



PLANNING COMMITTEE MINUTES

19-013

September 3, 2019

9:30 a.m.

Council Chambers, Hamilton City Hall
71 Main Street West

Present: Councillors M. Pearson (Chair), J. Farr (1st Vice Chair),
C. Collins, B. Johnson (2nd Vice Chair), B. Clark, M. Wilson,
J.P. Danko, J. Partridge, T. Whitehead

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. **Application to Amend the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 3600 Guyatt Road, Glanbrook (PED19154) (Ward 11) (Item 8.1)**

(Clark/Partridge)

- (a) That Zoning By-law Amendment Application ZAA-18-006, by Larry Freeman (Owner), for a change in zoning from the Agriculture (A1) Zone and Conservation / Hazard Land – Rural (P6) Zone to the Agriculture (A1, 642) Zone and Conservation / Hazard Land – Rural (P6, 642) Zone to prohibit the construction of a single detached dwelling and residential care facility and to permit a reduced lot size for the agricultural parcel, as required by conditions of approval for Consent to Sever application GL/B-17:114, for the lands located at 3600 Guyatt Road as shown on Appendix “A” to Report PED19154, be APPROVED on the following basis:
 - (i) That the draft By-law, **as amended**, attached as Appendix “B” to Report PED19154, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the amending By-law, **as amended**, be added to Schedule “C” – Special Exceptions of Zoning By-law No. 05-200; and,
 - (iii) That the proposed modification in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Greenbelt Plan (2017), and complies with the Rural Hamilton Official Plan (RHOP).

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

Result: Main Motion, As Amended, CARRIED by a vote of 8 to 0, as follows:

YES - Councillor Maureen Wilson
NOT PRESENT - Councillor Jason Farr
YES - Councillor Chad Collins
YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Brenda Johnson
YES - Councillor Brad Clark

2. Applications for Official Plan Amendment and Zoning By-law Amendment for lands located at 2782 Barton Street East, Hamilton (PED19170) (Ward 5) (Item 8.2)

(Collins/Farr)

- (a) That Official Plan Amendment application UHOPA-19-01 by A.J. Clarke and Associates on behalf of LJM Developments Inc., Owner, to further modify Site Specific Policy UHN-23 to permit a residential density of 441 units per hectare, for lands located at 2782 Barton Street East, as shown on Appendix "A" to Report PED19170, be APPROVED on the following basis:
- (i) That the draft Official Plan Amendment attached as Appendix "B" to Report PED170, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2014) and conforms to A Place to Grow Plan (2019);
- (b) That Zoning By-law Amendment application ZAC-19-001 by A.J. Clarke and Associates on Behalf of LJM Developments Inc., Owner, for a further modification to the "E-3/S-306b" (High Density Multiple Dwelling) District, Modified to permit a 244 unit mixed use building with a maximum height of 13 storeys on lands located at 2782 Barton Street East, Hamilton, as shown on Appendix "A" to Report PED19170, be APPROVED on the following basis:
- (i) That the draft By-law, ***as amended***, attached as Appendix "C" to Report PED19170, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

- (ii) That the amending By-law, attached as Appendix “C” to Report PED19170, be added to District Map E123 of Zoning By-law No. 6593 as “E-3/S-306b”; and,
- (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms with A Place to Grow Plan (2019) and will comply with the Urban Hamilton Official Plan upon finalization of Urban Hamilton Official Plan Amendment No.XX.

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

Result: Main Motion, As Amended, CARRIED by a vote of 8 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Chad Collins
YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
NOT PRESENT - Councillor Brenda Johnson
YES - Councillor Brad Clark

3. Application for Draft Plan of Subdivision for Lands Located at 70 Bobolink Road (Hamilton) (PED19163) (Ward 7) (Item 8.3)

(Danko/Whitehead)

- (a) That Draft Plan of Subdivision Application 25T-201902 by Cardinal Heights Development Corp., (Owners), to establish a Draft Plan of Subdivision to develop 54 semi-detached dwellings fronting on a new public road, on lands located at 70 Bobolink Road as shown on Appendix “A” to Report PED19163, be APPROVED, subject to the following conditions:
 - (i) That this approval apply to the Draft Plan of Subdivision, 25T-201902, prepared by IBI Group and certified by S. Dan McLaren, O.L.S., dated December 11, 2018 (Revision 3, dated June 27, 2019), consisting of 54 lots for semi-detached dwellings (Lots 1-54) and a public road (Street ‘A’), subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions, ***as amended***, attached as Appendix “D” to Report PED19163;
 - (ii) In accordance with the City’s Comprehensive Development Guidelines and Financial Policies Manual (2017) there will be no cost

sharing for this subdivision, including the SWM facility requirements;
and,

(iii) That Payment of Cash-in-Lieu or dedication of Parkland will be required, pursuant to Section 51 of the *Planning Act*, with the calculation for the payment to be based on the value of the lands on the day prior to the day of issuance of each building permit, all in accordance with the Financial Policies for Development and the City's Parkland Dedication By-laws, as approved by Council.

(b) That upon the approval of Draft Plan of Subdivision Application 25T-201902, the subject lands be re-designated from "Civic and Institutional" to "Single and Double" in the Bruleville Neighbourhood Plan; and,

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

Result: Main Motion, As Amended, CARRIED by a vote of 8 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Chad Collins
YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Brenda Johnson
NOT PRESENT - Councillor Brad Clark

4. Applications for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 600 James Street North, Hamilton (PED19151) (Ward 2) (Item 8.4)

(Farr/Partridge)

(a) *That Official Plan Amendment Application UHOPA-18-008 and Zoning By-law Amendment Application ZAC-18-024 by PM (600 James St N) Inc., be DENIED on the following basis:*

- (i) *The proposal represents an over intensification of the site and does not conform to the West Harbour (Setting Sail) Secondary Plan;***
- (ii) *The proposal does not provide for adequate parking;***
- (iii) *The proposed height of the structure is inappropriate;***

- (iv) The proposed structure will have unacceptable shadow impacts; and,*
- (v) The proposal conflicts with the James Street North Mobility Hub Study.*
- (b) That the written and oral submissions made with respect to this matter affected the decision by supporting the refusal of the applications;*
- (c) That in the event that the decision to deny is appealed to the Local Planning Appeal Tribunal, the City Solicitor be authorized to retain any necessary professional consultants, to be funded through the Tax Stabilization Reserve (110086); and,*
- (d) That the public submissions received respecting this matter supported the denial of the application.*

Result: Main Motion, As Amended, CARRIED by a vote of 6 to 1, as follows:

NOT PRESENT - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Chad Collins
NO - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Councillor Brenda Johnson
YES - Councillor Brad Clark

5. Staging of Development Report 2019-2022 (PED19148) (City Wide) (Item 10.1)

(Clark/Johnson)

That Report PED19148 respecting Staging of Development Report 2019-2022, be received.

CARRIED

6. EV Chargers in Hamilton Municipal Parking System Lots (PED18250(a)) (City Wide) (10.2)

(Johnson/Farr)

- (a) That staff be directed to apply for a Natural Resources Canada Grant which funds up to 50% of the cost of Electric Vehicle Charging Stations, conditional on a minimum of 20 chargers being purchased;*

- (b) That, if successful on the application, staff be directed to install 20 Electric Vehicle Chargers in selected Hamilton Municipal Parking System Lots, or other suitable locations, ***and that prior to installation, staff report back to the Planning Committee on locations and pricing structure, including what Hamilton's comparator municipalities are charging for the use of Electric Vehicle chargers; and,***
- (c) That the estimated cost of \$252,000 for 20 chargers, after the 50% rebate, be funded through a combination of Ward Reserve funds and the Parking Reserve Account No. 108021;

Result: Main Motion, As Amended, CARRIED by a vote of 7 to 0, as follows:

NOT PRESENT - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Chad Collins
YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Councillor Brenda Johnson
YES - Councillor Brad Clark

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

1. DELEGATION REQUESTS (Item 6)

- 6.1 John VanDuzer, Princess Bingo Sponsors Association, respecting Princess Bingo and cGaming (For the September 17th meeting)
- 6.2 Ward Thomas respecting Properties of Cultural Heritage Interest in Waterdown (For today's meeting)

2. PUBLIC HEARINGS / DELEGATIONS (Item 8)

- 8.3 Application for Draft Plan of Subdivision for Lands Located at 70 Bobolink Road (Hamilton) (PED19163) (Ward 7)
 - (b) Written Submissions:
 - (i) Hamilton-Wentworth District School Board

(ii) Jarett Brown

8.4 Applications for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 600 James Street North, Hamilton (PED19151) (Ward 2)

(b) Registered Speakers:

(i) Tracy Geddes

(c) Written Submissions:

(i) Mark Easden

(ii) Lachlan Holmes, Hamilton Forward

(iii) Harbour West Neighbours Inc.

(iv) North End Neighbourhood Association

3. NOTICES OF MOTION (Item 12)

12.1 Properties of Potential Cultural Heritage Interest in Waterdown

4. GENERAL INFORMATION/OTHER BUSINESS (Item 13)

13.2 On-going Noise By-law Violations

(Partridge/Clark)

That the agenda for the September 3, 2019 meeting be approved, as amended.

Result: Motion CARRIED by a vote of 7 to 0, as follows:

YES - Councillor Maureen Wilson

YES - Councillor Jason Farr

NOT PRESENT - Councillor Chad Collins

YES - Councillor John-Paul Danko

YES - Councillor Maria Pearson

YES - Councillor Judi Partridge

NOT PRESENT - Councillor Terry Whitehead

YES - Councillor Brenda Johnson

YES - Councillor Brad Clark

(b) DECLARATIONS OF INTEREST (Item 3)

None declared.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)

(i) August 13, 2019 (Item 4.1)

(Clark/Johnson)

That the Minutes of the August 13, 2019 meeting be approved, as presented.

Result: Motion CARRIED by a vote of 7 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
NOT PRESENT - Councillor Chad Collins
YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Councillor Brenda Johnson
YES - Councillor Brad Clark

(d) DELEGATION REQUESTS (Item 6)

(i) John VanDuzer, Princess Bingo Sponsors Association, respecting Princess Bingo and cGaming (For the September 17th meeting) (Added Item 6.1)

(Johnson/Partridge)

- (a) That the Delegation Request from John VanDuzer, Princess Bingo Sponsors Association, respecting Princess Bingo and cGaming, be approved for the September 17th meeting; and,
- (b) That staff be directed to meet with John VanDuzer before the September 17th Planning Committee.

Result: Motion CARRIED by a vote of 7 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
NOT PRESENT - Councillor Chad Collins
YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Councillor Brenda Johnson
YES - Councillor Brad Clark

(ii) Ward Thomas respecting Properties of Potential Cultural Heritage Interest in Waterdown (Added Item 6.2)

(Partridge/Farr)

That the Delegation Request from Ward Thomas respecting Properties of Potential Cultural Heritage Interest in Waterdown, be approved for today's meeting, to be heard at this time.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Chad Collins
YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Councillor Brenda Johnson
YES - Councillor Brad Clark

(e) PUBLIC HEARINGS/DELEGATIONS (Item 8)

(i) Ward Thomas respecting Properties of Potential Cultural Heritage Interest in Waterdown (Added Item 6.2)

Ward Thomas addressed the Committee respecting Properties of Potential Cultural Heritage Interest in Waterdown.

(Partridge/Collins)

That the Delegation from Ward Thomas respecting Properties of Potential Cultural Heritage Interest in Waterdown, be received.

CARRIED

(ii) Application to Amend the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 3600 Guyatt Road, Glanbrook (PED19154) (Ward 11) (Item 8.1)

In accordance with the provisions of the *Planning Act*, Chair Pearson advised that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Zoning By-law Amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Elyse Menary, Planner II, addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation is available through the Office of the City Clerk or online at www.hamilton.ca.

(Johnson/Clark)

That the staff presentation be received.

CARRIED

John Ariens, IBI Group, was in attendance and indicated support for the staff report, and addressed the Committee.

(Johnson/Clark)

That the comments from John Ariens, IBI Group, be received.

CARRIED

Delegations:

- (i) Rick Katz, 1481 Fletcher Road addressed the Committee and expressed concerns with the proposal.

(Partridge/Collins)

That the delegations be received.

CARRIED

(Johnson/Danko)

That the public meeting be closed.

CARRIED

(Johnson/Wilson)

- (a) That all references to the Lot Size in Report PED19154, its Appendices and the By-law, be changed from “22 hectares” to read “21 hectares”; and,
- (b) That the recommendations in Report PED19154 be amended by adding the following sub-section (b):

(b) *That the public submissions received did not affect the decision on this matter.*

Result: Amendment CARRIED by a vote of 8 to 0, as follows:

YES - Councillor Maureen Wilson
NOT PRESENT - Councillor Jason Farr
YES - Councillor Chad Collins
YES - Councillor John-Paul Danko

YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Brenda Johnson
YES - Councillor Brad Clark

For disposition of this matter, refer to Item 1.

(iii) Application for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 2782 Barton Street East, Hamilton (PED19170) (Ward 5) (Item 8.2)

In accordance with the provisions of the *Planning Act*, Chair Pearson advised that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Official Plan Amendment and Zoning By-law Amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

(Whitehead/Partridge)

That the public meeting be closed.

CARRIED

(Collins/Danko)

That the staff presentation be waived.

CARRIED

Franz Kloibhofer, A.J. Clarke & Associates, was in attendance and indicated support for the staff report, and requested an additional amendment to the by-law.

(Collins/Whitehead)

That the Draft By-law, attached as Appendix "C" to report PED19170, be amended by adding the following clause:

- (i) *Notwithstanding Section 18(a)(30) of Zoning By-law No. 6593, permeable pavers and other dustless, Low Impact Development surface materials will also be permitted.***

Result: *Amendment CARRIED by a vote of 8 to 0, as follows:*

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Chad Collins
YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
NOT PRESENT - Councillor Brenda Johnson
YES - Councillor Brad Clark

(Collins/Farr)

That the recommendations in Report PED19170 be amended by adding the following sub-section (c):

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

Result: *Amendment CARRIED by a vote of 8 to 0, as follows:*

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Chad Collins
YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
NOT PRESENT - Councillor Brenda Johnson
YES - Councillor Brad Clark

For disposition of this matter, refer to Item 2.

(iv) Application for Draft Plan of Subdivision for Lands Located at 70 Bobolink Road (Hamilton) (PED19163) (Item 8.3)

In accordance with the provisions of the *Planning Act*, Chair Pearson advised that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Draft Plan of Subdivision the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Tim Vrooman, Senior Planner, addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation is available through the Office of the City Clerk or online at www.hamilton.ca.

(Danko/Partridge)

That the staff presentation be received.

CARRIED

Angela Bounamici, IBI Group, was in attendance and indicated support for the staff report, and addressed the Committee with the aid of a PowerPoint Presentation. A copy of the presentation is available through the Office of the City Clerk or online at www.hamilton.ca.

(Partridge/Whitehead)

That the presentation from Angela Bounamici, IBI Group, be received.

CARRIED

Delegations:

- (i) Jason Mattina, 10 Hummingbird Lane, addressed the Committee and expressed concerns with the proposal.
- (ii) Debbie Mattina, 81 Valridge Drive, addressed the Committee and expressed concerns with the proposal.

(Whitehead/Danko)

That the delegations be received.

CARRIED

Written Submissions:

- (i) Hamilton-Wentworth District School Board (8.3(a))
- (ii) Jarett Brown (8.3(b))

(Partridge/Johnson)

That the written submissions, be received.

CARRIED

(Partridge/Johnson)

That the public meeting be closed.

CARRIED

(Whitehead/Partridge)

That staff be directed to meet with the Councillor and Applicant before the September 11, 2019 Council meeting, to look at the feasibility of a pathway to provide access from the park to Pauline Johnson Public School.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Chad Collins
YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Brenda Johnson
NOT PRESENT - Councillor Brad Clark

(Danko/Farr)

That Special Condition No. 16 for Draft Plan of Subdivision Approval for 25T-201902, Appendix "D" to Report PED19163 be deleted in its entirety and replaced with the following:

16. That, **prior to preliminary grading and / or servicing**, the Owner shall submit to the City of Hamilton and/or the Ministry of the Environment, Conservation and Parks (MOECP), a signed Record of Site Condition (RSC), or Environmental Site Assessment(s) (ESA(s)) prepared by a qualified professional confirming that the subject site is suitable for the proposed development. The RSC or ESA(s) must be to the satisfaction of the Director of Planning and Chief Planner, including in the case of the RSC a notice of acknowledgement by the MOECP, and submission of the City of Hamilton's current RSC administration fee.

Result: Amendment CARRIED by a vote of 9 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Chad Collins
YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Brenda Johnson
NOT PRESENT - Councillor Brad Clark

(Danko/Whitehead)

That the recommendations in Report PED19163 be amended by adding the following sub-section (c):

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

Result: Amendment CARRIED by a vote of 8 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Chad Collins
YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Brenda Johnson
NOT PRESENT - Councillor Brad Clark

For disposition of this matter, refer to Item 3.

(v) Applications for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 600 James Street North, Hamilton (PED19151) (Item 8.4)

In accordance with the provisions of the Planning Act, Chair Pearson advised that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Official Plan Amendment and Zoning By-law Amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Mark Kehler, Planner II, addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation is available online at www.hamilton.ca or through the Office of the City Clerk.

(Farr/Danko)

That the staff presentation be received.

CARRIED

David Falletta, Bousfields Inc., was in attendance and indicated support for the staff report and addressed the Committee with the aid of a PowerPoint

presentation. A copy of the presentation is available through the Office of the City Clerk or online at www.hamilton.ca.

(Farr/Collins)

That the presentation from David Falletta, Bousfields Inc., be received.

CARRIED

Delegations:

1. Tracy Geddes, 86 Oak Avenue, addressed the Committee and expressed concerns with the proposal.
2. Rob Fiedler, 78 Simcoe Street East, addressed the Committee and expressed concerns with the proposal.
3. Amy Rolfe, 2 Guise Street East, addressed the Committee and expressed concerns with the proposal.
4. Anthony Blanken, 24 Burlington Street, addressed the Committee and expressed concerns with the proposal.

(Farr/Collins)

That the Delegations be received.

CARRIED

Written Submissions:

1. Mark Easden (8.4(c)(i))
2. Lachlan Holmes, Hamilton Forward (8.4(c)(ii))
3. Harbour West Neighbours (8.4(c)(iii))
4. North End Neighbourhood Association (8.4(c)(iv))

Petition:

1. Werner Plessl (21 names on petition)

(Farr/Clark)

That the written submissions and petition be received.

CARRIED

A copy of the petition is available through the Office of the City Clerk.

(Partridge/Danko)

That the public meeting be closed.

CARRIED

(Farr/Partridge)

That the recommendations in Report PED19151, respecting Applications for Official Plan Amendment and Zoning By-law Amendment for lands located at 600 James Street North, Hamilton, be deleted in their entirety and replaced with the following:

- (a) *That Official Plan Amendment Application UHOPA-18-008 and Zoning By-law Amendment Application ZAC-18-024 by PM (600 James St N) Inc., be DENIED on the following basis:***
 - (i) *The proposal represents an over intensification of the site and does not conform to the West Harbour (Setting Sail) Secondary Plan;***
 - (ii) *The proposal does not provide for adequate parking;***
 - (iii) *The proposed height of the structure is inappropriate;***
 - (iv) *The proposed structure will have unacceptable shadow impacts; and,***
 - (v) *The proposal conflicts with the James Street North Mobility Hub Study.***
- (b) *That the written and oral submissions made with respect to this matter affected the decision by supporting the refusal of the applications;***
- (c) *That in the event that the decision to deny is appealed to the Local Planning Appeal Tribunal, the City Solicitor be authorized to retain any necessary professional consultants, to be funded through the Tax Stabilization Reserve (110086); and,***
- (d) *That the public submissions received respecting this matter supported the denial of the application.***

Result: Amendment CARRIED by a vote of 6 to 1, as follows:

NOT PRESENT - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Chad Collins
NO - Councillor John-Paul Danko

YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Councillor Brenda Johnson
YES - Councillor Brad Clark

For disposition of this matter, refer to Item 4.

(f) DISCUSSION ITEMS (Item 10)

(i) Staging of Development Report 2019-2022 (PED19148) (City Wide) (Item 10.1)

Alvin Chan, Acting Manager, Legislative Approvals/Staging of Development, addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation is available through the Office of the City Clerk or online at www.hamilton.ca.

Alvin Chan noted a typographical error on page 3 of Report PED19148, indicating that the number of Draft Approved Plans of Subdivision anticipated for 2019 is twenty (20), not nineteen (19).

(Clark/Johnson)

That the presentation from Alvin Chan respecting Staging of Development Report 2019-2022, be received.

CARRIED

For further disposition of this matter, refer to Item 5.

(ii) EV Chargers in Hamilton Municipal Parking System Lots (PED18250(a)) (City Wide) (Item 10.2)

(Clark/Farr)

That the recommendations in Report PED18250(a), respecting EV Chargers in Hamilton Municipal Parking System Lots be amended by adding wording to sub-section (b), as follows:

- (b) That, if successful on the application, staff be directed to install 20 Electric Vehicle Chargers in selected Hamilton Municipal Parking System Lots, or other suitable locations, ***and that prior to installation, staff report back to the Planning Committee on locations and pricing structure, including what Hamilton's comparator municipalities are charging for the use of Electric Vehicle chargers; and,***

Result: *Amendment* **CARRIED** by a vote of 7 to 0, as follows:

NOT PRESENT - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Chad Collins
YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Councillor Brenda Johnson
YES - Councillor Brad Clark

For further disposition of this matter, refer to Item 6.

(g) NOTICES OF MOTION (Item 12)

(i) Properties of Potential Cultural Heritage Interest in Waterdown (Item 12.1)

Councillor Partridge introduced the following Notice of Motion respecting Properties of Potential Cultural Heritage Interest in Waterdown:

WHEREAS, the following properties (henceforth referred to collectively as “the properties”) are listed on the City’s Heritage Inventory but have no formal protection from demolition under the *Ontario Heritage Act*:

- 289 Dundas Street East, Waterdown (Smith/Carson House);
- 341 Main Street North, Waterdown (Buchan/Rymal House);
- 29 Berry Hill Avenue, Waterdown (Finance House);
- 100 Sunnycroft Court, Waterdown (Gauld House);
- 265 Mill Street South, Waterdown (Cummer/Fraleigh House);
- 298 Dundas Street East, Waterdown (Maycock House);
- 10 First Street, Waterdown (Balgownie);
- 49 Main Street North, Waterdown (McGregor House);
- 8 Margaret Street, Waterdown (Reid House);
- 134 Main Street South (Former Wesleyan Methodist Parsonage); and,
- 340 Dundas Street East, Waterdown (Eager House);

WHEREAS, there is concern that the properties may be lost to demolition or subject to significant alterations prior to a full assessment of their cultural heritage value;

WHEREAS, including the properties on the Municipal Heritage Register as non-designated properties under Section 27(1.2) of the *Ontario Heritage*

Act provides the properties with interim, 60-day protection from demolition; and,

WHEREAS, a preliminary evaluation of cultural heritage value or interest of the properties indicate they meet the criteria specified in *Ontario Regulation 9/06*, including but not limited to:

- Historical Associations – The properties are located in or adjacent to Waterdown’s historic core and are associated with people or industries potentially significant to the history, growth and development of the village. Through further research, the properties have the potential to yield additional information which may contribute to an historic or contemporary understanding of the community;
- Physical and Architectural Design – The properties can be considered representative examples of different eras of Ontario’s vernacular residential architecture, ranging from the mid-19th century to the early-20th century. The properties display architectural elements characteristic of various styles, including Gothic, Georgian, Regency, and Queen Anne. Through further research, the properties may be found to display high degrees of craftsmanship, artistic merit, or technical achievement; and,
- Contextual Value – The properties are important in defining the historic character of the Village of Waterdown and maintaining its historic fabric. Given their locations within and adjacent to Waterdown’s historic core, the properties are physically, visually, and historically linked to their surroundings. Through further research, the properties may be identified as local landmarks that contribute to our understanding of the development of the Waterdown community;

THEREFORE BE IT RESOLVED:

- (a) That the following properties be added to the City’s Municipal Heritage Register as non-designated properties, after consultation with the Hamilton Municipal Heritage Committee:
- 289 Dundas Street East, Waterdown (Smith/Carson House);
 - 341 Main Street North, Waterdown (Buchan/Rymal House);
 - 29 Berry Hill Avenue, Waterdown (Finance House);
 - 100 Sunnycroft Court, Waterdown (Gauld House);
 - 265 Mill Street South, Waterdown (Cummer/Fraleigh House);
 - 298 Dundas Street East, Waterdown (Maycock House);
 - 10 First Street, Waterdown (Balgownie);
 - 49 Main Street North, Waterdown (McGregor House);

- 8 Margaret Street, Waterdown (Reid House);
- 134 Main Street South (Former Wesleyan Methodist Parsonage); and,
- 340 Dundas Street East, Waterdown (Eager House); and,

- (b) That Council direct Tourism and Culture staff to include the above noted properties as part of the ongoing Waterdown Village Built Heritage Inventory work associated with the Waterdown Community Node Secondary Plan study and bring forward potential heritage designations as part of the Built Heritage Inventory work.

(h) GENERAL INFORMATION / OTHER BUSINESS (Item 13)

(i) Outstanding Business List (Item 13.1)

(Farr/Collins)

- (a) That Item 18K respecting Interim Plans for Pier 7 be transferred to the West Harbour Development Sub-Committee's Outstanding Business List; and,
- (b) That the following changes to the Planning Committee Outstanding Business List, be approved:

Items to be Removed:

18P – EV Chargers in Hamilton Municipal Parking Lot Systems
(addressed as Item 10.2 on this agenda)

19O – Planning Applications Fees for Private Urban Boundary Expansion and Private Employment Lands Conversion Applications
(addressed as Item 7.4 on the August 13, 2019 agenda)

Result: Motion CARRIED by a vote of 7 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Chad Collins
YES - Councillor John-Paul Danko
YES - Councillor Maria Pearson
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Councillor Brenda Johnson
YES - Councillor Brad Clark

(ii) Ongoing Noise By-law Violations (Added Item 13.2)

Councillor Clark requested that By-law Enforcement staff be more proactive in enforcing Noise By-law violations at the Cause and Effect Restaurant, 1784 Stone Church Road East, Hamilton.

Councillor Johnson requested that By-law Enforcement staff be more proactive in enforcing Noise By-law violations at Marydale Park, 5999 Chippewa Road East, Mount Hope.

(i) ADJOURNMENT (Item 15)

(Partridge/Danko)

That there being no further business, the Planning Committee be adjourned at 3:20 p.m.

CARRIED

Councillor Maria Pearson
Chair, Planning Committee

Lisa Chamberlain
Legislative Coordinator
Office of the City Clerk