



**PLANNING COMMITTEE
MINUTES
20-009**

September 8, 2020

9:30 a.m.

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

Present: Councillors J. Farr (Chair) J.P. Danko (Vice Chair), C. Collins
J. Partridge, M. Pearson, L. Ferguson and M. Wilson

Absent with Regrets: Councillor B. Johnson – Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED20144) (City Wide) (Item 6.1)

(Pearson/Collins)

That Report PED20144 respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications, be received.

Result: Motion CARRIED by a vote of 7 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 - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES – Ward 12 Councillor Lloyd Ferguson

2. To Incorporate City Lands into Cormorant Road by By-Law (PED20145) (Ward 12) (Item 6.2)

(Collins/Danko)

(a) That the following City Lands designated as Parts 1 and 2 on Plan 62R-18324, Parts 2, 3, 4, and 6 on Plan 62R-18588 and Parts 1, 2, and 3 on

Plan 62R20075, as shown on Appendix “A” to Report 20145, be established as a public highway to form part of Cormorant Road;

- (b) That the By-Law to incorporate the City lands to form part of Cormorant Road be prepared to the satisfaction of City Solicitor and be enacted by Council;
- (c) That the General Manager of Public Works be authorized and directed to register the By-Law.

Result: Motion CARRIED by a vote of 7 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 - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES – Ward 12 Councillor Lloyd Ferguson

3. Hamilton Municipal Heritage Committee Report 20-004 (Item 6.3)

(Pearson/Partridge)

- (a) Location of the Cross of Lorraine located at 828 Sanatorium Road Hamilton (PED20141) (Ward 8) (Added Item 10.5)**

That Report PED20141, respecting the Location of the Cross of Lorraine located at 828 Sanatorium Road Hamilton, be received.

- (b) Ancaster Village Heritage Committee respecting Demolition Control as a Positive Force (referred from the July 7, 2020 Planning Committee) (Item 10.4)**

That the Ancaster Village Heritage Committee documents respecting Demolition Control as a Positive Force, be received and referred to the General Manager, Planning and Economic Development for a report back to a future meeting of the Hamilton Municipal Heritage Committee.

Result: Motion CARRIED by a vote of 7 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 - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 11 Councillor Brenda Johnson

YES - Ward 10 Councillor Maria Pearson
YES – Ward 12 Councillor Lloyd Ferguson

4. Applications for Amendments to the Urban Hamilton Official Plan and Zoning By-law 3692-92 (Stoney Creek) for Lands Located at 325 Highway No. 8 (Stoney Creek) (PED20140) (Ward 10) (Item 7.1)

(Pearson/Danko)

- (a) That Urban Hamilton Official Plan Amendment Application UHOPA-20-005, by IBI Group (c/o Julia Redfearn, Applicant) on behalf of LJM Developments (Stoney Creek) Inc. (c/o Liaquat Mian, Owner) to change the designation from “Medium Density Residential 3” to “High Density Residential” and to replace the existing Site Specific Policy Area A in the Western Development Area Secondary Plan to permit an 11-storey, 148 unit multiple dwelling with a maximum net residential density of 551 units per hectare on lands located at 325 Highway No. 8, Stoney Creek, as shown on Appendix “A” to Report PED20140, be DENIED on the following basis:
 - (i) That the proposed amendment does not meet the general intent of the Urban Hamilton Official Plan and the Western Development Area Secondary Plan with respect to building height, residential density, scale, massing, privacy, overlook, and compatibility with and enhancing the character of the existing neighbourhood, and is not considered to be good planning.
- (b) That Zoning By-law Amendment Application ZAC-20-010, by IBI Group (c/o Julia Redfearn, Applicant) on behalf of LJM Developments (Stoney Creek) Inc. (c/o Liaquat Mian, Owner) to further modify the Multiple Residential “RM4- 8” Zone, Modified in order to permit an 11-storey, 148 unit multiple dwelling with on-site ground level amenity areas and outdoor terraces, 22 surface visitor parking spaces, and 123 underground parking spaces in a two-level underground parkade on lands located at 325 Highway No. 8, Stoney Creek, as shown on Appendix “A” to Report PED20140, be DENIED on the following basis:
 - (i) That the proposed change in zoning does not meet the general intent of the Urban Hamilton Official Plan and the Western Development Area Secondary Plan with respect to setbacks, residential density, building height, coverage, and parking, and is not considered to be good planning.
- (c) ***That the public submissions received regarding this matter supported the denial of the application.***

Result: Main Motion, as Amended, CARRIED by a vote of 7 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 - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES – Ward 12 Councillor Lloyd Ferguson

5. Demolition Permit for 86 Sherman Avenue South, Hamilton (Item 10.1)

(Danko/Collins)

WHEREAS, the owner of 86 Sherman Avenue South has experienced a fire in their home making it uninhabitable; WHEREAS, generally vacant buildings or structures damaged by accident, storm, fire, neglect or otherwise, are not necessarily deemed unsafe, but are contrary to the standards for the maintenance and occupancy property prescribed in the Property Standards By-law;

WHEREAS, demolition is appropriate where it is not feasible to repair a damaged or derelict building to the standards prescribed by this Property Standards By-law or maintain property on the Vacant Building Registry and demolition is appropriate; and,

WHEREAS, the owner intends to rebuild the dwelling at 86 Sherman Avenue South as soon as is practicable;

THEREFORE, BE IT RESOLVED:

That the Chief Building Official be authorized to issue a demolition permit for the fire damaged dwelling at 86 Sherman Avenue South in accordance with By-law 09-208, as amended by By-law 13-185, pursuant to Section 33 of The Planning Act as amended, without having to comply with conditions 6. (a), (b) and (c) of the Demolition Control Bylaw 09-208.

Result: Motion CARRIED by a vote of 7 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 - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES – Ward 12 Councillor Lloyd Ferguson

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 1)

The Committee Clerk advised there were no changes to the agenda.

(Ferguson/Pearson)

That the agenda for the September 8, 2020 meeting be approved, as presented.

Result: Motion CARRIED by a vote of 7 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 - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES – Ward 12 Councillor Lloyd Ferguson

(b) DECLARATIONS OF INTEREST (Item 2)

None declared.

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

(i) August 18, 2020 (Item 3.1)

(Pearson/Johnson)

That the Minutes of the August 18, 2020 meeting be approved, as presented.

Result: Motion CARRIED by a vote of 7 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 - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES – Ward 12 Councillor Lloyd Ferguson

(d) COMMUNICATIONS (Item 4)

(i) Denise Minardi respecting UHOP Amendments and Flooding (Item 4.1)

(Partridge/Pearson)

That the communication from Denise Minardi respecting UHOP Amendments and Flooding, be received.

Result: Motion CARRIED by a vote of 7 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 - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES – Ward 12 Councillor Lloyd Ferguson

(e) PUBLIC HEARINGS/WRITTEN DELEGATIONS (Item 7)

In accordance with the *Planning Act*, Chair Farr 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; and that no members of the public have pre-registered to be virtual delegate at any of the Public Meetings on today's agenda.

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 Zoning By-law Amendment and Official Plan Amendment, 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) Applications for Amendments to the Urban Hamilton Official Plan and Zoning By-law 3692-92 (Stoney Creek) for Lands Located at 325 Highway No. 8 (Stoney Creek) (PED20140) (Ward 10) (Item 7.1)

No members of the public were registered as Delegations.

Tim Vrooman, Senior Planner, provided Committee with an overview of the application.

(Pearson/Johnson)

That the staff presentation be received.

Result: Motion CARRIED by a vote of 7 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 - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES – Ward 12 Councillor Lloyd Ferguson

Julia Redfearn and John Ariens, IBI Group, were in attendance and indicated they were not in support of the staff report.

(Pearson/Partridge)

That the delegation from Julia Redfearn and John Ariens, IBI Group, be received.

Result: Motion CARRIED by a vote of 7 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 - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES – Ward 12 Councillor Lloyd Ferguson

(Pearson/Collins)

That the public meeting be closed.

Result: Motion CARRIED by a vote of 7 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 - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES – Ward 12 Councillor Lloyd Ferguson

(Pearson/Collins)

That the following written submissions, and those included in Report PED20140, be received:

1. Conrad DiDiodato
2. Celeste Cordoba
3. Karen Chong
4. Rita D'Angelo

Result: Motion CARRIED by a vote of 7 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 - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES – Ward 12 Councillor Lloyd Ferguson

(Pearson/Danko)

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 - (i) That the proposed amendment does not meet the general intent of the Urban Hamilton Official Plan and the Western Development Area Secondary Plan with respect to building height, residential density, scale, massing, privacy, overlook, and compatibility with and enhancing the character of the existing neighbourhood, and is not considered to be good planning.
- (b) That Zoning By-law Amendment Application ZAC-20-010, by IBI Group (c/o Julia Redfearn, Applicant) on behalf of LJM Developments (Stoney Creek) Inc. (c/o Liaquat Mian, Owner) to further modify the Multiple Residential “RM4- 8” Zone, Modified in order to permit an 11-storey, 148 unit multiple dwelling with on-site ground level amenity areas and outdoor terraces, 22 surface visitor parking spaces, and 123 underground parking spaces in a two-level underground parkade on lands located at 325

Highway No. 8, Stoney Creek, as shown on Appendix “A” to Report PED20140, be DENIED on the following basis:

- (i) That the proposed change in zoning does not meet the general intent of the Urban Hamilton Official Plan and the Western Development Area Secondary Plan with respect to setbacks, residential density, building height, coverage, and parking, and is not considered to be good planning.

(Pearson/Danko)

That the recommendations in Report PED20140 be ***amended*** by adding the following sub-section (c):

- (c) ***That the public submissions received regarding this matter supported the denial of the application.***

Result: Amendment CARRIED by a vote of 7 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 - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES – Ward 12 Councillor Lloyd Ferguson

For disposition of this matter, refer to Item 4.

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

(i) General Manager’s Update (Added Item 12.1)

Jason Thorne, General Manager, Planning and Economic Development, addressed the Committee regarding the City’s comments on Proposed Amendment 1 to A Place to Grow and Revised Land Needs Assessment Methodology that were submitted to the Province; responded to Councillors’ questions on various matters.

(Pearson/Johnson)

That the General Manager’s updated be received.

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

NOT PRESENT - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 8 Councillor John-Paul Danko

YES - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES – Ward 12 Councillor Lloyd Ferguson

(f) PRIVATE AND CONFIDENTIAL (Item 13)

(i) Closed Session Minutes – August 18, 2020 (Item 13.1)

(Partridge/Johnson)

That the Closed Session Minutes dated August 18, 2020 be received and remain confidential.

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

NOT PRESENT - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES – Ward 12 Councillor Lloyd Ferguson

(g) ADJOURNMENT (Item 14)

(Ferguson/Pearson)

That there being no further business, the Planning Committee be adjourned at 10:29 a.m.

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

NOT PRESENT - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 2 Councillor Jason Farr
YES - Ward 15 Councillor Judi Partridge
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES – Ward 12 Councillor Lloyd Ferguson

Councillor J. Farr
Chair, Planning Committee

Lisa Kelsey
Legislative Coordinator