



PLANNING COMMITTEE REPORT

AS AMENDED BY COUNCIL AUGUST 21, 2020

20-007

August 11, 2020

9:30 a.m.

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

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

Absent with Regrets: Councillor J. Farr (Chair) – Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED20129) (City Wide) (Item 5.1)

That Report PED20129 respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications, be received.

2. Built Heritage Inventory Strategy Update (PED20133) (City Wide) (Item 5.2)

That Report PED 20133 respecting Built Heritage Inventory Strategy Update, be received.

3. 2020 Water and Wastewater Infrastructure Support Community Improvement Project Area and Plan (PED20120/FCS20055/PW20047) (City Wide) (Item 6.1)

- (a) That the 2013 Water and Wastewater Infrastructure Support Community Improvement Project Area and Plan By-laws 13-079 and 13-080 be repealed and replaced with Appendices “A” and “B” attached to Report (PED20120/FCS20055/PW20047);
- (b) That the Water and Wastewater Infrastructure Support Community Improvement Project Area and Plan (2020) By-law, as described in Report (PED20120/FCS20055/PW20047), be approved on the following basis:

- (i) That the draft By-law for the Water and Wastewater Infrastructure Support Community Improvement Project Area, attached as Appendix “A” to Report (PED20120/FCS20055/PW20047), be enacted by City Council;
 - (ii) That the draft By-law for the Water and Wastewater Infrastructure Support Community Improvement Plan, attached as Appendix “B” to Report (PED20120/FCS20055/PW20047), be enacted by City Council;
 - (iii) That Residential Protective Plumbing Program Guidelines, appended to the Water and Wastewater Infrastructure Support Community Improvement Plan, attached as Appendix “C” to Report (PED20120/FCS20055/PW20047), be approved;
 - (iv) That Lead Water Service Replacement Loan Program Guidelines, appended to the Water and Wastewater Infrastructure Support Community Improvement Plan, attached as Appendix “D” to Report (PED20120/FCS20055/PW20047), be approved; and,
 - (v) That the proposed Community improvement Plan and Project Area are consistent with the Provincial Policy Statement (2020), conforms with A Place to Grow Plan (2019), conforms to the Greenbelt Plan (2017) and complies with the Urban and Rural Hamilton Official Plans.
- (c) That there were no public submissions received regarding this matter.

The following item was amended as follows:

4. Applications for Amendments to Stoney Creek Zoning By-law No. 3692-92 and City of Hamilton Zoning By-law No. 05-200 and Draft Plan of Condominium (Vacant Land) for Lands Known as 42, 44, 48, 52, and 54 Lakeshore Drive (Stoney Creek) (PED20082) (Ward 10) (Item 6.2)

- (a) That Revised Zoning By-law Amendment Application ZAC-18-005, by A.J. Clarke and Associates (c/o Franz Kloibhofer) on behalf of Robert Kosik, Mildred Kosik, Wendell Harrison, Elizabeth Laing, Robert Strong, Maureen Strong, and Elizabeth Sleep (Owners) to change the zoning from the Rural Residential “RR” Zone to the Single Residential “R2-66” Zone, Modified, in order to permit 28 units for single detached dwellings on a private road (condominium road) on lands known as 42, 44, 48, 52, and 54 Lakeshore Drive (Stoney Creek), as shown on Appendix “A” to Report PED20082, be APPROVED on the following basis:

- ~~(i) That the draft By-law attached as Appendix “B” to Report PED20082, 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 (2020), conforms to A Place to Grow (2019), and complies with the Urban Hamilton Official Plan.~~
- (i) That the draft By-law attached as Appendix “B” to Report PED20082, be amended by deleting Subsections 2. (d) and (i) in their entirety and replacing them with the text in Schedule “A” attached hereto;**
- (ii) That pursuant to Section 34(17) of the Planning Act, R.S.O. 1990, c. P.13, further notice of this change made to the proposed By-law shall not be required;**
- (iii) That the amended draft By-law pursuant to sub-section (i) herein, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,**
- (iv) That the proposed amendment is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow (2019), and complies with the Urban Hamilton Official Plan.**
- (b) That Revised Zoning By-law Amendment Application ZAC-18-005, by A.J. Clarke and Associates (c/o Franz Kloibhofer) on behalf of Robert Kosik, Mildred Kosik, Wendell Harrison, Elizabeth Laing, Robert Strong, Maureen Strong, and Elizabeth Sleep (Owners) to change the zoning from the Rural Residential “RR” Zone to the Conservation/Hazard Land (P5, 645) Zone, in order to establish a shoreline protection area along Lake Ontario on lands known as 42, 44, 48, 52, and 54 Lakeshore Drive, Stoney Creek, as shown on Appendix “A” to Report PED20082, be APPROVED on the following basis:
 - (i) That the draft By-law attached as Appendix “C” to Report PED20082, 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 (2020), conforms to A Place to Grow (2019), and complies with the Urban Hamilton Official Plan.
- (c) That Revised Draft Plan of Condominium (Vacant Land) Application 25CDM-201802, by A.J. Clarke and Associates (c/o Franz Kloibhofer) on behalf of Robert Kosik, Mildred Kosik, Wendell Harrison, Elizabeth Laing, Robert Strong, Maureen Strong, and Elizabeth Sleep (Owners) to establish

a Draft Plan of Condominium (Vacant Land) on lands known as 42, 44, 48, 52, and 54 Lakeshore Drive, Stoney Creek, as shown on Appendix “A” to Report PED20082, be APPROVED, subject to the following:

- (i) That this approval apply to the Draft Plan of Condominium (Vacant Land) application 25T-201802, prepared by A.J. Clarke and Associates Ltd., and certified by Nicholas P. Muth, O.L.S., dated February 12 2020, consisting of 28 vacant land units for single detached dwellings, common elements for a private road, and exclusive use waterfront, attached as Appendix “F” to Report PED20082, subject to the Owner entering into a standard form condominium approval agreement as approved by City Council and with Special Conditions attached as Appendix “G” to Report PED20055;
 - (ii) In accordance with the City’s Comprehensive Development Guidelines and Financial Policies Manual (2017) there will be no cost sharing for this development; and,
 - (iii) That Payment of Cash-in-Lieu or dedication of Parkland will be required, pursuant to Section 51 of the *Planning Act*, with the calculation for the payment to be based on the value of the lands on the day prior to the day of issuance of each building permit, all in accordance with the Financial Policies for Development and the City’s Parkland Dedication By-laws, as approved by Council.
- (d) That the public submissions received regarding this matter did not affect the decision.

5. Applications to Amend the Urban Hamilton Official Plan and Hamilton Zoning By-law No. 6593 and for a Draft Plan of Subdivision for Lands known as 1517, 1477 & 1443 Upper James Street and 221 Genoa Drive, Hamilton (PED20084) (Ward 8) (Item 6.3)

- (a) That Urban Hamilton Official Plan Amendment Application UHOPA-18-010, by DiCenzo Construction Company Ltd. (Owner), to add a site specific policy in order to permit a minimum net residential density of 40 units per hectare for a block townhouse development, for lands known as at 1477 Upper James Street and 221 Genoa Drive, Hamilton, as shown on Appendix “A” to Report PED20084, be APPROVED on the following basis:
 - (i) That the draft Official Plan Amendment attached as Appendix “B” to Report PED20084, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

- (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow Plan (2019).
- (b) That Zoning By-law Amendment Application ZAC-18-025, by DiCenzo Construction Company Ltd. (Owner), to change the zoning of the lands from the "RT-30" (Street – Townhouse) District to the "D/S-1801" (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified (Block 1); from the "D/S-1395" (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified to the "D/S-1801" (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified (Block 2); from the "AA" (Agricultural) District to the "D/S-1801" (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified (Block 3); from the "C/S-1788" (Urban Protected Residential, etc.) District, Modified to the "D/S-1801" (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified (Blocks 4 and 5); from the "C/S-1788" (Urban Protected Residential, etc.) District, Modified to the "RT-30/S-1801" (Street – Townhouse) District, Modified (Blocks 6 and 13); from the "D/S-1395" (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified to the "RT-30/S-1801" (Street – Townhouse) District, Modified (Blocks 7, 9, 11 and 14); from the "RT-30" (Street – Townhouse) District to the "RT-30/S-1801" (Street – Townhouse) District, Modified (Blocks * and 10); from the "AA" (Agricultural) District to the "RT-30/S-1801" (Street – Townhouse) District, Modified (Block 12); from the "D/S-1395" (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified to the "RT-20/S-1801" (Townhouse – Maisonette) District, Modified (Block 15); from the "AA" (Agricultural) District to the "RT-20/S-1801" (Townhouse – Maisonette) District, Modified (Block 16); from the "C/S-1788" (Urban Protected Residential, etc.) District, Modified to the "RT-20/S-1801" (Townhouse – Maisonette) District, Modified (Block 17); from the "AA" (Agricultural) District to the "C/S-1788" (Urban Protected Residential) District, Modified (Block 18); and, from the "C/S-1788" (Urban Protected Residential, etc.) District, Modified to the "C/S-1801"-H' (Urban Protected Residential, etc.) District, Modified, Holding (Block 19), in the City of Hamilton Zoning By-law No. 6593, to permit the development of 91 street townhouse dwellings, 38 semi detached dwellings, three single detached dwellings and 18 block townhouse units on lands known as 1477 & 1443 Upper James Street and 221 Genoa Drive, Hamilton, as shown on Appendix "A" to Report PED20084, be APPROVED on the following basis:
 - (i) That the draft By-law attached as Appendix "C" to Report PED20084, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2020), conform with A Place to Grow Plan (2019)

and will comply with the Urban Hamilton Official Plan upon finalization of UHOPA No. __; and,

- (iii) That the amending By-law apply the Holding Provision of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject lands by introducing the Holding symbol 'H' as a suffix to the proposed "C/S-1801" (Urban Protected Residential, etc.) District, Modified (Block 19), with the 'H' symbol being eligible to be removed conditional upon:
 - (1) That the lands identified as Block 19 in Schedule "A" of the amending by-law shall be consolidated with remnant parcels in the abutting Registered Plan 62M-1209, known as 87 and 91 Aquasanta Crescent to the satisfaction of the Senior Director, Growth Management.
- (c) That Draft Plan of Subdivision Application 25T-201803, by DiCenzo Construction Company Ltd. (Owner), to establish a Draft Plan of Subdivision known as "Jamesmount Extension" on lands known as 1517, 1477 & 1443 Upper James Street and 221 Genoa Drive, as shown on Appendix "A" to Report PED20084, be APPROVED subject to the following conditions:
 - (i) That this approval applies to the Draft Plan of Subdivision "Jamesmount Extension" 25T-201803, prepared by A.T. McLaren Ltd., and certified by S.D. McLaren, O.L.S., dated June 19, 2020, consisting of 19 blocks for 38 semi detached dwellings (Blocks 1 – 19), 13 blocks for 91 street townhouse dwellings (Blocks 21 – 25, 27 – 31 and 32 – 34), one lot for a single detached dwelling (Lot 20), one block for 18 block townhouse dwellings (Block 26), two future development blocks for single detached dwellings (Blocks 35 and 36) and the extension of DiCenzo Drive, Aquasanta Crescent, Genoa Drive and the creation of a new Street 'A', subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions attached as Appendix "F" to Report PED20084;
 - (ii) In accordance with the City's Comprehensive Development Guidelines and Financial Policies Manual (2017) there will be no cost sharing for this subdivision; and,
 - (iii) That payment of cash-in-lieu or dedication of Parkland will be required, pursuant to Section 51 of the *Planning Act*, with the calculation for the payment to be based on the value of the lands on the day prior to the day of issuance of each building permit, all in accordance with the Financial Policies for Development and the City's Parkland Dedication By-laws, as approved by Council.

- (d) That, upon finalization of the implementing Zoning By-law, the Ryckmans Neighbourhood Plan be amended by re-designating the lands identified as Blocks 6-17 on Appendix "A" to Report PED20084 from "Single and Double" to "Attached Housing"; and,
 - (e) That there were no public submissions received regarding this matter.
- 6. Amendments to Property Standards By-law 10-221 to Include Private Water Service Line Requirements (PED20121/ FCS20060) (City Wide) (Item 8.1)**
- (a) That the changes to the City of Hamilton Property Standards By-law 10-221 regarding the maintenance requirements for private water service lines as described in Report PED20121/FCS20060, detailed in the proposed amending by-law attached as Appendix "A" to Report PED20121/FCS20060 be approved;
 - (b) That the amending by-law attached as Appendix "A" to Report PED20121/FCS20060, which has been prepared in a form satisfactory to the City Solicitor be enacted by Council.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 1)

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

1. PUBLIC HEARINGS/WRITTEN DELEGATIONS/VIRTUAL DELEGATIONS (Item 6)

- 6.2 Applications for Amendments to Stoney Creek Zoning By-law No. 3692-92 and City of Hamilton Zoning By-law No. 05-200 and Draft Plan of Condominium (Vacant Land) for Lands Known as 42, 44, 48, 52, and 54 Lakeshore Drive (Stoney Creek) (PED20082) (Ward 10)

6.2(a) Public Delegations:

- 1. Tiberiu and Georgeta Stoica

2. NOTICES OF MOTION (Item 10)

- 10.1 Waterdown Heritage Walk Commemorative Plaques

The agenda for the August 11, 2020 meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

None declared.

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

(i) July 14, 2020 (Item 3.1)

The Minutes of the July 14, 2020 meeting were approved, as presented.

(d) PUBLIC HEARINGS/WRITTEN DELEGATIONS (Item 6)

In accordance with the *Planning Act*, Acting Chair Danko advised those viewing the virtual meeting that the public had been advised of how to pre-register to be a virtual delegate at the Public Meetings on today's agenda.

In accordance with the provisions of the *Planning Act*, Chair Danko 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 Community Improvement Project, Zoning By-law Amendments, Official Plan Amendment, Draft Plan of Condominium or Draft Plan of Subdivision development applications before the Committee today, 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.

(i) 2020 Water and Wastewater Infrastructure Support Community Improvement Project Area and Plan (PED20120/FCS20055/PW20047) (City Wide) (Item 6.1)

No members of the public were registered as Delegations.

John Savoia, Senior Policy Advisor, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received

The public meeting was closed.

- (a)** That the 2013 Water and Wastewater Infrastructure Support Community Improvement Project Area and Plan By-laws 13-079 and 13-080 be repealed and replaced with Appendices "A" and "B" attached to Report (PED20120/FCS20055/PW20047);

- (b) That the Water and Wastewater Infrastructure Support Community Improvement Project Area and Plan (2020) By-law, as described in Report (PED20120/FCS20055/PW20047), be approved on the following basis:
 - (i) That the draft By-law for the Water and Wastewater Infrastructure Support Community Improvement Project Area, attached as Appendix “A” to Report (PED20120/FCS20055/PW20047), be enacted by City Council;
 - (ii) That the draft By-law for the Water and Wastewater Infrastructure Support Community Improvement Plan, attached as Appendix “B” to Report (PED20120/FCS20055/PW20047), be enacted by City Council;
 - (iii) That Residential Protective Plumbing Program Guidelines, appended to the Water and Wastewater Infrastructure Support Community Improvement Plan, attached as Appendix “C” to Report (PED20120/FCS20055/PW20047), be approved;
 - (iv) That Lead Water Service Replacement Loan Program Guidelines, appended to the Water and Wastewater Infrastructure Support Community Improvement Plan, attached as Appendix “D” to Report (PED20120/FCS20055/PW20047), be approved; and,
 - (v) That the proposed Community improvement Plan and Project Area are consistent with the Provincial Policy Statement (2020), conforms with A Place to Grow Plan (2019), conforms to the Greenbelt Plan (2017) and complies with the Urban and Rural Hamilton Official Plans.

The recommendations in Report PED20120/FCS20055/PW20047 were **amended** by adding the following sub-section (c):

- (c) ***That there were no public submissions received regarding this matter.***

For disposition of this matter, refer to Item 3.

- (ii) **Applications for Amendments to Stoney Creek Zoning By-law No. 3692-92 and City of Hamilton Zoning By-law No. 05-200 and Draft Plan of Condominium (Vacant Land) for Lands Known as 42, 44, 48, 52, and 54 Lakeshore Drive (Stoney Creek) (PED20082) (Ward 10) (Item 6.2)**

Tim Vrooman, Senior Planner, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

Franz Kloibhofer, AJ Clarke and Associates, was in attendance and indicated support for the staff report.

The delegation from Franz Kloibhofer, was received.

The following registered public delegations were not in attendance:

1. Tiberiu and Georgeta Stoica

The written submissions in the report were received.

The public meeting was closed.

- (a) That Revised Zoning By-law Amendment Application ZAC-18-005, by A.J. Clarke and Associates (c/o Franz Kloibhofer) on behalf of Robert Kosik, Mildred Kosik, Wendell Harrison, Elizabeth Laing, Robert Strong, Maureen Strong, and Elizabeth Sleep (Owners) to change the zoning from the Rural Residential "RR" Zone to the Single Residential "R2-66" Zone, Modified, in order to permit 28 units for single detached dwellings on a private road (condominium road) on lands known as 42, 44, 48, 52, and 54 Lakeshore Drive (Stoney Creek), as shown on Appendix "A" to Report PED20082, be APPROVED on the following basis:
- (i) That the draft By-law attached as Appendix "B" to Report PED20082, 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 (2020), conforms to A Place to Grow (2019), and complies with the Urban Hamilton Official Plan.
- (b) That Revised Zoning By-law Amendment Application ZAC-18-005, by A.J. Clarke and Associates (c/o Franz Kloibhofer) on behalf of Robert Kosik, Mildred Kosik, Wendell Harrison, Elizabeth Laing,

Robert Strong, Maureen Strong, and Elizabeth Sleep (Owners) to change the zoning from the Rural Residential “RR” Zone to the Conservation/Hazard Land (P5, 645) Zone, in order to establish a shoreline protection area along Lake Ontario on lands known as 42, 44, 48, 52, and 54 Lakeshore Drive, Stoney Creek, as shown on Appendix “A” to Report PED20082, be APPROVED on the following basis:

- (i) That the draft By-law attached as Appendix “C” to Report PED20082, 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 (2020), conforms to A Place to Grow (2019), and complies with the Urban Hamilton Official Plan.
- (c) That Revised Draft Plan of Condominium (Vacant Land) Application 25CDM-201802, by A.J. Clarke and Associates (c/o Franz Kloibhofer) on behalf of Robert Kosik, Mildred Kosik, Wendell Harrison, Elizabeth Laing, Robert Strong, Maureen Strong, and Elizabeth Sleep (Owners) to establish a Draft Plan of Condominium (Vacant Land) on lands known as 42, 44, 48, 52, and 54 Lakeshore Drive, Stoney Creek, as shown on Appendix “A” to Report PED20082, be APPROVED, subject to the following:
- (i) That this approval apply to the Draft Plan of Condominium (Vacant Land) application 25T-201802, prepared by A.J. Clarke and Associates Ltd., and certified by Nicholas P. Muth, O.L.S., dated February 12 2020, consisting of 28 vacant land units for single detached dwellings, common elements for a private road, and exclusive use waterfront, attached as Appendix “F” to Report PED20082, subject to the Owner entering into a standard form condominium approval agreement as approved by City Council and with Special Conditions attached as Appendix “G” to Report PED20055;
 - (ii) In accordance with the City’s Comprehensive Development Guidelines and Financial Policies Manual (2017) there will be no cost sharing for this development; and,
 - (iii) That Payment of Cash-in-Lieu or dedication of Parkland will be required, pursuant to Section 51 of the *Planning Act*, with the calculation for the payment to be based on the value of the lands on the day prior to the day of issuance of each building permit, all in accordance with the Financial Policies

for Development and the City's Parkland Dedication By-laws, as approved by Council.

The recommendations in Report PED20082 were **amended** by adding the following sub-section (d):

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

For disposition of this matter, refer to Item 4.

- (iii) Applications to Amend the Urban Hamilton Official Plan and Hamilton Zoning By-law No. 6593 and for a Draft Plan of Subdivision for Lands known as 1517, 1477 & 1443 Upper James Street and 221 Genoa Drive, Hamilton (PED20084) (Ward 8) (Item 6.3)**

No members of the public were registered as Delegations.

Michael Davis, Senior Planner, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

James Webb, Webb Consulting, was in attendance and indicated support for the staff report; and, he addressed the Committee with the aid of a PowerPoint presentation.

The delegation from James Webb, was received.

The public meeting was closed.

- (a) That Urban Hamilton Official Plan Amendment Application UHOPA-18-010, by DiCenzo Construction Company Ltd. (Owner), to add a site specific policy in order to permit a minimum net residential density of 40 units per hectare for a block townhouse development, for lands known as at 1477 Upper James Street and 221 Genoa Drive, Hamilton, as shown on Appendix "A" to Report PED20084, be APPROVED on the following basis:
- (i) That the draft Official Plan Amendment attached as Appendix "B" to Report PED20084, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow Plan (2019).

- (b) That Zoning By-law Amendment Application ZAC-18-025, by DiCenzo Construction Company Ltd. (Owner), to change the zoning of the lands from the “RT-30” (Street – Townhouse) District to the “D/S-1801” (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified (Block 1); from the “D/S-1395” (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified to the “D/S-1801” (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified (Block 2); from the “AA” (Agricultural) District to the “D/S-1801” (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified (Block 3); from the “C/S-1788” (Urban Protected Residential, etc.) District, Modified to the “D/S-1801” (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified (Blocks 4 and 5); from the “C/S-1788” (Urban Protected Residential, etc.) District, Modified to the “RT-30/S-1801” (Street – Townhouse) District, Modified (Blocks 6 and 13); from the “D/S-1395” (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified to the “RT-30/S-1801” (Street – Townhouse) District, Modified (Blocks 7, 9, 11 and 14); from the “RT-30” (Street – Townhouse) District to the “RT-30/S-1801” (Street – Townhouse) District, Modified (Blocks * and 10); from the “AA” (Agricultural) District to the “RT-30/S-1801” (Street – Townhouse) District, Modified (Block 12); from the “D/S-1395” (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified to the “RT-20/S-1801” (Townhouse – Maisonette) District, Modified (Block 15); from the “AA” (Agricultural) District to the “RT-20/S-1801” (Townhouse – Maisonette) District, Modified (Block 16); from the “C/S-1788” (Urban Protected Residential, etc.) District, Modified to the “RT-20/S-1801” (Townhouse – Maisonette) District, Modified (Block 17); from the “AA” (Agricultural) District to the “C/S-1788” (Urban Protected Residential) District, Modified (Block 18); and, from the “C/S-1788” (Urban Protected Residential, etc.) District, Modified to the “C/S-1801”-‘H’ (Urban Protected Residential, etc.) District, Modified, Holding (Block 19), in the City of Hamilton Zoning By-law No. 6593, to permit the development of 91 street townhouse dwellings, 38 semi detached dwellings, three single detached dwellings and 18 block townhouse units on lands known as 1477 & 1443 Upper James Street and 221 Genoa Drive, Hamilton, as shown on Appendix “A” to Report PED20084, be APPROVED on the following basis:
- (i) That the draft By-law attached as Appendix “C” to Report PED20084, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

- (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2020), conform with A Place to Grow Plan (2019) and will comply with the Urban Hamilton Official Plan upon finalization of UHOPA No. __; and,
- (iii) That the amending By-law apply the Holding Provision of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject lands by introducing the Holding symbol 'H' as a suffix to the proposed "C/S-1801" (Urban Protected Residential, etc.) District, Modified (Block 19), with the 'H' symbol being eligible to be removed conditional upon:
 - (1) That the lands identified as Block 19 in Schedule "A" of the amending by-law shall be consolidated with remnant parcels in the abutting Registered Plan 62M-1209, known as 87 and 91 Aquasanta Crescent to the satisfaction of the Senior Director, Growth Management.
- (c) That Draft Plan of Subdivision Application 25T-201803, by DiCenzo Construction Company Ltd. (Owner), to establish a Draft Plan of Subdivision known as "Jamesmount Extension" on lands known as 1517, 1477 & 1443 Upper James Street and 221 Genoa Drive, as shown on Appendix "A" to Report PED20084, be APPROVED subject to the following conditions:
 - (i) That this approval applies to the Draft Plan of Subdivision "Jamesmount Extension" 25T-201803, prepared by A.T. McLaren Ltd., and certified by S.D. McLaren, O.L.S., dated June 19, 2020, consisting of 19 blocks for 38 semi detached dwellings (Blocks 1 – 19), 13 blocks for 91 street townhouse dwellings (Blocks 21 – 25, 27 – 31 and 32 – 34), one lot for a single detached dwelling (Lot 20), one block for 18 block townhouse dwellings (Block 26), two future development blocks for single detached dwellings (Blocks 35 and 36) and the extension of DiCenzo Drive, Aquasanta Crescent, Genoa Drive and the creation of a new Street 'A', subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions attached as Appendix "F" to Report PED20084;
 - (ii) In accordance with the City's Comprehensive Development Guidelines and Financial Policies Manual (2017) there will be no cost sharing for this subdivision; and,

- (iii) That payment of cash-in-lieu or dedication of Parkland will be required, pursuant to Section 51 of the *Planning Act*, with the calculation for the payment to be based on the value of the lands on the day prior to the day of issuance of each building permit, all in accordance with the Financial Policies for Development and the City's Parkland Dedication By-laws, as approved by Council.
- (d) That, upon finalization of the implementing Zoning By-law, the Ryckmans Neighbourhood Plan be amended by re-designating the lands identified as Blocks 6-17 on Appendix "A" to Report PED20084 from "Single and Double" to "Attached Housing";

The recommendations in Report PED20084 were **amended** by adding the following sub-section (e):

- (e) ***That there were no public submissions received on this matter.***

For disposition of this matter, refer to Item 5.

(e) NOTICES OF MOTION (Item 10)

- (i) **Waterdown Heritage Walk Commemorative Plaques (Added Item 10.1)**

Councillor Partridge introduced a Notice of Motion respecting Waterdown Heritage Walk Commemorative Plaques.

(f) GENERAL INFORMATION / OTHER BUSINESS (Item 11)

- (i) **General Manager's Update (Added Item 11.1)**

Jason Thorne, General Manager, PED, addressed the Committee regarding the August 18th Planning Committee agenda, which is being published on August 12th and the Comments on Proposed Amendment 1 to A Place to Grow and Revised Land Needs Assessment Methodology report will be on the agenda.

The General Manager's update was received.

(g) ADJOURNMENT (Item 13)

There being no further business, the Planning Committee was adjourned at 11:41 a.m.

Councillor J.P. Danko
Vice Chair, Planning Committee

Lisa Chamberlain
Legislative Coordinator