



PLANNING COMMITTEE REPORT

AS APPROVED BY COUNCIL FEBRUARY 26 and 27, 2020

20-003

February 18, 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, B. Johnson and
M. Wilson

Absent with Regrets: Councillor T. Whitehead – Personal

THE PLANNING COMMITTEE PRESENTS REPORT 20-003 AND RESPECTFULLY RECOMMENDS:

- 1. Applications for Amendments to the Urban Hamilton Official Plan and
Hamilton Zoning By-law No. 05-200 for Lands Located at 461 Green Road
(Stoney Creek) (PED20043) (Ward 10) (Item 8.1)**
 - (a) That Urban Hamilton Official Plan Amendment Application UHOPA-18-013, by IBI Group (c/o Jared Marcus, Applicant) on behalf of 1426689 Ontario Inc. (Owner) to add a site specific policy in order to permit a 14-storey 260 unit multiple dwelling with a maximum net residential density of 349 units per hectare, for lands located at 461 Green Road, Stoney Creek, as shown on Appendix "A" to Report PED20043, be APPROVED on the following basis:
 - (i) That the draft Official Plan Amendment attached as Appendix "B" to Report PED20043, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
 - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2014) and conforms to A Place to Grow (2019).
 - (b) That Revised Zoning By-law Amendment Application ZAC-18-034, by IBI Group (c/o Jared Marcus, Applicant) on behalf of 1426689 Ontario Inc.

(Owner) to change the zoning from the Community Commercial (C3) Zone to the Mixed Use Medium Density (C5, 669, H34) Zone, in order to permit a 14-storey mixed use development with 465 m² of ground floor commercial space and 260 multiple dwelling units with on-site amenities, 97 surface parking spaces, and 293 underground parking spaces, for lands located at 461 Green Road, Stoney Creek, as shown on Appendix “A” to Report PED20043, be APPROVED on the following basis:

- (i) That the draft By-law attached as Appendix “C” to Report PED20043, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the amending By-law apply the Holding Provisions of Section 36(1) of the Planning Act, R.S.O. 1990 to the subject property by introducing the Holding symbol ‘H34’ to the proposed Mixed Use Medium Density (C5, 669) Zone. The Holding Provision ‘H34’ is to be removed to allow for the development of a 14-storey mixed use development with 465 m² of ground floor commercial space and 260 dwelling units, conditional upon:
 - 1. The necessary upgrades to the sanitary sewers to accommodate additional flows are completed to the satisfaction of the Senior Director of Growth Management;
 - 2. A final Traffic Impact Study prepared by a qualified Traffic Engineer is submitted, approved, and implemented, to the satisfaction of the Manager of Transportation Planning; and,
 - 3. The Owner has acquired additional lands required for access along the Green Road frontage, to the satisfaction of the Ontario Ministry of Transportation.
- (iii) That the proposed amendment is consistent with the Provincial Policy Statement (2014) and conforms to A Place to Grow (2019); and,
- (iv) That this By-law will comply with the Urban Hamilton Official Plan upon approval of Urban Hamilton Official Plan Amendment No. XX.
- (c) That upon approval of Urban Hamilton Official Plan Amendment Application UHOPA-18-013 and Zoning By-law Amendment Application ZAC-18-034, the subject lands be re-designated from “Local Commercial” to “High Density Residential” in the Lakeshore Neighbourhood Plan.
- (d) That public submissions received regarding this matter did not affect the decision.

2. Effect of Heritage Designations on Property Values in Hamilton (PED20030) (City Wide) (Item 10.1)

That Report PED20030, respecting Effect of Heritage Designations on Property Values in Hamilton, be received.

3. Business Licensing By-law 07-170 - Amendments to the Adult Entertainment (Schedule 1) and Body-Rub Parlours (Schedule 4) (PED20045) (City Wide) (Item 10.2)

- (a) That the amendment to the City of Hamilton Business Licensing By-law 07-170 be amended to delete Map 2 in Schedule 1 (Adult Entertainment) and Schedule 4 (Body-Rub Parlours) described in Report PED20045, 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 PED20045, which has been prepared in a form satisfactory to the City Solicitor be enacted by Council.

4. Dedicated Mohawk College Enforcement (PED18220(a)) (City Wide) (Item 10.3)

- (a) That the 12-month extension of the temporary Parking Enforcement Officer at an estimated gross annual cost of \$85,300 offset by fine revenues generated for a net annual cost of \$0, be approved; and,
- (b) That the temporary Parking Enforcement Officer supplement City-wide Parking enforcement, in addition to the enforcement efforts in the Mohawk College Precinct, be approved; and,
- (c) That staff report back with results and recommendations following the 12-months at the end of Q1 2021.

5. Temporary Use of Parking Sites to Accommodate Construction at 18-25 King Street East, Hamilton (Item 11.1)

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.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

1. PUBLIC HEARINGS/DELEGATIONS (Item 8)

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

Added Written Submissions:

- (ix) Alison Cruickshank
- (x) Doug and Pat Stanford
- (xi) Lenore Kummel
- (xii) Terylene McClelland
- (xiii) Debbie Martin
- (xiv) Judith A. Duncan
- (xv) Henry Kamphuis
- (xvi) Frank Jalsevac
- (xvii) Dave and Dianne MacLean
- (xviii) Colleen Saunders
- (xix) Sherry Hayes and Dennis Facia

The agenda for the February 18, 2020 meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor Collins declared an interest with Item 10.3, Dedicated Mohawk College Enforcement, as his spouse co-authored the report.

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

(i) February 4, 2020 (Item 4.1)

The Minutes of the February 4, 2020 meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) John Schuurman respecting City of Ottawa's Planning Department Initiative – Building Better and Smarter Suburbs Action Plan (For the March 24th meeting) (Item 6.1)

The Delegation Request from John Schuurman respecting City of Ottawa's Planning Department Initiative – Building Better and Smarter Suburbs Action Plan, was approved for the March 24th meeting.

(e) PUBLIC HEARINGS/DELEGATIONS (Item 8)

(i) Applications for Amendments to the Urban Hamilton Official Plan and Hamilton Zoning By-law No. 05-200 for Lands Located at 461 Green Road (Stoney Creek) (PED20043) (Ward 10) (Item 8.1)

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 Urban Hamilton Official Plan or 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.

The staff presentation was received.

John Ariens, IBI Group, was in attendance and indicated support for the staff report. A copy of the presentation is available through the Office of the City Clerk and online at www.hamilton.ca.

The presentation from John Ariens, IBI Group, was received.

Delegations:

- (i) Frank Jalsevac, 301 Frances Avenue, addressed the Committee and expressed concerns with the proposal.
- (ii) Sayanthan Radhakrishnan, 124 Frances Avenue, addressed the Committee and expressed concerns with the proposal.

The delegations above, were received.

The following written submissions were received:

- 8.1 (a)(i) Stan F. Kurak
- (ii) Linda McManus
- (iii) Diane Milburn
- (iv) Valerie Gardner and Peter Miller
- (v) Janice Mortimer
- (vi) Doreen Guindon
- (vii) Russell Pape
- (viii) Mark Lunt
- (ix) Alison Cruickshank
- (x) Doug and Pat Stanford
- (xi) Lenore Kummel
- (xii) Terylene McClelland
- (xiii) Debbie Martin
- (xiv) Judith A. Duncan
- (xv) Henry Kamphuis
- (xvi) Frank Jalsevac
- (xvii) Dave and Dianne MacLean
- (xviii) Colleen Saunders
- (xix) Sherry Hayes and Dennis Facia

The public meeting was closed.

The recommendations in Report PED20043 were ***amended*** by adding the following sub-section (d):

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

For disposition of this matter, refer to Item 1.

(f) MOTIONS (Item 11)

(i) Temporary Use of Parking Sites to Accommodate Construction at 18-25 King Street East, Hamilton (Item 11.1)

Councillor Farr relinquished the Chair to Councillor Clark to present his Motion respecting Temporary Use of Parking Sites to Accommodate Construction at 18-25 King Street East, Hamilton.

For disposition of this matter, refer to Item 5.

(g) ADJOURNMENT (Item 15)

There being no further business, the Planning Committee was adjourned at 11:56 a.m.

Councillor Jason Farr
Chair, Planning Committee

Lisa Chamberlain
Legislative Coordinator