PLANNING COMMITTEE

MINUTES

20-002

February 4, 2020
9:30 a.m.
Council Chambers, Hamilton City Hall
71 Main Street West

Present: Councillors J. Farr (Chair), B. Clark (1st Vice Chair), C. Collins, J.P. Danko, J. Partridge, M. Pearson, and M. Wilson

Absent with Regrets: Councillor B. Johnson – Personal
Councillor T. Whitehead – Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED20023) (City Wide) (Item 7.1)

(Danko/Wilson)
That Report PED20023 respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications, be received.

CARRIED

2. Parking Fee Review (PED20038(a)) (City Wide) (Item 7.2)

(Partridge/Pearson)
(a) That Report PED20038(a) respecting Parking Fee Review, be referred to the 2020 Operating Budget Process.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 8 Councillor John-Paul Danko
YES - Chair - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 11 Councillor Brenda Johnson

YES - Ward 10 Councillor Maria Pearson
YES - Vice Chair - Ward 9 Councillor Brad Clark

(Pearson/Partridge)

(b) That staff be directed to send a letter to the Hamilton-Wentworth District School Board and the Hamilton-Wentworth Catholic District School Board, and the Hamilton Police Service, requesting the schools to advise parents that the City will be actively enforcing parking by-laws around schools.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 8 Councillor John-Paul Danko
YES - Chair - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Vice Chair - Ward 9 Councillor Brad Clark

3. Hamilton Municipal Heritage Committee Report 20-001 (Item 7.3)

(Pearson/Clark)

(i) Appointment of 2020 Chair and Vice Chair (Item 1)

(a) That A. Denham-Robinson be appointed Chair of the Hamilton Municipal Heritage Committee for 2020; and,

(b) That C. Dmitry be appointed Vice-Chair of the Hamilton Municipal Heritage Committee for 2020.

(ii) Education and Communication Working Group Meeting Notes – September 4, 2019 (Item 10.1)

That the “Doors of Hamilton” posters be used as complimentary (“giveaway”) promotional items for outreach and education, as there is a large quantity of existing posters (size: small, condition: very good to excellent) that remain unsold since pre-amalgamation.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 8 Councillor John-Paul Danko
YES - Chair - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge

NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Vice Chair - Ward 9 Councillor Brad Clark

4. Application for Zoning By-law Amendment for Lands Located at 184 and 186 Markland Street, Hamilton (PED20016) (Ward 2) (Item 8.1)

(Farr/Collins)

(a) That Revised Zoning By-law Amendment Application ZAC-18-047 by Robert and Michelle Edmonds, Owner, for a change in zoning from the "D" (Urban Protected Residential - One and Two Family Dwelling, Etc.) District to "DE-3/S1796-'H'" (Multiple Dwellings) District, Modified, Holding, to permit six units within the existing building for lands located at 184 and 186 Markland Street, Hamilton, as shown on Appendix "A" to Report PED20016, be APPROVED on the following basis:

(i) That the draft By-law, attached as Appendix "B" to Report PED20016, ***as amended***, 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 "B" to Report PED20016, ***as amended***, be added to District Map No. W6 of Zoning By-law No. 6593;

(iii) That the amending By-law, ***as amended***, apply the Holding Provision of section 36(1) of the Planning Act, R.S.O. 1990 to the subject lands by introducing the Holding symbol 'H' as a suffix to the proposed zoning;

The Holding Provision "DE-3/S-1796-'H'" (Multiple Dwellings) District, Holding, Modified, be removed conditional upon:

(1) That the Owner merge the properties municipally known as 184 and 186 Markland Street on title, to the satisfaction of the Manager of Development Planning, Heritage and Design;

(2) That the Owner applies for and receives Conditional Site Plan Approval, to the satisfaction of the Manager of Development Planning, Heritage and Design; and,

(3) That the Owner apply for a Building Permit to legalize a multiple dwelling with a maximum of six units, to the satisfaction of the Chief Building Official, Building Division.

(iv) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019), and complies with the Urban Hamilton Official Plan;

(b) That upon finalization of the amending By-law, ***as amended***, the subject lands be redesignated from "Single & Double" to "Medium Density Apartments" in the Durand Neighbourhood Plan.

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

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 5 Councillor Chad Collins
NO - Ward 8 Councillor John-Paul Danko
YES - Chair - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Vice Chair - Ward 9 Councillor Brad Clark

5. Application to Amend City of Hamilton Zoning By-law 05-200 for Lands Located at 630 Stone Church Road West (Hamilton) (PED20024) (Ward 14) (Item 8.2)

(Partridge/Pearson)

(a) That Revised Zoning By-law Amendment Application ZAR-19-003 by CPDL Mancini Holdings Inc. (Owner) for a change in zoning from the Community Commercial (C3) Zone to a Modified Community Commercial (C3) Zone to recognize an illegally constructed rear yard freezer addition on lands located at 630 Stone Church Road West, Hamilton, as shown on Appendix "A" to Report PED20024, be ***APPROVED***; and,

(b) That staff be directed to prepare an amending Zoning By-law consistent with the concept plans proposed:

(i) To address the compatibility concerns raised in this report, a Holding provision should be enacted to require a subsequent Site Plan Control application.

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

Result: Main Motion, *As Amended*, CARRIED by a vote of 5 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - Ward 8 Councillor John-Paul Danko
YES - Chair - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Vice Chair - Ward 9 Councillor Brad Clark

6. Application for a Revised Draft Plan of Subdivision for Lands Located at 22 Green Mountain Road West (Stoney Creek) (PED20026) (Ward 9) (Item 8.3)

(Clark/Pearson)

(a) That Revisions to Draft Approved Plan of Subdivision 25T-200803R, by Empire Communities (Stoney Creek) Ltd. (Owner) to establish an extension of the subdivision known as “Victory Ridge Phase IV” for a 0.88 ha site located at the northwest corner of Green Mountain Road West and Upper Centennial Parkway, known as 22 Green Mountain Road West, as shown on Appendix “A” to Report PED20026, to develop residential blocks on an extension of a public road, be APPROVED, subject to the following:

(i) That this approval apply to the Draft Plan of Subdivision “Victory Ridge Phase IV” 25T-200803R, prepared by Armstrong Hunter and Associates, and certified by Douglas E. Hunt, O.L.S., dated March 25, 2019, consisting of two blocks for a maximum of 27 freehold street townhouse dwellings (Blocks ‘A30’ and ‘A31’), dedication of road right-of-way widening for Green Mountain Road West (Block ‘H’), one Open Space block (Block ‘J’), and the extension of a public road (Street ‘L’), subject to the Owner entering into a standard form subdivision agreement as approved by City Council and with Special Conditions attached as Appendix “E” to Report PED20026;

(ii) In accordance with the City’s Comprehensive Development Guidelines and Financial Policies Manual (2017) there will be no cost sharing for this subdivision; and,

(iii) That payment of Cash-in-Lieu 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 there were no public submissions received regarding this matter.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 5 Councillor Chad Collins
YES - Ward 8 Councillor John-Paul Danko
YES - Chair - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Vice Chair - Ward 9 Councillor Brad Clark

7. Application for Zoning By-law Amendment for Lands Located at 11 Grosvenor Avenue South, Hamilton (PED20034) (Ward 3) (Item 8.4)

(Clark/Pearson)

(a) That Zoning By-law Amendment Application ZAR-19-016 by Victor and Patricia dos Santos, Owners, for a further modification to the "C" (Urban Protected Residential, Etc.) District, to permit three dwelling units within the existing legal non-conforming two family dwelling for lands located at 11 Grosvenor Ave South, Hamilton, as shown on Appendix "A" to Report PED20034, be APPROVED on the following basis:

(i) That the draft By-law, attached as Appendix "B" to Report PED20034, 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 "B" to Report PED20034, be added to District Map No. E76 of Zoning By-law No. 6593;

(iii) That the proposed change in zoning complies with the polices and intent of the Urban Hamilton Official Plan, with regards to matters including, but not limited to, density, built form, and compatibility.

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

Result: Main Motion, *As Amended*, CARRIED by a vote of 5 to 1, as follows:

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 5 Councillor Chad Collins
NO - Ward 8 Councillor John-Paul Danko

YES - Chair - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Vice Chair - Ward 9 Councillor Brad Clark

8. Amendments to the Property Standards By-law 10-221 Respecting Incomplete and Unrepairable Buildings (PED20032) (City Wide) (Item 10.1)

(Pearson/Danko)

(a) That the procedural and maintenance changes to the City of Hamilton Property Standards By-law 10-221 with respect to incomplete and unrepairable buildings described in Report PED20032, detailed in the proposed amending by-law attached as Appendix "A" be approved;

(b) That the amending by-law attached as Appendix "A" to Report PED20032, which has been prepared in a form satisfactory to the City Solicitor be enacted by Council.

Result: Motion CARRIED by a vote of 5 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 8 Councillor John-Paul Danko
YES - Chair - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Vice Chair - Ward 9 Councillor Brad Clark

9. Amendments to the Idling Control By-law 07-160 and Administrative Penalty By-law 17-225 to Establish a Parking Contravention (PED20035) (City Wide) (Item 10.2)

(Wilson/Clark)

(a) That the amendment to the Idling Control By-law 07-160 and Administrative Penalty By-law (APS) 17-225 to create a parking contravention described in Report PED20035, detailed in the proposed amending by-law attached as Appendix "A" be approved; and,

(b) That the amending by-law attached as Appendix "A" to Report PED20035, which has been prepared in a form satisfactory to the City Solicitor be enacted by Council.

Result: Motion CARRIED by a vote of 5 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 8 Councillor John-Paul Danko
YES - Chair - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Vice Chair - Ward 9 Councillor Brad Clark

10. Waiving Minor Variance Fee for 73 Cannon Street East (Item 11.1)

(Farr/Clark)
WHEREAS, the City of Hamilton Zoning By-law No. 6593 regulates the use of land at 73 Cannon Street East;

WHEREAS, an accessory building has been constructed on the subject lands with a maximum building height of 4.26 metres which does not conform to the Zoning By-law;

WHEREAS, the property owner is required to apply to the Committee of Adjustment for approval of a Minor Variance to address the maximum building height; and,

WHEREAS, the fee for an “after the fact” Minor Variance Application is $4,119.00;

THEREFORE BE IT RESOLVED:

That staff be directed to waive the fee for the required Minor Variance Application to address the maximum building height for the lands located at 73 Cannon Street East.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 8 Councillor John-Paul Danko
YES - Chair - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Vice Chair - Ward 9 Councillor Brad Clark

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

1. PUBLIC MEETINGS (Item 8)

8.1 Application for Zoning By-law Amendment for Lands Located at 184 and 186 Markland Street, Hamilton (PED20016) (Ward 2)

(a) Written Submissions

(i) Durand Neighbourhood Association
(ii) Zen Masniak
(iii) Garry Boychuk

2. NOTICES OF MOTIONS (Item 12)

12.1 Temporary Use of Parking Sites to Accommodate Construction at 18-25 King Street East, Hamilton

(Pearson/Partridge)
That the agenda for the February 4, 2020 meeting be approved, as amended.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 8 Councillor John-Paul Danko
YES - Chair - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Vice Chair - Ward 9 Councillor Brad Clark

(b) DECLARATIONS OF INTEREST (Item 3)

None declared.

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

(i) January 14, 2020 (Item 4.1)

(Partridge/Pearson)
That the Minutes of the January 14, 2020 meeting be approved, as presented.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 8 Councillor John-Paul Danko
YES - Chair - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Vice Chair - Ward 9 Councillor Brad Clark

(d) PUBLIC HEARINGS/DELEGATIONS (Item 8)

(i) Application for Zoning By-law Amendment for Lands Located at 184 and 186 Markland Street, Hamilton (PED20016) (Ward 2) (Item 8.1)

Councillor Farr relinquished the Chair to Councillor Clark.

In accordance with the provisions of the *Planning Act*, Vice Chair Clark 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.

Daniel Barnett, 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 and online at www.hamilton.ca.

(Pearson/Farr)
That the staff presentation be received.

CARRIED

Terri Johns, T. Johns Consulting Group, was in attendance and indicated support for the staff report. Terri Johns requested an amendment to the

Zoning By-law to recognize the existing height of the building, which may slightly exceed the 11m maximum, and to allow a permeable rear parking lot.

(Pearson/Partridge)
That the presentation from Terri Johns, T. Johns Consulting Group, be received.

CARRIED

Delegations:

(i) Adam Fleming, 290 Hess Street South, addressed the Committee and expressed concerns with the proposal.

(ii) Sara Mayo, 284 Hess Street South, addressed the Committee and expressed support for the proposal.

(iii) Carina Fato, 194 Markland Street, addressed the Committee and expressed concerns with the proposal.

(iv) Tim Zahavidy, 186 Markland Street, addressed the Committee and indicated he is neither in support or against the proposal.

(Pearson/Partridge)
That the delegations above, be received.

CARRIED

(Pearson/Partridge)
That the following written submissions be received:

8.1 (a)(i) Durand Neighbourhood Association
8.1 (a)(ii) Zen Masniak
8.1 (a)(iii) Garry Boychuk

CARRIED

(Pearson/Wilson)
That the public meeting be closed.

CARRIED

(Farr/Pearson)
That the Zoning By-law, attached as Appendix “B” to Report PED20016, be ***amended*** to allow the following:

(i) That the existing height of the building be allowed; and,

(ii) That the rear parking lot be constructed of permeable materials.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 5 Councillor Chad Collins
YES - Ward 8 Councillor John-Paul Danko
YES - Chair - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Vice Chair - Ward 9 Councillor Brad Clark

(Farr/Collins)
That the recommendations in Report PED20016 be ***amended*** by adding the following sub-section (c):

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

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 5 Councillor Chad Collins
NO - Ward 8 Councillor John-Paul Danko
YES - Chair - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Vice Chair - Ward 9 Councillor Brad Clark

For disposition of this matter, refer to Item 4.

Councillor Farr assumed the Chair.

(ii) Application to Amend City of Hamilton Zoning By-law 05-200 for Lands Located at 630 Stone Church Road West (Hamilton) (PED20024) (Ward 14) (Item 8.2)

In accordance with the provisions of the *Planning Act*, Chair Farr 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.

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 and online at www.hamilton.ca.

(Partridge/Clark)
That the staff presentation be received.

CARRIED

John Ariens, IBI Group, was in attendance and indicated he was not in support of 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 and online at www.hamilton.ca.

(Pearson/Partridge)
That the presentation from John Ariens, IBI Group, be received.

CARRIED

Delegation:

(i) Stephen Pipe, 620 Stone Church Road West, addressed the Committee and expressed concerns with the proposal.

(Partridge/Pearson)
That the delegation above, be received.

CARRIED

(Partridge/Pearson)
That the public meeting be closed.

CARRIED

(Partridge/Pearson)
That the recommendation in Report PED20024 be ***amended***, as follows:

(a) That the application (ZAR-19-003) be ***APPROVED***; and,

(b) That staff be directed to prepare an amending Zoning By-law consistent with the concept plans proposed:

(i) To address the compatibility concerns raised in this report, a Holding provision should be enacted to require a subsequent Site Plan Control application.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 5 Councillor Chad Collins
YES - Ward 8 Councillor John-Paul Danko
YES - Chair - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Vice Chair - Ward 9 Councillor Brad Clark

(Pearson/Clark)
That Report PED20024 be ***amended*** by adding the following sub-section (c):

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

Result: ***Amendment*** **CARRIED by a vote of 5 to 0, as follows:**

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 5 Councillor Chad Collins
NOT PRESENT - Ward 8 Councillor John-Paul Danko
YES - Chair - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Vice Chair - Ward 9 Councillor Brad Clark

For disposition of this matter, refer to Item 5.

(iii) Application for a Revised Draft Plan of Subdivision for Lands Located at 22 Green Mountain Road West (Stoney Creek) (PED20026) (Ward 9) (Item 8.3)

In accordance with the provisions of the *Planning Act*, Chair Farr 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.

(Pearson/Clark)
That the public meeting be closed.

CARRIED

(Clark/Pearson)
That the staff presentation be waived.

CARRIED

Michael Auduong, Armstrong Planning, was in attendance and indicated support for the staff report.

(Clark/Pearson)
That the recommendations in Report PED20026 be ***amended*** by adding the following sub-section (b):

(b) That there were no public submissions received regarding this matter.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 5 Councillor Chad Collins
YES - Ward 8 Councillor John-Paul Danko
YES - Chair - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Vice Chair - Ward 9 Councillor Brad Clark

For disposition of this matter, refer to Item 6.

(iv) Application for Zoning By-law Amendment for Lands Located at 11 Grosvenor Avenue South, Hamilton (PED20034) (Ward 3) (Item 8.4)

In accordance with the provisions of the *Planning Act*, Chair Farr 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.

Sean Stewart, 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 and online at www.hamilton.ca.

(Partridge/Pearson)
That the staff presentation be received.

CARRIED

Katelyn Gillis, T. Johns Consulting Group, was in attendance and indicated support for the staff report.

Delegation:

(i) Dina D'Ermo, 49 Grosvenor Avenue South, addressed the Committee and expressed concerns with the proposal.

(Pearson/Partridge)
That the delegation above, be received.

CARRIED

(Pearson/Wilson)
That the public meeting be closed.

CARRIED

(Clark/Pearson)
That the recommendations in Report PED20034 be ***amended*** by adding the following sub-section (b):

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

Result: ***Amendment*** **CARRIED by a vote of 5 to 1, as follows:**

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 5 Councillor Chad Collins
NO - Ward 8 Councillor John-Paul Danko
YES - Chair - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Vice Chair - Ward 9 Councillor Brad Clark

For disposition of this matter, refer to Item 7.

(e) MOTIONS (Item 11)

(i) Waiving Minor Variance Fee for 73 Cannon Street East (Item 11.1)

Councillor Farr relinquished the Chair to Councillor Clark to present his Motion respecting Waiving Minor Variance Fee for 73 Cannon Street East.

For disposition of this matter, refer to Item 10.

(f) NOTICES OF MOTIONS (Item 12)

(i) Temporary Use of Parking Sites to Accommodate Construction at 18-25 King Street East, Hamilton (Added Item 12.1)

Councillor Farr relinquished the Chair to Councillor Clark to introduce the following Notice of Motion:

WHEREAS, construction work has commenced on the development of 18-25 King Street East, commonly known as the Gore Buildings;

WHEREAS, as part of the construction management planning process, the applicant is intending to temporarily displace the current parking to a nearby site;

WHEREAS, in 1999, in response to the demolition of commercial building and associated loss of economic activities and erosion of the tax base, the City of Hamilton amended the Zoning Bylaw No. 6593 for the downtown to prohibit any new parking lots; and,

WHEREAS, the developer of this construction site has currently secured two properties to be used for temporary parking to accommodate the loss of parking;

THEREFORE BE IT RESOLVED:

That staff temporarily defer any enforcement action against the temporary use of parking at 20 Jackson Street West and 28 James Street South for the purpose of accommodating the displaced parking for the duration of the construction period.

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

(i) Outstanding Business List (Item 13.1)

(Pearson/Clark)
That the following changes to the Outstanding Business List, be approved, as ***amended***:

(a) Items to be Removed:

19BB - Parking Fee Review ***(with the exception of sub-section (d) which is to remain on the Outstanding Business List)*** (sub-section (a), (b), (c), and (e) have been referred to the General Issues Committee)
(Addressed as Item 7.2 on this agenda)

(b) Items Requiring New Due Dates:

17C - Change to the Subdivision Plan for Vienna Orchard
Current Due Date: September 17, 2019
Proposed New Due Date: June 2020

18E - 2018 Development Fee Review
Current Due Date: October 15, 2019
Proposed New Due Date: March 24, 2020

18N - Dedicated Mohawk College Parking Enforcement
Current Due Date: December 3, 2019
Proposed New Due Date: February 18, 2020

18K - Effect of Heritage Designations on Property Values in Hamilton
Current Due Date: December 3, 2019
Proposed New Due Date: February 18, 2020

19M - Amendment to Nuisance By-law No. 09-110 respecting Cannabis Growing Operations
Current Due Date: October 15, 2019
Proposed New Due Date: February 4, 2020

19T - EV Chargers in Hamilton Municipal Parking System Lots
Current Due Date: None
Proposed New Due Date: March 24, 2020

19W - Electric Vehicle Charging Stations in New Developments
Current Due Date: None
Proposed New Due Date: March 24, 2020

19Y - Construction Hoarding
Current Due Date: None
Proposed New Due Date: June 16, 2020

19AA - Fencing By-law Appeal Process
Current Due Date: None
Proposed New Due Date: May 5, 2020

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 8 Councillor John-Paul Danko
YES - Chair - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Vice Chair - Ward 9 Councillor Brad Clark

(h) PRIVATE AND CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – January 14, 2020 (Item 14.1)

(Partridge/Danko)

(a) That the Closed Session Minutes – January 14, 2020, be approved as presented; and,

(b) That the Closed Session Minutes – January 14, 2020, remain confidential.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 8 Councillor John-Paul Danko
YES - Chair - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Vice Chair - Ward 9 Councillor Brad Clark

(i) ADJOURNMENT (Item 15)

(Pearson/Partridge)
That there being no further business, the Planning Committee be adjourned at 2:46 p.m.

CARRIED

_____
Councillor Jason Farr
Chair, Planning Committee

_____
Lisa Chamberlain