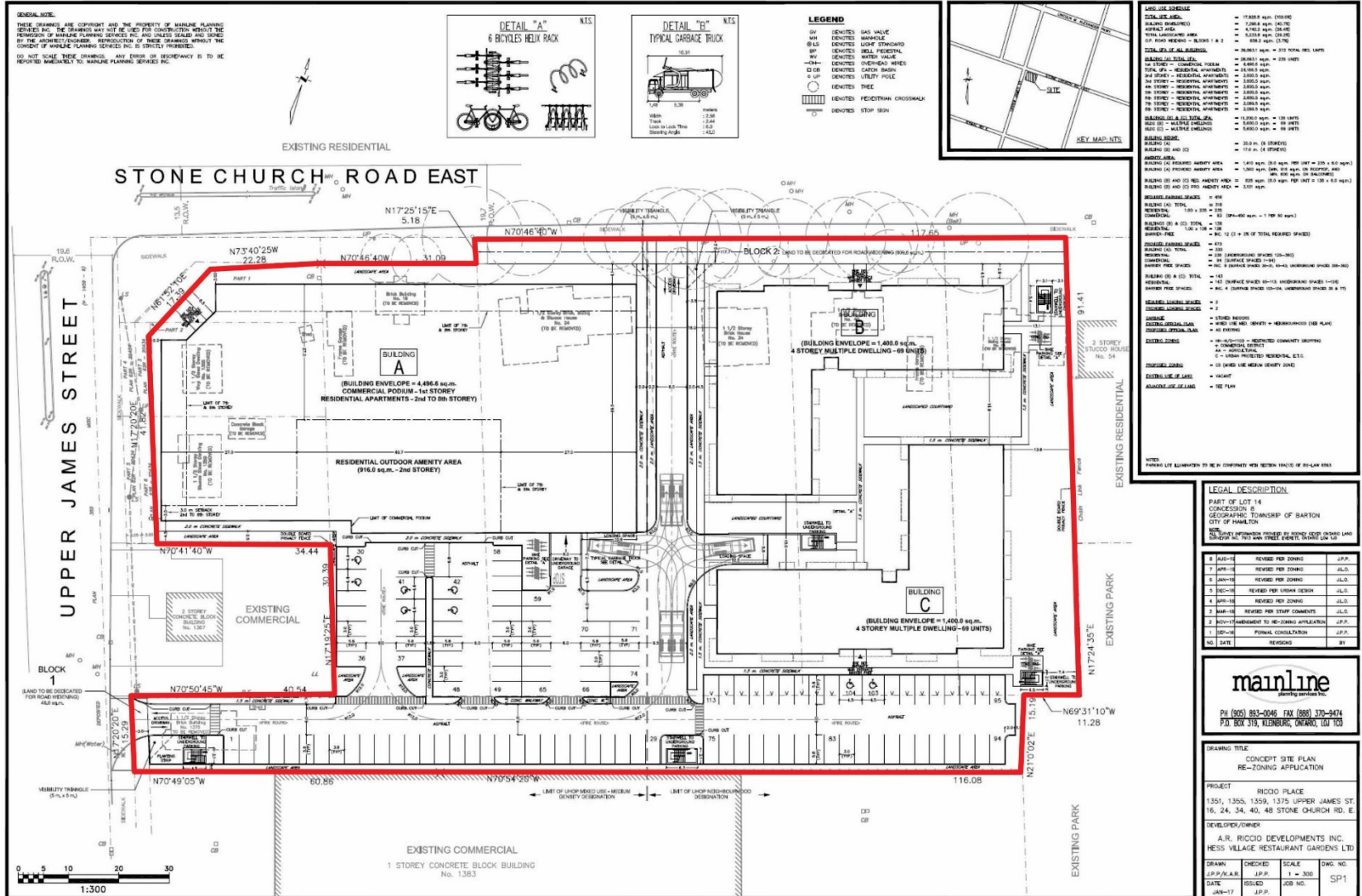
The applicant's original submission was for an Official Plan and Zoning By-law Amendment to permit 13, three storey townhouses, two, 12 storey multiple dwellings with a two storey mixed-use podium, as well as three, one storey commercial buildings.

Second Submission – November 15, 2017

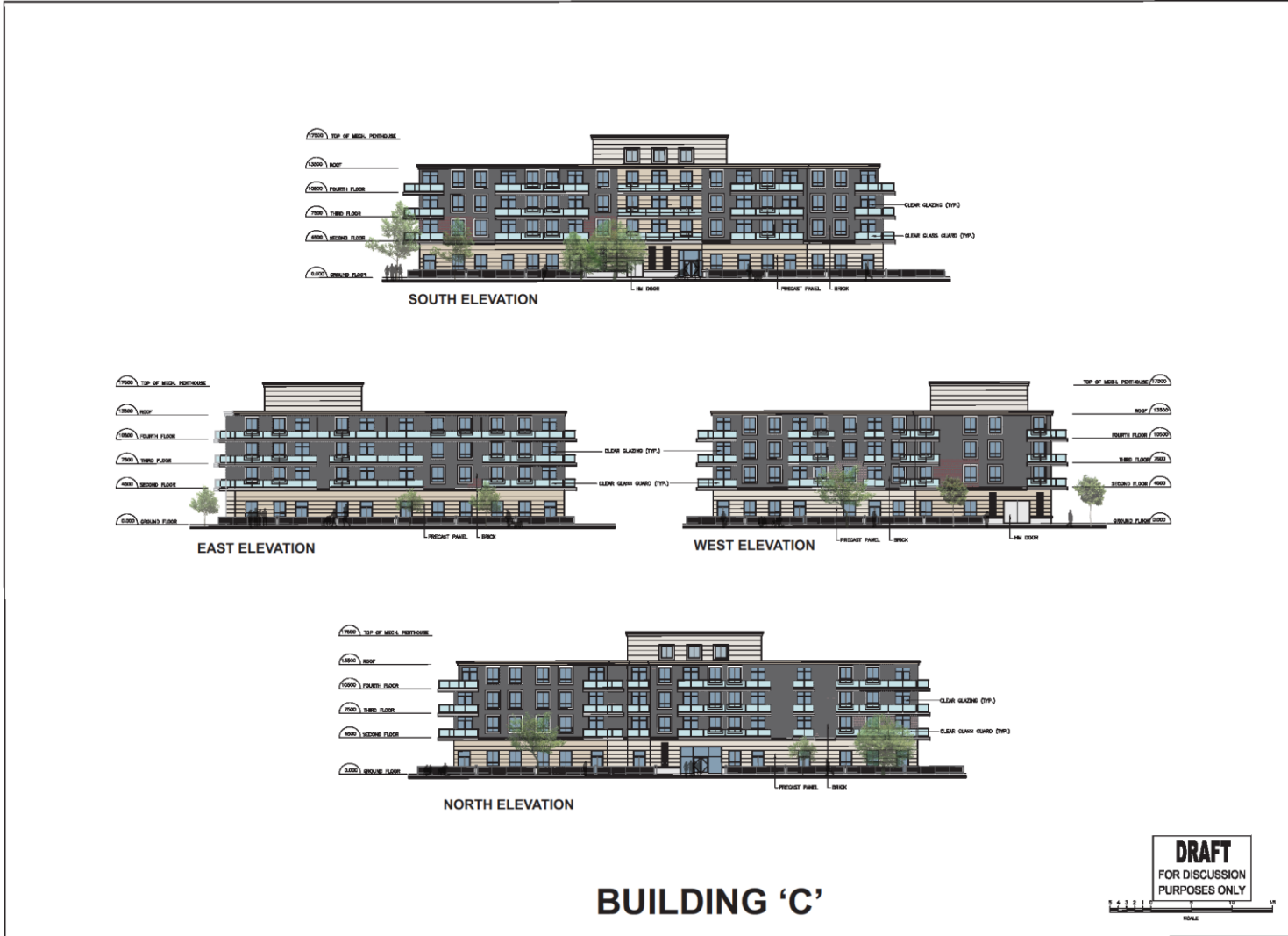
After meetings with City staff, the applicants re-submitted for an eight storey mixed-use building with commercial uses on the ground floor at the corner of Upper James Street and Stone Church Road East and four, three and four storey multiple dwellings on the easterly portion of the subject property; these adjustments eliminated the need for an Official Plan Amendment.

Third Submission – January 19, 2019

In response to City staff comments, the applicant further revised the subject proposal to maintain the eight storey mixed-use building, but proposed two, four storey multiple dwellings on the easterly portion of the subject property. This concept was later refined to address various staff comments.







REVISIONS	
#	DATE



By signing this certificate, the architect certifies that he/she is a duly qualified member of the Ontario Association of Architects and is duly licensed to practice in the Province of Ontario. All drawings must not be sealed.

ARCHITECTURAL DESIGN INC.
 85 PENNSYLVANIA AVE.
 SUITE 1
 CONCORD, ONT. L4K 2V8
 TEL 905 884-8823
 FAX 905 884-8419

PROJECT: RESIDENTIAL AND COMMERCIAL DEVELOPMENT
 FOR: A.R. BIGGO DEVELOPMENTS INC.
 AT: 1005 WILSON ST. / SOMERSET RD.
 HAMILTON

DRAWING: ELEVATIONS (BLDG C)	
DATE: SEP '18	PROJECT NO: 17-076
DRAWN: L.A.	DRAWING NO: A-1
CHECKED: [Signature]	SCALE: 1:200

DRAFT
 FOR DISCUSSION
 PURPOSES ONLY



BUILDING 'C'



Looking north along Upper James Street



Looking east along Stone Church Road East



Looking west along Stone Church Road East



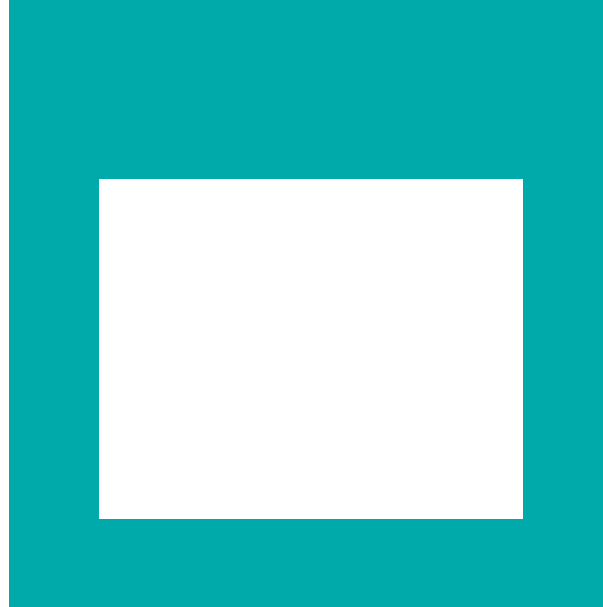
Looking south along Upper James Street



Looking at the Subject Property from Upper James Street



Looking at the Subject Property from Stone Church Road East



THANK YOU FOR ATTENDING

THE CITY OF HAMILTON PLANNING COMMITTEE



Planning Committee
Hamilton City Hall
2nd floor - 71 Main Street West
Hamilton, Ontario L8P 4Y5

RE: Temporary Use Bylaw for City of Hamilton Zoning By-law No. 6593 (PED19176)

The Hamilton and District Apartment Association would like to congratulate City Staff for proposing the Accessory Dwelling Units (Pilot Project) – Temporary Use Bylaw for City of Hamilton Zoning By-law No. 6593 (PED19176). If not for the application of Licensing, we believe the relaxed regulations on zoning requirements in section 19 will help maintain the number of units and perhaps increase the supply. We applaud the City for accepting the direction of the Provincial Government by enacting Bill 108 (More Homes, More Choice Act, 2019).

This effort to help housing providers create more housing is a great step toward increasing supply in Hamilton. Along with the other 25 recommendations proposed in the “Promoting Code Compliant, Affordable, Safe, Clean and Healthy Rental Housing”, we believe if this is introduced City wide the changes will go a long way to reduce the housing affordability crisis the City is currently facing. We can only hope that when the official re zoning plan comes out it will also see the same zoning regulation changes so the benefits can increase supply across the City. It would be a shame if the only reason this zoning bylaw change is being proposed is for a licencing regime to be enacted and not because it helps create more affordable housing.

We would like to have the Planning Committee and City Staff look at the implication of what happens after the 3-year proposal term.

- Will units be forced to go back to the current zoning regulations?
- Will investments be wasted when this bylaw is discontinued?
- Will there be a grandfathering clause added?

If the Proposed Pilot Project requires those who create or legalize secondary suites to obtain a building permit with associated inspections, wouldn't that eliminate the need for a licence program as the bylaw officers will have access to the unit during building permit inspection?

Although the Accessory Dwelling Units Pilot Project will help negate some of the displacement issues we would see if a trial licencing program is passed, it will not remove the threat entirely. The position of HDAA remains unchanged and our support of the Accessory Dwelling Units (Pilot Project) should not be considered an acceptance of the concept of Rental Housing Licencing. The threat of licencing still brings with it a serious risk of significant tenant displacement and increased rents because of the costs associated with a program that is already being done through the Cities proactive bylaw enforcement program.

As such, HDAA would support a City-wide section 19 bylaw change as suggested in the Accessory Dwelling Units (Pilot Project) – Temporary Use Bylaw for City of Hamilton Zoning By-law No. 6593 (PED19176).

Respectfully yours,
Hamilton and District Apartment Association

P.O. Box 33522 Dundurn Road Hamilton, Ontario L8P 4X4

P: 289 208 5445 **E:** info@hamiltonapartmentassociation.ca **W:** www.hamiltonapartmentassociation.ca

September 13, 2019

The Planning Committee
City Clerk's Office, 1st floor
71 Main St. West
Hamilton, Ontario
L8P 4Y5

Attn.: Lisa Chamberlain, Planning Coordinator

Re: Temporary Use By-Law No. 6593

Dear Ms. Chamberlain,

I have reviewed the above proposal as outlined in "the Spec" but have not had an opportunity to review the full report available as of September 11, 2019. As I may not be able to attend the meeting on the 17th I wanted to make certain my thoughts and concerns over the proposal, were voiced.

My life experience has taught me that "temporary" is only the beginning of "permanent" particularly once conversion has taken place. To refer to this proposal as "relief" from certain zoning regulations in Residential Conversion makes it seem as though the existing requirements and process are an onerous hardship. This proposal will not result in the vision the planning committee has created for the future but will unfold with a very different look.

...beware your hearts desire...you soon may get it.

I have no issue / concern with eliminating a minimum dwelling size, perhaps resulting in some families of 4 living in 500 square feet (46.5 square metres) or less.

I have no issue with reducing lot size that will ultimately result in the destruction of many of the current single family homes in order to make way for more high-rise condo building units, which will rent for exorbitant

rates (eg. new condo building on Locke St. S; 1 bedroom 800 square feet (74.3 square metres) or so, rents for \$2350/ month – Very affordable).

What I do take issue with is the “No additional parking required.....”

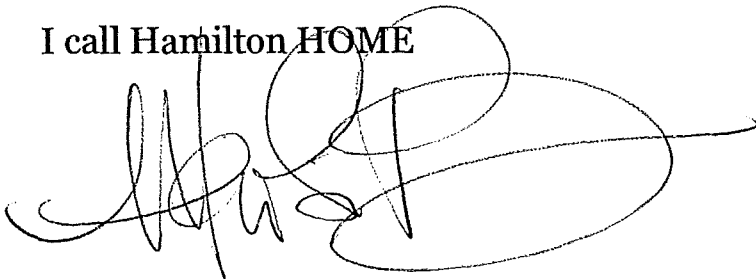
Parking is already an issue on many of the older streets in Ward 1, where I live. Without addressing future parking requirements and making necessary changes to increase street and front yard parking availability, there will be some turmoil resulting from too many housing units with not enough parking. I understand the desire to eliminate parking and get people to take the HSR but Hamiltonians love their vehicles and some people even have multiple vehicles.

In addition, while the conversions are taking place, construction related trucks and vehicles take up precious parking spaces and / or block traffic, creating additional pressure for commuters.

I believe minds are already made up and the concerns of people like myself, who live in the area, are being “outed” by flipper / speculators and big money Toronto developpers and not the single family buyers.

I ask that parking needs in Wards 1 and Ward 8 be reviewed for the purpose of providing relief.

I call Hamilton HOME

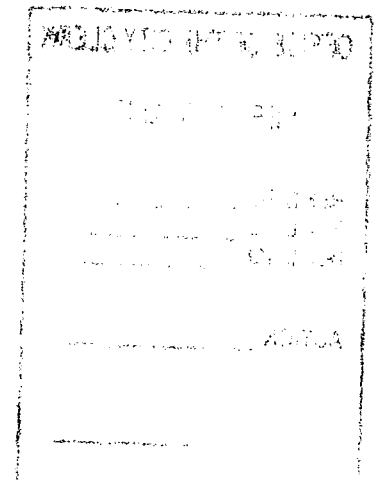


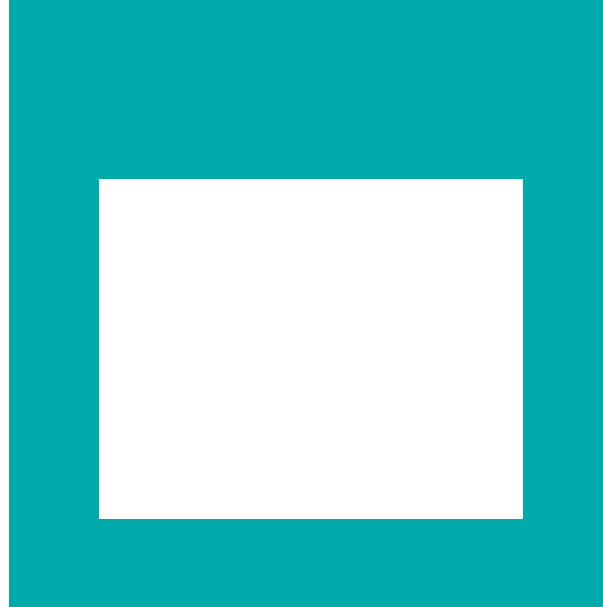
love, light and peace

merosia butschynski

Hamilton, Ontario

Email: j





WELCOME TO THE CITY OF HAMILTON

Proposed Temporary Use By-law

**Relief from Certain Residential Conversion Zone Regulations in conjunction with
the Low Density Rental Housing Pilot Project**

September 17, 2019 – Planning Committee Meeting

Purpose of the Proposed Temporary Use By-law

- Proposed By-law directly tied to the Low Density Rental Housing Licensing Pilot Project for Wards 1 and 8.
- Stakeholders identified 1991 Zoning By-law regulations can be a barrier to create accessory dwelling units.
- Proposed By-law is to amend Zone Regulations under Section 19 – Residential Conversion in Hamilton Zoning By-law No. 6593 for a period of 36 months:
 - Minimum dwelling size and lot size requirements
 - Parking requirements and parking arrangements (east of Hwy 403 only)

The Proposed Temporary Use By-law also applies to...

- Homeowners who wish to rent out their accessory dwelling units to a tenant.
- Homeowners who wish to provide for accommodation to family members.

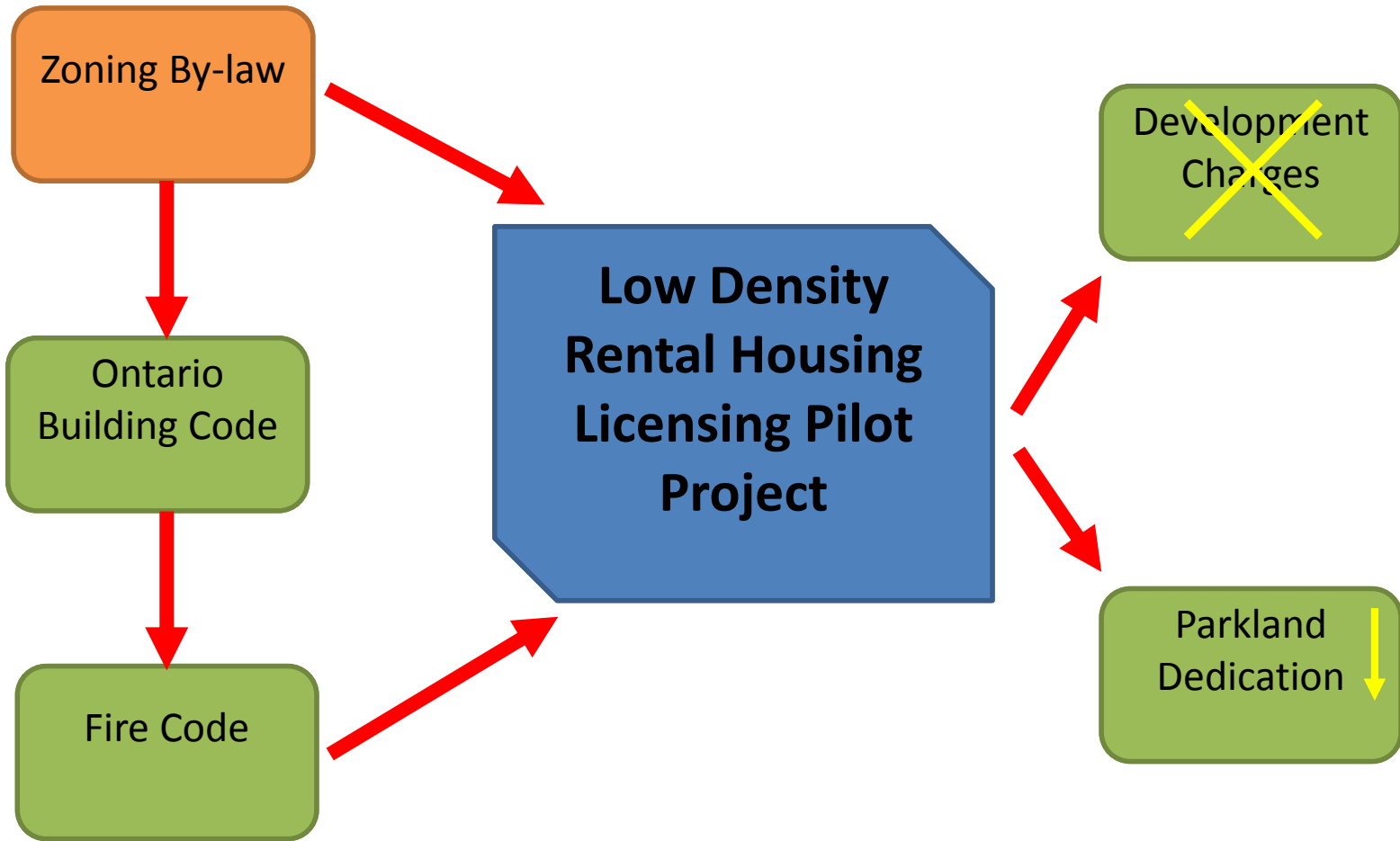


Summary of Recommendations for Consideration

- Receive the staff report and proposed Temporary Use By-law.
- Seeking feedback and future direction on the proposed Temporary Use By-law and not the Pilot Project.

**Staff is not asking for
Committee decision today.**





What is Section 19 – Residential Conversion of Hamilton Zoning By-law No. 6593?

- A homeowner or land owner can add one additional dwelling unit such as a basement apartment.
- Must comply with Section 19 Residential Conversion zone regulations and is restrict to one accessory dwelling unit per lot.
- This section only applies to the former City of Hamilton.



What is Section 19 – Residential Conversion of Hamilton Zoning By-law No. 6593?

- Minimum 65 square metres (640 square feet) per dwelling unit (main dwelling unit and accessory dwelling unit).
- Minimum 270 square metres (2,906 square feet) lot size.
- Design Regulations controls overall appearance of the dwelling:
 - The external appearance shall be preserved; and,
 - There shall be no exterior stairway other than an exterior exit.

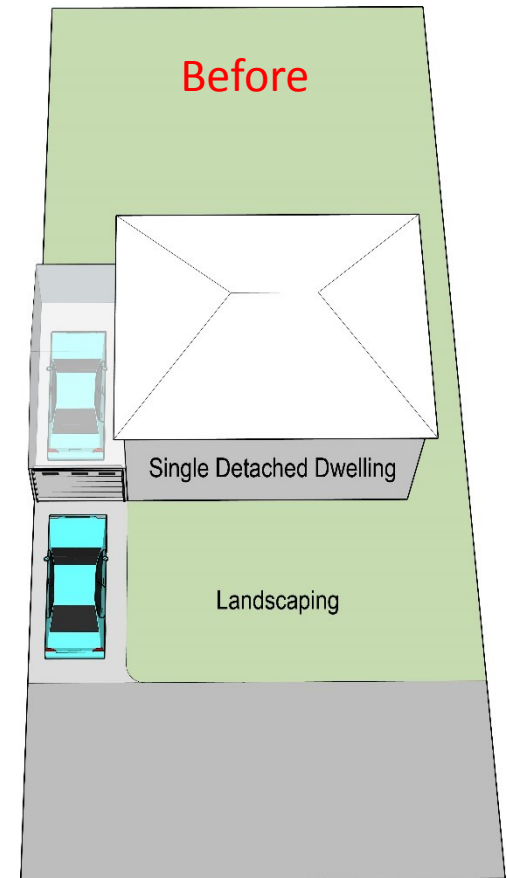
What is Section 19 – Residential Conversion of Hamilton Zoning By-law No. 6593?

- Regulations do not control how many people reside in the dwelling unit.
- The Zoning By-law cannot require owner occupancy of the principle dwelling unit.



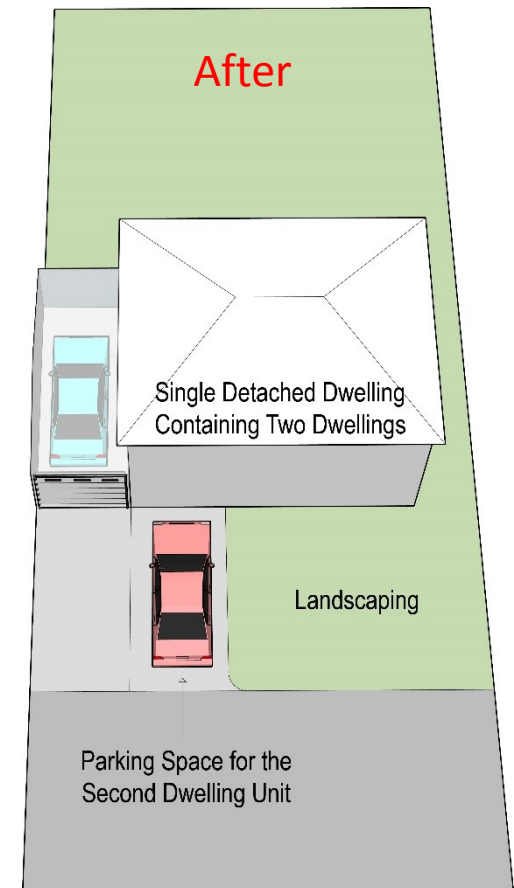
What is Section 19 – Residential Conversion of Hamilton Zoning By-law No. 6593?

- Parking Requirements and Arrangements
 - Requirements are different based on the principal land use
 - Single Detached Dwelling, two (2) parking spaces are required and can be parked in tandem
 - Meet the minimum 50% landscaping requirement in the front yard



What is Section 19 – Residential Conversion of Hamilton Zoning By-law No. 6593?

- As soon as the homeowner adds an accessory dwelling unit, the dwelling unit becomes a “Converted Single Detached Dwelling containing two dwellings”.
- 1 parking space per dwelling unit for a total of 2 parking spaces on a lot.
- Overall does not affect how many parking spaces that must be provided.
- Affects how parking is arranged however.



What Section 19 Regulations are being amended?

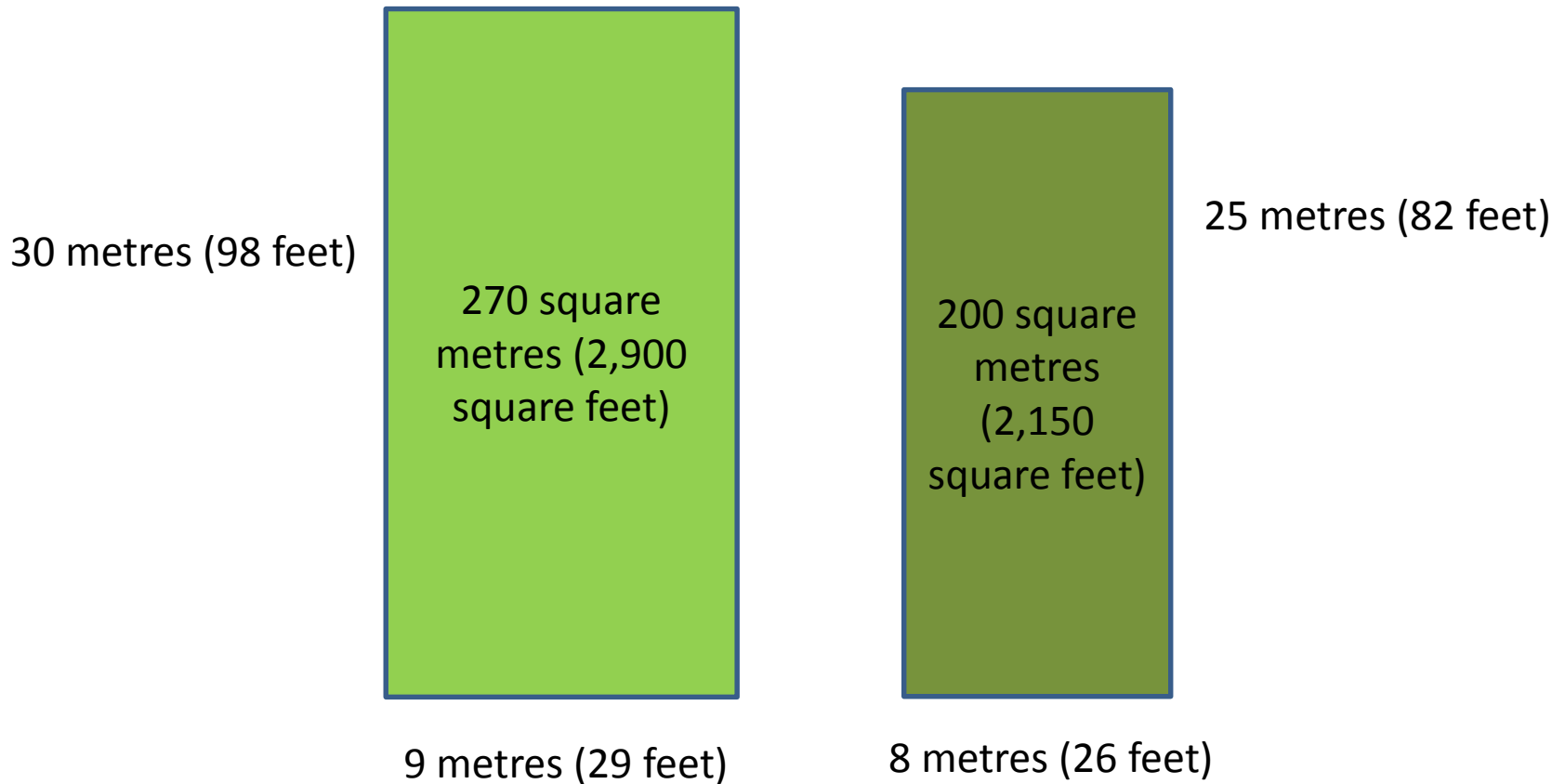
- Proposed By-law mainly affects Single Detached Dwellings (Section 19.(1) and 19.(2) of the Zoning By-law).
- “Laneway Housing” pilot project (By-law 18-299) was recently added to Section 19 and is not subject to the Temporary Use By-law. Regulations remains as it is.



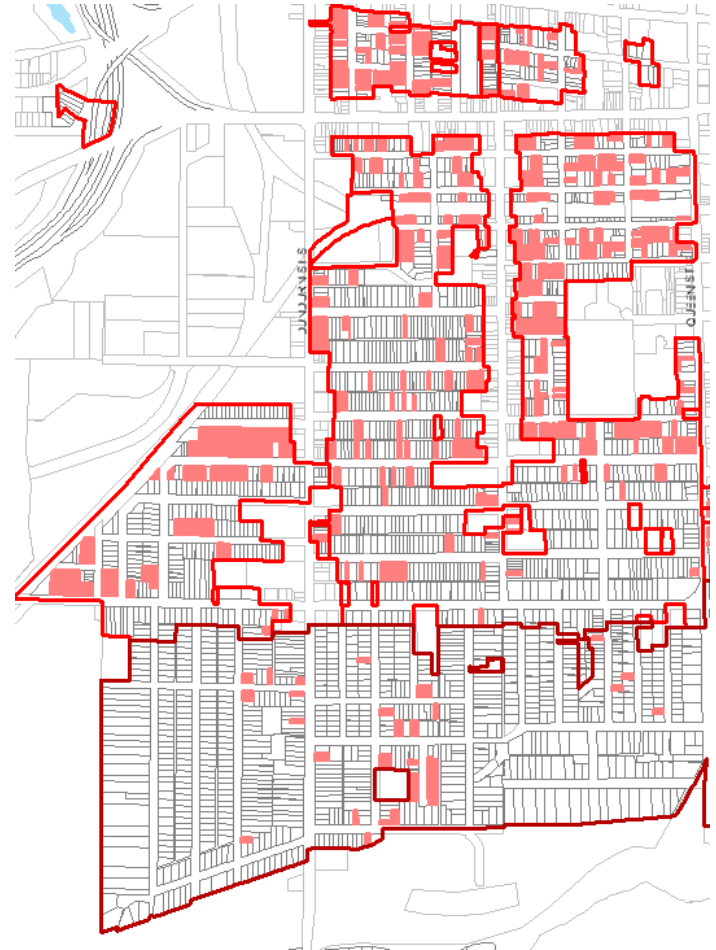
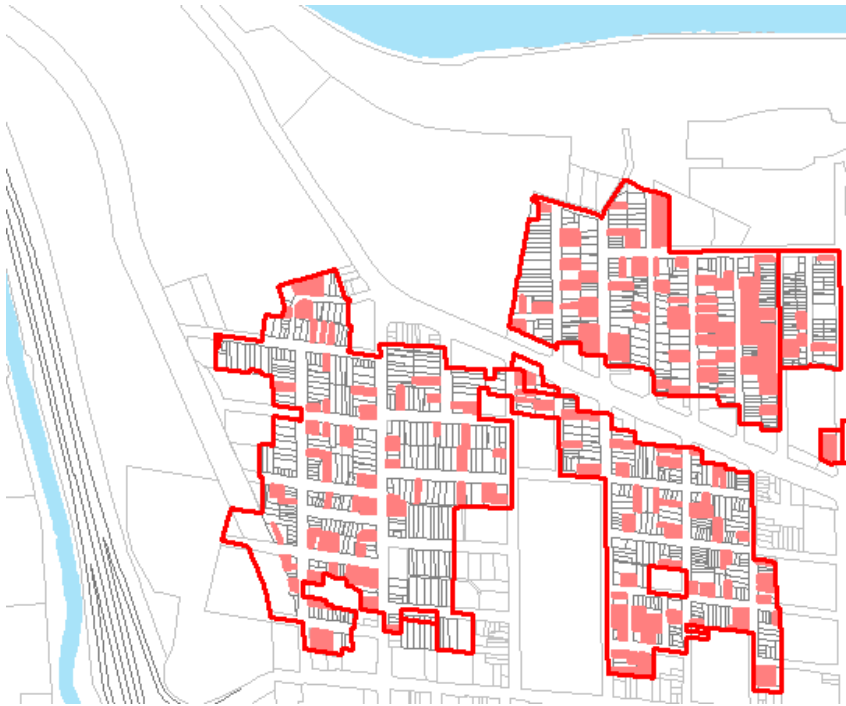
What Zone Regulations in Section 19 are being amended?

Regulation	Existing	Proposed
19.(1)(i), 19.(2)(i) and 19.2 (v)(2) – in part	Minimum 65 square metres (640 square feet) for each dwelling unit	(Deleted)
Section 19.(1)(ii) Section 19.(2)(v)(1)	Minimum lot area for single- detached dwelling 270 square metres (~2,900 square feet)	Minimum lot area for single- detached dwelling 200 square metres (2,150 square feet)

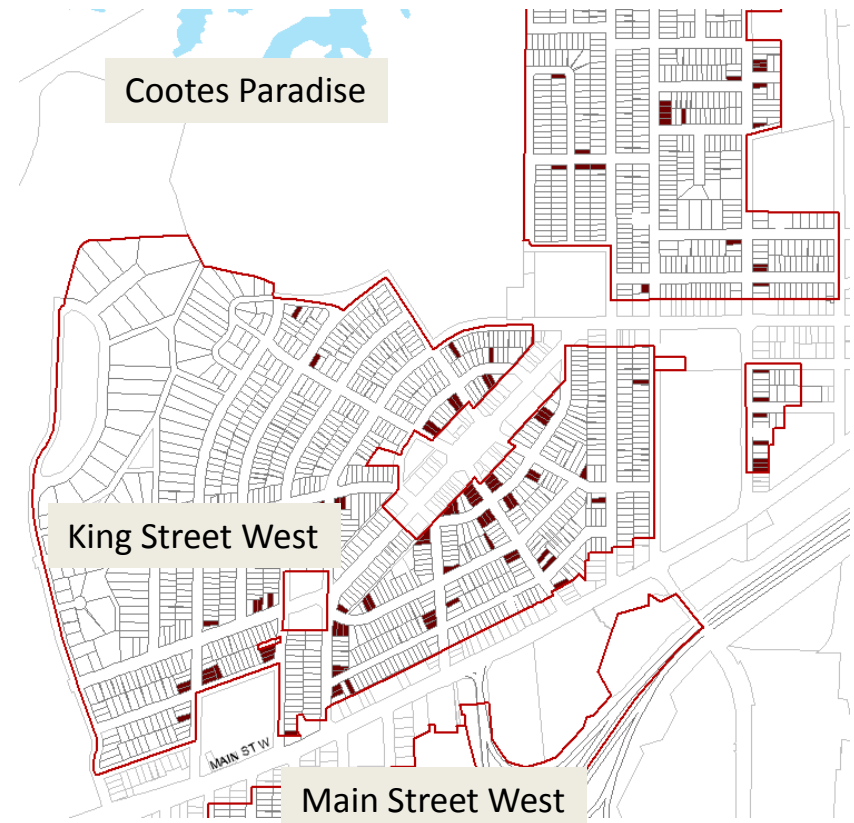
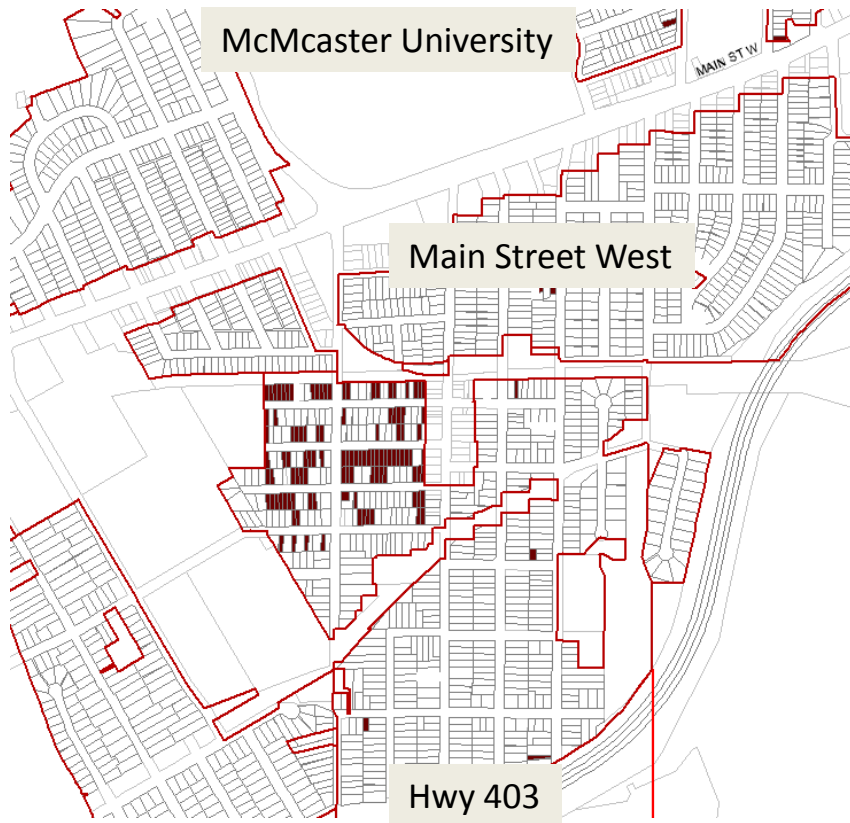
What Zone Regulations in Section 19 are being amended?



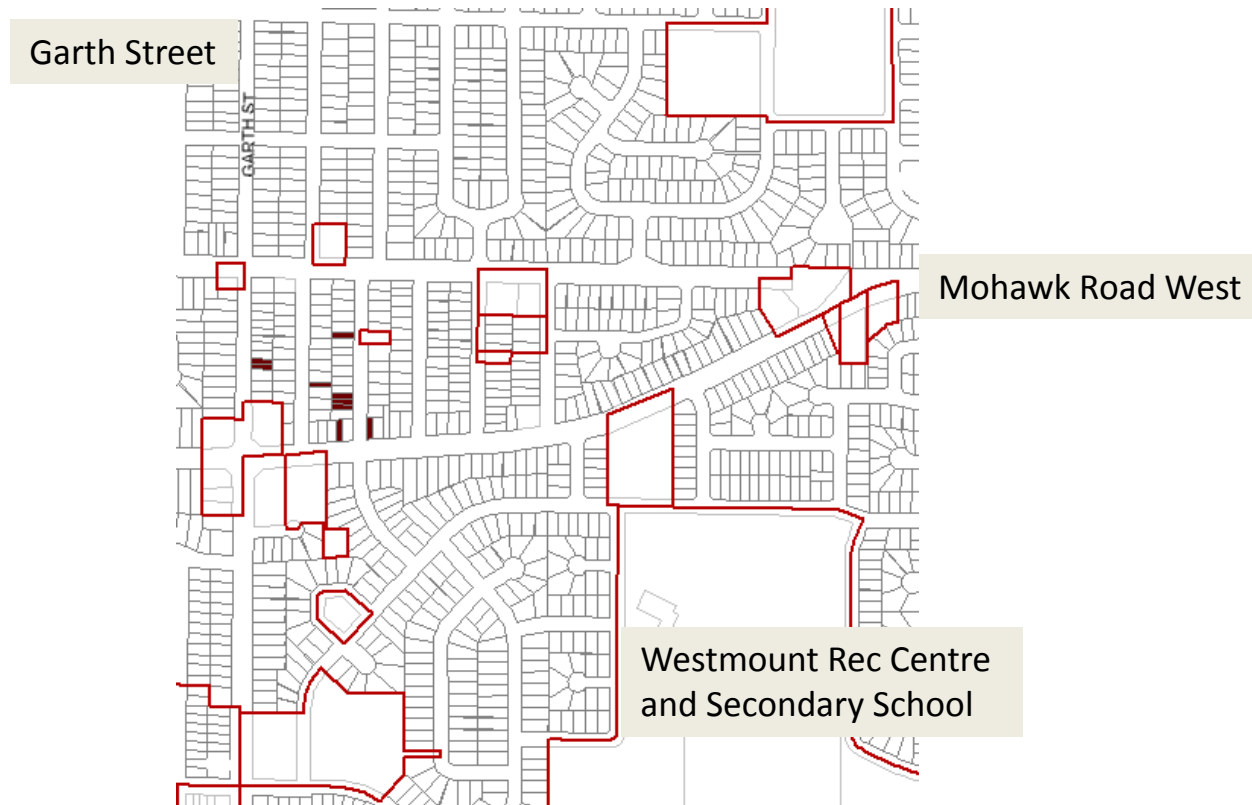
What Zone Regulations in Section 19 are being amended? **Ward 1**



What Zone Regulations in Section 19 are being amended? **Ward 1**

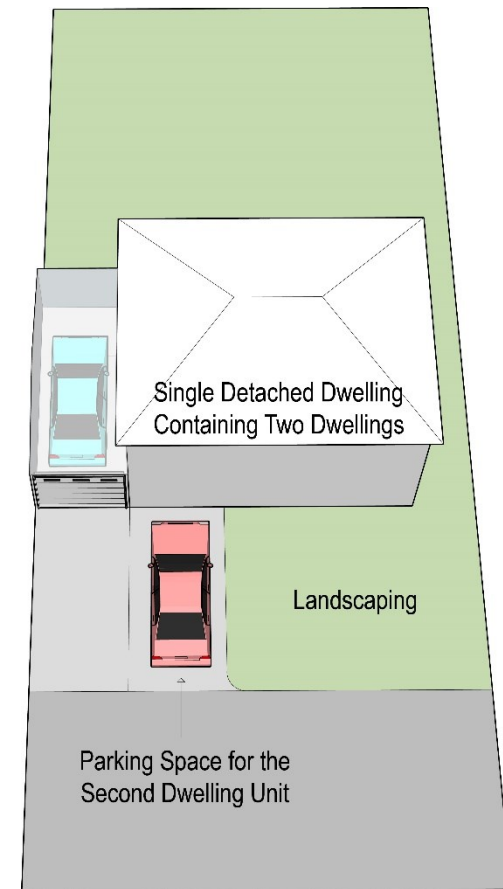


What Zone Regulations in Section 19 are being amended? **Ward 8**



What Zone Regulations in Section 19 are being amended?

- Parking requirements and Parking arrangement
 - Ward 8 and Ward 1 west of Highway 403
 - No change in the way parking requirements are calculated and parking is arranged for a single detached dwelling containing an accessory dwelling unit.

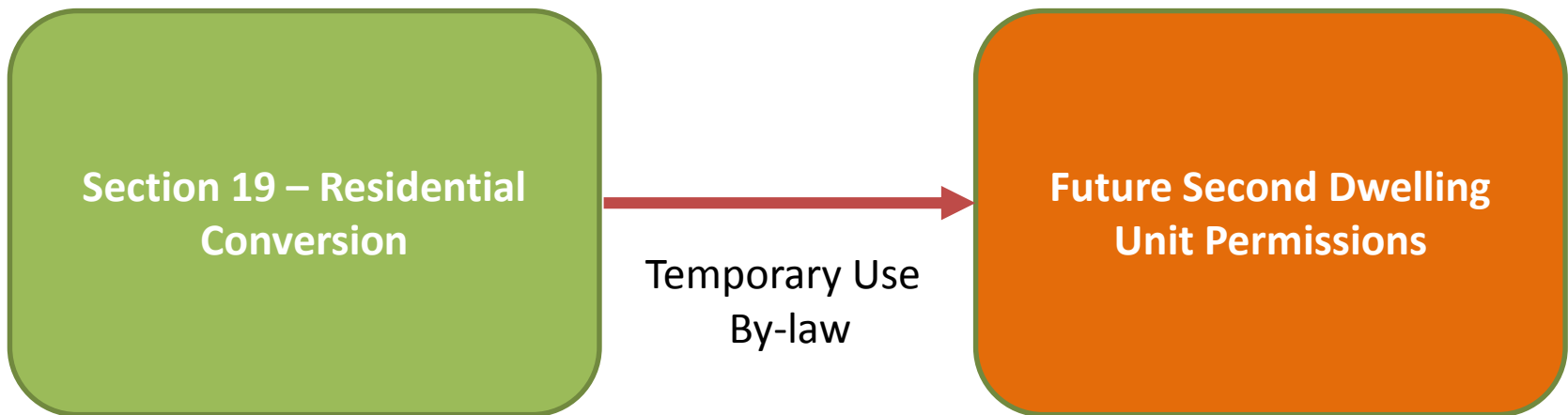


What Zone Regulations in Section 19 are being amended?

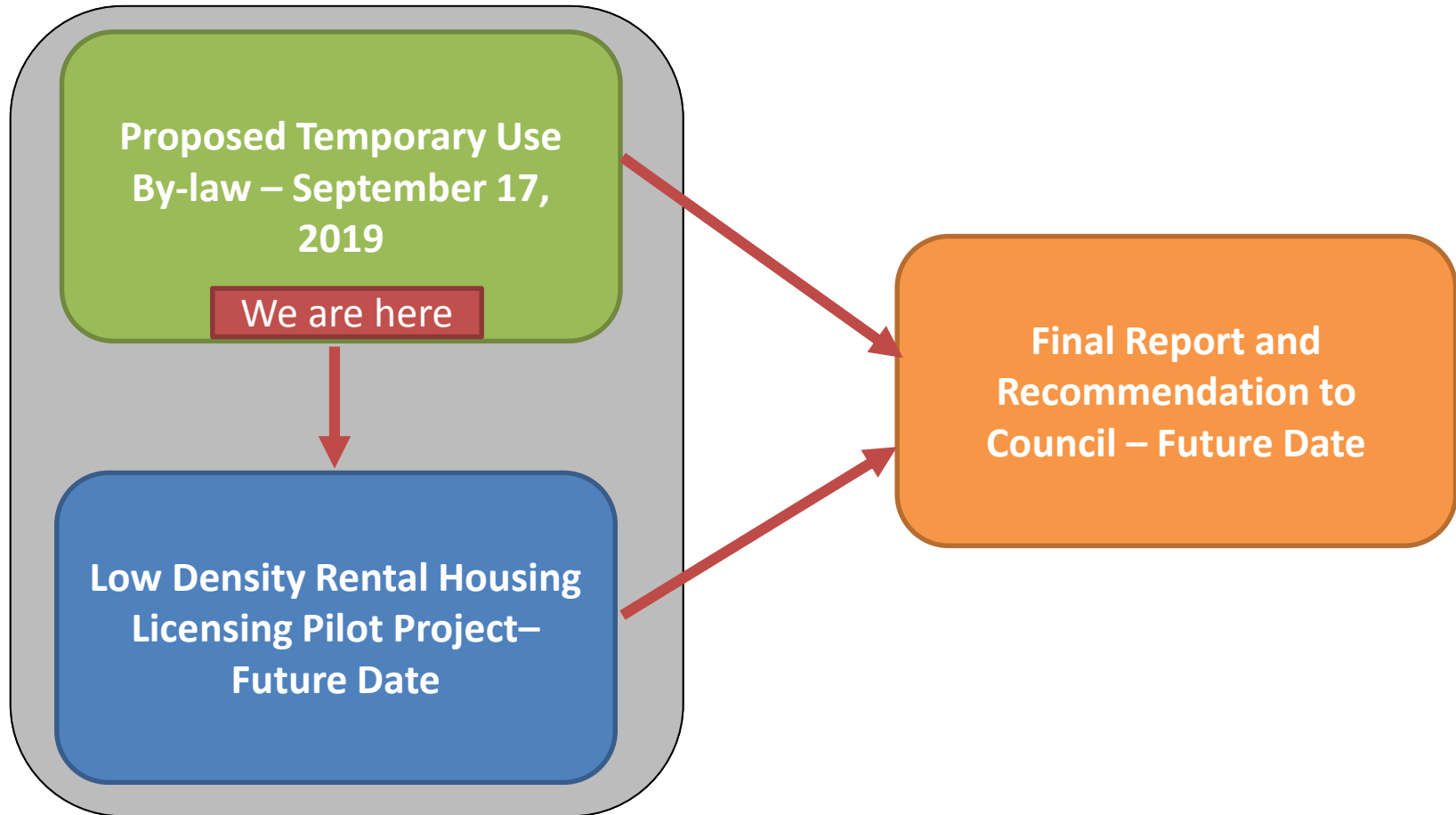
- Parking requirements and Parking arrangement
 - Ward 1 east of Highway 403
 - Existing number of parking spaces and how parking is arranged continues to be recognized even with one accessory dwelling unit.



Why is the Temporary Use By-law in effect for only 36 months?



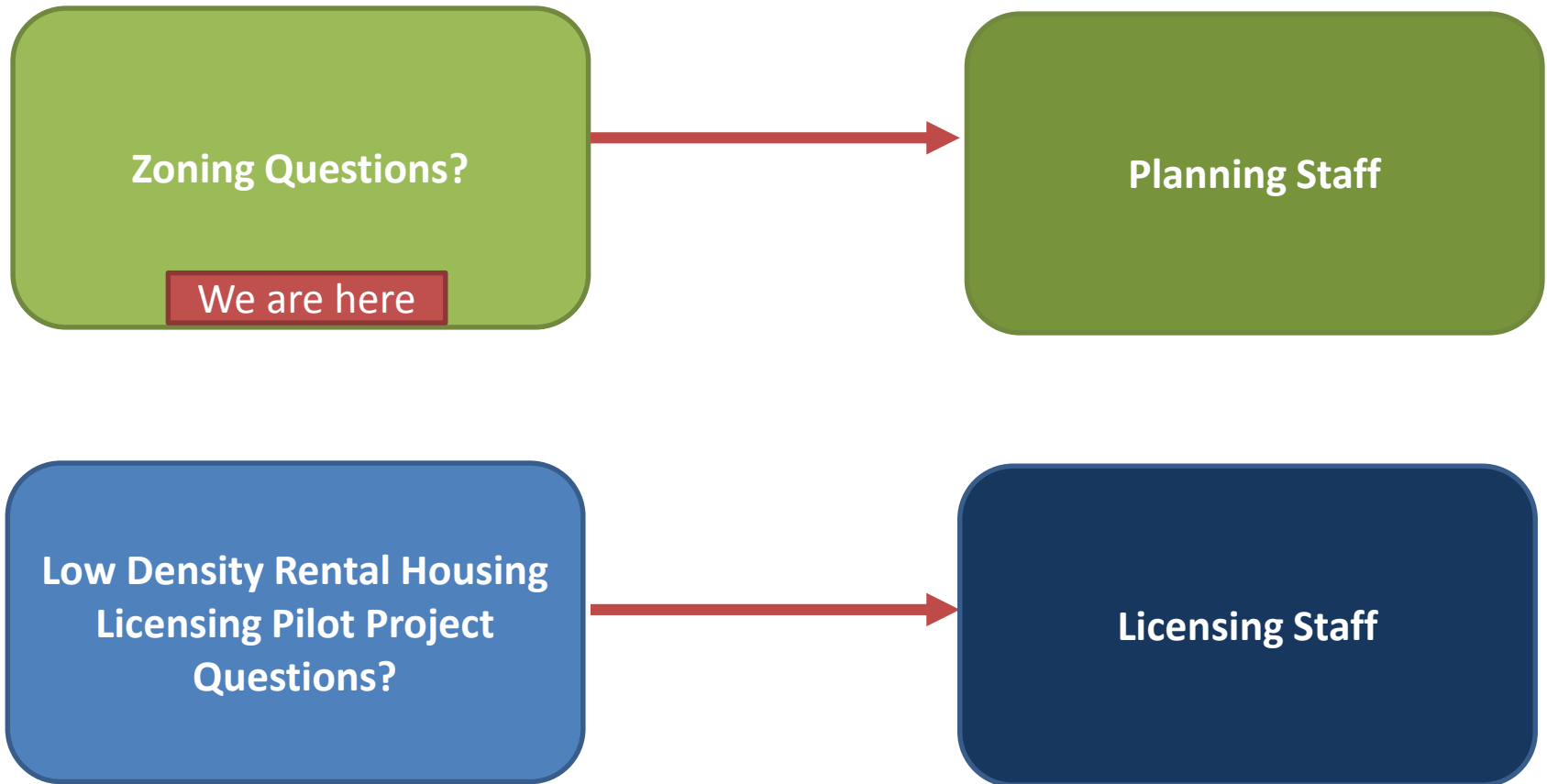
Recommendations for Consideration

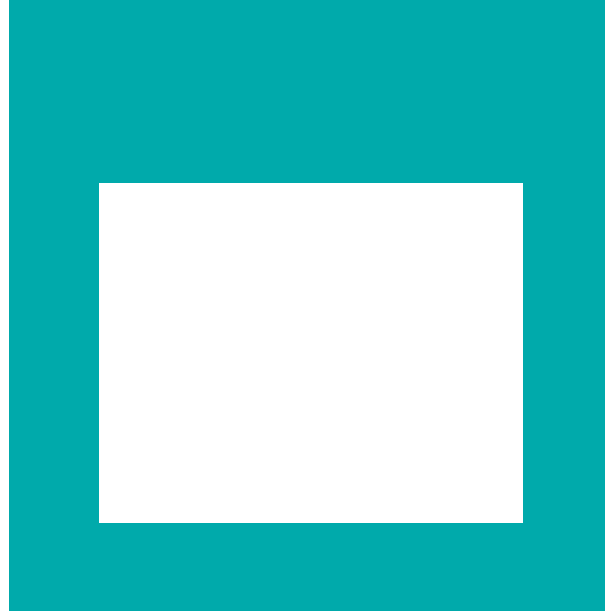


Recommendations for Consideration

- Recommendations are to:
 - Receive the staff report and proposed Temporary Use By-law; and,
 - Together with any written submissions and input from delegates at this Planning Committee Meeting and the Low Density Rental Housing Licensing Pilot Project, referred back to staff for consideration and incorporation into a further report and amending By-law.
- Seeking feedback and future direction on the proposed Temporary Use By-law and not the Pilot Project.

Questions and Answers?





THANK YOU FOR ATTENDING

THE CITY OF HAMILTON PLANNING COMMITTEE

CITY OF HAMILTON

NOTICE OF ~~Notice~~-MOTION

Planning Committee Meeting: September 17, 2019

MOVED BY COUNCILLOR DANKO.....

SECONDED BY COUNCILLOR CLARK.....

Electric Vehicle Charging Stations in New Developments

WHEREAS, the City of Hamilton has declared a Climate Emergency and is moving towards a zero-carbon economy;

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to investigate options available through the planning approvals process to require an appropriate number of Electric Vehicle Charging Stations to be included as part of the parking requirement for new development, and report back to the Planning Committee; and,
- (b) That staff be directed to review the City's by-laws, including the Municipal and Private Property By-law and On-Street Parking By-law, and report back with recommendations for ensuring that the City has appropriate tools and mechanisms in place to prohibit and enforce the parking of non-electric vehicles at Electric Vehicle Charging Stations in municipal parking lots and on-street parking spaces.

CITY OF HAMILTON

NOTICE OF MOTION

PLANNING COMMITTEE DATE: September 17, 2019

MOVED BY COUNCILLOR CLARK..........

SECONDED BY COUNCILLOR

Upper Mount Albion Road Completion

WHEREAS, the reconstruction of Upper Mount Albion Road has stopped due to a dispute between the developer and the City;

WHEREAS, the driveway entrances have not been restored to original conditions and many have uneven grades to the roads;

WHEREAS, the grades of the entrances to driveways needed to be changed to facilitate easy egress with the road; and,

WHEREAS, resident properties adjacent to the new sidewalks have not been restored to their original condition;

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to take whatever corrective measures that are necessary to complete the reconstruction of Upper Mount Albion Road:
 - (i) to restore the driveways to original conditions with retaining walls as required,
 - (ii) to ensure reasonable grading between road and driveways for easy egress,
 - (iii) to restore resident properties adjacent to the new sidewalks to original conditions; and,
 - (iv) to ensure that all road work on Upper Mount Albion is completed before November 1, 2019.