



PLANNING COMMITTEE

MINUTES

20-004

June 16, 2020

9:30 a.m.

**Council Chambers, Hamilton City Hall
71 Main Street West**

Present: Councillors C. Collins (Acting Chair), J. Farr, J.P. Danko, J. Partridge, M. Pearson, B. Johnson (2nd Vice Chair) and M. Wilson

Absent with Regrets: Councillor T. Whitehead – Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Design Review Panel Mandate Update (PED13137(c)) (City Wide) (Item 6.1)

(Farr/Pearson)

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.

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
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

2. Hamilton Municipal Heritage Committee Report 20-002 (Item 6.2)

(Danko/Wilson)

**(i) 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.

**(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)**

- (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 craftsmanship 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.

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

YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

3. Fee Review of Personal Transportation Providers (Schedule 24 of the Business Licensing By-law 07-170) (PED20104) (City Wide) (Item 9.1)

(Johnson/Partridge)

- (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;
- (c) 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.

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
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

4. Fence By-law Appeal Process (PED20106) (City Wide) (Item 9.2)

(Wilson/Johnson)

That Report PED20106 respecting Fence By-law Appeal Process, be received.

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

YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

**5. Statutory Meetings During the COVID-19 Pandemic Emergency
(PED20108(a)) (City Wide) (Item 9.3)**

(Partridge/Pearson)

- (a) That Council direct the City Clerk and 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; and,
- (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.

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
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

6. Parking Problems on Mill Street South at Grindstone Creek (Item 10.1)

(Partridge/Johnson)

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 Greenville Waterfall area;

WHEREAS, it is apparent that the Special Enforcement pilot has resulted in noticeable improvements during the Spring and Summer months in the Greenville 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.

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
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

7. 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) (Item 13.1)

(Johnson/Pearson)

- (a) That recommendations (a), (b), (c), (d) and (e) contained in Report LS19044, be approved;
- (b) That recommendations (a), (b), (c), (d) and (e) contained in Report LS19044, and the appendices thereto, remain confidential until made public as the City's position before the LPAT; and,
- (c) That the balance of Report LS19044 remain confidential.

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
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 1)

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

1. COMMUNICATIONS (Item 4)

- 4.4 Correspondence from West End Home Builders' Association respecting Item 9.3, Statutory Meetings During the COVID-19 Pandemic Emergency (PED20108(a))
- 4.5 Correspondence from Environment Hamilton respecting Item 9.3, Statutory Meetings During the COVID-19 Pandemic Emergency (PED20108(a))
- 4.6 Correspondence from T. Johns Consulting Group, respecting Item 9.3, Statutory Meetings During the COVID-19 Pandemic Emergency (PED20108(a))

2. GENERAL INFORMATION/OTHER BUSINESS (Item 12)

- 12.2 Appointment of 1st Vice Chair

(Pearson/Partridge)

That the agenda for the June 16, 2020 meeting be approved, as amended.

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

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

(b) DECLARATIONS OF INTEREST (Item 2)

None declared.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

(i) February 18, 2020 (Item 3.1)

(Danko/Johnson)

That the Minutes of the February 18, 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
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(d) COMMUNICATIONS (Item 4)

(i) Anthony Longo respecting 2070 Rymal Road East (Item 4.1)

(Danko/Farr)

That the letter from Anthony Longo respecting 2070 Ryman Road East, be received.

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
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

**(ii) Aly Livingston respecting Urban Hens Pilot Project (Item 4.2)
and Jessica Hodgins respecting Urban Hens (Item 4.3)**

(Pearson/Partridge)

That the letters from Aly Livingston and Jessica Hodgins respecting Urban Hens, be received.

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
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(iii) Correspondence respecting Item 9.3, Statutory Meetings During the COVID-19 Pandemic Emergency (PED20108(a)) (Added Items 4.4, 4.5 and 4.6)

(Farr/Wilson)

That the following correspondence respecting Statutory Meetings During the COVID-19 Pandemic Emergency (PED20108(a)) (Item 9.3), be received and referred to the consideration of Item 9.3:

1. West End Home Builders' Association (Added Item 4.4)
2. Environment Hamilton (Added Item 4.5)
3. T. Johns Consulting Group (Added Item 4.6)

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
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(e) GENERAL INFORMATION / OTHER BUSINESS (Item 12)

(i) Outstanding Business List (Item 12.1)

(Pearson/Danko)

That the following changes to the Outstanding Business List, be approved:

(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 9.2 on this agenda)

(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

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
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(ii) Appointment of 1st Vice Chair of the Planning Committee (Added Item 12.2)

(Pearson/Farr)

That Councillor Danko be appointed as 1st Vice Chair of the Planning Committee.

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
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(f) PRIVATE AND CONFIDENTIAL (Item 13)

The Committee determined they did not need to move into Closed Session for the following item:

- (i) 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)**

For disposition of this matter, refer to Item 7.

(g) ADJOURNMENT (Item 14)

(Pearson/Partridge)

That there being no further business, the Planning Committee be adjourned at 10:48 a.m.

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
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

Councillor Chad Collins
Acting Chair, Planning Committee

Lisa Chamberlain
Legislative Coordinator