



# City of Hamilton

## PLANNING COMMITTEE ADDENDUM

**Meeting #:** 20-006  
**Date:** July 14, 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

---

	<b>Pages</b>
<b>4. COMMUNICATIONS</b>	
*4.1 Matt Johnston, Urban Solutions, respecting a Request for a Minor Variance for 125-127 Young St and 122-126 Augusta Street Recommendation: Be received.	3
*4.2 Mike Bozzo respecting Backyard Hens Pilot Project Recommendation: Be received.	5
<b>6. PUBLIC HEARINGS / WRITTEN DELEGATIONS</b>	
6.2 Application for a Zoning By-law Amendment for Lands located at 323 Rymal Road East (Hamilton) (PED20060) (Ward 7)	
*6.2.a Written Submissions: 1. George Lilly	7
*6.4 Terry Brown respecting 370 Concession Street (Item 8.1)	8
*6.5 Ian Ludbrook respecting 370 Concession Street (Item 8.1)	9

*6.6	Pearl Davie respecting 370 Concession Street (Item 8.1)	11
*6.7	Jackie Beaudin respecting 370 Concession Street (Item 8.1)	12
*6.8	Elva Davenport respecting 370 Concession Street (Item 8.1)	13



July 9, 2020

157-16

**Via Email**

Members of Planning Committee & Council  
 c/o  
 Lisa Kelsey (Chamberlain), Dipl.M.A.  
 Legislative Coordinator

City of Hamilton  
 Office of the City Clerk  
 71 Main Street West, 1<sup>st</sup> Floor  
 Hamilton, ON L8P 4Y5

Dear Members of Planning Committee & Council,

**RE: REQUEST FOR A MOTION – JULY 14, 2020 PLANNING COMMITTEE  
 ZONING BY-LAW AMENDMENT APPLICATION No. ZAC-18-015 & ZONING BY-LAW No. 19-102  
 125-127 YOUNG STREET & 122-126 AUGUSTA STREET, HAMILTON**

---

As you may recall, UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions), has been retained to act as the authorized planning consultant for 1955132 Ontario Ltd., c/o Mario Nesci, owner of the subject property. On May 9, 2019 the site-specific Zoning By-law 19-102 was passed by Council to approve the development of a 4-storey multi-residential development containing 27 residential dwelling units and 21 parking spaces located on the lands fronting Augusta Street and the existing 3-unit single detached rental dwelling fronting Young Street would remain.

At this time, the owner proposes to replace the pre-existing 3-unit single detached rental dwelling with a 3-storey rental building containing 12 stacked units fronting Young Street. The 4 storey, 27 unit building would remain. In addition to this, the revision includes the introduction of underground parking. This underground parking increases the total number of spaces from 21 to 42 and improves the parking ratio from 0.75 spaces per unit to 1.08 of spaces per unit.

The owner and UrbanSolutions voluntarily conducted a neighbourhood information meeting on February 18, 2020 to obtain public feedback of this revised plan. Through the information meeting, UrbanSolutions found that the community was generally receptive and supportive of the new plan and the improved parking ratio. A copy of the neighbourhood information meeting sign in sheet and meeting minutes has been previously shared with the Ward Councillor and City staff.

Subsection 45(1.3) of the *Planning Act* stipulates that no person shall apply for a minor variance from the provisions of a by-law in respect of the land before the second anniversary of the day on which the by-law was amended. In this case, the corresponding date would be May 9, 2021. However, Subsection 45(1.4) grants exception to Subsection 45(1.3) if Council or the delegated authority has declared by resolution that such an application is permitted.

In order to pursue the development of the revised concept plan, an exemption from Subsection 45(1.3) of the *Planning Act* is required from Council. In keeping with Subsection 45(1.4) of the *Planning Act*, on behalf of 1955132 Ontario Ltd. we respectfully request council pass a motion allowing the owner to file a minor variance application within 2-years of the passing of Zoning By-law 19-102 despite Subsection 45(1.3).

Regards,

**UrbanSolutions**



Matt Johnston, MCIP, RPP  
*Principal*



Scott Beedie, BURPI  
*Planner*

cc: Councillor Jason Farr, City of Hamilton  
Mr. Steve Robichaud, MCIP, RPP, City of Hamilton  
Ms. Shannon McKie, MCIP, RPP, City of Hamilton  
1955132 Ontario Ltd. c/o Mr. Mario Nesci  
Mr. Sergio Manchia, MCIP, RPP

Mike Bozzo respecting Backyard Hens Pilot Project

Good day members of the planning committee . I hope this email finds you well. And thank you for continuing to support our community. It is much appreciated. I am writing to you to see if we can revisit the 'backyard Hen pilot' project for Hamilton. I have asked the council for the last few years to revisit this. Many other cities even the GTA have backyard hens.

Can you please tell me how we can further pursue this. Thank you. Mike p. Bozzo

ne for in-  
mal class  
blend of  
ing with  
staggered

nfolds in  
ber de-  
th situa-  
number

ts have

o your  
sed off  
Min-

r

of  
nu-  
like

ll  
5

JOHN REYNOLDS - THE HAMILTON SPECTATOR

## Hamilton woman fighting for her 'urban' flock

Austin and Heather Bond with two of the chickens they are raising in their Hamilton backyard.

**For more than three years, Heather Bond's backyard has been home to her four hens. Now she's been asked to remove them**

**FALLON HEWITT**  
THE HAMILTON SPECTATOR

A Hamilton woman is hoping city staff will reconsider the idea of an urban chicken pilot project in order to save her four backyard hens.

Heather Bond has had her four Barred Rock hens, lovingly known as her "Lulus," for more than three and a half years.

After being diagnosed with chronic Lyme disease in October 2017, Bond brought her chicks home to eat ticks in her backyard, while also providing her family

with organic, free-range eggs.

"They're a natural pesticide, they eat ticks, flies and slugs," said Bond.

And up until June 18, Bond said she had heard no complaints from neighbours and the hens' presence had gone unnoticed.

But that streak came to an end last week, when bylaw officers showed up on the doorstep of her Kensington Avenue South home.

She said she was given three weeks to remove the hens or told she would be fined, as having hens

in Hamilton runs against the "Responsible Animal Ownership" by-law.

"They're our pets ... to get rid of them, it's going to be very upsetting," said Bond. "It's not like I've owned them for six months and got caught."

At risk of losing her "girls," Bond said she is now hoping to appeal to the city to once again consider allowing residents to keep chickens.

The last time the idea ruffled some feathers in city hall was in 2018, when Coun. Jason Farr tried to convince the planning committee to vote in favour of an updated staff report on the concept. When that failed, he pitched

**CHICKENS** continued on A5

**CHICKENS**

continued from // A1

a pilot project in Wards 1, 2 and 3. Cities such as Toronto, Guelph, Caledon and Newmarket had already "embraced" it at the point, he added.

Neither idea made the cut.

On Wednesday, Farr said he'd be "supportive" if another councillor wanted to give it a go.

On June 16, the planning committee also received two letters from residents proposing the idea get a third run.

In a statement, Ward 3 councillor Nrinder Nann said that without full backing of council, there is "no way to amend" the bylaw as of Wednesday.

"My ideal scenario includes a protocol with public health resources to make this happen safely," said Nann.

Bond said if a councillor did consider bringing the idea forward, she'd stick her wing out as an example of how to do it "properly."

In the backyard, Bond has what she calls the "grand oasis" of chicken coops.

Built by her boyfriend, Bond said the coop has a wire bottom to keep pests such as rats out and it's elevated to keep the birds out of the snow and rain.

She said it also exceeds the required square footage for each hen.

"It definitely surpassed my expectations," said Bond. "My urban coop ended up turning out nicer than the rural one I had before."

She keeps her organic feed inside to deter rodents and the flock can only run freely around the yard if she and her son, Austin, are in the backyard.

"I go above and beyond," said Bond. "My goal is to educate people ... I think they have misconceptions."

Beyond her own sadness, she is most concerned for the impact losing the hens will have on her son. Taking care of the chickens has been his duty around the house and it's how he makes an allowance.

Austin ensures the hens are fed, collects their eggs and has learned "a sense of responsibility," said Bond.

With the chickens eating the ticks, she also believes she's worked to mitigate the risk of him contracting the same disease she lives with.

"He will be devastated," said Bond. "This isn't just hurting me ... it's hurting my son."

Fallon Hewitt is a Hamilton-based reporter at The Spectator. Reach her via email: [hewitt@thespec.com](mailto:hewitt@thespec.com)

SPECTATOR

morn

tallist

George Lilly respecting 323 Rymal Road East

**Subject:** File ZAC-19-031

My comments

Rymal Rd. is only 2 lanes wide,, so much traffic and difficult to drive on to as traffic built up most of the time that is turning left or right from the stop sign at Republic and Rymal Rd.  
I bought my house 30 years ago because this area was and is to be SINGLE family homes and not apartment buildings as proposed. If this bylaw change is granted and the building is done then for sure I can surely see the future clearly that is, all houses between Upper Wellington and Republic St .will be torn down by a developer and high rise builings will follow

in summary I am TOTALLY opposed to the amendment changing AA323 to DE-2/S1798-H multiple dwelling

Regards George Lilly

Terry Brown respecting 370 Concession Street

**Subject:** 370 concession st

I just wanted to point out that the staff report for the last public information meeting with Urban Planners held at Sacred Heart Parish failed to mention that it was a very raucous and boisterous meeting where city staff contemplated calling the Hamilton Police Service for assistance. The planners could not answer any community concerns except to say that any answers would be on the site plan. The City planners back in 1965 determined that the area in question would serve the tenants of 370 Concession as a recreation area (they had a pool built there). Today there is no pool however, the site would be more suited for tenant gardens and a nature retreat. The area in question is surrounded by long-time homeowners who do not deserve to have a parking lot squeezed into our backyards and bedrooms accompanied by all the negative effects of such. I do not believe that this project is part of Hamilton's 'A Place to Grow' initiative based on the damage it will cause, thank you for your time.

Terry D Brown

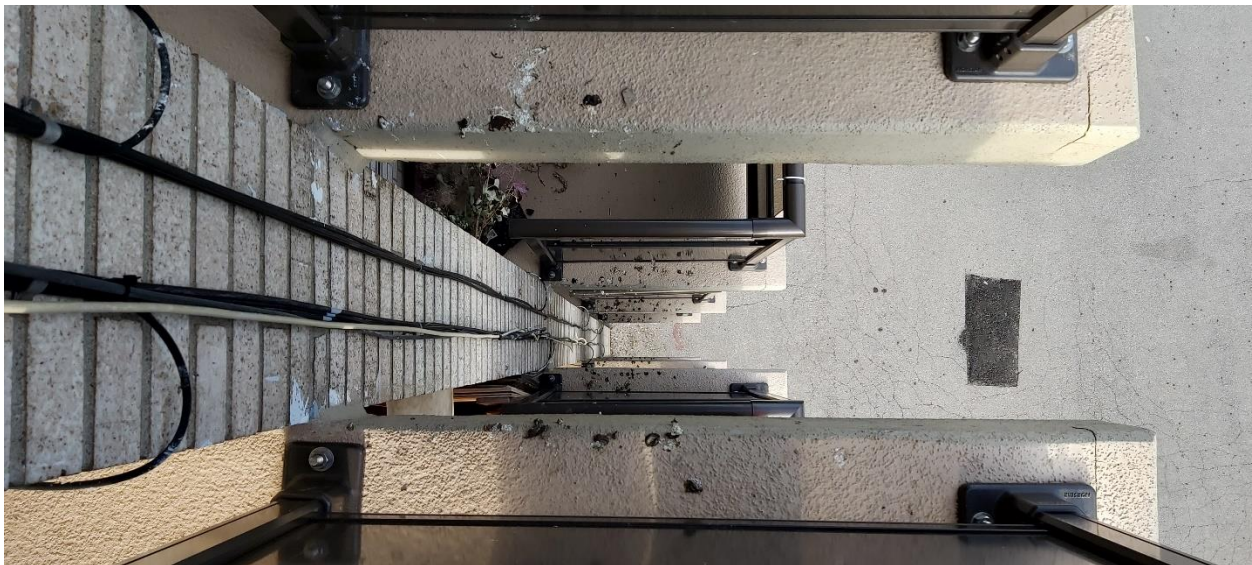


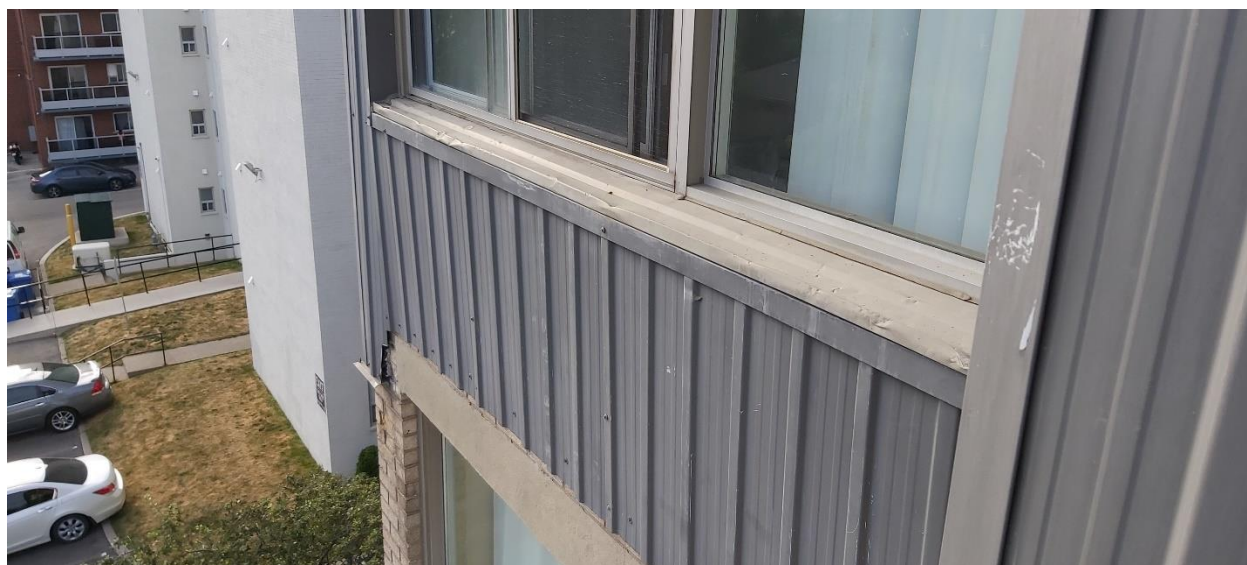
Ian Ludbrook respecting 370 Concession Street

1. What they're going to do about the parking while they are constructing the town houses?
2. My rent currently includes a parking spot outside and in a parking garage. Will these fees be removed or refunded?
3. I purchased a brand-new car knowing that I have access to an inside parking garage. Having an inside parking garage, I knew that I could take care of the car and keep its value up. During construction I will no longer have access to the parking garage. Will I be compensated for the additional depreciation of the car that this construction will cause?
4. In the past Effort Trust has had renovations done to the building that have either not been completed or completed with poor quality causing issue with my balcony that in turn has affected my quality of living. I brought this to the attention of the superintendent in writing about 2-3 years ago and also to the attention of Effort Trust at a meeting Sacred Heart parish centre 24 poplar Ave. Hamilton Ontario. I was promised that this issue would be taken care of right away and nothing has been done. This is a sample of my experiences dealing with Effort Trust and their ability to make decisions that are in the best interest of the residents. This is a major concern that Effort Trust will more than likely handle the construction poorly.

I've attached images of the damage from previous construction where Effort Trust removed the awnings and the secondary effects.

Thanks,  
Ian





Pearl Davie respecting 370 Concession Street

Subject: Zoning By-law Amendment (File No.ZAC-18-008)

My name is Pearl Davie and I am resident and owner, with my husband Robert, of 41 East 14th Street, Hamilton

On February 25th, 2018, I made a submission to Yvette Rybensky, Senior Project Manager, Developmental Planning, Heritage & Design, Suburban Team, with respect to the request for a zoning variation for 370 Concession Street, Hamilton which you will have on file.

The following is a summary of objections to this variance being granted for 370 Concession St. Hamilton:

The reconfiguration of the parking spaces to allow for parking in the space previously occupied by a pool (never used) and subsequently as a sort of green space, brings the parking right into the backyard space of at least three dwellings.

The resulting disruption of privacy, the noise of parking as well as the headlights late at night, the additional lighting required for the area etc. will seriously affect the families adjacent to the parking and should not be allowed.

The addition of townhouses on the East 15th edge of the property takes up existing parking space and so should not be allowed. We note the applicant has reduced the number of units from four to three, which is basically an admission that the application will not serve the area. The only access to the parking is limited to a driveway exiting on East 15th and there would certainly be congestion at some hours of the day. Moreover the question arises of access by emergency vehicles and any ability to accommodate such vehicles if the parking area is full.

Another matter is the collection and disposal of waste from the apartment building. There was some discussion at the public meeting about the relocation of the pickup area, which is currently the area where the proposed townhouses would locate. The revised Concept Plan shows proposed garbage/recycling area in the place where the now removed fourth townhouse would have been. Again this impinges on the driveway area and would raise concerns about emergency vehicles and congestion. In addition, should this be approved, it would legitimize the nuisance factor for any resident of the townhouse.

I would draw to your attention the owners/operators of 370 Concession Street have previously applied for rezoning, in part to legalize an illegal apartment unit which they operated (and received income from) for many years despite it not being formalized.

That application was denied and this application should be denied also. It does not improve or enhance the community in any way and will have negative impacts on local taxpayers.

Sincerely, Pearl Davie

Jackie Beaudin respecting 370 Concession Street

**Subject: Re:Zoning Bylaw Amendment (File No. ZAC-18-008) 370 Concession Street**

Please refer to my letter of August 28, 2019.

Re proposal to reconfigure parking lot and construction of 4 to 3 townhouses.

I have not received clear clarification as to whether this is a 3 or 6 unit complex being that a townhouse is 2 stories.

None of my concerns and I am sure others have been addressed. If it is a 3 unit complex, occupants could choose to live on one floor and rent the other floor resulting in more cars in the parking lot.

The idea of paving over more green space with the accelerating climate change as witnessed this month and my concern of flash floods (Toronto) and no where for water to go except run off is of concern as we have have had at least 2 flooded basements in the past.

The status of the 25+ healthy oxygen producing trees bordering the proposed parking extension spots on the west side of the area. It boggles my mind why these trees would be sacrificed for the sake of blacktop. This is the 21st Century!

I listened on CBC Radio last week that Toronto is about to create 10+ parks in high density condo areas and what planting 10 trees in a block can do for your mental well being.

The visual pollution due to flood lights and car head lights entering and exiting this small area and noise pollution created by cars coming and going next to the neighbours backyard. A fence does not eliminate visual or noise pollution.

The failure to address the added street parking problems. More units, more cars. Don't forget the proposed condo/town house planned for East 15th and Concession (north east side of street).

This street is zoned for parking one side only. Neighbours have had problems parking their own vehicles within close access to their homes on East 15th Street.

No mention of the modern design of townhouses which do not blend in with the existing neighbourhood.

I urge the City Council to think hard and long before they make their decision.

Jackie Beaudin  
Hamilton

Elva Davenport respecting 370 Concession Street

**Subject:** 370 concession st

TO WHOM IT MAY CONCERN. even though I reside in a different ward doesn't diminish my concern regarding the people who will be effected if this proposed lot application is accepted. My son and his family live on E14 and this lot is extremely close to their back yard, where my grandchildren and greatgrand child could be playing, entertaining, ect. This parcel of land was designed for Recreation Only.....Why would you want to disturb the lifestyle of these folks who have lived in quietness and in peace for years in that neighbourhood.....the danger it could bring from a out of control vehicle crashing through my family's back yard where they could be gathered. The noise and pollution it could create plus diminishing the value of property that they have struggled and worked for for years.....I Strongly urge you counselors to thoroughy reconsider this proposed request and for the sake of this neighbourhood..thank you

Elva Davenport  
Ancaster