City of Hamilton
PLANNING COMMITTEE
AGENDA

Meeting #:	20-004
Date:	June 16, 2020
Time:	9:30 a.m.
Location:	Due to the COVID-19 and the Closure of City Hall All electronic meetings can be viewed at: City's Website: https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas City's YouTube Channel: https://www.youtube.com/user/InsideCityofHamilton or Cable 14

Lisa Chamberlain, Legislative Coordinator (905) 546-2424 ext. 4605

Pages

1. APPROVAL OF AGENDA
   (Added Items, if applicable, will be noted with *)

2. DECLARATIONS OF INTEREST

3. APPROVAL OF MINUTES OF PREVIOUS MEETING

   3.1 February 18, 2020 — 6

4. COMMUNICATIONS

   4.1 Anthony Longo respecting 2070 Rymal Road East — 15
   Recommendation: Be received.

   4.2 Aly Livingston respecting Urban Hens Pilot Project — 18
   Recommendation: Be received.

4.3 Jessica Hodgins respecting Urban Hens 20
Recommendation: Be received.

5. DELEGATION REQUESTS

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11. NOTICES OF MOTION

12. GENERAL INFORMATION / OTHER BUSINESS

12.1 Outstanding Business List

12.1.a Items to be Removed:

18J - Prohibit Driving School Instruction in Restricted Areas
(Sent as Information Update on April 14, 2020)

18N - Dedicated Mohawk College Parking Enforcement
(Addressed as Item 10.3 on the February 18th agenda)

19K - Effect of Heritage Designations on Property Values in Hamilton
(Addressed as Item 10.1 on the February 18th agenda)

19M - Amendments to Nuisance By-law No. 09-110 respecting Cannabis Growing Operations
(Addressed at April 22, 2020 Council meeting)

19T - EV Chargers in Hamilton Municipal Parking System Lots (PED18250(a))
(Addressed as Item 10.7 on the March 20, 2020 General Issues Committee agenda)

19W - Electric Vehicle Charging Stations in New Developments - direction (b)
(Addressed as Item 10.7 on the March 20, 2020 General Issues Committee agenda)

19AA - Fencing By-law Appeal Process
(Addressed as Item 10.2 on this agenda)

12.1.b Items Requiring New Due Dates:

18I - Designation of 378 Main Street East
Current Due Date: November 5, 2019
Proposed New Due Date: December 8, 2020

18M - Designation of 828 Sanitorium Road, Hamilton
Current Due Date: November 5, 2019
Proposed New Due Date: December 8, 2020

19B - Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 (PED19029)
Current Due Date: October 15, 2019
Proposed New Due Date: December 8, 2020

19G - Residential Care Facilities and Group Homes (Urban Area) - Human Rights and the Zoning By-law Discussion Paper (CI 19-B) (PED19091)
Current Due Date: January 14, 2020
Proposed New Due Date: December 8, 2020

19J - Zoning By-law Amendment for 1400 Baseline Road
Current Due Date: November 19, 2019
Proposed New Due Date: November 17, 2020

19P - Corporate Policy for Official Planning Notification During Mail Strikes
Current Due Date: November 19, 2019
Proposed New Due Date: December 8, 2020

19U - Heritage Designation Process and Delegated Authority to Consent to Heritage Permits
Current Due Date: TBD
Proposed New Due Date: December 8, 2020

19FF - Support of Private Member's Bill to Reverse Pit Bull Ban in Ontario
Current Due Date: TBD
Proposed New Due Date: December 8, 2020

13. PRIVATE AND CONFIDENTIAL

13.1 Appeal to the Local Planning Appeal Tribunal (LPAT) for Lack of Decision on Zoning By-law Amendment Application ZAA-18-053 for Lands Located at 2282 Westbrook Road (LS19044) (Glanbrook) (Ward 11)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270, as amended, and Section 239(2), Sub-sections (e) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City, and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

14. ADJOURNMENT

PLANNING COMMITTEE

MINUTES

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 FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

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)

(Pearson/Collins)

(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.

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

NOT PRESENT - 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

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

(Pearson/Partridge)
That Report PED20030, respecting Effect of Heritage Designations on Property Values in Hamilton, be received.

CARRIED

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)

(Collins/Pearson)
(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.

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

NOT PRESENT - 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

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

(Danko/Pearson)

(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.

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

NOT PRESENT - Ward 1 Councillor Maureen Wilson
CONFLICT - 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

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

(Farr/Collins)

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 lose 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.

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

NOT PRESENT - 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

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

(Pearson/Partridge)
That the agenda for the February 18, 2020 meeting be approved, as amended.

Result: Motion 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

(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)

(Collins/Wilson)
That the Minutes of the February 4, 2020 meeting be approved, as presented.

Result: Motion 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

(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)

(Collins/Danko)
That the Delegation Request from John Schuurman respecting City of Ottawa's Planning Department Initiative – Building Better and Smarter Suburbs Action Plan, be approved for the March 24, 2020 meeting.

Result: Motion 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

(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.

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

CARRIED

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.

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

CARRIED

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.

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

CARRIED

(Pearson/Partridge)
That the following written submissions be 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

CARRIED

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

CARRIED

(Pearson/Collins)
That the recommendations in Report PED20043 be ***amended*** by adding the following sub-section (d):

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

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

NOT PRESENT - 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

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)

(Pearson/Clark)
That there being no further business, the Planning Committee be adjourned at 11:56 a.m.

CARRIED

_____
Councillor Jason Farr
Chair, Planning Committee

_____
Lisa Chamberlain
Legislative Coordinator

March 24, 2020

VIA EMAIL

Planning Committee
c/o Lisa Chamberlain, Legislative Coordinator
City of Hamilton
71 Main Street West
Hamilton, ON
L8P 4Y5

RE: 2070 Rymal Road East – Carwash at Former Farmer Al's

To the Members of the Planning Committee;

As you may be aware, I attended the Planning Committee on November 19th, 2019, as a delegate in order to address an on-going issue regarding the redevelopment of our family's property located at 2070 Rymal Road East, in the former Township of Glanbrook now in the City of Hamilton. As I had discussed during the meeting, we have spent the last four years following the appropriate process with respect to a Zoning By-law and Official Plan Amendment, as well as a full Site Plan application. During the entire process, we had always made our intentions of redeveloping this site in order to allow for a car wash exterior/interior facility known. Although completely foreign to the process, our family was assured that although it may take some time, we were following the proper process for approvals and public engagement.

As of May of 2019, we believed that all of the hard work had finally paid off, as all relevant site servicing permits were issued, and payments were made to the City allowing for Final Site Plan approval. As construction works commenced through the spring, summer and into the fall we began to finally see the light at the end of the tunnel. Unfortunately, as we were about to make our connection to the municipal watermain, Hamilton Water arrived on site and informed Development Engineering that our brand new and recently installed backflow preventer was not sufficient for the purposes of a car wash, as it posed a high-risk to the municipal water supply. They had advised that a high-risk backflow preventer must be installed within a "hot-box", which required the removal of the existing infrastructure at a significant cost and lost time causing further delays. Although we tried to work with Hamilton Water for an alternative solution, they had made it very clear that this was the only course of action they could support.

It is at this time that we reached out to Cllrs. Clarke and Jackson, who recommended that I attend the Planning Committee so that this issue could be addressed. Although extremely nervous to do so, I was happy to hear that Planning Committee understood the situation and asked staff to look into matter as the costs for their error were estimated to be $80-100,000.00. Our civil engineers has now provided the true throw-away and replacement costs ($104,579.30 with HST) which we have provided for the Committee's review.

We however were surprised to hear at a meeting with senior staff from Development Engineering that such a renumeration was totally unwarranted. The estimate as prepared by our qualified civil engineer was undermined even though we had provided contract items, invoices and certified estimates to substantiate the aforementioned. We were further advised that staff was to prepare a report for Committee to review, but it would be recommending such a payment as we thought subsequent to our attendance and discussion at Planning Committee.

As you can appreciate this matter remains unresolved for some time, but our family knows and understands that given the current pandemic, it will take time to resolve. We want to assure both Councillors and Staff that we work tirelessly to come to an agreement, which respects the direction and discussions had before Planning Committee.

If there is anything further that can be provided by our family, please let us know and we would be happy to accommodate. We greatly appreciate the time that staff and Councillors have provided and look forward to a resolution in the near future.

Warm Regards,

Anthony & Longo Family
Owners/Operators

S. LLEWELLYN & ASSOCIATES LIMITED
CONSULTING ENGINEERS

December 20, 2019
File 15048

Mr. T. Sergi, P.Eng.
City of Hamilton
71 Main Street West
6th Floor
Hamilton, Ontario
L8P 4Y5

Dear Mr. Sergi:

RE: 2070 RYMAL ROAD EAST
IN THE CITY OF HAMILTON

As you are aware, the City of Hamilton Waterworks Department required that the previously installed backflow preventer on the above noted be removed and replaced with a proposed 'Hot Box' style backflow preventer. It was agreed to at Planning Committee that our client would be reimbursed for these costs.

As the previously approved backflow preventer had already been purchased and installed, the costs related to the installation of the new 'Hot Box' backflow preventer included removal of the backflow preventer, realignment of a portion of the previously installed watermain, and supply and installation of the net 'Hot Box' backflow preventer.

The total cost of the above noted works is as follows:

Construction Cost	$ 84,134.59
10% Engineering	$ 8,413.46
Sub-total	$ 92,548.05
13% HST	$ 12,031.25
Total	$104,579.30

Based on the above, we recommend payment to date to our client, 112109 Ontario Inc., in the amount of $104,579.30.

If you have any questions, please contact the undersigned.

Yours truly,
S. LLEWELLYN & ASSOCIATES LIMITED

S. Llewellyn, P.Eng.

Chamberlain, Lisa

To:
Cc:
Subject: RE: Note from Aly Livingston to your Facebook page. Urban hens program

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From: Aly Livingston
Sent: Monday, June 1, 2020 11:23 AM
To: clerk@hamilton.ca
Subject: Fwd: Note from Aly Livingston to your Facebook page. Urban hens program

Hello.

I hope this finds you well. The following is a letter i wrote to Mayor Eisenberger for proposal at council. I would love to have the opportunity to present this pilot to council.

Please see attached, and thanks for your time and consideration.

Best,

Aly Livingston
Dundas

---------- Forwarded message ---------
From: **Aly Livingston**
Date: Sun, May 31, 2020 at 6:15 AM
Subject: Note from Aly Livingston to your Facebook page. Urban hens program
To: <mayor@hamilton.ca>

Hi Fred.
Thank you for giving of your time to provide leadership to a city and amalgamated territory that is still, very much finding its way,
I am concerned by some decisions by council, that lack foresight and do not support sustainability. I am writing you today to Propose an initiative that would Achieve both of these things.
Let's talk chickens.
I am a homeowner in Dundas. I have been off work and isolating at home alone Since March - In this time, I have cared for chicks and raised them in a heated coop off the my back of my house. Chickens have given me much needed companionship and in time will supply me with eggs. Now more than ever, food security and procuring food in a safe manner is a basic human right. Hens are an extension of my garden and a focus in these isolating times
Toronto has an Urban hens pilot program that permits people in 5 wards up to 4 hens for egg purposes only. Permittees must
Fulfill a list of criteria that Ensures the animals are cared for properly and securely.
If I am able to obtain a license for a dog or cat, care for an exotic bird nor reptile - or even support a cat colony- Why not allow for chickens? They make less noise than the sparrows, robins and cardinals that fill my

trees. They are less destructive than the squirrels And raccoons. They are permitted in Brampton, Caledon, Guelph, and st. Catherine's. Can we just agree to step into the new millennia and pass this trial? 100% of the cost of chickens falls on the owner. There is a petition on change.org that has garnered thousands of signatures. The time is now. Would love to meet to discuss further, or perhaps present to council.
Please let me know what our next steps can be.
Thank you for your time.
Sincerely,
Aly Livingston
Dundas

Sent from my iPad

Chamberlain, Lisa

Subject: RE: Backyard hens pilot project

From: Jessica Hodgins
Sent: Wednesday, June 3, 2020 11:38 AM
To: clerk@hamilton.ca
Subject: Backyard hens pilot project

This email is in regards to and for the backyard hens pilot project.

During the outbreak of Covid19, I though it would be a really wonderful experience raising baby chicks with my five year old son. He wasn't able to see his friends or his grandparents, and I thought this would be a good distraction. I thought we would raise them until they were old enough to go to my friends farm. I didn't know that we would fall in love with them like we did our dog and our cat, but we did. We talked to our immediate neighbours and they all agreed that as long as we didn't have a rooster and didn't attract rats that they had no problem with us keeping our two lovely barred rock hens in our own backyard. I did a lot research and learned that chickens themselves don't attract rats, but it was there food. We built a cute little henhouse and secured it with hardware cloth around the entire coop including the bottom and stored our food inside our house. Our chickens ran around the yard eating bugs including ticks(which have become a nuisance in Hamilton area) and fertilizing our grass and gardens. Chickens are not just mindless meat nuggets. They have personality and are loving and my family loved them. They would run to greet us, looking for treats, just like my dog would do. They loved us and we loved them. When we had to give them to my friend to live at her farm it was really difficult. My son and I were saddened and frustrated that we couldn't have our two little pets to keep at our home.
I think what is holding Hamilton back from having backyard chickens, which many people support, is education. There are ways to raise chickens in a respectful, clean, and humane way, for which benefits greatly outweigh the negatives.

Thank you for considering this pilot project and maybe we will be able to bring our friends back home

Sincerely,
Jessica Hodgins

CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	June 16, 2020
SUBJECT/REPORT NO:	Design Review Panel Mandate Update (City Wide) (PED13137(c))
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Shannon McKie (905) 546-2424 Ext. 1288
SUBMITTED BY: **SIGNATURE:**	Steve Robichaud Director of Planning and Chief Planner Planning and Economic Development Department

RECOMMENDATION

That the Revised Design Review Panel Mandate, attached as Appendix “A” to Report PED13137(c), to facilitate electronic participation and to reflect the 2018 updated Downtown Secondary Plan Boundary changes, be approved.

EXECUTIVE SUMMARY

At the March 8th, 2017 City Council, the Design Review Panel (DRP) was permanently established and incorporated into the development review process (PED13137(b)). A DRP Mandate (Mandate) was approved to define the composition, roles, responsibilities and process for the DRP, including the meeting protocol. The established meeting protocol contemplates in-person meetings, presentations, question periods and DRP responses. Given the closure of City Hall due to the COVID-19 emergency declaration, April and May DRP meetings have been postponed delaying the review of approximately nine development applications. To address the current back log and to avoid any further delays staff has amended the Mandate and developed a protocol to proceed with virtual DRP meetings.

Additionally, the Mandate, Design Priority Area Map No. 1 – Downtown Hamilton Secondary Plan requires an update to reflect the recently updated Downtown Hamilton Secondary Plan boundary changes in accordance with OPA 102.

Alternatives for Consideration – See Page 4

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: N/A

HISTORICAL BACKGROUND

At the February 27, 2017 Planning Committee, the staff recommendation that the DRP be established on a permanent basis and a supporting Mandate was approved. Since June 2017, DRP has met monthly, as required, to review development proposals as a part of the development review process. On March 17, 2020 all city facilities were closed to the public in response to the COVID-19 pandemic. DRP meetings scheduled for April 9th and May 14th, 2020 were subsequently cancelled due to the closure of City Hall.

Approximately nine applications remain in the que to be presented to DRP to advance current applications or to allow for a future submission. To address the backlog and avoid delays, staff have investigated the opportunity to hold virtual DRP meetings. Accordingly, the Council Mandate requires amendments to allow for virtual meetings and allow for the real time public observation of the meetings.

The Mandate requires an additional update to reflect the recent approval of the Downtown Hamilton Secondary Plan boundary which was approved by Council on May 9, 2018 (OPA 102).

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The Council approved Mandate requires that all complex Zoning and Site Plan applications, civic projects, new policy initiatives, and studies with urban design components in the following Design Priority Areas shall be reviewed by the DRP:

- Downtown Hamilton Secondary Plan Area;
- Areas of Major Change and Corridors of Gradual Change within Setting Sail Secondary Plan Area; and,

- The Urban Hamilton Official Plan Primary Corridors (Upper James Street, James Street, Main Street, and King Street).

As a result, approximately nine proposals are currently in the que to be reviewed by DRP to advance current development applications or to make a future submission.

RELEVANT CONSULTATION

Staff have reviewed other municipal approaches to facilitating DRP during the closures. A summary of Municipal DRP meeting practices during the Covid-19 pandemic is attached as Appendix "C" to Report PED13137(c).

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. Revised Mandate

   (a) To avoid further delays the Council approved Mandate requires updating to allow for virtual meetings in place of in-person meetings. Accordingly, amendments to Section 6.3 a), b) and h) are proposed to:

   - Allow for virtual meetings during an emergency declaration or at the discretion of the Director of Planning and Chief Planner;
   - Allow for real time public observation of the virtual DRP meeting; and,
   - Posting a recording of the virtual DRP meeting in addition to a written summary. The written summary will continue to be the official record of the meeting.

   The revised Mandate is attached as Appendix "A" to Report PED13137(c) and the specific new provisions are Sections 6.3 a) i), b) i), and h) i) of the DRP Mandate.

   (b) OPA 102 established a new Downtown Hamilton Secondary Plan (DTSP) boundary in accordance with the Urban Hamilton Official Plan, Urban Growth Centre. To ensure alignment between the boundaries of the DTSP and DRP the DRP Mandate, Design Priority Area Map No. 1 – Downtown Hamilton Secondary Plan, has been replaced with the in force and effect Downtown Hamilton Secondary Plan Land Use Plan B.6.1-1.

2. Virtual DRP Protocol:

   To accompany the Mandate, a Virtual DRP Meeting Protocol (attached as Appendix "B" to Report PED13137(c)) has been established to outline the

appropriate virtual platform, procedures, participation and etiquette during the virtual DRP meetings. Staff, panel members, applicants and members of the public will be required to participate in accordance with the virtual meeting protocol to ensure that meetings are run efficiently and without interruption.

ALTERNATIVES FOR CONSIDERATION

There are nine proposals in the que to be presented to the DRP as well as future anticipated submissions identified through 2019 and 2020 Formal Consultation applications. Should DRP meetings be cancelled indefinitely, the development application review period will be delayed and, in some cases, new applications cannot be submitted without consulting with DRP.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation
Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth
Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities
Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

Clean and Green
Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

Built Environment and Infrastructure
Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Culture and Diversity
Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

Our People and Performance
Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – Design Review Panel - Mandate
Appendix “B” – Virtual Design Review Panel Protocol
Appendix “C” – Virtual DRP Meetings – Municipal Comparison

The Planning and Economic Development Department Design Review Panel Mandate

July 2013
Revised – March 27, 2014
Revised – February 28, 2017
Revised – May 27, 2020

1.0 Mandate:

The Planning and Economic Development Department Design Review Panel (DRP) is a voluntary technical panel established to advise Planning Division staff on urban design matters of development within Design Priority Areas.

The DRP is strictly an advisory body,and makes recommendations to Planning Division staff. It does not have the authority to approve or refuse projects, or make policy decisions, or recommendations on land use.

2.0 Purpose:

2.1 To give advice and make recommendations to staff on the potential physical and aesthetic impact of proposed buildings, structures, landscapes, streetscapes, parks, and infrastructure projects in the Design Priority Areas.

2.2 To give professional advice to staff regarding any proposed policy or guidelines affecting the Design Priority Areas’ physical environment.

2.3 To ensure that the efforts to improve the quality of design through the reviews of the DRP are achieved in the context of an effective and timely process.

2.4 Support creative design responses in new development.

2.5 Foster an effective working relationship with the development industry.

2.6 Broaden public awareness about design in Hamilton.

3.0 Scope of Work:

3.1 The DRP shall provide urban design advice to Planning Division staff on complex Zoning and Site Plan applications, civic projects, new policy initiatives, and studies with urban design components in the following Design Priority Areas:

(a) Downtown Hamilton Secondary Plan Area (See Map No. 1);

(b) Areas of Major Change and Corridors of Gradual Change within Setting Sail Secondary Plan Area (See Map No. 2);

(c) The Urban Hamilton Official Plan Primary Corridors (Upper James Street, James Street, Main Street, and King Street – See Map No. 3); and,

(d) Notwithstanding (a), and (b) above, the Director of Planning or his or her designate may refer any transformational projects that require fundamental changes to the land use and that has the potential to significantly impact the physical environment functionally and aesthetically.

3.2 Applications subject to review by the DRP pursuant to Section 3.1 above, shall include all complex Zoning and Major Site Plan Applications subject to the following:

(a) Residential (complex zoning) - applications for increased density or increased height;

(b) Non-Residential (complex zoning and Site Plan) - developments greater than two storeys and 1,858 sq. m. of gross floor area; and,

(c) All ground related residential development including: singles, semis, and all townhouses will be exempt from DRP review.

3.3 Notwithstanding Sections 3.1 and 3.2, the Director of Planning or his or her designate has the discretionary powers to waive projects from the review of the DRP, if the project is not deemed to have the potential to significantly impact the physical environment functionally and/or aesthetically. At the Formal Consultation Stage, projects subject to DRP will be identified.

4.0 DRP Composition, Selection, Term & Remuneration:

4.1 Composition:

The DRP will be comprised of a maximum of nine (9) members. The panel must include at least two (2) architects, one (1) landscape architect, and two (2) other individuals from a different discipline related to Urban Design (i.e. urban designer, planner, heritage professional, or green technologies specialist). Quorum will be 50% of the membership, plus one.

4.2 Selection:

(a) The DRP members will be selected from a qualified pool of candidates by the Director of Planning and Chief Planner, based on the following:

(i) City of Hamilton employees are not eligible to participate on the DRP; and,

(ii) Potential members must meet specific criteria regarding qualifications, experience, and availability. People who work as consultants or with public agencies may be appointed to the Panel. Members will not be selected to represent an organizational perspective, but rather for their ability to provide objective, expert judgement. A high level of technical expertise shall be required among members.

(b) The Planning and Economic Development Department will advertise for expressions of interest from community professionals who would be willing to volunteer for appointment to the DRP. Using the following criteria, the Director of Planning and Chief Planner will select individuals suitable for appointment as members.

(i) Because of the technical nature of the Panel, academic qualifications are important.

(ii) Individuals with a diversity of training will be viewed favourably.

(iii) As a group, the DRP should include a balance of expertise and, thus, appointments may favour disciplines where representation is weak. Members should be drawn from the following disciplines or subject areas:

- Architecture;
- Landscape Architecture;
- Urban Design;
- Urban Planning;
- Built Heritage; and,
- Green Technologies.

4.3 Term:

DRP members will serve on a voluntary basis for a period of four (4) years or until their successors are appointed. Non-attendance at more than three consecutive meetings may be sufficient grounds for replacement.

4.4 Remuneration:

The DRP members are to be non-paid volunteer positions. Refreshments and travel expenses will be covered by the Planning and Economic Development Department.

5.0 Administration of the DRP:

5.1 The Manager of Development Planning, Heritage and Design, or his/her designate, will attend and be responsible for the administration of the DRP.

5.2 The DRP will meet monthly, as required.

5.3 The DRP will appoint, from their membership, a Chair and Vice Chair. The role of the Chair is to preside over the discussions to ensure that the matters brought forward before the DRP are fairly considered.

5.4 The DRP meetings will be accurately documented in the meeting minutes by Planning and Economic Development staff.

5.5 Individual DRP members should not be identified in the minutes; specific comments can be recorded without attribution.

5.6 The draft meeting minutes will be prepared by Planning and Economic Development staff, and then sent to the DRP for approval. The approved minutes will be sent to the proponents and Planning and Economic Development staff. Proponents will not have the opportunity or ability to request any changes to the minutes. The approved minutes reflect the recommendations and comments of the DRP, and provide advice to City staff and the proponent.

6.0 DRP Process:

6.1 Referral of Applications and Projects:

The DRP will have applications and projects referred to the group by the Planning and Economic Development Department at pre-application for

Zoning By-law Amendments and Site Plan Applications as per the Site Plan Control process.

6.2 DRP Submission Requirements:

Once the application has been referred, Planning staff will contact the applicant and provide the DRP submission requirements, which may include:

a) Zoning By-law Amendments:

(i) Completed Applicant Project Summary Sheet;
(ii) Context plan (800 m radius); and,
(iii) Photographs of the surrounding streetscape and adjacent lands, and a map identifying where each photo is taken.
(iv) A Design Brief approximately 4 pages in length addressing:
- The merits of the proposed design and its contextual relationship to existing building context and recognized City’s design policies contained in the Official Plan and urban design guidelines including applicable heritage information; and,
- Images of the project within the existing building context.

(v) Models and / or illustrations that show the project massing and relationships in its urban context;
(vi) Site Plan which includes the ground floor plan, adjacent properties and buildings;
(vii) Floor plans, sections and landscape plans as developed;
(viii) All elevations showing neighbouring buildings to scale;
(ix) Alternative studies for site layout and building massing if such were considered;
(x) Streetscape cross-sections; and,
(xi) If required, a sun / shadow and/or wind study, visual impact analysis, and / or any other information as required and identified through the Formal Consultation Process.

b) Site Plan Applications in addition to above:
(i) Site Plan;
(ii) Sections and floor plans;
(iii) Building elevations indicating proposed finish materials and colours;
(iv) Landscape Plan; and,

(v) Detailed perspective drawings or 3D models showing view of the first few stories and related pedestrian realm within the exiting streetscape.

c) Notes:

(i) If panels are preferred, all presentation material should be mounted on panels of no more than 0.9m x 1.2m (3' x 4') in size;
(ii) The preferred method for submissions to the DRP will be electronically; and,
(iii) The applicant may choose to prepare a PowerPoint Presentation with the above information to further explain the proposed application at the DRP meeting.

6.3 Meeting Protocol:

a) DRP meetings shall be attended by the applicant and/or representative/agent, panel, City Planning staff, and where needed, other relevant City staff.

i) In the event that an in-person meeting is not possible, due to an emergency declaration or at the discretion of the Director of Planning and Chief Planner, virtual meetings held in a secure platform may be permitted and administration of virtual meetings should be established in a virtual DRP meeting protocol.

b) DRP meetings will be open to the public for observation only. However, there shall be no written or verbal submissions by any individuals other than staff and the proponent. Others will have an opportunity to make written and verbal submissions during the standard application process for rezonings.

i) In the event that an in-person meeting is not possible, due to an emergency declaration or at the discretion of the Direct of Planning and Chief Planner, virtual DRP meetings will be open to the public for observation only. Members of the public will be required to pre-register for a virtual DRP meeting through the DRP website.

c) The DRP meetings will begin with a brief presentation by City Staff who will highlight the proposed amendments and explain the key policies and guidelines that apply.

d) Following City Staff's presentation, the proponent and their design consultant will provide a brief presentation who will explain the

project's objectives and how it responds to the City's policies and guidelines.

e) Following the proponent's presentation, the DRP will have the opportunity to ask questions for clarification before beginning their deliberations in closed session and developing its advice with respect to the project on a consensus basis.

f) Following deliberations, the Chair will summarize the Panel's recommendations.

g) The DRP comments will be based on Council approved policies and guidelines. The DRP comments will range from an acknowledgement of the positive qualities of the proposal to suggestions that encourage a design, which better complies with relevant policies and guidelines.

h) Within 10 business days of the relevant DRP meeting, a copy of the approved meeting minutes, including the DRP's advice, will be finalized.

i) In addition to h) above, where virtual DRP meetings are held in place of in-person meetings, a recording of the meeting will be posted on the DRP website one week after the virtual meeting.

6.4 Monitoring:

Planning staff will continue to monitor the DRP process, and refine it as required, or in response to feedback and suggestions from panel members and stakeholders through an annual review in the form of a survey.

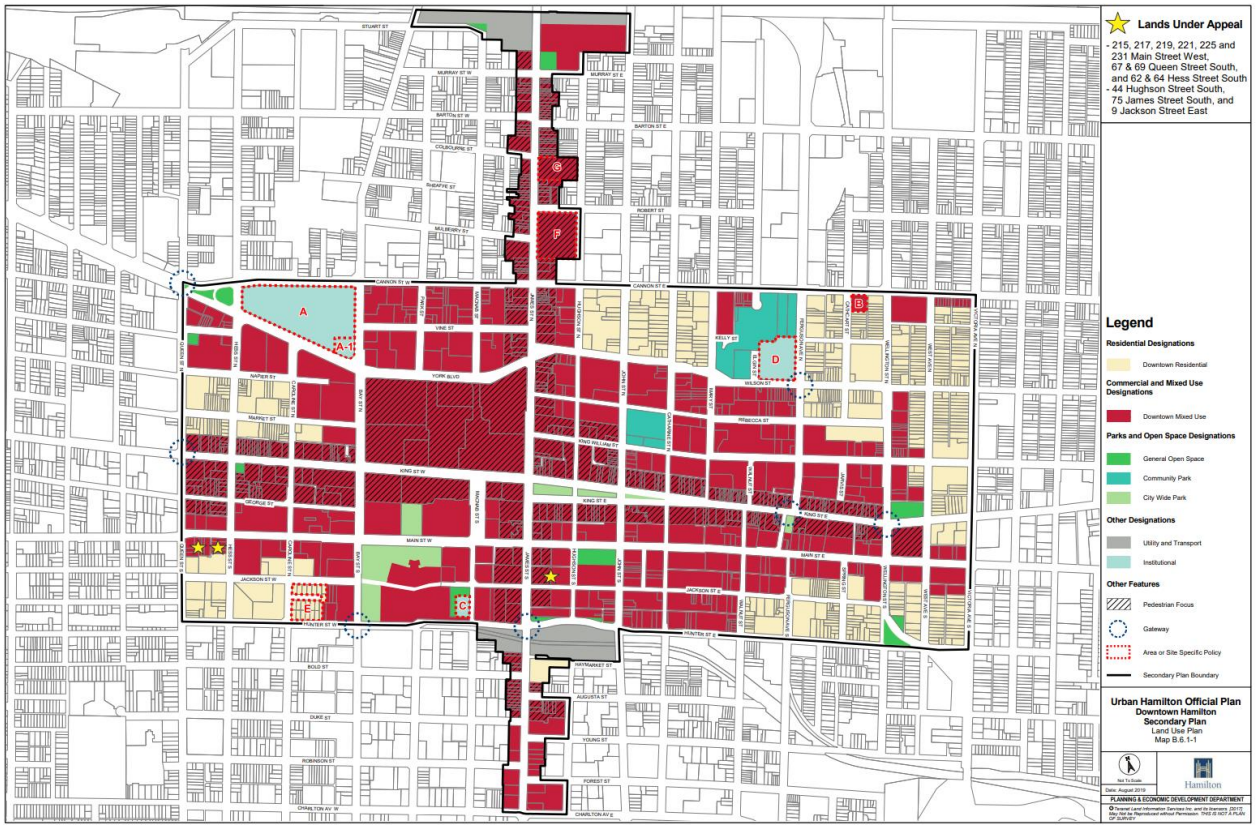
7.0 Conflict of Interest/Code of Conduct

Conflict of interest rules will apply to all Design Review Panel members, pursuant to the Municipal Conflict of Interest Act, R.S.O., 1190, Chapter M.50. (a copy of which will be provided to members upon their appointment) or any other pertinent legislation of governing bodies applying to professionals.

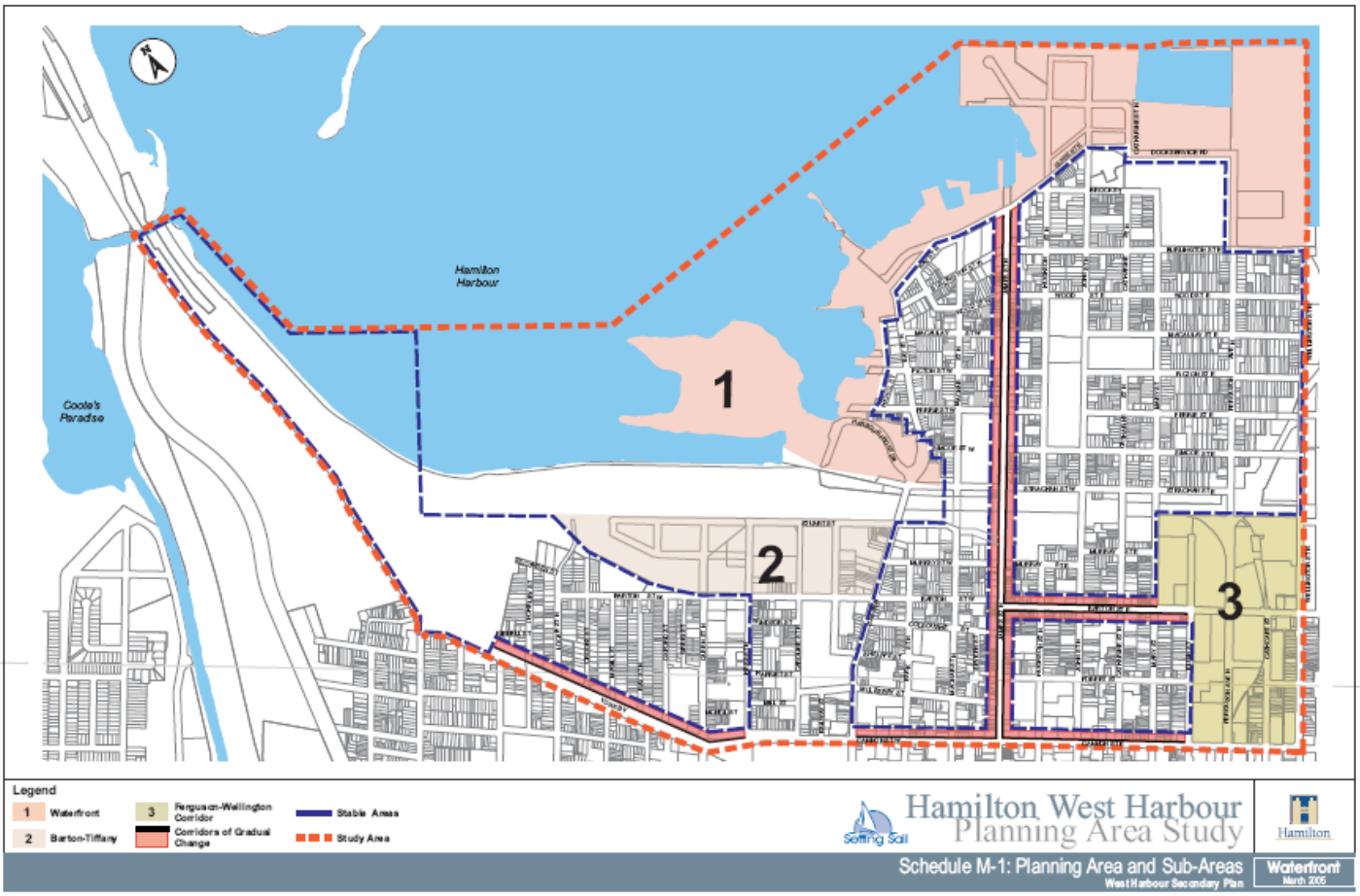
8.0 Confidentiality

DRP members may be required to sign a Confidentiality Agreement pertaining to any material of a proprietary nature which is forwarded to them in carrying out the DRP's mandate.

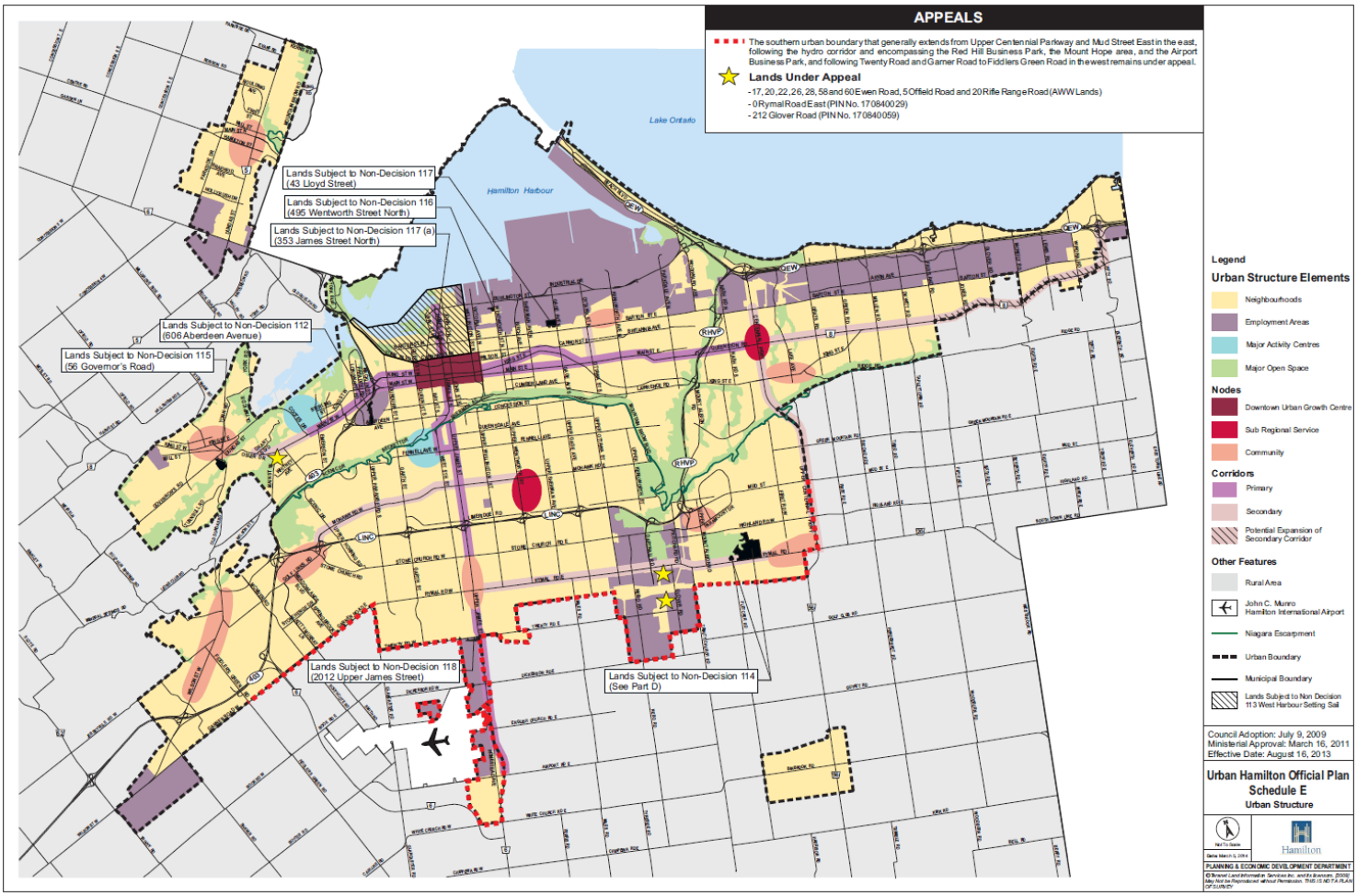
Design Priority Area Map No. 1 - Downtown Hamilton Secondary Plan



Design Priority Area Map No. 2 - Setting Sail Secondary Plan



Design Priority Area Map No. 3 – UHOP Primary Corridors



Design Review Panel – Virtual Meeting Protocol

In the event of an emergency situation that prevents in-person meetings of the Design Review Panel (e.g the COVID-19 emergency), the City of Hamilton will host virtual Design Review Panel meeting(s) in order to continue to process development applications in a timely manner. As an interim measure, during these emergency situations the following Protocol will apply as per the Design Review Panel Mandate.

Meeting Format:

- Virtual Design Review Panel meetings will be hosted by City staff using the City approved platform such as WebEx. Virtual meeting links will be sent to the project teams, City staff and panel members one week in advance of each meeting.

- Virtual Design Review Panel meeting agendas will be posted to the Design Review Panel website one week in advance of each meeting.

- Virtual Design Review Panel meetings will be open to the public for observation only. Members of the public will be required to pre-register through the Design Review Panel website one day prior to the virtual Design Review Panel meeting. The virtual meeting will be recorded and posted for public view on the Design Review Panel website one week after the virtual meeting is held.

- Members of the public who have pre-registered will be sent a link and password one day in advance of the virtual Design Review Panel meeting.

- The meeting invite should not be shared or posted through Social Media. The virtual Design Review Panel meetings are limited to Panel Members, Staff, Applicants and members of the public who have pre-registered.

- Virtual Design Review Panel meeting summaries will continue to be the official record of the meeting and will be available approximately three weeks after each meeting.

- All participants should join the virtual meeting five minutes in advance of the time posted on the agenda.

- Panel members, Planning Staff, and Applicants will indicate their name and position when joining the Virtual Design Review Panel meeting.

- All participants will be muted upon entry. Microphones are to be muted until the Chair calls on you to speak.

- If you must leave the meeting at any point, please use the ‘leave meeting’ function and rejoin when/if you need to.

- All participants should promptly leave the virtual meeting once the meeting is over.

- To ensure each virtual meeting is completed within its typical hour time slot, the participants will be limited to the times outlined below. The Chair will monitor the time and intervene if necessary.

- Virtual meetings will follow the same format as physical meetings, specific ‘virtual’ instructions have been outlined below:

    - City Staff Presentation - using the screen share function (10 minutes);
    - Applicant Presentation - using the screen share function (10 minutes);
    - Panel Q/A – one panel member speaks at a time, moderated by the Chair (5 minutes);
    - Panel Comments - one panel member speaks at a time, moderated by the Chair (25 minutes);
    - Applicant Response – the applicant may respond or ask any final questions (5 minutes); and,
    - Chair Summary - the Chair will summarize and conclude the session (5 minutes).

- At any time during the meeting, should technical difficulties or other unforeseen matters require a recess, unless the Chair or City Staff issue new instructions, staff are requested to remain ‘on the line’; the Host will mute all participants in such an instance.

Municipal Comparison of Virtual DRP Meetings

Municipality	Virtual DRP Format	Public Participation
Toronto	Virtual meetings are being held through WebEx, following a similar format as physical meetings.	Virtual meetings through WebEx are recorded and made available to the public upon request. Members are the public are not invited to attend virtual meetings.
London	Virtual meetings are being held through Microsoft Teams, following a similar format as physical meetings.	Virtual meetings through Microsoft Teams are open to the public. Staff sends out the agenda as normal with instructions to download Microsoft Teams and to contact the DRP coordinator to request the meeting link.
Mississauga	The panel members were asked to send in written comments. A conference call was held with the panel members who submitted comments to finalize the recommendations. They are currently working on a Protocol.	The public is not invited to physical DRP meetings or virtual DRP meetings.
Vaughan	Virtual meetings are being held through Microsoft Teams, following a similar format as physical meetings.	The virtual meetings through Microsoft Teams are recorded and made available to the public by posting the video recording on the DRP website.
Ottawa	Virtual meetings are being held through Zoom, following a similar format as physical meetings.	The virtual meetings are open to the public, the link to each meeting is posted with the agenda on the website.
Brampton	Virtual meetings are being held through Skype for Business, following a similar format as physical meetings.	The virtual meetings are not open to the public.

Hamilton

HAMILTON MUNICIPAL HERITAGE COMMITTEE
REPORT 20-002
12:00 p.m.
February 20, 2020
Room 264, 2nd Floor
Hamilton City Hall
71 Main Street West

Present:	Councillor M. Pearson A. Denham-Robinson (Chair) J. Brown, K. Burke, G. Carroll, C. Dimitry (Vice-Chair), B. Janssen, L. Lunsted, T. Ritchie and W. Rosart
Absent with Regrets:	D. Beland and R. McKee

THE HAMILTON MUNICIPAL HERITAGE COMMITTEE PRESENTS REPORT 20-002 AND RESPECTFULLY RECOMMENDS:

1. Effect of Heritage Designations on Property Values in Hamilton (PED20030) (Added Item 7.6)

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

2. Recommendation to Designate 127 Hughson Street North, Hamilton (Firth Brothers Building) under Part IV of the Ontario Heritage Act (PED20050) (Ward 2) (Item 9.2)

(a) That the designation of 127 Hughson Street North, Hamilton (Firth Brothers Building), shown in Appendix “A” to Report PED20050, as a property of cultural heritage value pursuant to the provisions of Part IV of the Ontario Heritage Act, be approved;

(b) That the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix “A” to Report 20-002, be approved;

(c) That the foyer of the 1929 building located at 127 Hughson Street North, Hamilton (Firth Brothers Building), displays a high degree of artistic merit and is therefore considered to meet the Design and Physical Value Evaluation Criteria under O. Reg 9/06 for craftmanship or artistic merit;

(d) That the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "A" to Report 20-002, be amended and approved, to include the following:

(i) inclusion of the operation of windows; and,

(e) That the City Clerk be directed to take appropriate action to designate 127 Hughson Street North, Hamilton (Firth Brothers Building) under Part IV of the Ontario Heritage Act, in accordance with the Notice of Intention to Designate, attached as Appendix "C" to Report PED20050.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

The Clerk advised the Committee of the following changes:

5. COMMUNICATIONS

5.1 Correspondence respecting 462 Wilson Street, Ancaster

Recommendation: Be received.

7. CONSENT ITEMS

7.5 Delegated Approval: Proposed Door Replacement for the Carriage House at 211 St. Clair Blvd., (Ward 3) (By-law No. 92-140)

7.6 Effect of Heritage Designations on Property Values in Hamilton (PED20030)

13. GENERAL INFORMATION / OTHER BUSINESS

13.1 Representative from the Hamilton Municipal Heritage Committee on the Cross-Melville District Heritage Committee (Dundas)

The Agenda for the February 20, 2020 Hamilton Municipal Heritage Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations.

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

(i) January 16, 2020 (Item 4.1)

The Minutes of the January 16, 2020 meeting of the Hamilton Municipal Heritage Committee were approved, as presented.

(d) COMMUNICATIONS (Item 5)

(i) Correspondence respecting 462 Wilson Street, Ancaster (Added Item 5.1)

That the Correspondence respecting 462 Wilson Street, Ancaster, be received.

(e) CONSENT ITEMS (Item 7)

(i) Delegated Approval: Heritage Permit Application HP2020-003: Proposed repointing and restoration at 1280 Main Street West, Building 8, Hamilton (Ward 1) (By-law No. 08-002) (Item 7.1)

The Delegated Approval respecting Heritage Permit Application HP2020-003: Proposed repointing and restoration at 1280 Main Street West, Building 8, Hamilton (Ward 1) (By-law No. 08-002), was received.

(ii) Hamilton Heritage Permit Review Sub-Committee Minutes - November 19, 2019 (Item 7.2)

The Hamilton Heritage Permit Review Sub-Committee Minutes of November 19, 2019, were received.

(iii) Inventory & Research Working Group Meeting Notes - November 25, 2019 (Item 7.3)

The Inventory & Research Working Group Meeting Notes of November 25, 2019, were received.

(iv) Policy and Design Working Group Meeting Notes - December 18, 2019 (Item 7.4)

The Policy and Design Working Group Meeting Notes of December 18, 2019, were received.

(v) Delegated Approval: Proposed Door Replacement for the Carriage House at 211 St. Clair Blvd., (Ward 3) (By-law No. 92-140) (Added Item 7.5)

The Delegated Approval respecting a Proposed Door Replacement for the Carriage House at 211 St. Clair Blvd., (Ward 3) (By-law No. 92-140) was received.

(f) STAFF PRESENTATIONS (Item 9)

(i) Recommendation to Designate 24 Main Street West, Hamilton (Former Centenary United Church) under Part IV of the Ontario Heritage Act (PED20044) (Ward 2) (Item 9.1)

David Addington, Cultural Heritage Planner, addressed the Committee respecting the Recommendation to Designate 24 Main Street West, Hamilton (Former Centenary United Church) under Part IV of the Ontario Heritage Act (PED20044) (Ward 2), with the aid of a PowerPoint presentation.

The presentation respecting the Recommendation to Designate 24 Main Street West, Hamilton (Former Centenary United Church) under Part IV of the Ontario Heritage Act (PED20044) (Ward 2), was received.

A copy of the presentation is available at www.hamilton.ca and through the Clerk's Office.

The following recommendation, as amended, was proposed for consideration at the May 13, 2020 Council meeting.

(a) That the designation of 24 Main Street West, Hamilton (Former Centenary United Church), shown in Appendix "A" to Report PED20044, as a property of cultural heritage value pursuant to the provisions of Part IV of the Ontario Heritage Act, be approved;

(b) That the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "B" to Report PED20044, be approved; and,

(c) That the City Clerk be directed to take appropriate action to designate 24 Main Street West, Hamilton (Former Centenary United Church) under Part IV of the Ontario Heritage Act, in accordance with the Notice of Intention to Designate, attached as Appendix "C" to Report PED20044.

(ii) Recommendation to Designate 127 Hughson Street North, Hamilton (Firth Brothers Building) under Part IV of the Ontario Heritage Act (PED20050) (Ward 2) (Item 9.2)

David Addington, Cultural Heritage Planner, addressed the Committee respecting the Recommendation to Designate 127 Hughson Street North, Hamilton (Firth Brothers Building) under Part IV of the Ontario Heritage Act (PED20050) (Ward 2), with the aid of a PowerPoint presentation.

The presentation respecting the Recommendation to Designate 127 Hughson Street North, Hamilton (Firth Brothers Building) under Part IV of the Ontario Heritage Act (PED20050) (Ward 2), was received.

Report PED20050 respecting the the Recommendation to Designate 127 Hughson Street North, Hamilton (Firth Brothers Building) under Part IV of the *Ontario Heritage Act,* was amended to include new sub-sections (c) and (d), with the remaining sub-sections renumbered accordingly:

(a) That the designation of 127 Hughson Street North, Hamilton (Firth Brothers Building), shown in Appendix “A” to Report PED20050, as a property of cultural heritage value pursuant to the provisions of Part IV of the *Ontario Heritage Act*, be approved;

(b) That the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix “B” to Report PED20050, be approved;

(c) That the foyer of the 1929 building located at 127 Hughson Street North, Hamilton (Firth Brothers Building), displays a high degree of artistic merit and is therefore considered to meet the Design and Physical Value Evaluation Criteria under O. Reg 9/06 for craftmanship or artistic merit;

(d) That the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix “B” to Report PED20050, ***be amended and approved, to include the following:***

(i) inclusion of the operation of windows; and,

(e) That the City Clerk be directed to take appropriate action to designate 127 Hughson Street North, Hamilton (Firth Brothers Building) under Part IV of the *Ontario Heritage Act*, in accordance with the Notice of Intention to Designate, attached as Appendix “C” to Report PED20050.

A copy of the presentation is available at www.hamilton.ca and through the Clerk's Office.

For further disposition of this matter, refer to Item 2.

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

A. Denham-Robinson relinquished the Chair to discuss the following items.

(i) Hamilton Municipal Heritage Committee's Attendance at the 2020 Ontario Heritage Conference (May 28-30, 2020 in Markham, Ontario) (Item 13.1)

Staff were directed to investigate costs for G. Carroll and J. Brown to attend the 2020 Ontario Heritage Conference, as representatives of the Hamilton Municipal Heritage Committee.

(ii) Hamilton Municipal Heritage Committee's Post Event Review - "Preserving Hamilton's Built Heritage" (Workshop by Alan Stacey, February 19, 2020) (Item 13.2)

A. Denham-Robinson provided an overview of the event.

The information respecting the Hamilton Municipal Heritage Committee's Post Event Review - "Preserving Hamilton's Built Heritage", was received.

(iii) Update on the Hamilton Municipal Heritage Committee's Heritage Recognition Awards 2019-20 (to be held on Thursday June 18, 2020) (Item 13.3)

A. Denham-Robinson advised that the deadline for submissions to the Hamilton Municipal Heritage Committee's Heritage Recognition Awards 2019-20 is March 2, 2020.

The information respecting the Hamilton Municipal Heritage Committee's Heritage Recognition Awards 2019-20, was received.

(iv) Hamilton Municipal Heritage Committee's Participation in the City of Hamilton Heritage Day Event (Saturday February 22, 2020) (Item 13.4)

A. Denham-Robinson reminded those Committee members participating in the City of Hamilton Heritage Day Event, that set-up for the event begins at 9:00 a.m..

The information respecting the Hamilton Municipal Heritage Committee's Participation in the City of Hamilton Heritage Day Event, was received.

(v) Call for Volunteers for Doors Open Hamilton - Application Deadline April 1, 2020 (Item 13.5)

A. Denham-Robinson asked Committee members to consider volunteering for the upcoming Doors Open Hamilton event.

The information respecting a Call for Volunteers for Doors Open Hamilton - Application Deadline April 1, 2020, was received.

(vi) Buildings and Landscapes (Item 13.6)

The property know as Chedoke Estate (Balfour House), located at 1 Balfour Drive, Hamilton, be added to the Buildings and Landscapes of Interest (YELLOW).

The following updates ***as amended,*** were received:

(a) Endangered Buildings and Landscapes (RED):
(Red = Properties where there is a perceived immediate threat to heritage resources through: demolition; neglect; vacancy; alterations, and/or, redevelopment)

(i) Tivoli, 108 James Street North, Hamilton (D) – T. Ritchie

(ii) Andrew Sloss House, 372 Butter Road West, Ancaster (D) – C. Dimitry

(iii) Century Manor, 100 West 5th Street, Hamilton (D) – G. Carroll

(iv) Beach Canal Lighthouse and Cottage (D) – R. McKee

(v) 18-22 King Street East, Hamilton (R)(NOI) – W. Rosart

(vi) 24-28 King Street East, Hamilton (R)(NOI) – W. Rosart

(vii) 2 Hatt Street, Dundas (R) – K. Burke

(viii) James Street Baptist Church, 98 James Street South, Hamilton (D) – J. Brown

(ix) 828 Sanatorium Road – G. Carroll

(x) 120 Park Street, Hamilton – R. McKee

(xi) 398 Wilson Street, Hamilton – C. Dimitry

(b) Buildings and Landscapes of Interest (YELLOW):
(Yellow = Properties that are undergoing some type of change, such as a change in ownership or use, but are not perceived as being immediately threatened)

(i) Delta High School, 1284 Main Street East, Hamilton (D) – D. Beland

(ii) 2251 Rymal Road East, Stoney Creek (R) – B. Janssen

(iii) Former Valley City Manufacturing, 64 Hatt Street, Dundas – K. Burke

New tarps have been installed on the roof of the property.

(iv) St. Joseph's Motherhouse, 574 Northcliffe Avenue, Dundas (R) (ND) – W. Rosart

(v) Coppley Building, 104 King Street West; 56 York Blvd., and 63-76 MacNab Street North (NOI) – G. Carroll

(vi) 1021 Garner Road East, Ancaster (Lampman House) (NOI) – C. Dimitry

(vii) Dunington-Grubb Gardens, 1000 Main Street East (within Gage Park) – D. Beland

(viii) 1 St. James Place, Hamilton (D) – J. Brown

(ix) St. Clair Blvd. Conservation District – D. Beland

(x) 51 Herkimer Street, Hamilton – J. Brown

(xi) 52 Charlton Avenue West, Hamilton – J. Brown

(xii) 292 Dundas Street, Waterdown – L. Lunsted

(xiii) Chedoke Estate (Balfour House), 1 Balfour Drive, Hamilton – T. Ritchie

(c) Heritage Properties Update (GREEN):
(Green = Properties whose status is stable)

(i) The Royal Connaught Hotel, 112 King Street East, Hamilton (R) – T. Ritchie

(ii) Auchmar, 88 Fennell Avenue West, Hamilton (D) – R. McKee

(iii) Treble Hall, 4-12 John Street North, Hamilton (R) – T. Ritchie

(iv) 104 King Street West, Dundas (Former Post Office) – K. Burke

(v) 45 Forest Avenue, Hamilton – G. Carroll

(vi) 125 King Street East, Hamilton – T. Ritchie

(d) Heritage Properties Update (black):

(Black = Properties that HMHC have no control over and may be demolished)

(i) Auchmar Gate House, Claremont Lodge 71 Claremont Drive (R) – R. McKee

(ii) 80 and 92 Barton Street East (Hanrahan Hotel) – T. Ritchie

(vii) Representative from the Hamilton Municipal Heritage Committee on the Cross-Melville District Heritage Committee (Dundas) (Added Item 13.7)

K. Burke was appointed to sit as a representative on the Cross-Melville District Heritage Committee (Dundas) for the duration of the 2018-2022 term.

(h) ADJOURNMENT (Item 15)

There being no further business, the Hamilton Municipal Heritage Committee adjourned at 1:35 p.m.

Respectfully submitted,

Alissa Denham-Robinson, Chair
Hamilton Municipal Heritage Committee

Loren Kolar
Legislative Coordinator
Office of the City Clerk

127 Hughson Street North, Hamilton

STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST AND DESCRIPTION OF HERITAGE ATTRIBUTES

Statement of Cultural Heritage Value or Interest

The property, municipally known as 127 Hughson Street North, Hamilton is a former industrial complex. The western section of the building was the original four storey factory built circa 1911 and was joined to the storefront located at 144 James Street North. The eastern section of the building was opened in 1929 and was known as ‘Style Park’. The building is a vernacular industrial building that features Art Deco influences.

127 Hughson Street North is located on the east side of Hughson Street North, Hamilton. The property is east of James Street North, west of John Street North, north of Wilson Street, and south of Cannon Street East.

DESIGN / PHYSICAL VALUE

The property is a representative example of an early 20th century vernacular industrial building with art deco influences. This value is represented in the decorative façade of the 1929 east section of the building and displays brick pilasters, unique brickwork, stylized parapets and a decorative entrance and foyer area which are representative of an Art Deco style of this era. The massing and large window openings reinforce the industrial history of the building. The two stone ‘F’s’ located in the parapets and the ‘F’ located in foyer flooring are a unique feature to the building and represent the Firth Brothers.

HISTORICAL / ASSOCIATIVE VALUE

The property has associative value in its direct association with Norman and John Firth. Norman Firth began a clothing business in Hamilton in 1909. Eventually joined by his brother John, the brothers incorporated as Firth Brothers Ltd. in 1918 with Norman acting as president. The Firth Brothers had a storefront, located at 144 James Street North, and the original section of the factory (west section) was located at the rear of the storefront. The brother’s clothing operation was very successful and in 1929, they expanded the factory. The new building, known as ‘Style Park’ cost the company $250,000, revitalizing the area and allowing the Firth Brothers to expand their operation vastly. Members of the Firth family owned and operated the business until 1974. The property has associative value as a contributor to the industrial heritage of Hamilton.

CONTEXTUAL VALUE

The property has contextual value for its location in what may be considered Hamilton’s first industrial neighbourhood. The Firth Brothers manufacturing operations began as a small-scale family run business and grew throughout the early 20th century. The property acts as a reminder of the neighbourhood’s industrial past and reinforces the mixed use nature which has historically been associated with the area. The property is one of the largest industrial buildings in the immediate area and is important in defining and maintaining the industrial character of Hughson Street North.

Description of Heritage Attributes

The Cultural Heritage Value or interest of the property resides in the four storey east section of the structure, built in 1929.

Key heritage attributes associated with the split level foyer include:

- The use of marble, brass and wood;
- The marble and pebble tile Firth Brothers ‘F’ logo at the top of the stairs; and,
- The timber rafters with dentils and decorative supports.

Key heritage exterior attributes of the 1929 east section of the building associated with the façade include:

- Vernacular interpretation of Art Deco style architecture;
- Red brick construction and polychrome brick façade;
- Brick pilasters;
- The multi-panelled windows with operable openings together with the locations, configuration, size, scale, and shape of these window openings which reinforce the industrial character of the building;
- Brick work, including a double herringbone pattern and soldier courses with square-shaped stone insert;
- Decorative and symmetrical use of stone throughout the brickwork, including at the top and bottom of the brick pilasters;
- Flat roof with a pair of decorative parapets with centrally placed stone ‘F’s’;
- Defined main entrance with stone lintel, pilasters, and dentils;
- Decorative brickwork above the main entrance; and,
- Large rectangular transom and sidelights openings found at the front door.

CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Licensing and By-law Services Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	June 16, 2020
SUBJECT/REPORT NO:	Fee Review of Personal Transportation Providers (Schedule 24 of the Business Licensing By-law 07-170) (PED20104) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Monica Ciriello (905) 546-2424 Ext. 5809
SUBMITTED BY: **SIGNATURE:**	Ken Leendertse Director, Licensing and By-law Services Planning and Economic Development Department

RECOMMENDATION

(a) That the fee structure for the licensing of Personal Transportation Providers (PTP), specifically remove Class A, Class B and Class C fees as well as the lump sum Voluntary Accessibility Payment, and impose a new PTP Licensing Fee in the amount of $5,000 annually and increase the PTP Licensing Per Trip Fee to $0.30 per trip, to be paid quarterly, effective immediately;

(b) That subject to the approval of Recommendation (a) the amending by-law attached as Appendix “A” to Report PED20104 which deletes references to Class A, Class B, and Class C, and which has been prepared in a form satisfactory to the City Solicitor, be enacted and effective immediately;

(d) That subject to the approval of Recommendation (a) Schedule A of the City of Hamilton User Fees and Charges By-law 19-160 be amended accordingly.

EXECUTIVE SUMMARY

The Business Licensing By-law 07-170 (Licensing By-law) licenses and regulates the transportation network in the City of Hamilton (the City) which includes taxis, limousines and personal transportation providers (PTP), also known as ride-share companies. The

purpose for licensing is to ensure public safety and consumer protection. The Licensing Section (LBS) is full cost recovery, as such fees are charged accordingly to industry participants to enforce, regulate and administer the By-law.

It has been three years since the PTP licensing fee structure has been reviewed. Staff recommend a change to the fee structure from a high upfront lump sum, to an increased per trip fee. This structure is utilized by other municipalities across Canada, it supports Planning and Economic Development's Open for Business Initiative by reducing financial barriers to companies that want to operate in the City, it will ensure the Licensing Section can continue to fund on-demand accessible transportation through the Accessible Taxicab Financial Incentive Program, and it will support after hours and weekend enforcement for the transportation network. The licensed PTPs and members of the taxi industry have been consulted and support the change to the fee structure.

Alternatives for Consideration – Page 6

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Staff is recommending a new PTP Licensing Fee in the amount of $5,000 annually and an increased per trip fee to $0.30 per trip. The per trip fee is inclusive of $0.24 for administration and enforcement. The remainder $0.06 is to be used to fund the accessible transportation in the City.

Staffing: This report does not recommend any additional staff. There may be additional workload associated with the PTP program, depending on the number of licensees, and the requirement for auditing and proactive enforcement. Staff will monitor this workload and if additional staff is required, it will come forward for Council's consideration through the Budget process and would be fully funded from the licensing fees generated.

Legal: Public Notice was provided as required by the City of Hamilton Public Notice By-law 07-351.

HISTORICAL BACKGROUND

Prior to 2015, the City's transportation network consisted almost entirely of taxis. On July 23, 2015 Uber began operating in Hamilton.

On February 10, 2016, Item 7.3 of Council Minutes 16-002 directing staff to develop and bring forward a licence category that addresses ride-sharing was approved.

On April 20, 2016, the General Issues Committee received Item 5 of GIC Report 16-011 regarding a draft licence category and directed the Licensing Section to consult with stakeholders and prepare a new licensing schedule to fit within the Licensing By-law.

During the summer of 2016, internal and external stakeholders were consulted to provide input on the proposed PTP Schedule. In addition, an on-line survey was developed and available to the public on the City's website from July 5 to August 5, 2016 with 809 individuals completing the survey.

On January 25, 2017, Council approved Item 8 of General Issues Committee Report 17-001 to amend the Licensing By-law to create Schedule 24 (Personal Transportation Providers) to regulate ride-share companies within the City and to amend Schedule 25 (Taxicabs) to allow the taxi industry to modernize and innovate by removing unnecessary restrictions, while still ensuring that public safety and consumer protection goals were adhered to.

The introduction of PTPs to the transportation network has broadened the scope of the LBS Division's regulatory, enforcement and administrative oversight, with an increasing amount of time and resources now required to enforce the industry.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

Legal Services, Finance and Administration, Uber, Lyft, Facedrive, Blue Line Taxi and Hamilton Cab were consulted in the preparation of this Report.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Under Schedule 24, PTPs are licensed as Class A, Class B, and Class C depending on the number of vehicles in the fleet, the PTP is charged the corresponding licensing fee. There are currently three licensed PTPs operating in the City, Class A: Uber and Lyft, and Class C: Facedrive. In addition to a licensing fee, PTPs pay $0.06 per trip originating in the City, and a flat fee voluntary in lieu of accessible payment.

Approved as January 2020, the PTP fees are:

Class A: means a PTP consisting of a fleet of 100 or more vehicles
- Licensing Fee: $52,530
- Voluntary Accessibility Payment: $20,000
- Total Annual Fee: $71,750

Class B: means a PTP consisting of a fleet of 25-99 vehicles
- Licensing Fee: $21,012
- Voluntary Accessibility Payment: $8,000
- Total Annual Fee: $28,400

Class C: means a PTP consisting of a fleet of 1-24 vehicles
- Licensing Fee: $5,253
- Voluntary Accessibility Payment: $2,000
- Total Annual Fee: $7,175

New PTP Licensing Fee Structure

The current PTP licensing fees do not align with the cost associated with licensing, regulating and enforcing the transportation network, and providing on-demand accessible transportation. The proposed new PTP Licensing Fee Structure would ensure the City remains Open for Business, as the current upfront cost is a barrier to entry for ride-share companies that are interested in operating in Hamilton. Furthermore, the new PTP Licensing Fee Structure would level the playing field with the taxi industry, offset the declining licensing fees from the taxi industry and fund the Accessible Taxi Incentive Program.

Staff recommends removing the Class A, Class B, Class C distinctions in Schedule 24, to proceed with a flat annual licensing fee of $5,000 annually, and $0.30 per trip fee. The $0.30 per trip fee is inclusive of $0.06 to be used to fund accessible transportation including the Accessible Taxi Incentive Program, and the remaining $0.24 of the per trip fee would be used for enforcement and administration of the City's transportation network.

Staff have reviewed the best practices used by other jurisdictions and have noted that increasing the per trip fee is a best practice across Canadian municipalities (Appendix "B").

Accessible Taxicab Financial Incentive Program

Licensing is committed to providing a safe, sustainable and customer focused transportation network. The transportation network enhances mobility and reduces social isolation for those with disabilities in Hamilton communities.

Under the current PTP Licensing Structure there is a flat fee voluntary in lieu of accessible payment provided to LBS.

Year	Total in Lieu of Accessible Payment
2017	$20,000
2018	$48,000
2019	$48,000[1]
2020	$54,887-$142,191[2]

The new PTP Licensing Fee will allow for $0.06 per trip originating in the City to go directly towards funding the Accessible Taxicab Financial Incentive Program, allowing for on-demand accessible transportation.

On January 14, 2020, Council approved Item 9 of Planning Committee Report 20-001, approving $80,000 from the Working Funds-General Reserve 112400 for a period of 16 months. If this Report is approved and relying on the 2019 trip numbers, the new PTP Licensing Fee Structure will cover the remainder of the Accessible Taxicab Financial Incentive Pilot Program and will fund the program if it is made permanent. Once actuals are realized, staff can report back at the 2021 budget to determine if LBS can pay back the amount approved from the Working Funds-General Reserve 112400. Approximately $10,200 per month is paid out to the accessible taxicab drivers participating in this pilot program.

City's Transportation Network

The new PTP Licensing Fee Structure will assist with enforcement of the City's transportation network. There are 471 taxi plates, and approximately 1,163 taxicab drivers during 2019. The taxi industry paid approximately $440,000 in licensing fees in 2019.[3] By comparison there are approximately 7,500 PTP drivers across all three platforms.[4] Currently, the cost responsibility between PTP and the taxi industry are not relatively equal for enforcement and administration. Below the chart depicts the total per

[1] $20,000 from Uber and Lyft, $8000 from Facedrive.
[2] Estimate based on previous trip range. Total will be prorated in 2020 for Q2-Q4.
[3] Inclusive of: taxi plates, taxi spares, taxi brokers, taxi drivers, leases, accessible priority list, standard priority list, taxicab transfer fees.
[4] Many drivers drive for more than one PTP, and this number may include those drivers more than once.

trip fees received by LBS at $0.06 between 2017 and 2019. The new PTP Licensing Fee for 2020 will allow for $0.24 per trip originating in the City to be used towards administration and increased enforcement.

Year	Total PTP Fees Collected[5]
2017	$154,887
2018	$227,137
2019	$264,591
2020	$219,548 - $568,764 [6]

This increased enforcement will ensure public safety and consumer protection in the City, with no increase to the levy.

Overall, the additional PTP fees obtained through the new PTP Licensing Fee will:

- Offset the cost of decreased licensing fees from the taxi industry;
- Enhance the monitoring, analysis and planning functions within enforcement;
- Continue public education efforts; and
- Fund the Accessible Taxicab Financial Incentive Program.

ALTERNATIVES FOR CONSIDERATION

1. Remove or adjust the flat annual licensing fee of $5,000.

2. Decrease the per trip fee to $.20 per trip, inclusive of $0.15 per trip to fund enforcement and administration and $.05 per trip to fund the Accessible Taxi Incentive Program.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Economic Prosperity and Growth
Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Our People and Performance
Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

[5] Inclusive of per trip fees and licensing fees.
[6] Estimate based on previous trip range and new licensing flat fee. Amount will be prorated in 2020 for Q2-Q4 dependent on approval.

Appendix “A”: Amending Business Licensing By-law 07-170
Appendix “B”: Jurisdictional Scan

Appendix "A" to Report PED20104
Page 1 of 1

Authority: Item ,
Report
CM:
Ward: City Wide

Bill No.

CITY OF HAMILTON

BY-LAW NO.

To Amend By-law 07-170, a By-law to License and Regulate Various Businesses

WHEREAS Council enacted a By-law to License and Regulate Various businesses, being By-law No. 07-170; and,

WHEREAS this By-law amends By-law No. 07-170;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The amendments in this By-law include any necessary grammatical, numbering and lettering changes;

2. Schedule 24 of By-law No. 07-170 is amended by deleting the definitions of "Class A" "Class B" and "Class C" in the definitions section;

3. Schedule 24, subsection 16 is deleted in its entirety;

4. Schedule 24, subsection 18(e) is amended by deleting the words "documentation demonstrating the number of vehicles in the PTP fleet on the date of application, so as to determine if the PTP is a Class A, Class B, or Class C";

5. Schedule 24, subsection 19(d) is amended by deleting the words "documentation demonstrating the number of vehicles in the PTP delete on the date of renewal so as to determine if the PTP is a Class A, Class B, or Class C";

6. That in all other respects, By-law 07-170 is hereby confirmed; and

7. That the provisions of this By-law shall become effective on the date approved by Council.

PASSED this _____ ____ , _____

F. Eisenberger
Mayor

A. Holland
City Clerk

Jurisdictional Scan

City	Licensing Fee**	Per Trip Fee
Hamilton	$5,253 $21,012 $52,530	$0.06/trip
Mississauga	$20,000	$0.30/trip
Toronto	$15/ driver	$0.30/trip
Ottawa	$807 $2,469 $7,253	$0.11/trip
London	$1,000 $5,000 $10,000 $15,000 $50,000	$0.25/trip
Windsor	$5,000 $7,500 $15,000 $20,000 $25,000 $30,000	$0.11/trip
Guelph	$807 $2469 $7253	$0.11/trip
Niagara Region	$1,000 $2,500 $7,500	$0.11/trip
Calgary	$1,753 and $220 /driver	$0.20/trip
Oakville	$50,000	$0.11/trip
Waterloo	$150 $300 $600 $1,200 $2,400 $4,800 $50,000 and $22 /vehicle	$0.06/trip

** Licensing Fees vary depending on the fleet size.

INFORMATION REPORT

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	July 7, 2020
SUBJECT/REPORT NO:	Fence By-law Appeal Process (PED20106) (City Wide) **(Outstanding Business List Item)**
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Kim Coombs (905) 546-2424 Ext. 1318
SUBMITTED BY: **SIGNATURE:**	Ken Leendertse Director, Licensing and By-law Services Planning and Economic Development Department

COUNCIL DIRECTION

On November 13, 2019, Council approved Item 6 of Planning Committee Report 19-017 directing staff to look at the feasibility of having an appeal process for the Fencing By-law 10-142.

INFORMATION

The City of Hamilton Fence By-law 10-142, enacted on June 11, 2010 regulates the dimensions and type of fences in the urban boundaries of the municipality. Municipal orders are issued to remedy contraventions of the By-law, with no process to appeal the order, or no provision to seek relief of its strict application through a variance application. The current By-law repealed Fence By-laws of the former municipalities of the City that did not contain any provisions for appeal or variance.

A jurisdictional scan of 28 comparable municipalities, attached as Appendix “A” to this Report, determined that most municipalities opted a process to seek an exception or minor variance to the fencing requirements, as opposed to disputing or appealing an order issued by an Officer. A minor variance seeks relief from the By-law, whereas appealing or disputing an Order focuses on whether a contravention occurred and the remedial work to comply.

Most municipalities authorize the local Committee of Adjustment (CA) to recommend a minor variance (exception) to the provisions of the Fence By-law. The delegation is deemed minor in nature, where in the opinion of the CA, the variance meets the intent and general purpose of the By-law. In most cases, the review mirrors the minor variance process under the *Planning Act*, with the exception that the CA decision is presented to Council as a recommendation. The ultimate decision to any policy change or relaxing a fence by-law requirement rests with Council.

Although some jurisdictions authorize the Property Standards Committee, most municipalities assign the variance application to the CA whose members have more experience to minor policy change. City of Hamilton CA variances are currently tracked through the Amanda property file.

Approximately, 90 – 100 Orders are issued annually for contraventions to the Hamilton Fence By-law 10-142. Staff audit of records estimates that 10 – 15 of those Orders would likely result in a variance application before a review committee.

Variance application fees in other jurisdictions range from $200 to $3,600. Further cost analysis and consultation with Legal, Finance, Planning (Committee of Adjustment) and the Office of the City Clerk would be required to measure the staffing and financial impacts for a revenue neutral variance application process in Hamilton.

As this Report addresses the feasibility of a Fence By-law Variance Process it is appropriate to be identified as complete and removed from the Planning Committee Outstanding Business List.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A”: Municipality Comparison

Municipality Comparison

Municipality	Regulations	Process Type for Exceptions	Cost
Ajax	Fences By-law 02-2018	No exception process	
Barrie	Zoning By-law 2009-141	Minor Variance to the CofA	$1,963.67
Brampton	Zoning By-law 270-2004	Minor Variance to the CofA	$619.00
Brantford	Municipal Code 438	Minor Variance to the CofA	$1,900
Burlington	Zoning By-law	Minor Variance to the CofA	Pre-consultation fee $300 / $950 -$2,790
Cambridge	Fence By-law 92-05	No exemption process	
Chatham-Kent	Zoning By-law	Minor Variance to the CofA	$1,450
Fort Erie	Fence By-law 2013-070/ Zoning By-law	Minor Variance to the CofA	$943
Guelph	Zoning By-law (1995)-14864	Minor Variance to the CofA	$950
Halton Hills	Fence By-law 2002-0060	Variance to the Community Affairs Committee	$2,870
Ingersoll	Zoning By-law	Minor Variance to the CofA	$1,431
Kingston	Fences 2003-405	Minor Variance to the Appeals Committee	$417-$2,103
London	Fence By-law No. PS 6	No appeal or application for M.V	~
Markham	Fence By-law 277-97	Application for Exemption of By-law.	Varies
Mississauga	Fence By-law 397-78	Application for Exemption of By-law to the Commissioner.	$305.38
Newmarket	Fence By-law 2019-20	Application for variance of the By-law.	$287
Niagara Falls	Fence By-law 2014-153	Application to City Clerk for Minor Variance to By-law.	No fee
Oakville	Zoning By-law	Minor Variance to the CofA	$3,672
Ottawa	Fence 2003-462	Permit from Director for exemption of By-law. Sec. 11)	N/A
Richmond Hill	Fence By-law - 973 of Municipal Code	No exception process	
Sarnia	Fence By-law/Zoning By-law	Minor Variance to the CofA	$553
Stratford	Fence & Hedge By-law 128-2003	Exemption from Fence By-law.	$500
St. Catharines	Fence By-law 2014-214	Minor Variance from By-law to Council	$393.60
Toronto	Toronto Municipal Code 447	Apply for exemption to Community Council	$200
Vaughan	Fence By-law 80-90	Exemption from Fence By-law.	$345
Waterloo	Fence By-law 2013-017	Minor Variance to Fence Variance Committee	$589

Hamilton

CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	June 16, 2020
SUBJECT/REPORT NO:	Statutory Meetings During the COVID-19 Pandemic Emergency (PED20108(a)) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Anita Fabac (905) 546-2424 Ext. 1258
SUBMITTED BY: **SIGNATURE:**	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department

RECOMMENDATION

(a) That Council direct the City Clerk and the Director of Planning and Chief Planner to proceed with scheduling Statutory Public Meetings of Planning Committee, Committee of Adjustment hearings, and meetings of the Hamilton Municipal Heritage Committee including Working Groups (Education and Communications Working Group, Policy and Design Working Group, Inventory and Research Working Group), Cross-Melville Heritage Conservation District Advisory Committee and Heritage Permit Review Sub-Committee.

(b) That the By-Law to Amend By-law No. 18-270, the Council Procedural By-law, attached as Appendix "D" to Report PED20108(a), be enacted by Council.

(c) That the By-law to Amend By-law No. 07-300, Delegation of Consent Authority and Constituting a Committee of Adjustment, attached as Appendix "E" to Report PED20108(a), be enacted by Council.

EXECUTIVE SUMMARY

At the May 20, 2020 Committee of the Whole meeting, Council directed staff to report back on the necessary revisions to any City of Hamilton By-laws to allow for virtual

Statutory Public Meetings of Planning Committee, the Committee of Adjustment and Hamilton Municipal Heritage Committee including Working Groups (Education and Communications Working Group, Policy and Design Working Group, Inventory and Research Working Group), Cross-Melville Heritage Conservation District Advisory Committee and Heritage Permit Review Sub-Committee meetings.

This report outlines the ways the public can participate in these various virtual meetings, the required changes to public notices and changes to Council's procedural by-law and the by-law constituting the Committee of Adjustment to permit electronic meetings.

Alternatives for Consideration – N/A

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Costs associated with implementing virtual Statutory Public Meetings of Planning Committee, Committee of Adjustment hearings and Hamilton Municipal Heritage Committee and associated Working Groups, Heritage Permit Review Sub Committee and Cross-Melville Heritage Conservation District Advisory Committee meetings, including provision of any required hardware or software to committee members such as headsets, and laptops for staff to host virtual meetings, will be funded through the Development Fee Stabilization Reserve.

Staffing: Additional staff resources are required; however, it will be managed through existing staff complement.

Legal: Legal staff prepared confidential Report LS20013/PED20093 which was heard at the May 20, 2020 Committee of the Whole meeting.

HISTORICAL BACKGROUND

At the Committee of the Whole meeting on May 20, 2020, Council provided the following direction to staff:

"(a) That staff be directed to prepare a report that details the necessary revisions to any City of Hamilton by-laws to allow for virtual public meetings for the Planning Committee, the Committee of Adjustment and Hamilton Municipal Heritage Committee and associated Working Groups (Education and Communications Working Group, Policy and Design Working Group, Inventory and Research Working Group) and Heritage Permit Review Committee in a manner that is consistent with the obligation to hold public meetings in accordance with applicable legislation and that staff bring the recommended by-law revisions to the Committee of the Whole for Council's consideration;

(b) That any costs associated with implementing virtual Planning Committee meetings, Committee of Adjustment and Hamilton Municipal Heritage Committee and associated Working Groups and Heritage Permit Review Committee meetings, including provision of any required hardware or software to committee members, be funded by the Development Fee Stabilization Reserve; and

(a) That Report LS20013/PED20093, remain confidential."

This report outlines the ways the public will be able to participate in virtual Statutory Public Meetings of Planning Committee, Committee of Adjustment hearings and meetings of the Hamilton Municipal Heritage Committee and associated Working Groups, Heritage Permit Review Sub-committee, and the Cross-Melville Heritage Conservation District Advisory Committee. The report also outlines the necessary notice provision changes and how information related to items on the agendas will be made available to the public with the closure of public access to City Hall.

Changes to the procedural by-laws specific to these committees will relate only to holding public meetings and electronic participation. The proposed by-law amendments are attached as Appendix "D" and Appendix "E" to Report PED20108(a).

ANALYSIS

Public Meeting Processes

The following chart outlines the process for public participation in various virtual meetings, when the meetings will resume, and how the meetings will be conducted.

Committee	Process for Public Participation	Meeting Dates	Meeting Record
Planning Committee (Statutory Public Meetings only)	• Written submissions via mail or email • Pre-recorded video submissions to be played at the meeting limited to 5 minutes in length • Oral submissions	Starting July 7, 2020	• Live streamed • Recorded • Video recording posted on the City's website • Meeting minutes posted on the City's website

	via Webex limited to 5 minutes (virtual and phone submissions) – Pre-registration required		
Planning Committee (Consent/Discussion Items)	• Written submissions via mail or email only	Starting July 7, 2020	• Live streamed • Recorded • Video recording posted on the City's website • Meeting minutes posted on the City's website
Hamilton Municipal Heritage Committee (HMHC)	• Oral submissions via Webex limited to 5 minutes for property owners for items on the agenda only (virtual and phone submissions) – Pre-registration required • Pre-recorded video submissions limited to 5 minutes in length from property owners for items on the agenda only to be played at the meeting	As soon as practicable and only on an as needed basis if there are delegation requests or staff reports/presentations	• Live streamed • Recorded • Video recording posted on the City's website • Meeting minutes posted on the City's website

	• Written submissions for all others via mail or email		
Committee of Adjustment	• Written submissions via mail or email • Oral submissions via Webex (virtual and phone submissions) – Pre-registration required	Starting June 25, 2020	• Live streamed • Recorded • Video recording posted on the City's website • Meeting minutes available from City staff • Decisions will be posted on the City's website
Heritage Working Groups	• Will meet virtually, hosted by staff but these meetings are not open to the public	Starting in July on an as needed basis	• Working Group recommendations and advice are presented to HMHC and recorded in the HMHC minutes and report to Planning Committee
Heritage Permit Review Sub-Committee	• Will meet virtually, hosted by staff • As meetings are open to the public, the meetings will be live streamed • Applicants will be able to participate via	Starting in July on an as needed basis	• Live streamed • Minutes are received by HMHC • Heritage Permits approved by HMHC

	Webex (virtual and phone)		
Cross-Melville Heritage Conservation District Advisory Committee	• Will meet virtually, hosted by staff • As meetings are open to the public, the meetings will be live streamed • Applicants will be able to participate via Webex (virtual and phone)	Starting in July on an as needed basis	• Live streamed • Written record forwarded to Heritage Permit Review Sub-Committee and captured in minutes received by HMHC

Public participation in Statutory Public Meetings of Planning Committee, Committee of Adjustment hearings and meetings of the Hamilton Municipal Heritage Committee will require pre-registration with staff in advance of the meeting. Oral submissions will be permitted however will be limited to 5 minutes for Statutory Public Meetings and Hamilton Municipal Heritage Committee. Applicants wishing to provide additional comments may supplement their oral submission with a written submission.

The Clerk's office will also accept pre-recorded videos, no more than 5 minutes in length for Planning Committee and for Hamilton Municipal Heritage Committee from property owners for items on the agenda only, which will be played during meetings. The public will be advised that these videos must adhere to the City's rules and procedures of presenting to Council and will be screened by the Clerk's office to determine their appropriateness.

Written comments, via mail or email, will continue to be accepted for Planning Committee, Hamilton Municipal Heritage Committee and Committee of Adjustment.

Statutory Public Meetings (Planning Committee)

1. Participation

To assist the public with the various ways they can participate in Statutory Public Meetings of the Planning Committee, staff have prepared a guide, attached in draft as Appendix "A" to Report PED20108(a). It includes details on the various ways the public can participate in virtual meetings and how to register as a delegate. This guide will be modified as needed.

2. Notice of Statutory Public Meeting

The Notice of Public Meeting of the Planning Committee has been updated to reflect that the meeting will be a virtual meeting, how the information can be viewed, and the various ways the public can participate and provide input. The Notice is attached as Appendix "B" to Report PED20108(a). The notice will continue to be mailed out in accordance with *Planning Act* requirements.

3. Information Available to the Public

Previously available to the public on the 5th Floor at City Hall and through the Planning Committee agenda in paper and on the City's website, information will now be made available to the public via phone, email or the City's website.

Hamilton Municipal Heritage Committee

1. Participation

To assist the public with the various ways they can participate in Hamilton Municipal Heritage Committee meetings, staff have prepared a guide, attached in draft as Appendix "A" to Report PED20108(a). It includes details on the various ways the public can participate in virtual meetings. This guide will be modified as needed.

2. Information Available to the Public

Previously available at City Hall through the Hamilton Municipal Heritage Committee agenda in paper and on the City's website. Upon request, information will be made available to the public via phone, email or the City's website.

3. Working Groups and Heritage Permit Review Sub-committees

There are currently three Working Groups of the Hamilton Municipal Heritage Committee (Education and Communications Working Group, Policy and Design Working Group and the Inventory and Research Working Group). These groups will resume meeting virtually, starting in July 2020 on an as needed basis. These meetings are not open to the public and will not be live-streamed.

There are currently two heritage permit review sub-committees (Heritage Permit Review Sub-Committee and the Cross-Melville Heritage Conservation District Advisory Committee). These meetings will resume starting in July 2020 on an as needed basis. These meetings are open to the public therefore they will be live-streamed on the City's Website and applicants will be able to participate via Webex.

Committee of Adjustment

1. Procedures

The Committee of Adjustment will need to adopt procedures through a by-law (as required by Local Boards) to hold virtual meetings as per the permissions in the *Municipal Act*, in order to fulfil the requirements of the *Statutory Power Procedure Act* (which applies to the Committee of Adjustment and will require content in the rules of the Committee of Adjustment to hold virtual meetings). The first virtual meeting of the Committee of Adjustment, to be held June 25, 2020, will include having the Committee adopt their procedural by-law/rules to allow them to hold virtual meetings and then proceed with conducting a virtual hearing for Committee of Adjustment applications.

Changes to By-law 07-300, Delegation of Consent Authority and Constituting a Committee of Adjustment, are attached in Appendix "E" to Report PED20108(a).

2. Participation

To assist the public with the various ways they can participate in Committee of Adjustment hearings, staff have prepared a draft guide, attached as Appendix "A" to Report PED20108(a). It includes details on the various ways the public can participate in virtual meetings and how to register as a delegate. This guide will be modified as needed.

3. Notice

The Notice of Public Hearings for Consent/Land Severance and Minor Variances have been updated to reflect that the meeting will be a virtual meeting, how the information can be viewed, and the various ways the public can participate and provide input. The Notices are attached as Appendix "C" to Report PED20108(a). Notice will continue to be mailed out in accordance with *Planning Act* requirements.

4. Making information available

Previously available by visiting City Hall, information on Committee of Adjustment applications will be posted on the City's website. Upon request, information will be made available to the public via phone or email.

5. Future Meetings

Committee of Adjustment meetings will resume on June 25, 2020, which will be a special meeting. In addition, a second special meeting will be scheduled for July 16, 2020 to deal with current volume applications. These meetings will be in addition to the regularly scheduled meetings on July 9, 2020 and July 23, 2020.

Costs

Staff have communicated with the members of all the Committees and Working Groups to identify any technology needs that may be required in order to participate in virtual meetings. At this time, 38 headsets have been identified: 37 for members of the Hamilton Municipal Heritage Committee and the Working Groups, Heritage Permit Review Sub-Committee, and the Cross-Melville Heritage Conservation District Advisory Committee, and 11 for members of the Committee of Adjustment. In addition, laptops are required by staff in order to host the virtual meetings from Room 264 and Council Chambers at City Hall for live-streaming purposes.

The cost of purchasing headsets and laptops will be funded through the Development Fee Stabilization Reserve.

Consultation

The following Divisions and stakeholders were consulted in the preparation of this report:

- Clerks Office, Corporate Services;
- Legal Services;
- Committee of Adjustment Committee members;
- Hamilton Municipal Heritage Committee members;
- Chair, Hamilton Municipal Heritage Committee; and,
- West End Home Builder's Association.

The members of the Committee of Adjustment and Hamilton Municipal Heritage Committee, and the West End Home Builder's Association, did not identify any concerns with the information contained in this report.

The Clerks Office has prepared the necessary amendments to By-law 18-270, the Council Procedural By-law, attached as Appendix "D" to Report PED20108(a), to permit electronic participation for Planning Committee, Hamilton Municipal Heritage Committee and associated Working Groups (Education and Communications Working Group, Policy and Design Working Group, Inventory and Research Working Group), Cross-Melville District Heritage Conservation District Advisory Committee and Heritage Permit Review Committee meetings during an emergency.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & Participation
Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Our People and Performance
Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDUES ATTACHED

Appendix "A" – Public Participation Guide for Virtual Meetings
Appendix "B" – Notice of Statutory Public Meeting
Appendix "C" – Notice of Public Hearing for Consent and Minor Variances
Appendix "D" – Amendments to By-law No. 18-270, the Council Procedural By-law
Appendix "E" – Amendments to By-law No. 07-300, Delegation of Consent Authority and Constituting a Committee of Adjustment

Hamilton

City of Hamilton Public Participation Guide for Virtual Meetings during COVID-19

The City of Hamilton is now conducting Planning Committee, Hamilton Municipal Heritage Committee, Heritage Permit Review Sub-Committee and Cross-Melville Heritage Conservation District Advisory Committee, and Committee of Adjustment virtually via the Webex platform. Members of the public are also able to view meetings online.

Please visit https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas to access the livestream for **Planning Committee**, **Committee of Adjustment** and **Hamilton Municipal Heritage Committee**.

Please visit the City's website to access the livestream for **Heritage Permit Review Sub-Committee** and **Cross-Melville Heritage Conservation District Advisory Committee**.

MEMBERS OF THE PUBLIC ARE ADVISED TO CHECK THE CITY'S WEBSITE FREQUENTLY FOR UP TO DATE INFORMATION ON MEETING SCHEDULING AS MEETING DATES AND TIMES MAY CHANGE.

1. PLANNING COMMITTEE

Written Submissions

Members of the public who would like to participate in a statutory public meeting are able to provide comments in writing via mail or email in advance of the meeting. Comments can be submitted by emailing clerk@hamilton.ca or by mailing the Legislative Coordinator, Planning Committee, City of Hamilton, 71 Main Street West, 1st Floor, Hamilton, Ontario, L8P 4Y5. Comments must be received by noon the day before the meeting. Any written comments received after the deadline will be included on the next Council agenda.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All comments received by noon two business days before the meeting will be included in the agenda.

Pre-Recorded Submissions

Members of the public can participate in a statutory public meeting by submitting a pre-recorded video by noon two business days before the meeting. The video must be no longer than 5 minutes in length and will be reviewed before the meeting to ensure it adheres to the City's procedures and protocols in presenting to Council. The video can be submitted by emailing clerk@hamilton.ca or dropping off a USB at the City Hall drop box located at the back of the 1st Floor of City Hall, 71 Main Street West, to the attention of the Legislative Coordinator, Planning Committee. Any videos that do not adhere to the City's procedures and protocols will not be presented at the meeting.

Oral Submissions During the Virtual Meeting

Members of the public are also able to provide oral comments, no longer than 5 minutes in length, regarding statutory public meeting items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. Interested members of the public **must register** by noon two business days before the meeting.

To register to participate by Webex either via computer or phone, members of the public must submit a Request to Speak form which can be found at https://www.hamilton.ca/council-committee/council-committee-meetings/request-speak-committee-council. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting. The link must not be shared with others as it is unique to the registrant.

All members of the public who register to participate by Webex will be contacted by City Staff to confirm details of the registration prior to the meeting and provide an overview of the public participation process.

We hope this is of assistance and if you need clarification or have any questions on how to participate in a statutory public meeting, please email clerk@hamilton.ca or by phone at 905-546-2424 extension 4605.

2. HAMILTON MUNICIPAL HERITAGE COMMITTEE

Written Submissions

Members of the public who would like to participate in a Hamilton Municipal Heritage Committee meeting are able to provide comments in writing via mail or email in advance of the meeting. Comments can be submitted by emailing clerk@hamilton.ca or by mailing the Legislative Coordinator, Planning Committee, City of Hamilton, 71 Main Street West, 1st Floor, Hamilton, Ontario, L8P 4Y5. Comments must be received by noon the day before the meeting.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All comments received by noon two business days before the meeting will be included in the agenda.

Pre-Recorded Submissions

Property owners can participate in a Hamilton Municipal Heritage Committee meeting by submitting a pre-recorded video by noon two business days before the meeting. The video must be no longer than 5 minutes in length and will be reviewed before the meeting to ensure it adheres to the City's procedures and protocols in presenting to Council. The video can be submitted by emailing clerk@hamilton.ca or dropping off a USB at the City Hall drop box located at the back of the 1st Floor of City Hall, 71 Main Street West, to the attention of the Legislative Coordinator, Hamilton Municipal Heritage Committee. Any videos that do not adhere to the City's procedures and protocols will not be presented at the meeting.

Oral Submissions During the Virtual Meeting

Property owners for items on the meeting agenda are also able to provide oral comments regarding Hamilton Municipal Heritage Committee items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. Interested members of the public **must register** by noon two business days before the meeting.

To register to participate by Webex either via computer or phone, members of the public must submit a Request to Speak form which can be found at https://www.hamilton.ca/council-committee/council-committee-meetings/request-speak-committee-council. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting. The link must not be shared with others as it is unique to the registrant.

Property owners who register to participate by Webex will be contacted by City Staff to confirm details of the registration prior to the meeting and provide an overview of the public participation process.

We hope this is of assistance and if you need clarification or have any questions on how to participate in a statutory public meeting, please email clerk@hamilton.ca or by phone at 905-546-2424 extension 2604.

COMMITTEE OF ADJUSTMENT

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing or via email in advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. Comments must be received by noon two days before the Hearing.

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All comments received by noon two business days before the meeting will be forwarded to the Committee members.

Oral Submissions During the Virtual Meeting

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. Interested members of the public **must register** by noon the day before the hearing.

To register to participate by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221. The following information is required to register: Committee of Adjustment file number that you wish to speak to, name and address of the person wishing to speak. A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting. The link must not be shared with others as it is unique to the registrant.

All members of the public who register will be contacted by Committee Staff to confirm details of the registration prior to the Hearing and provide an overview of the public participation process.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. **It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.

Hamilton

Office of the City Clerk
71 Main Street West, Hamilton ON L8P 4Y5
Phone: 905-546-2424 Fax: 905-546-2095
www.hamilton.ca

[Date]

File(s): [File Type]####

NOTICE OF PUBLIC MEETING
OF THE PLANNING COMMITTEE

DATE: **[Date]**

TIME: **9:30 a.m.**

Due to the COVID-19 and the Closure of City Hall all electronic meetings can be viewed at:

City's Website: https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas

City's YouTube Channel: https://www.youtube.com/user/InsideCityofHamilton or Cable 14

Owner:

Applicant/Agent:

Subject Property: *Provide a description of the subject land (i.e. address), a key map (attached) showing the subject land, or an explanation why no description or key map is provided.*

Purpose and Effect of Application:

[Application Type] (File No. [File Type])

The purpose and effect of this proposed **[Application Type]** is to in order to permit .

The proposed Official Plan Amendment, and information and material related to it, will be available in the staff report for public inspection.

[Application Type] (File No. [File Type])

The purpose and effect of this proposed **[Application Type]** is to in order to permit .

Re: Application(s) by Applicant for Application List for Lands Located at Property Address, [Municipality], (Ward) **Page 2 of 4**

The proposed By-law to amend the Zoning By-law, and information and material related to it, will be available in the staff report for public inspection.

[Application Type] (File No. [File Type])

The proposed Draft Plan of Subdivision consists of .

Additional information regarding the Draft Plan of Subdivision will be available in the staff report for public inspection.

[Application Type] (File No. [File Type])

The proposed Draft Plan of Condominium consists of .

Additional information regarding the Draft Plan of Condominium will be available in the staff report for public inspection.

Please refer to the attached [Plan Type].

Public Input:

The Planning Committee will consider this application at a virtual Public Meeting at the above noted date and time. You may submit written comments to the Legislative Coordinator, Planning Committee, City of Hamilton, 71 Main Street West, 1st Floor, Hamilton, Ontario, L8P 4Y5 or by email clerk@hamilton.ca. Comments must be received by noon **[Day before Planning Committee]**. Any written comments received after the deadline will be included on the **[Next Council Meeting]** Council agenda.

You may also submit a pre-recorded video with your comments. Please see the attached information sheet for instructions.

Oral submissions may also be given by pre-registering with the Clerk's office. Please see the attached information sheet on how to pre-register.

Please note that the owner of any land that contains seven or more residential units must post the notice in a location that is visible to all residents.

If you wish to be notified of the decision of the City of Hamilton on the proposed zoning by-law amendment, you must make a written request to the Legislative Coordinator, Planning Committee, 71 Main Street West, 1st Floor, Hamilton, Ontario, L8P 4Y5 or by email clerk@hamilton.ca.

If you wish to be notified of the decision of the City of Hamilton on the proposed Official Plan Amendment, you must make a written request to the Legislative Coordinator,

Re: Application(s) by Applicant for Application List for Lands Located at Property Address, [Municipality], (Ward) **Page 3 of 4**

Planning Committee, 71 Main Street West, 1st Floor, Hamilton, Ontario, L8P 4Y5 or by email clerk@hamilton.ca.

If you wish to be notified of the decision of the City of Hamilton with respect to the proposed Draft Plan of Subdivision, you must make a written request to the Director of Planning, Planning and Economic Development Department, 71 Main Street West, 6th Floor, Hamilton, Ontario, L8P 4Y5 or by email clerk@hamilton.ca.

Appeals:

In accordance with the provisions of the *Planning Act*,

Official Plan Amendment Application

i. If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Hamilton before the proposed Official Plan amendment is adopted, the person or public body is not entitled to appeal the decision of Council, City of Hamilton to the Local Planning Appeal Tribunal (LPAT).

ii. If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Hamilton before the proposed Official Plan amendment is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal (LPAT) unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

Zoning By-Law Amendment Application

i. If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Hamilton before the proposed by-law is passed, the person or public body is not entitled to appeal the decision of Council, City of Hamilton to the Local Planning Appeal Tribunal (LPAT).

ii. If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Hamilton before the proposed by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal (LPAT) unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Subdivision Application

i. If a person or public body does not make oral submissions at a public meeting, or make written submissions to the City of Hamilton in respect of the proposed Draft Plan of Subdivision before the approval authority gives or refuses to give approval to the

Draft Plan of Subdivision, the person or public body is not entitled to appeal the decision of the City of Hamilton to the Local Planning Appeal Tribunal (LPAT).

ii. If a person or public body does not make oral submissions at a public meeting, or make written submissions to the City of Hamilton in respect of the proposed Draft Plan of Subdivision before the approval authority gives or refuses to give approval to the draft plan of Subdivision, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal (LPAT) unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Other Applications

The lands subject to this/these applications is/are also subject to an application(s) under the *Planning Act* for a minor variance/consent (except if subdivision only)/Official Plan Amendment/Zoning By-law Amendment/Minister's Zoning Order/Approval of a Draft Plan of Subdivision – File numbers.

Collection of Information

Information respecting this application is being collected under the authority of the *Planning Act*, R.S.O. 1990, c.P.13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public **and will appear on the City's website unless you expressly request within your communication that City remove your personal information.**

Additional Information:

The staff report will be available to the public on or after **[Date]** and may be obtained from the City's website https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas or contact [Planner] for a copy of the staff report by phone ADD PHONE # or by email ADD EMAIL ADDRESS.

Legislative Coordinator
Planning Committee

Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5
Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202
E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING

Application for Consent/Land Severance

APPLICATION NUMBER: /B-20:

SUBJECT PROPERTY:

You are receiving this notice because you are either:

- Assessed owner of a property located within 60 metres of the subject property
- Applicant/agent on file, or
- Person likely to be interested in this application

APPLICANT(S):

PURPOSE OF APPLICATION:

Severed lands:
$m^{\pm}$ x $m^{\pm}$ and an area of m^2 per $ha^{\pm}$

Retained lands:
$m^{\pm}$ x $m^{\pm}$ and an area of m^2 per $ha^{\pm}$

The Committee of Adjustment will hear this application on:

DATE: **Thursday, , 2020**

TIME: **p.m.**

PLACE: **Via video link or call in (see attached information sheet for details)**
To be streamed at (link to be determined) for viewing purposes only

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PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached information sheet for complete instructions, including deadlines for submitting to be seen by the Committee.

Orally: If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached information sheet for complete instructions, including deadlines for registering to participate.

Important note: *If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written or oral submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal (LPAT) may dismiss the appeal.*

…/2

/B-19:
PAGE 2

MORE INFORMATION

For more information on this application, including access to drawings illustrating this request:

- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: , 2020

_____
Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.

Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5
Telephone (905) 546-2424, ext. 4221, 3935 Fax (905) 546-4202
E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either the:

- Assessed owner of a property located within 60 metres of the subject property
- Applicant/agent on file, or
- Person likely to be interested in this application

APPLICATION NO.: **/A-20:**

APPLICANTS:

SUBJECT PROPERTY: Municipal address

ZONING BY-LAW: Zoning By-law , as Amended

ZONING: district

PROPOSAL: To

This application will be heard by the Committee as shown below:

DATE: **Thursday, , 2020**
TIME: **p.m.**

PLACE: **Via video link or call in (see attached information sheet for details)**
To be streamed at (link to be determined) for viewing purposes only

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached information sheet for complete instructions, including deadlines for submitting to be seen by the Committee.

Orally: If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached information sheet for complete instructions, including deadlines for registering to participate.

…/2

/A-20:
Page 2

MORE INFORMATION

For more information on this matter, including access to drawings illustrating this request:

- Visit www.hamilton.ca/committeeofadjustment
- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935
- Email Committee of Adjustment staff at cofa@hamilton.ca

DATED: , 2020.

_____

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public.

Authority: Item _____
CM: _____
Ward: City Wide

Bill No. ___

CITY OF HAMILTON

BY-LAW NO. 20-____

To Amend By-law No. 18-270, the Council Procedural By-law

WHEREAS Council enacted a Council Procedural By-law being City of Hamilton By-law No. 18-270;

WHEREAS Council enacted an amendment to By-law 18-270, as amended, to allow for electronic participation pursuant to s. 238(3.1) of the *Municipal Act, 2001* on March 20, 2020;

AND WHEREAS it is necessary to amend By-law 18-270, as amended, further to provide for updated sections of the By-law 18-270, as amended, when members of the public are participating at ELECTRONIC Council and/or Committee meetings during an emergency when attending in-person is not possible with respect to the Planning Committee, Hamilton Municipal Heritage Committee and associated Working Groups (Education and Communications Working Group, Policy and Design Working Group, Inventory and Research Working Group), Cross-Melville District Heritage Committee and Heritage Permit Review Committee in a manner that is consistent with the obligation to hold public meetings in accordance with applicable legislation.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That By-law No. 18-270, be amended:

   (i) By ***amending*** Section 9.2 (2) and adding Section 9.2 (3), as follows:

   9.2 Electronic Participation During an Emergency

   (2) Electronic participation, in accordance with the *Municipal Act, 2001* and/or any other applicable legislation, is permitted by ***citizen Committee members*** at the Mayor's Task Force on Economic Recovery, ***Planning Committee, Hamilton Municipal Heritage Committee and associated Working Groups (Education and Communications Working Group, Policy and Design Working Group, Inventory and Research Working Group), Cross-Melville District Heritage Committee and Heritage Permit Review Committee*** meetings

during an emergency when attending in-person is not possible. (Refer to ***Revised*** Appendix 'K' for UPDATED SECTIONS OF BY-LAW 18-270, AS AMENDED as they would apply to Electronic participation by members of Council at ELECTRONIC Council and/or Committee meetings during an emergency when attending in-person is not possible)

(3) Electronic participation, that is consistent with the obligation to hold public meetings in accordance with the *Municipal Act, 2001* and/or any other applicable legislation, is permitted by members of public at the Planning Committee, Hamilton Municipal Heritage Committee, Cross-Melville District Heritage Committee and Heritage Permit Review Committee. (Refer to ***Revised*** Appendix 'K' for UPDATED SECTIONS OF BY-LAW 18-270, AS AMENDED as they would apply to Electronic participation by members of Council at ELECTRONIC Council and/or Committee meetings during an emergency when attending in-person is not possible)

2. That By-law No. 18-270, as amended, be further amended:

   (i) To include Appendix K, Conducting an Electronic Meeting – Public for the Mayor's Task Force on Economic Recovery, Planning Committee, Hamilton Municipal Heritage Committee and associated Working Groups (Education and Communications Working Group, Policy and Design Working Group, Inventory and Research Working Group), Cross-Melville District Heritage Committee and Heritage Permit Review Committee, attached hereto.

PASSED this 24th day of June, 2020

F. Eisenberger
Mayor

A. Holland
City Clerk

***Revised* Appendix K**

CONDUCTING AN ELECTRONIC MEETING – PUBLIC

MAYOR'S TASK FORCE ON ECONOMIC RECOVERY, *PLANNING COMMITTEE, HAMILTON MUNICIPAL HERITAGE COMMITTEE AND ASSOCIATED WORKING GROUPS (EDUCATION AND COMMUNICATIONS WORKING GROUP, POLICY AND DESIGN WORKING GROUP, INVENTORY AND RESEARCH WORKING GROUP), CROSS-MELVILLE DISTRICT HERITAGE COMMITTEE AND HERITAGE PERMIT REVIEW COMMITTEE*

The following UPDATED SECTIONS OF BY-LAW 18-270, AS AMENDED applies to Electronic participation by members of the public at ELECTRONIC Committee meetings during an emergency when attending in-person is not possible with respect to the Mayor's Task Force on Economic Recovery, ***Planning Committee, Hamilton Municipal Heritage Committee and associated Working Groups (Education and Communications Working Group, Policy and Design Working Group, Inventory and Research Working Group), Cross-Melville District Heritage Committee and Heritage Permit Review Committee*** only:

2.1 The rules of procedure shall be observed in all ELECTRONIC proceedings of Council and shall be the rules for the order and dispatch of business in Council and unless specifically provided, with necessary modifications, apply to all Committees.

2.2 All matters relating to the ELECTRONIC proceedings of Council and Committees for which rules have not been provided for in this By-law and its Appendices shall be decided, as far as is reasonably practicable, with reference to the parliamentary rules as contained in the most recent edition of *Bourinot's Rules of Order*, Geoffrey H. Stanford, Fourth Edition.

5.4 Quorum

(5) If Quorum cannot be maintained during an ELECTRONIC meeting, DUE TO A LOSS OF ELECTRONIC CONNECTION, the Clerk will advise the Chair that quorum is lost and the MEETING WILL BE RECESSED UNTIL THE ELECTRONIC CONNECTION IS RESUMED, WHICH COULD RESULT IN A DELAY TO THE NEXT AVAILABLE BUSINESS DAY. THE CLERK WILL ENSURE THAT THE PROPER MESSAGING RESPECTING THE CONTINUATION OF A COMMITTEE MEETING TO THE FOLLOWING OR NEXT AVAILABLE DAY IS ON THE CITY'S WEBSITE.

5.10 Order of Business

(i) The general Order of Business for the ELECTRONIC meetings of Standing Committees, unless changed by the Standing Committee in the course of the meeting, shall be as follows:

(a) Approval of Agenda
(b) Declarations of Interest
(c) Approval of Minutes of Previous Meeting
(d) Communications
(e) Consent Items
(f) Public Hearings/Written Delegations
(g) Staff Presentations
(h) Discussion Items
(i) Motions
(j) Notice of Motions
(k) General Information/Other Business
(l) Private and Confidential
(m) Adjournment

5.11 WRITTEN Delegations/VIRTUAL Delegations

(1) Persons who wish to APPEAR VIRTUALLY as a delegate at a public meeting held in accordance with applicable legislation, in a manner that is consistent with the obligation to hold public meetings at electronic Committee meetings during an emergency when attending in-person is not possible with respect to the Planning Committee, Hamilton Municipal Heritage Committee, Cross-Melville District Heritage Committee and Heritage Permit Review Committee, shall make a request in writing to be listed as a delegation, such request to be received by the Clerk no later than 12:00 noon the business day before the meeting. If the Committee is meeting on a Monday, the deadline will be 12:00 noon on the Friday.

The "Request to Speak to a Committee of Council - VIRTUALLY" form is available on the City's website at https://www.hamilton.ca/council-committee/council-committee-meetings/request-speak-committee-council

(2) Persons who wish to delegate to Committee on matters that don't require the holding of a public meeting in accordance with applicable legislation, shall submit their delegation in WRITING to the Clerk, the Clerk will list the delegation on the Committee's upcoming agenda. Such WRITTEN delegations must be received by the Clerk no later than 12:00 noon the business day before the meeting.

(3) A request to APPEAR VIRTUALLY as a delegation at a public meeting held in accordance with applicable legislation, shall include the person's name, reason(s) for the delegation, and if applicable the name, address and telephone number of any person, corporations or organizations which they represent.

(4) Upon receipt of a request to APPEAR VIRTUALLY as a delegation at a public meeting held in accordance with applicable legislation, the Clerk shall list the delegation request on the next appropriate agenda for the relevant Committee.

(5) A VIRTUAL delegation by two or more individuals, being made at a public meeting held in accordance with applicable legislation, shall be limited to five (5) minutes.

(6) Notwithstanding subsection 5.11(5), an extension of a specific allotment of time to the five-minute speaking restriction may be granted with the approval of a majority of the members of the Committee present.

(7) Delegates appearing Virtually will adhere to Section 7 – Order and Decorum of the Procedural By-law 18-270 as amended.

(8) A VIRTUAL delegation may provide additional written material regarding the subject matter, for the public record, by providing a copy of such written material to the Clerk at least 5 days in advance of the meeting.

(9) Except as required by by-law, any VIRTUAL Delegations who have previously appeared before a particular Committee on a subject matter shall be limited to providing only new information in their second and subsequent appearances at that Committee.

5.12 Public Hearings

(1) Public Hearings shall be held at Standing Committee meetings.

(2) Advertising or notice of a Public Hearing shall be undertaken as required by applicable legislation, by-law, or according to City policy, to advise interested persons.

(3) Public Hearings shall follow the following order:
(a) an introduction of the subject matter by the Chair or by staff;

(b) the staff presentation, if any and if not waived by the members of the Standing Committee; and
(c) presentations by delegations who have registered to APPEAR VIRTUALLY, will be heard.

(4) Persons who wish to appear as a delegation VIRTUALLY to address Committee on a matter that is the subject of a Public Hearing may make a delegation in accordance with section 5.11 of Appendix K.

(6) VIRTUAL delegations made at a Public Hearing will be limited to 5 minutes.

(7) Where a delegation wishes to provide written material to the members of the Standing Committee at a Public Hearing, which will become public record, the delegation shall:
(a) comply with subsection 5.11(8) of Appendix K.

10.1 The Clerk shall MAKE the agendas of ELECTRONIC Council and Committee meetings AVAILABLE to members of Council and Senior Leadership Team at least 5 days prior to the scheduled meetings ON THE CITY'S WEBSITE.

10.2 The Clerk shall make the agendas of ELECTRONIC Council and Committee meetings, available to the media and general public, simultaneously with the distribution set out in subsection 10.1.

CITY OF HAMILTON

BY-LAW NO. 20-_____

Respecting:

To Amend By-law No. 07-300, Delegation of Consent Authority and Constituting a Committee of Adjustment

WHEREAS Sections 50(l)(c) and 53(1) of the *Planning Act* R.S.O. 1990, c-P.13, as amended, authorize the City of Hamilton to grant Consents;

AND WHEREAS Sections 54(5) and (7) of the *Planning Act* R.S.O. 1990, c-P.13, as amended, authorize the City of Hamilton to delegate the power to grant Consents to a Committee of Adjustment;

AND WHEREAS Section 44 of the *Planning Act* R.S.O. 1990, c-P.13, as amended, authorizes a municipality to constitute a Committee of Adjustment;

NOW THEREFORE, the Council of the City of Hamilton enacts as follows:

1. By-laws 01 -1 48 and 01 -1 49 as amended by 01 -292 are repealed.

2. (1) A Committee of Adjustment for the City of Hamilton, hereinafter "the Committee", is constituted.

   (2) Members of the Committee who are members of Council shall be appointed annually.

   (3) Members of the Committee who are not members of Council shall hold office for the term of Council that appointed them.

   (4) Notwithstanding Sections 2(2) and 2(3), members of the Committee shall hold office until they are reappointed or their successors are appointed.

3. Members of the Committee shall be compensated for their membership on the Committee as follows:

   (a) Payment of $100.00/meeting attended; and
   (b) Reimbursement for mileage costs incurred in accordance with City policy.

4. (1) The Committee shall be composed of nine (9) members, who are

not Members of Council.

(2) Not less than four (4) members of the Committee shall have knowledge and experience in rural planning and agricultural matters, as determined by Council.

5. The Committee shall meet three (3) times/month, or as required, and shall deal with those matters arising from Section 45 of the *Planning Act* R.S.O. 1990, c-P.13, as amended, and arising from a delegation of power under Section 54(5) of the *Planning Act* R.S.O. 1990, c-P113, as amended.

6. The Committee shall adopt its own procedures and rules, which shall include the holding of electronic hearings.

7. The authority of Council under Section 53 of the *Planning Act* R.S.O. 1990, c-P.13, as amended, is delegated to the Committee.

PASSED this 24th day of June, 2020

F. Eisenberger
Mayor

A. Holland
City Clerk

CITY OF HAMILTON

M O T I O N

Planning Committee Date: June 16, 2020

MOVED BY COUNCILLOR PARTRIDGE ……..…….

SECONDED BY COUNCILLOR ……

Parking Problems on Mill Street South at Grindstone Creek

WHEREAS, City Council, on April 10, 2019, approved a Special Enforcement Area pilot utilizing increased parking fines ($200 early payment/$250 set penalty) and increased parking enforcement in the Greensville Waterfall area;

WHEREAS, it is apparent that the Special Enforcement pilot has resulted in noticeable improvements during the Spring and Summer months in the Greensville Waterfall area; and,

WHEREAS, significant public safety concerns are being created by illegal parking during peak times during the Spring and Summer months on both sides of Mill Street South in the vicinity of Grindstone Creek;

THEREFORE, BE IT RESOLVED:

That By-Law 01-218 (being a By-Law to Regulate On-Street Parking) and By-Law 17-225 (being a By-Law to Establish a System of Administrative Penalties) be amended to include Mill Street South from 70m south of Griffin Street to Mountain Brow Road in the Special Enforcement pilot area.