



City of Hamilton
PLANNING COMMITTEE ADDENDUM

Meeting #: 19-015
Date: October 1, 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
6. DELEGATION REQUESTS	
*6.2 Karl Andrus, Hamilton Community Benefits Network, respecting Construction Hoarding (Item 11.3) (For today's meeting)	3
*6.3 Lynda Lukasik, Environment Hamilton, respecting Provincial Policy Statement Review (Item 10.1) (For today's meeting)	4
*6.4 Ken Bekendam respecting Accessory Dwelling Units - Pilot Project (Item 10.2) (For today's meeting)	5
7. CONSENT ITEMS	
7.2 Sign Variance Appeal SV-19-002 for the Property Known as 1147 Garner Road West, Ancaster, Denied by the Director of Planning and Chief Planner and Appealed by the Owner (PED19195) (Ward 12)	
*7.2.a Staff Presentation	6
8. PUBLIC HEARINGS / DELEGATIONS	
8.2 Application to Amend City of Hamilton Zoning By-law No. 05-200 for Lands Located at 2274 Powerline Road West, Ancaster (PED19171) (Ward 12)	
*8.2.a Staff Presentation	14

8.3 Application for Zoning By-law Amendment for Lands Located at 560-580 Highland Road West (Hamilton) (PED19182) (Ward 6)

*8.3.a Staff Presentation

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10. DISCUSSION ITEMS

10.1 Provincial Policy Statement Review - City of Hamilton Comments (PED19188) (City Wide)

*10.1.a Staff Presentation

44

10.2 Accessory Dwelling Units (Pilot Project) - Temporary Use By-law for City of Hamilton Zoning By-law No. 6593 (PED19176) (Wards 1 and 8) (Deferred from the September 17th meeting)

*10.2.a Staff Presentation

65

Form: Request to Speak to Committee of Council

Submitted on Monday, September 30, 2019 - 8:43 am

==Committee Requested==

Committee: Planning Committee

==Requestor Information==

Name of Individual: Karl Andrus

Name of Organization: Hamilton Community Benefits Network

Contact Number:

Email Address:

Mailing Address:

Reason(s) for delegation request: To speak Re: item 11.3
- Construction Hoarding

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 Monday, September 30, 2019 - 11:28 am

==Committee Requested==

Committee: Planning Committee

==Requestor Information==

Name of Individual: Lynda Lukasik

Name of Organization: Environment Hamilton

Contact Number: 905-549-0900

Email Address:

Mailing Address:

Environment Hamilton
22 Wilson Street, Suite 4
Hamilton, ON L8R 1G7

Reason(s) for delegation request: I would like to speak to Item 10.1 - Provincial Policy Statement Review - which is on the agenda for the October 1st Planning Committee meeting.

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 Monday, September 30, 2019 - 1:16 pm

==Committee Requested==

Committee: Planning Committee

==Requestor Information==

Name of Individual: Ken Bekendam

Name of Organization: King Homes Inc.

Contact Number:

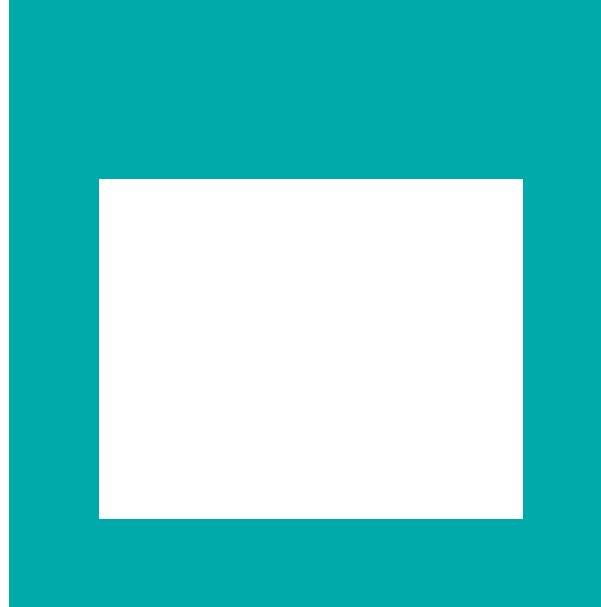
Email Address:

Mailing Address:

Reason(s) for delegation request: To speak briefly to the committee respecting Item 10.2 (Report PED19176 – Accessory Dwelling Units (Pilot Project) - Temporary Use By-law for City of Hamilton Zoning By-law No. 6593). This is to show my support of this bylaw as a professional designer in the field of legal secondary suites and working on the front line with home owners, investors, tenants and various city departments.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No



WELCOME TO THE CITY OF HAMILTON

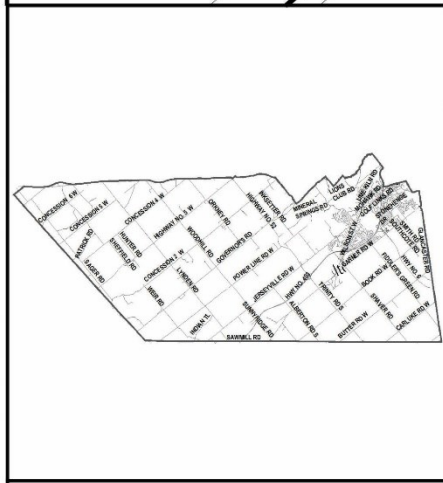
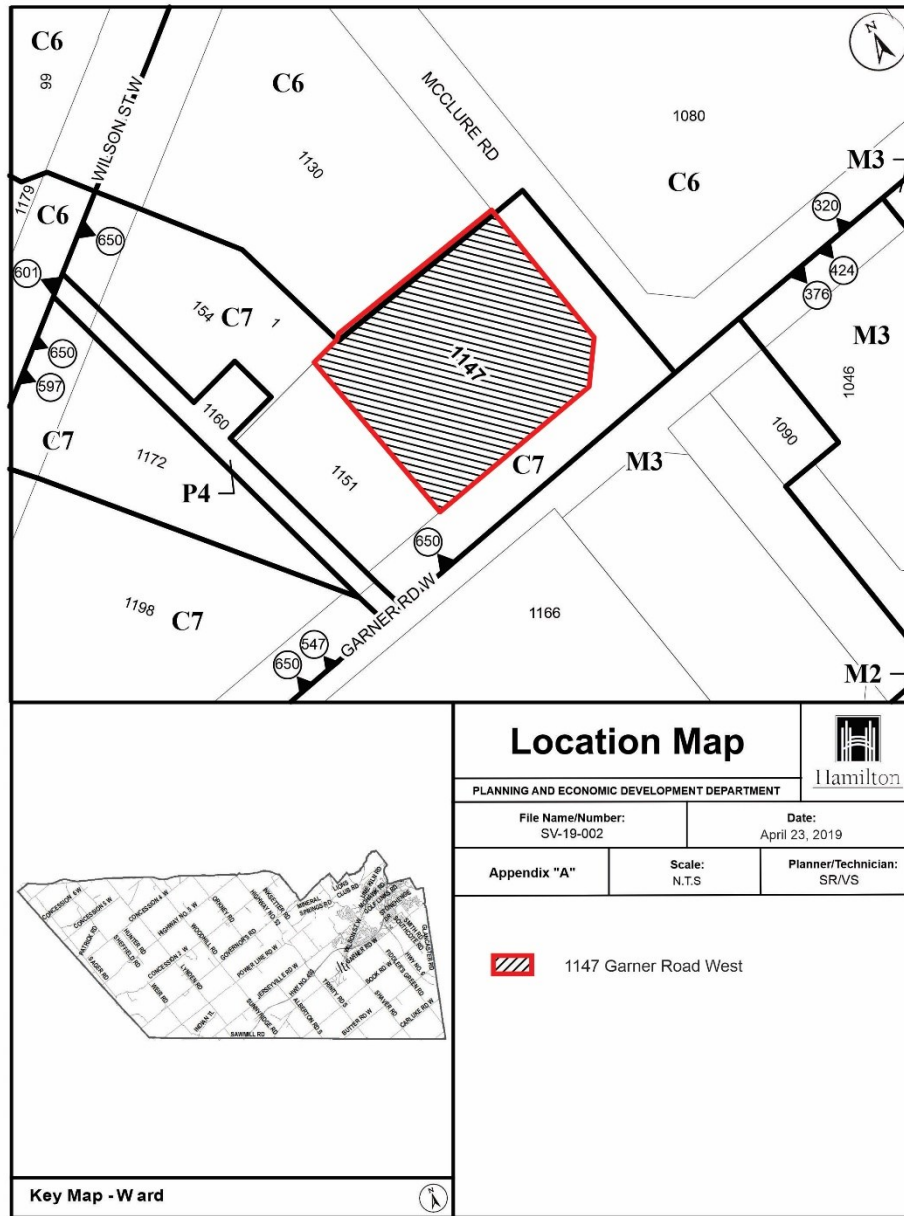
PLANNING COMMITTEE

October 1, 2019

PED19195 – (SV-19-002)

Application for Lands Located at 1147 Garner Road West, Ancaster.

Presented by: Sara Rogers



Key Map - Ward

Location Map



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		
File Name/Number: SV-19-002	Date: April 23, 2019	
Appendix "A"	Scale: N.T.S	Planner/Technician: SR/VS

1147 Garner Road West



SUBJECT PROPERTY



1147 Garner Road West, Ancaster



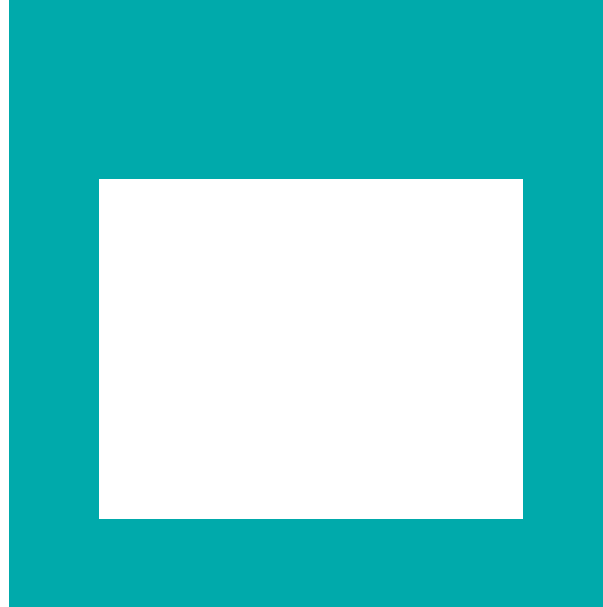
East Elevation - McClure Road



McClure Road Frontage and Site Access

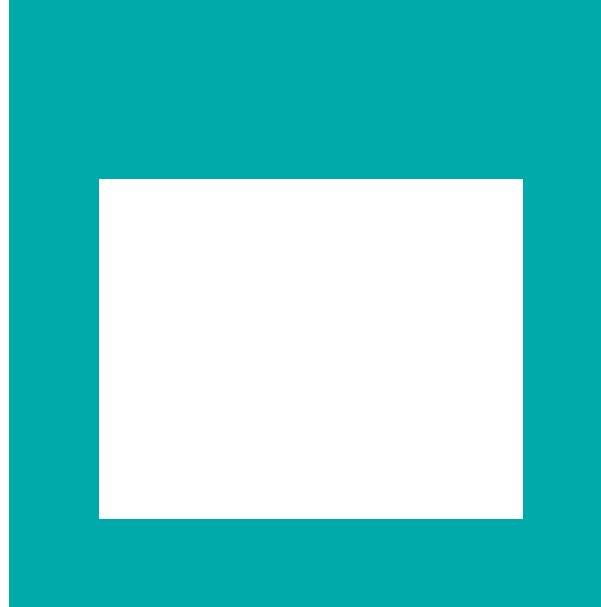


Garner Road West Frontage



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THE CITY OF HAMILTON PLANNING COMMITTEE



WELCOME TO THE CITY OF HAMILTON

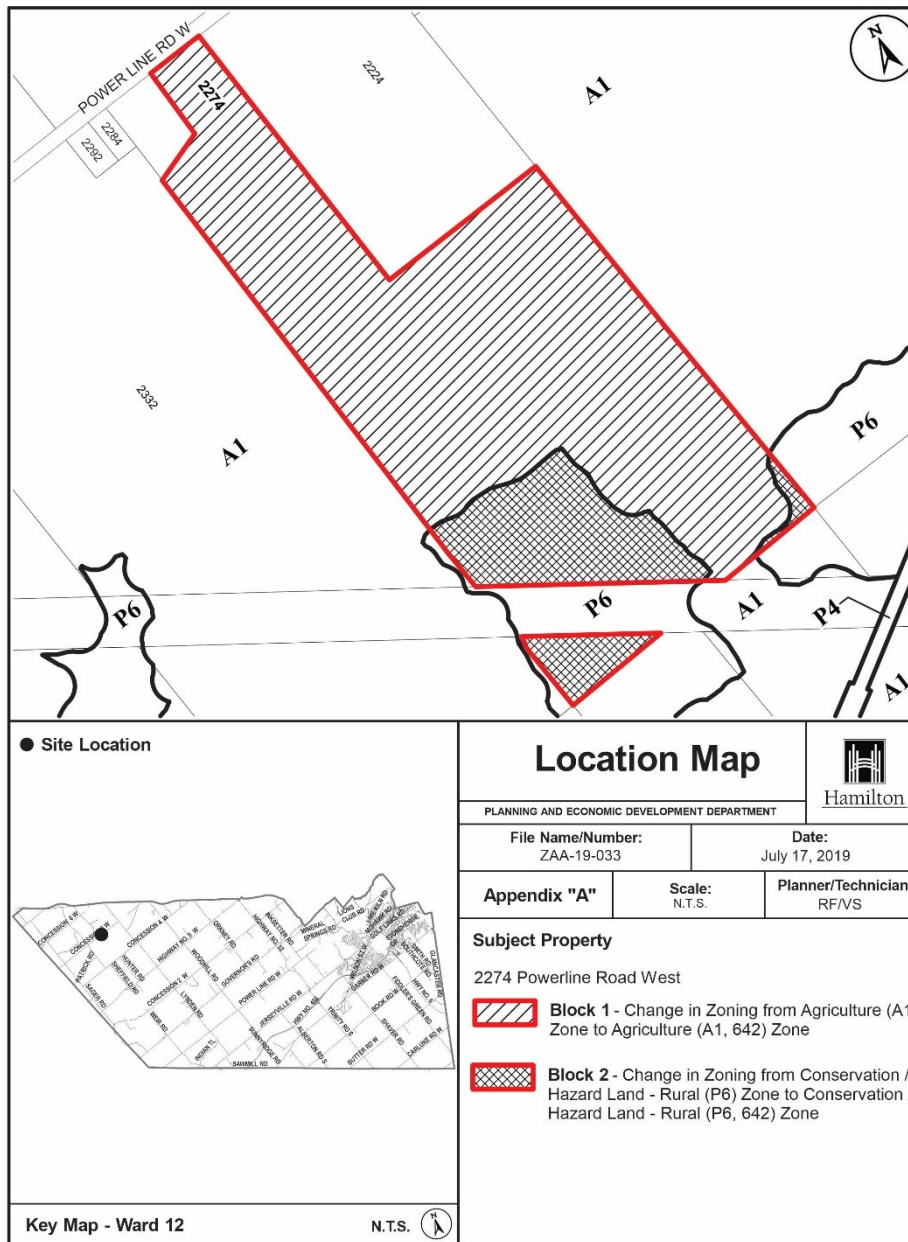
PLANNING COMMITTEE

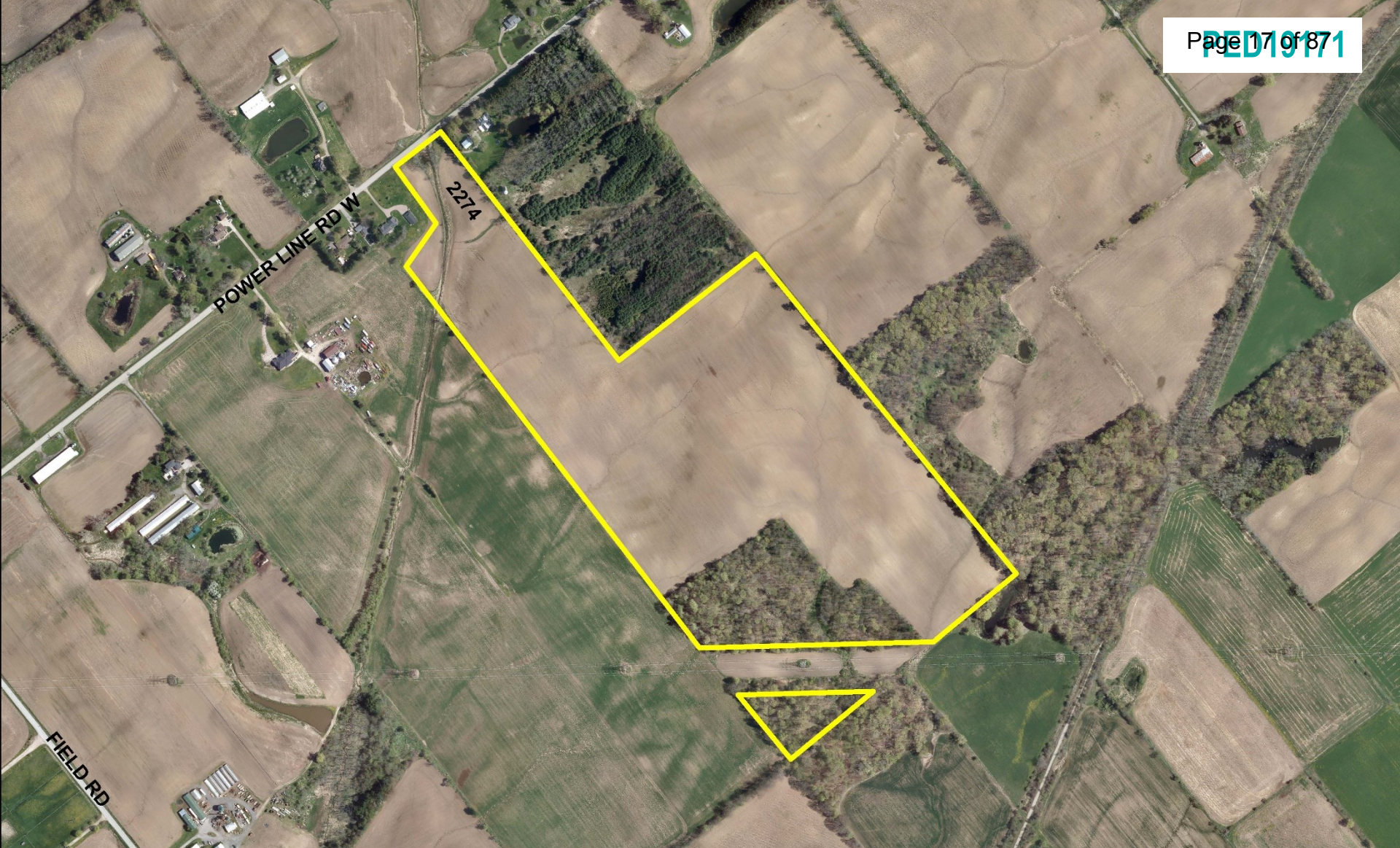
October 1, 2019

PED19171 – (ZAA-19-033)

Application to Amend City of Hamilton Zoning By-law No. 05-200 for
Lands Located at 2274 Powerline Road West, Ancaster.

Presented by: Alaina Baldassarra



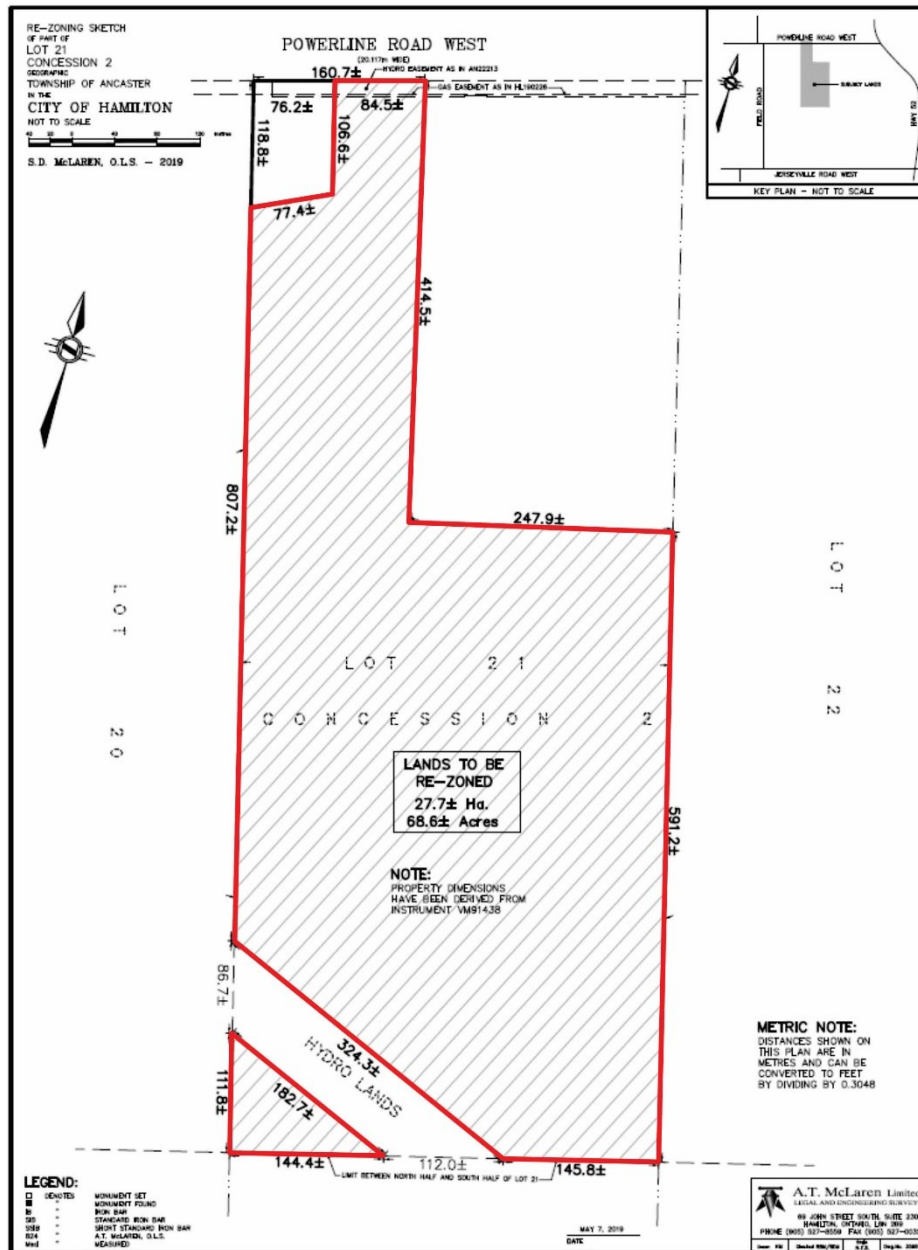


SUBJECT PROPERTY



2274 Powerline Road West, Ancaster







A picture of the house on the severed portion



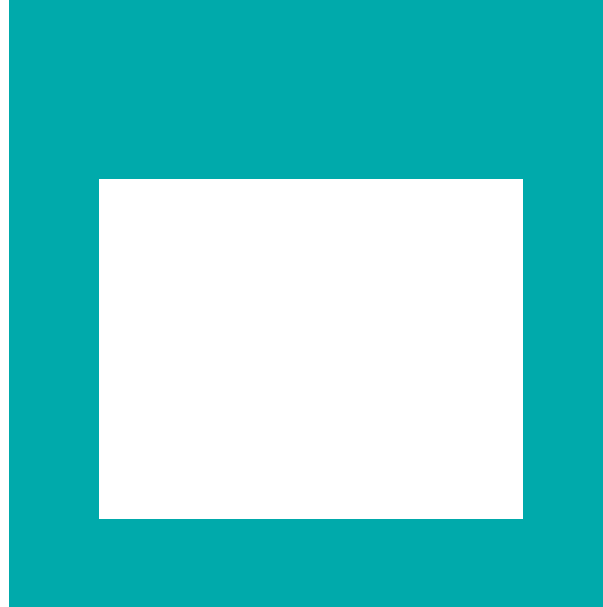
A picture of the Farm on the retained Portion



A picture of the House on the opposite side of the road

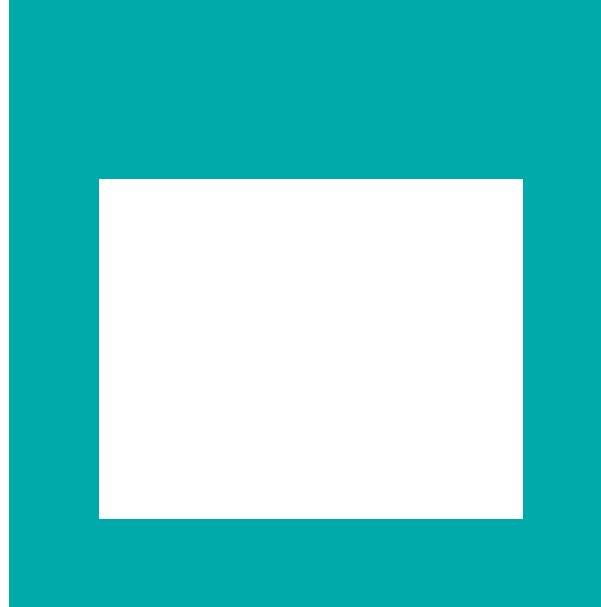


A picture of the Farm on the other side of the road



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WELCOME TO THE CITY OF HAMILTON

PLANNING COMMITTEE

October 1, 2019

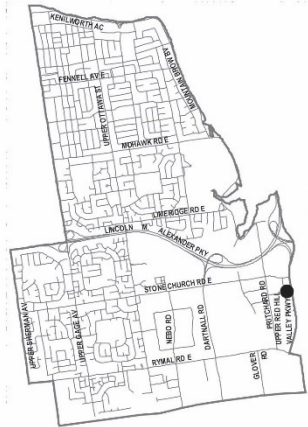
PED19182 – (ZAC-19-004)

Application for Zoning By-law Amendment for Lands Located at
560-580 Highland Road West, Hamilton

Presented by: Tim Vrooman



● Site Location



Key Map - Ward 6

N.T.S.

Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
ZAC-19-004

Date:
Jan. 22, 2019

Appendix "A"

Scale:
N.T.S.

Planner/Technician:
TV/VVS

Subject Property

560-580 Highland Road West, Hamilton

Change in Zoning from the Prestige Business Park (M3) Zone to the Business Park Support (M4) Zone



SUBJECT PROPERTY



560, 570 & 580 Highland Road West, Hamilton



Southeast corner of site from intersection of Upper Red Hill Valley Parkway and Highland Road West



Southwest corner of site from Highland Road West



Northwest corner of site from Upper Red Hill Valley Parkway and Stone Church Road East



Interior of the subject site from the northeast



View to the north along Upper Red Hill Valley Parkway



View to the east along Stone Church Road East



Adjacent development to the east across Upper Red Hill Valley Parkway



View to the east along Highland Road West



View to the south along Upper Red Hill Valley Parkway



View to the north across Stone Church Road East along hydro corridor



View to the west along Stone Church Road East



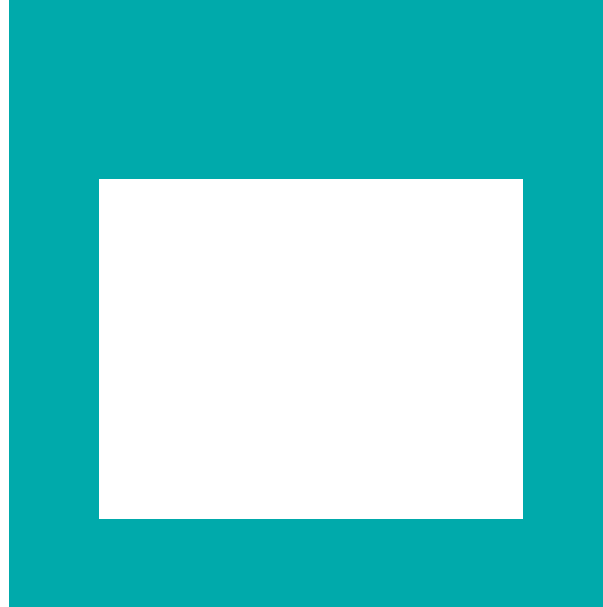
View to the south across Highland Road West along hydro corridor



View to the west along Highland Road West



Adjacent development to the west



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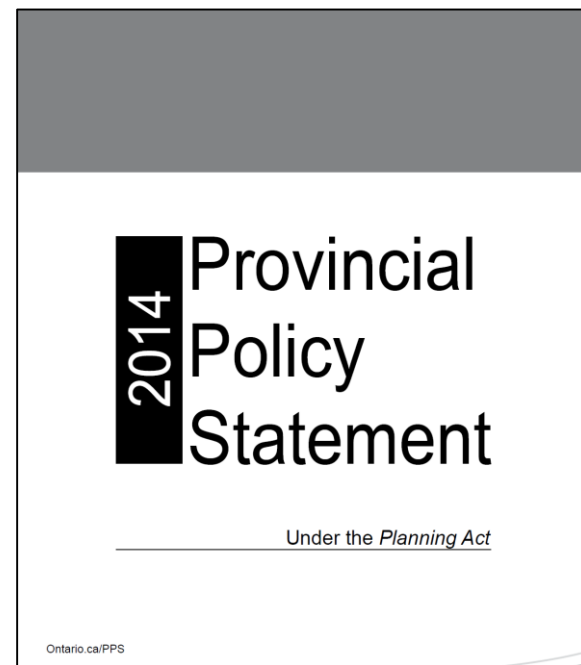


Provincial Policy Statement Review – City of Hamilton Comments

October 1, 2019
(PED19188)

Revisions to Provincial Policy Statement (PPS)

- On July 22, 2019, the Province released a revised Provincial Policy Statement (PPS) on the Environmental Registry of Ontario for review and comment.
- The deadline for comments is October 21, 2019.



What is the PPS?

The PPS is a statement of provincial policies which addresses:

- Efficient use of land and infrastructure;
- Housing supply, including affordable housing;
- Protection of the environment, resources and agricultural lands;
- Job creation and economic development;
- Transportation and servicing infrastructure; and,
- Natural and human-made hazards.

The *Planning Act* requires that all decisions on land use planning matters be “consistent with” the PPS.

City of Hamilton context

- The PPS provides overall policy direction in the province, but in some geographies, other provincial plans also apply.
- Hamilton is also subject to the policies of the Growth Plan, Greenbelt Plan and Niagara Escarpment Plan.
- Where the PPS and the other Plans address similar matters, the policies of the more specific provincial Plan are to be followed.
- In Hamilton, some of the matters being introduced through the revised PPS were already introduced through the Growth Plan 2019 (eg. employment land conversion, urban area expansion).



General Comments

This presentation will highlight staff's key areas of concern related to the revised PPS:

- “Market-based” approach to housing supply;
- Need for stronger policy direction on climate change;
- A shift in policy language from “shall” to “should”;
- Revisions to rural servicing policies;
- Implementation concerns; and,
- Need for guidance material on a number of topics.

“Market-based” need and demand for housing supply

- New emphasis on provision of a market-based range of housing supply and linking market demand with justification for settlement boundary expansion;
- Not clear how “market-based need” and “market demand” are defined;
- Determining market need and demand could be a subjective process;
- Impact on calculation of future land need is uncertain.

“Market-based” need and demand for housing supply

Staff recommendations:

1. Staff do not support the proposed policy direction which emphasizes the provision of a market-based supply of housing, and further, connects the justification for a settlement area boundary expansion to the satisfaction of market demand.
2. Staff suggest that the Province provide guidance and clarification on the meaning of “market-based need” and “market demand”, including a methodology for how these terms will be calculated.

Climate change

- New references throughout the policies to the need to prepare for “impacts of a changing climate” in relation to land use patterns, infrastructure planning, stormwater management, watershed planning and hazard planning.
- Staff support the added emphasis on the need to respond to impacts of climate change, but note that there are no policies in the document which speak to the need to take measures now to prevent or avoid climate change.

Climate change

Staff recommendations:

1. Additional wording / policies be added to recognize the reality of climate change and the need for immediate action at the provincial and local level.
2. Revise policies that are currently only addressing the “impacts of a changing climate” to also address the need for actions to prevent climate change.

Climate change

New definition of “Impacts of a changing climate”:

“means the potential for present and future consequences and opportunities from changes in weather patterns at local and regional levels including extreme weather events and increased climate variability”

Staff recommendation:

1. Amend the definition of “impacts of a changing climate” to remove the reference to “potential for” and the words “and opportunities” which appear to downplay the significance of climate change which is already occurring.

“Shall to should”

- There are several policies which have been modified through a change in the direction from “shall” to “should”.
- In planning policy, the difference between a ‘shall’ direction and a ‘should’ direction is significant, as ‘shall’ represents a mandatory requirement while ‘should’ represents an encouragement.

“Shall to should”

Examples of the change from “shall” to “should”:

- “1.1.3.6 New development taking place in *designated growth areas* should occur adjacent to the existing built-up area and ~~shall~~**should** have a compact form, mix of uses and densities that allow for the efficient use of land, *infrastructure* and *public service facilities*.”
- “1.6.7.2 Efficient use ~~shall~~**should** be made of existing and planned *infrastructure*, including through the use of *transportation demand management* strategies, where feasible.”

“Shall to should”

Staff recommendation:

1. Staff do not support the revision to policies 1.1.3.6 (built form), 1.1.3.7 (phasing) and 1.6.7.2 (transportation infrastructure) which change the policy direction from “shall” to “should”. The previous wording should be maintained.

Rural Servicing

Changes are proposed to servicing policies for rural areas without municipal services:

- Revised policy directs that private communal services, rather than individual on-site services, are the preferred form of servicing for multi-lot / unit development.
- This approach is contrary to current direction of the Rural Hamilton Official Plan which does not support the use of communal services due to financial risk to the City should they fail.

Rural Servicing

Staff recommendation:

1. Staff do not support revised policy 1.6.6.3 which identifies private communal servicing as the preferred form of servicing where municipal services are not available. The previous wording should be maintained.

Implementation concerns

A new policy has been added which directs municipalities to streamline certain planning approvals:

“4.7 Planning authorities shall take action to support increased housing supply and facilitate a timely and streamlined process for local development by:

- a) identifying and fast-tracking priority applications which support housing and job-related growth and development; and
- b) reducing the time needed to process residential and priority applications to the extent practical.”

Implementation concerns

- Staff does not support the inclusion of this policy which directs the municipality on how to utilize its resources.
- City already follows an open-for-business approach.
- It would be very difficult to determine which applications are “priority”.

Staff recommendation:

1. Staff do not support proposed policy 4.7 and suggest this policy should be removed.

Implementation concerns

Policy 4.9 has been deleted as a policy from section 4 (Implementation) and is now found only in Part III in the preamble to the PPS:

“4.9 The policies of this Provincial Policy Statement represent minimum standards. This Provincial Policy Statement does not prevent planning authorities and decision-makers from going beyond the minimum standards established in specific policies, unless doing so would conflict with any policy of this Provincial Policy Statement.”

Staff recommendation:

1. Staff do not support the removal of policy 4.9. This policy should be maintained in its current position.

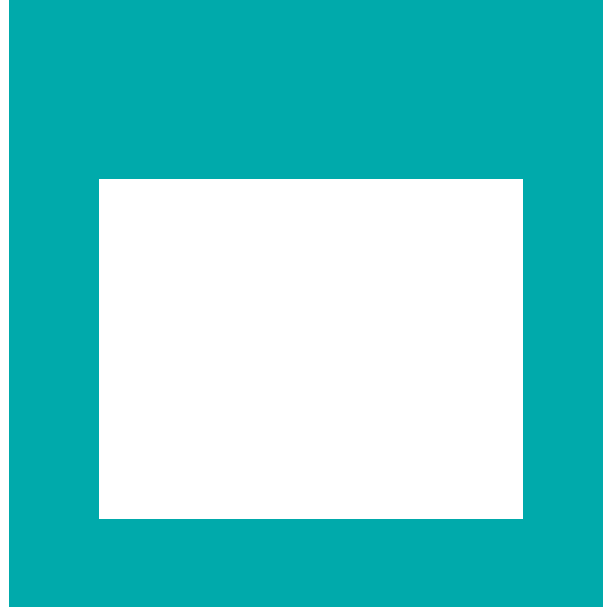
Implementation concerns

Staff suggest that new or updated guidance material be provided on a number of topics, including:

- Guidance on the type, level and expectations of engagement with Indigenous Communities
- Updated Ministry of Environment, Conservation and Parks D-series guidelines on land use compatibility and water/wastewater servicing
- Guidance on the requirement to review long term impacts of individual private services at the Official Plan review

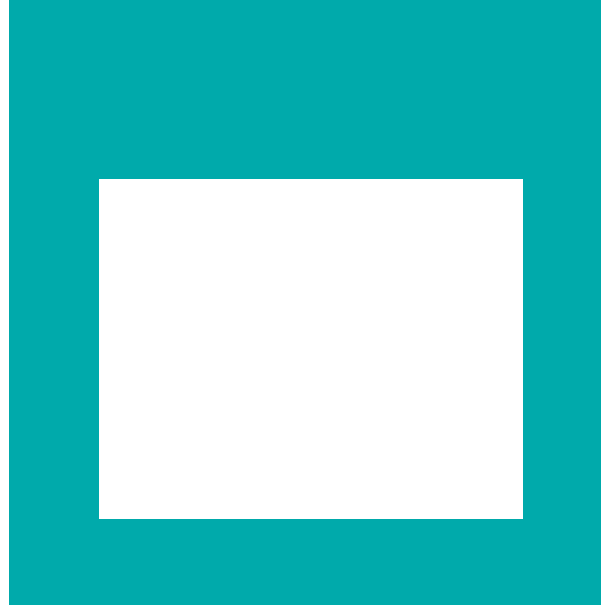
ERO Postings

- Comments on the ERO Postings are due to the Province on October 21, 2019.
- The Staff report, including any changes requested by Council, will be submitted as the City's formal comments.



THANK YOU FOR ATTENDING

THE CITY OF HAMILTON PLANNING COMMITTEE



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.

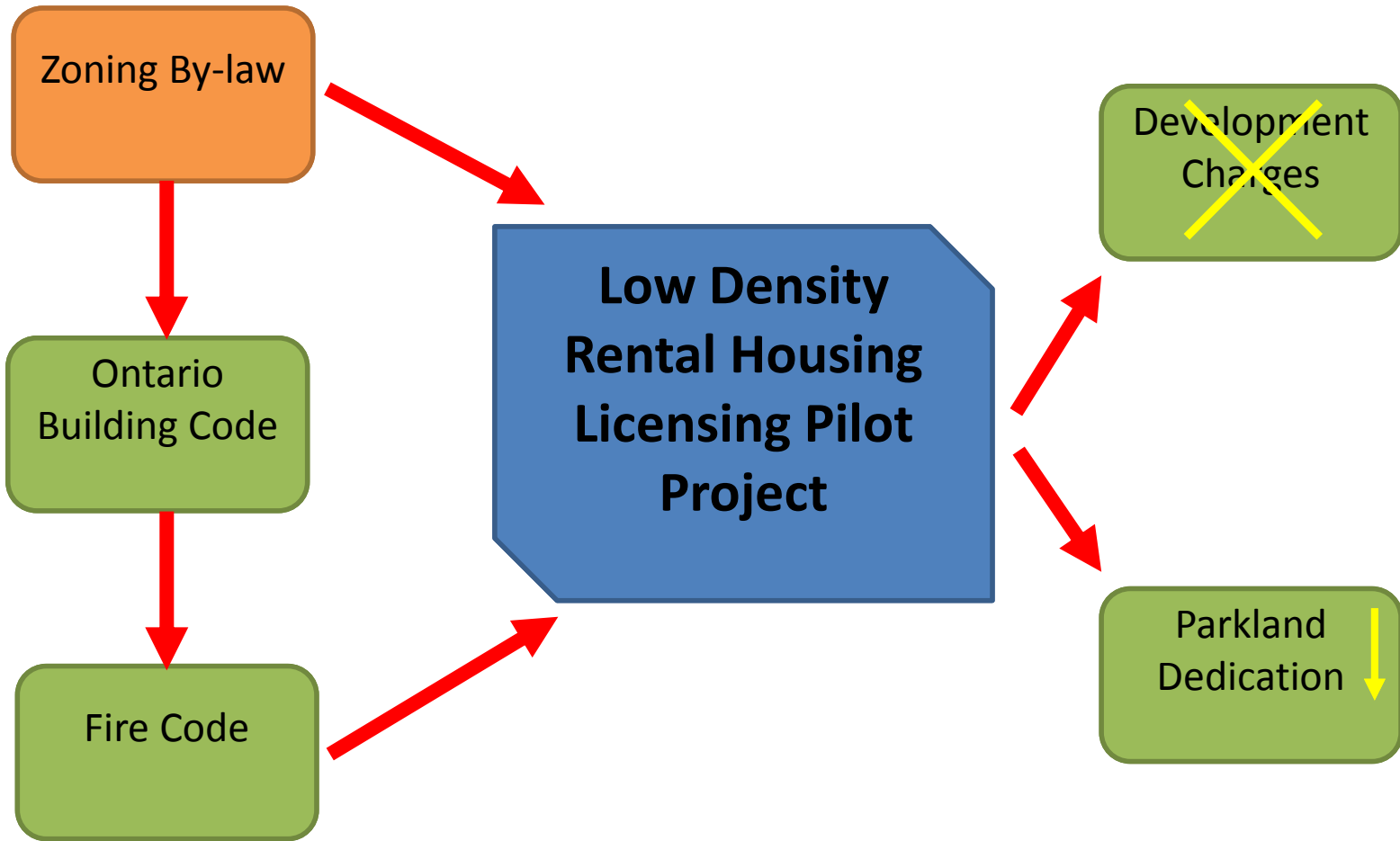


Summary of Recommendations for Consideration

- 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.

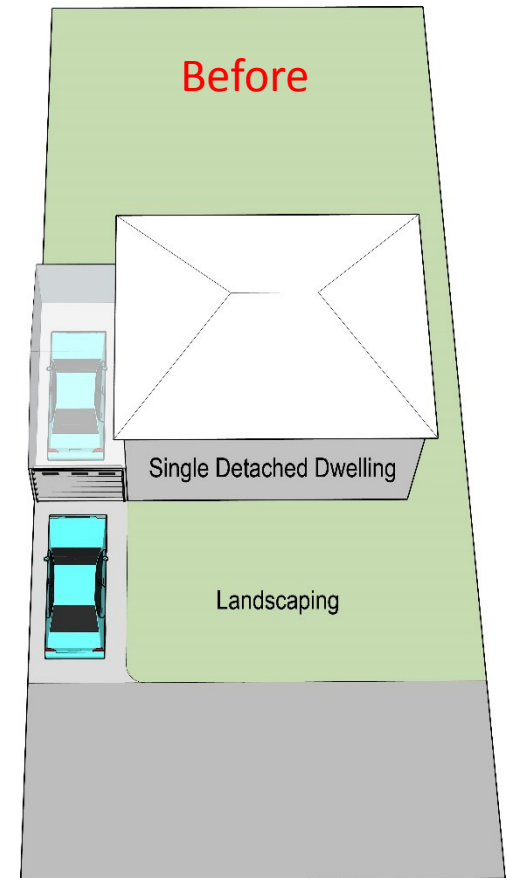
What is Section 19 – Residential Conversion of Hamilton Zoning By-law No. 6593?

- 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.



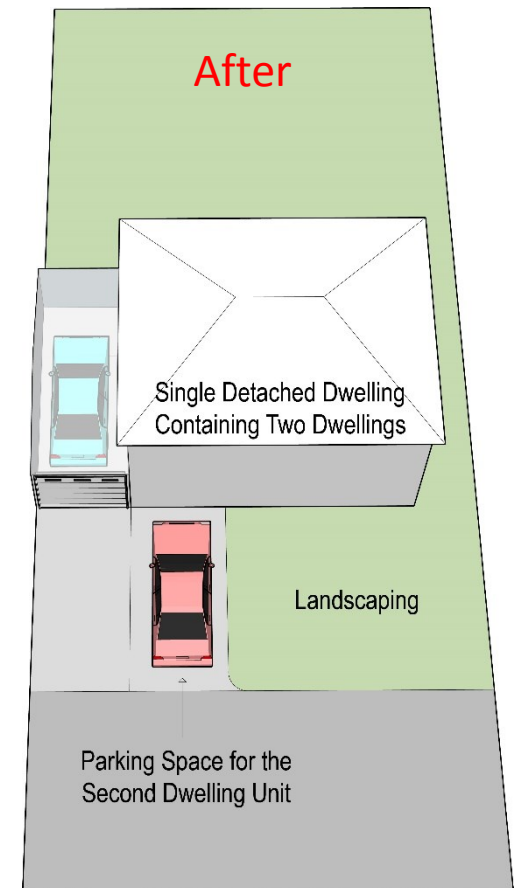
What is Section 19 – Residential Conversion of Hamilton Zoning By-law No. 6593?

- 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?

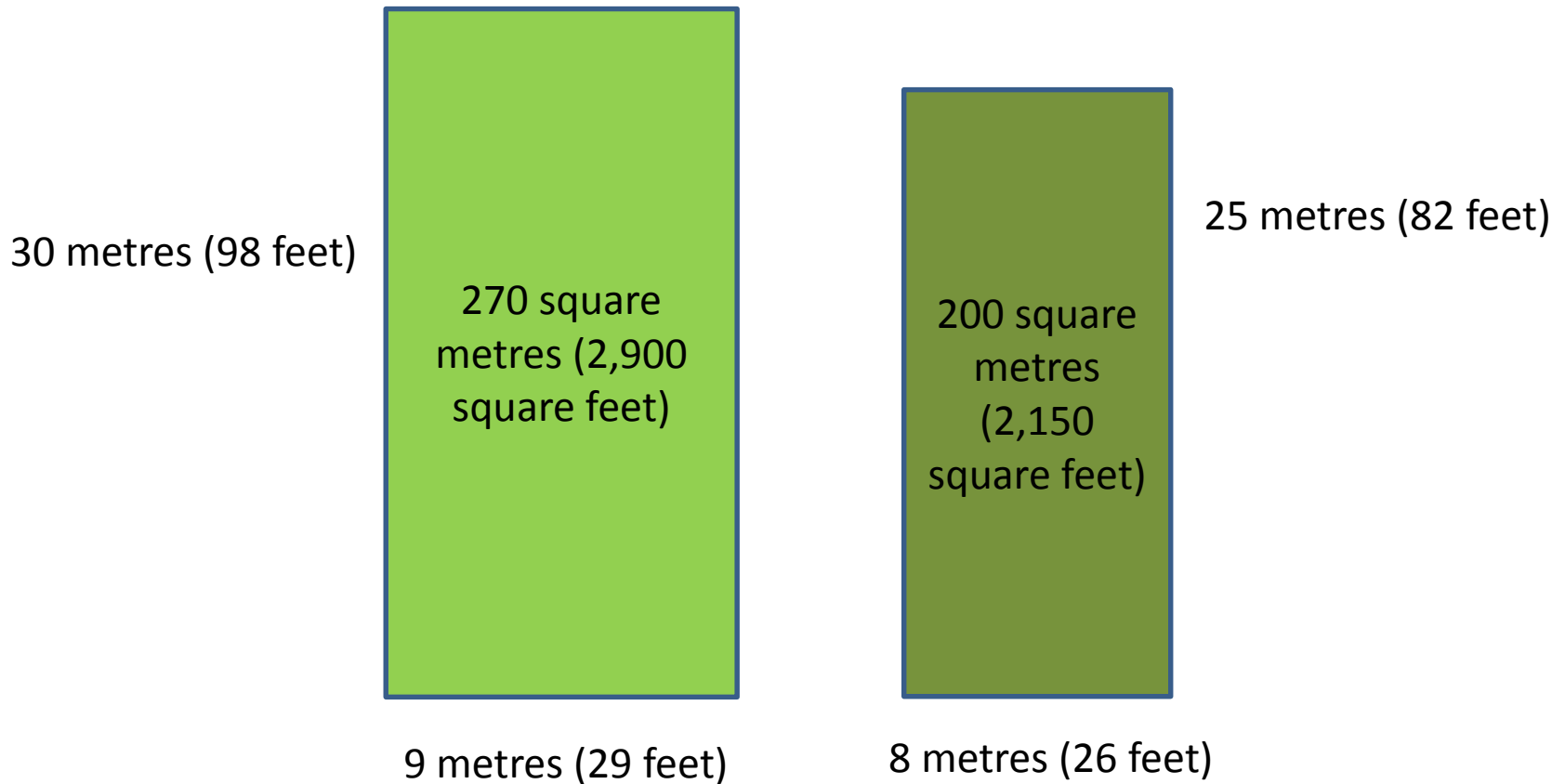
- Proposed By-law mainly affects Single Detached Dwellings (Section 19.(1) and 19.(2) of the Zoning By-law).
- “Laneway Housing” pilot project (By-law 18-299) was recently added to Section 19 and is not subject to the Temporary Use By-law. Regulations remains as it is.



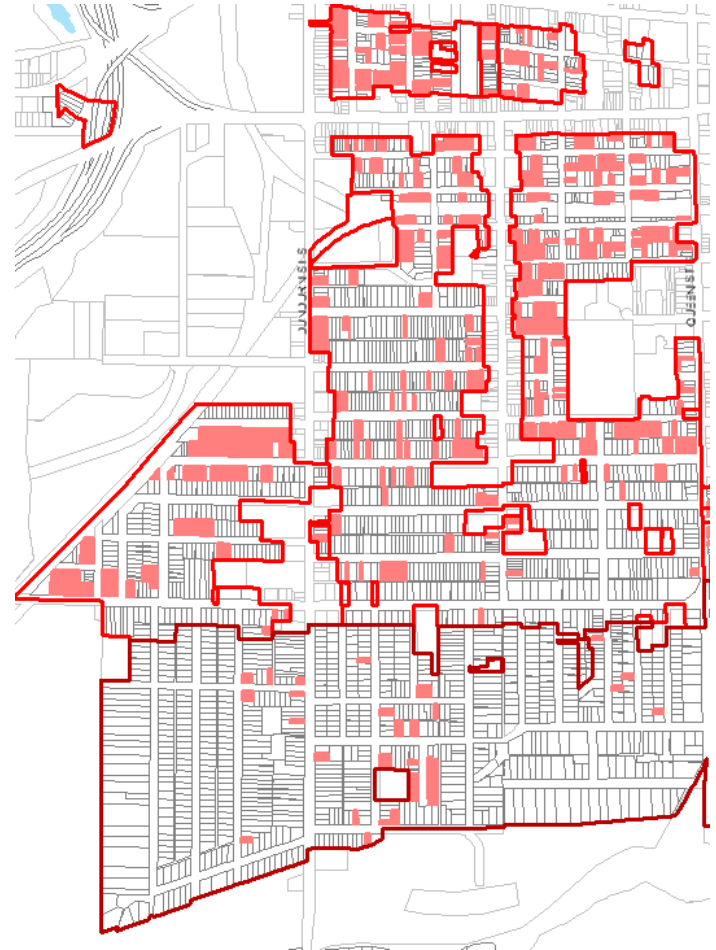
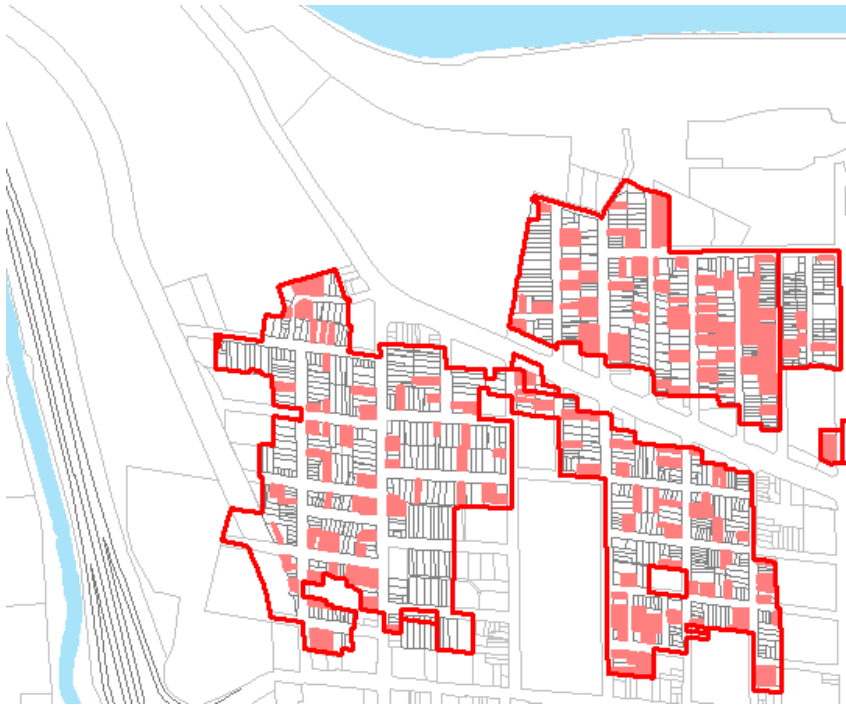
What Zone Regulations in Section 19 are being amended?

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)

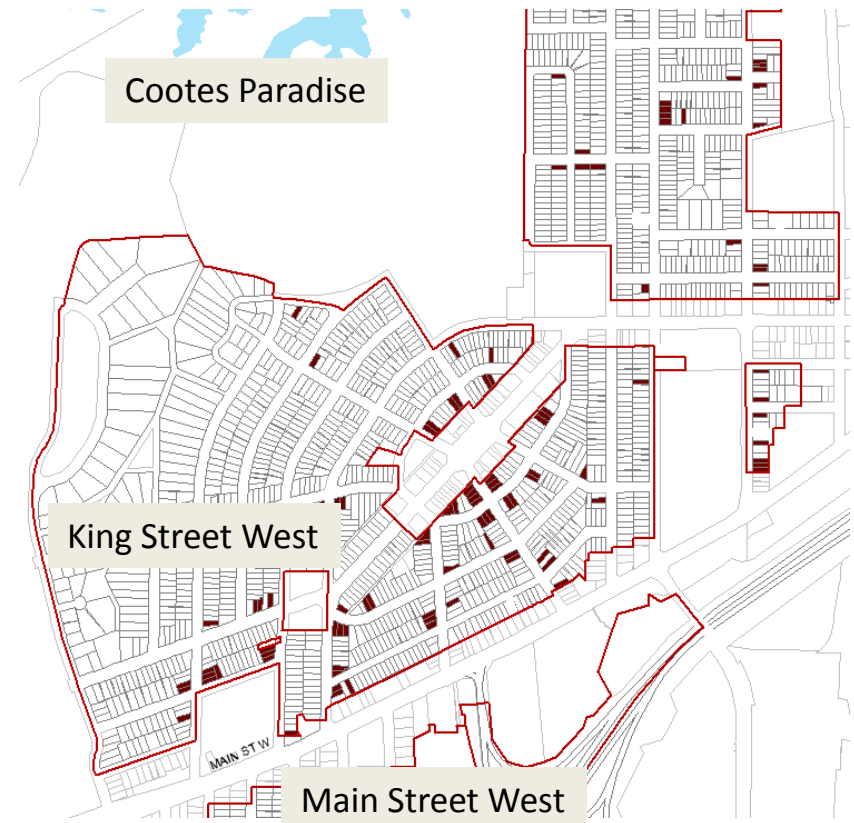
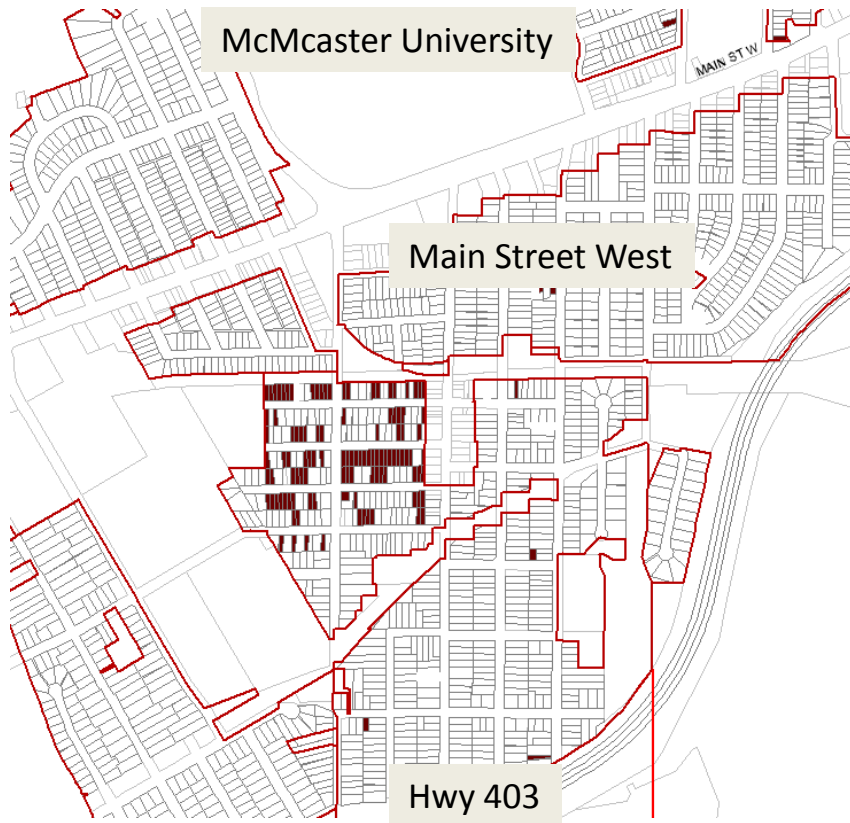
What Zone Regulations in Section 19 are being amended?



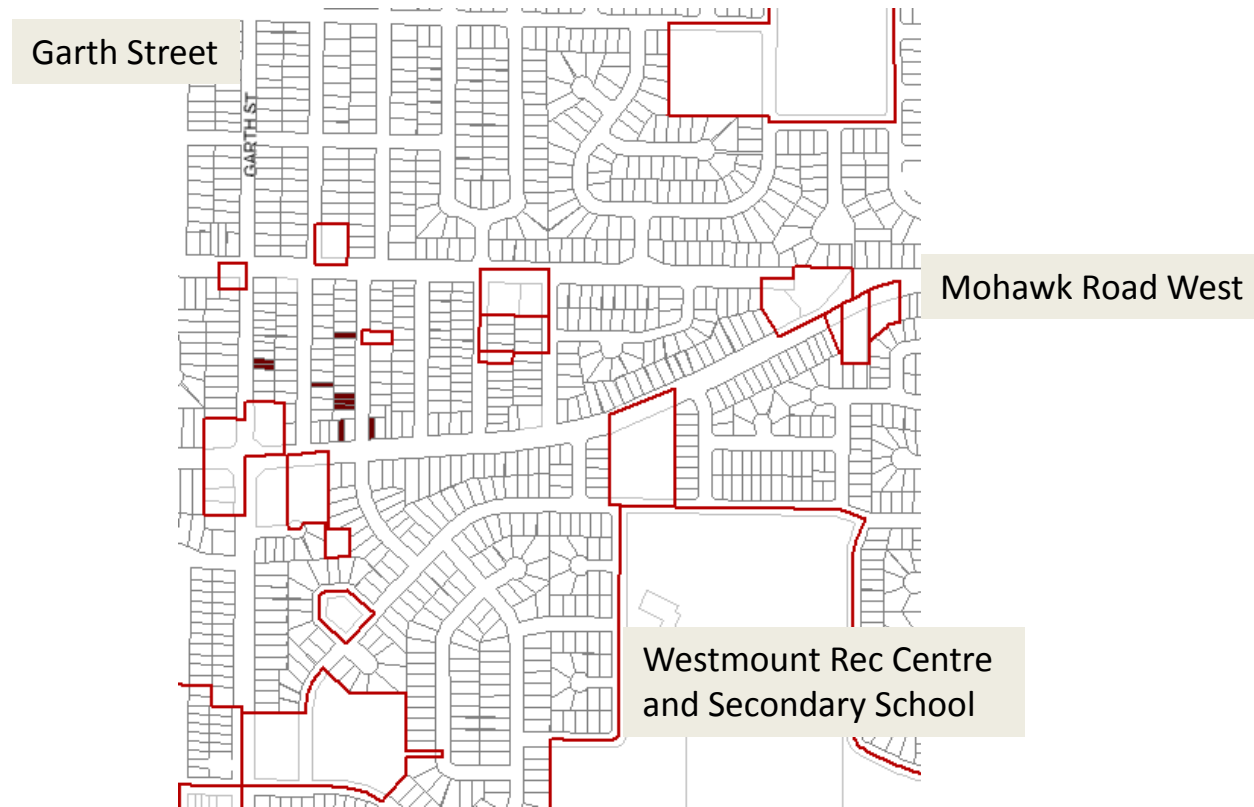
What Zone Regulations in Section 19 are being amended? **Ward 1**



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

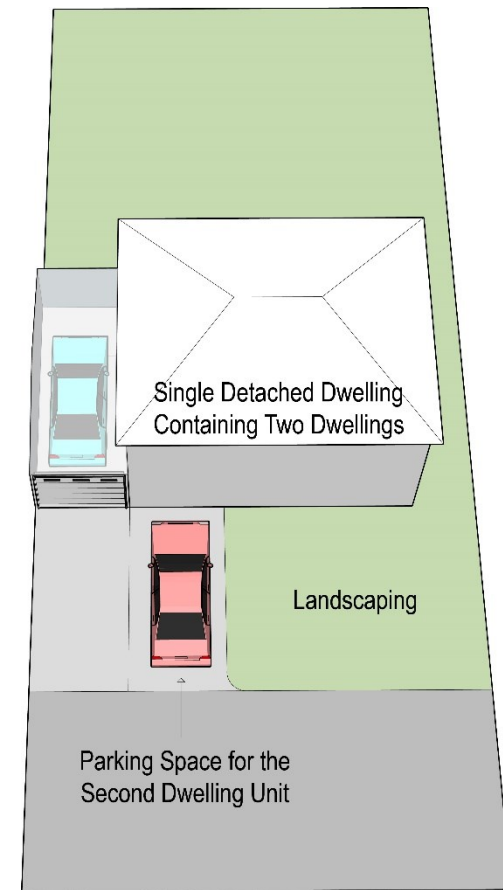


What Zone Regulations in Section 19 are being amended? **Ward 8**



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.

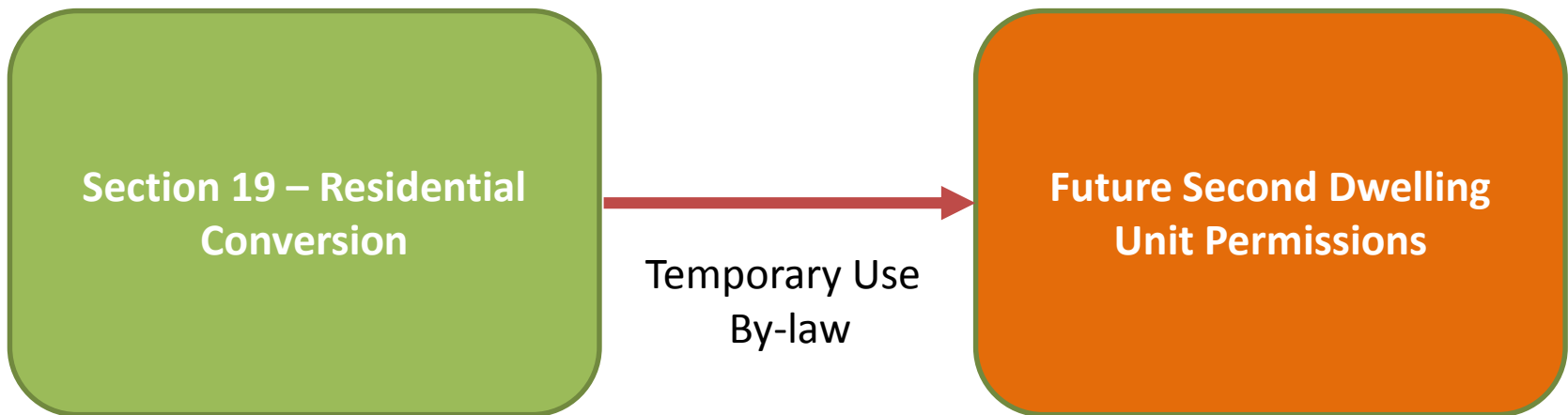


What Zone Regulations in Section 19 are being amended?

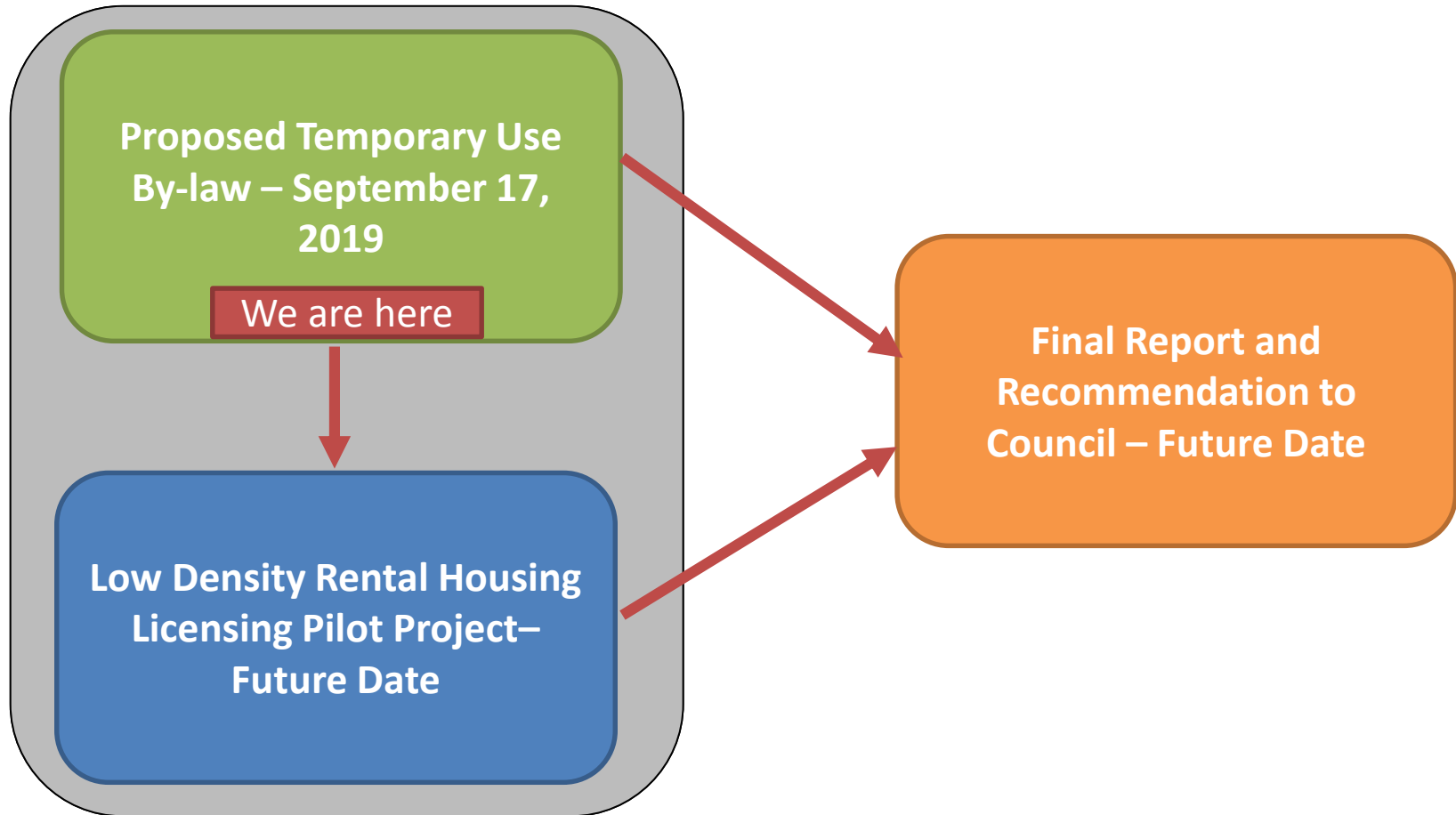
- Parking requirements and Parking arrangement
 - Ward 1 east of Highway 403
 - Existing number of parking spaces and how parking is arranged continues to be recognized even with one accessory dwelling unit.



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



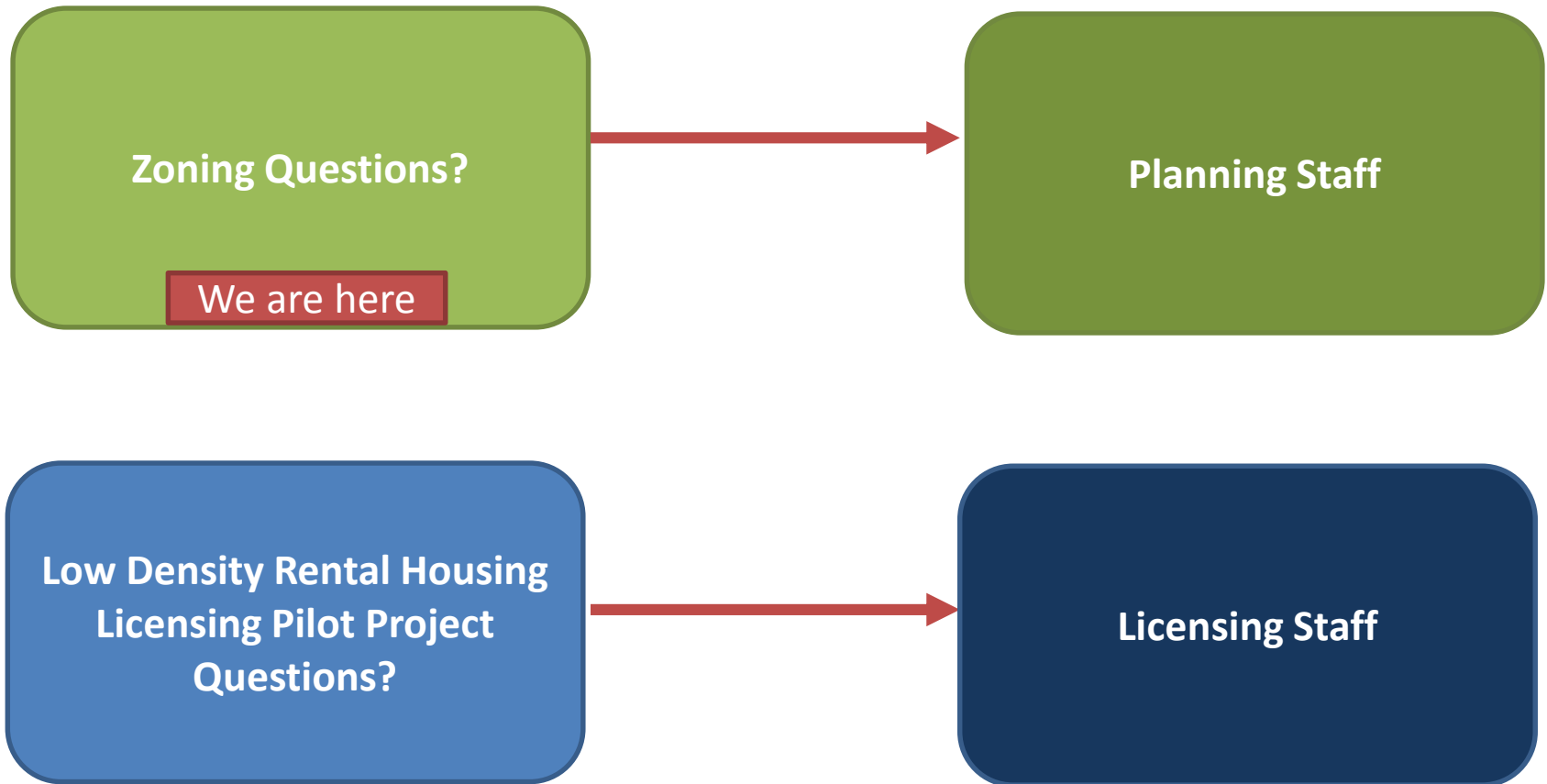
Recommendations for Consideration

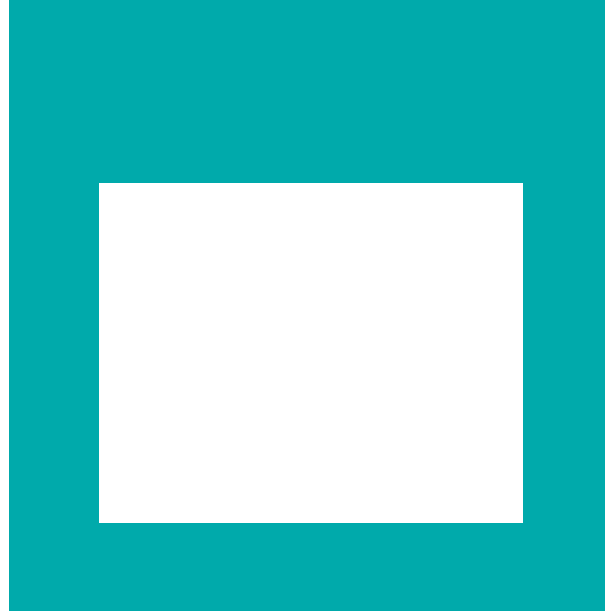


Recommendations for Consideration

- 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?





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THE CITY OF HAMILTON PLANNING COMMITTEE