



## City of Hamilton PLANNING COMMITTEE ADDENDUM

**Meeting #:** 20-013  
**Date:** November 3, 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 Kelsey, Legislative Coordinator (905) 546-2424 ext. 4605

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<b>5. DELEGATION REQUESTS</b>	
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<b>7. PUBLIC HEARINGS / DELEGATIONS</b>	

7.2. Applications for Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for lands located at 19 Dawson Avenue, Stoney Creek (PED20195) (Ward 5)

\*7.2.a. Registered Delegations:

- (i) Brad Ackles
- (ii) Tyler Ackles

\*7.2.b. Written Submissions:

- (i) Brad Ackles
- (ii) Miles Budnark
- (iii) Denis and Kim Hamelin
- (iv) David Reid
- (v) Wendy Passmore

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7.3. Application for Zoning By-law Amendment for Lands Located at 1313 Baseline Road (Stoney Creek) (PED20181) (Ward 10)

\*7.3.a. Written Submissions:

- (i) Yu Hua Yin
- (ii) Jason Van Dongen

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\*7.3.b. Agent's Presentation

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**11. NOTICES OF MOTION**

\*11.2. Site Plan Fees for Lapsed Applications

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\*11.3. Demolition Permit for 552 Jerseyville Road West, Ancaster

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## Request to Speak to Committee of Council

Submitted on Friday, October 30, 2020 - 11:01 am

==Committee Requested==

**Committee:** Planning Committee

==Requestor Information==

**Name of Individual:** John Ariens

**Name of Organization:** IBI Group Hamilton

**Contact Number:**

**Email Address:**

**Mailing Address:** Hamilton

**Reason(s) for delegation request:** To address the Minutes of the Heritage Committee regarding 1389 Progreston Road

**Will you be requesting funds from the City?** No

**Will you be submitting a formal presentation?** No



## Hamilton

**HAMILTON MUNICIPAL HERITAGE COMMITTEE  
REPORT 20-006  
9:30 a.m.  
October 30, 2020  
Hamilton City Hall  
71 Main Street West**

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

**Absent with  
Regrets:** D. Beland

**Also in  
Attendance:** Councillor L. Ferguson

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**THE HAMILTON MUNICIPAL HERITAGE COMMITTEE PRESENTS REPORT 20-006  
AND RESPECTFULLY RECOMMENDS:**

**1. Built Heritage Inventory Strategy Update (PED20133) (Item 9.1)**

That the presentation respecting the Built Heritage Inventory Strategy Update (PED20133) be received.

**2. Inventory & Research Working Group - Recommendations on Various Properties (Item 10.1)**

- (a) That the pre-confederation property located at 187-189 Catharine Street North, Hamilton be included on the Municipal Register of Properties of Cultural Heritage Value or Interest;
- (b) That the property at 24 Blake Street (former "Eastcourt" carriage house), Hamilton, be added to the Municipal Register of Properties Cultural Heritage Value or Interest, and added to staff work plan for designation with a medium high priority based on the cultural heritage evaluation.

- (c) The following properties be added to the Municipal Register of Properties of Cultural Heritage Value or Interest:
- 9751 Twenty Road West, Glanbrook
  - 2081 Upper James, Glanbrook
  - 311 Rymal Road East, Hamilton
  - 7105 Twenty Road West, Glanbrook
  - 623 Miles Road, Glanbrook
  - 9445 Twenty Road West, Glanbrook
- 3. Bill 108, More Homes, More Choice Act, 2019 - Ontario Regulations and Ontario Heritage Act (PED19125(b)) (City Wide) (Added Item 10.2)**
- (a) That Council adopt the submissions and recommendations as provided in Report PED19125(b), attached hereto as Appendix “A”, regarding the proposed Regulation under the Ontario Heritage Act, as amended by Bill 108, More Homes, More Choice Act, 2019;
- (b) That the Director of Planning and Chief Planner be authorized and directed to confirm the submissions made to the Province attached as Appendix "B" to Report PED19125(b); and,
- (c) That in advance of the Proclamation of the amendments to the Ontario Heritage Act and associated regulations, the Director of Planning and Chief Planner be authorized to make any changes to internal guidelines and application forms as may be required to implement the changes to the Ontario Heritage Act.
- 4. Designation of 1389 Progreston Road, Carlisle (Flamborough), under Part IV of the Ontario Heritage Act (PED20125(a)) (Ward 15) (Added Item 10.3)**
- (a) That Council, in accordance with the advice provided by the Hamilton Municipal Heritage Committee, advise the landowner that it has no objection to the demolition of the existing house at 1389 Progreston Rd. (the “Property”) and the construction of the new house at 1389 Progreston Rd. in accordance with the architectural plans presented to the Hamilton Municipal Heritage Committee;
- (b) That the revised Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix “A” to Report PED20125(a), be approved;
- (c) That the revised Notice of Intention to Designate, attached as Appendix “B” to Report PED20125(a), be approved;

- (d) That, as recommended by the Hamilton Municipal Heritage Committee, Council withdraw the existing Notice of Intent to Designate and issue a new revised Notice of Intent to Designate 1389 Progreston Road;
- (e) That the Clerk be directed to serve a notice of withdrawal of the Notice of Intention to Designate (as approved by Council on April 22, 2020, and issued on April 23, 2020) on the owner of 1389 Progreston Rd. and the Ontario Heritage Trust, and to cause the notice to be published in a newspaper having general circulation in the municipality and provided to the Conservation Review Board (refer to Appendix "C" of PED20125(a));
- (f) That the Clerk be directed to issue a new Notice of Intent to Designate 1389 Progreston Rd., Carlisle (Flamborough) under Part IV of the Ontario Heritage Act as a property of cultural heritage value, in accordance with Report PED20125(a);
- (g) That if there are no objections to the designation in accordance with the Ontario Heritage Act, that staff be directed to place a designation by-law before Council for adoption;
- (h) That if there are objections to the designation in accordance with the Ontario Heritage Act, the Clerk be directed to refer the designation to the Conservation Review Board for review; and,
- (i) That if the designation is referred to the Conservation Review Board, the City Solicitor and appropriate staff be directed to attend any hearing held by the Conservation Review Board in support of Council's decision to designate the property.

**5. Deferral of an Upcoming Report to the Hamilton Municipal Heritage Committee respecting the Ancaster High School Lands (Added Item 11.1)**

WHEREAS, the City of Hamilton is currently conducting virtual meetings for its Council, Standing Committees, Sub-Committees and Advisory Committees;

WHEREAS, a report regarding the Ancaster High School Lands is proposed for the November 30, 2020 Agenda of the Hamilton Municipal Heritage Committee;

WHEREAS, the report respecting the Ancaster High School Lands is garnering a great deal of interest by the constituents of Ancaster;

WHEREAS, a petition of 11,000 residents of Ancaster has been received by the City regarding this issue which could result in 100 or more people requesting delegation status; and

WHEREAS, while delegations are permitted in these virtual meetings, they are not without their technical challenges;

THEREFORE BE IT RESOLVED:

That the Report respecting the Ancaster High School Lands be deferred until such time as an in-person meeting of the Hamilton Municipal Heritage Committee can be conducted, or the beginning of Q3 2021, whichever event occurs first.

**6. Amendments to the Register Beasley Heritage Project Batch 1 (Added 11.2)**

WHEREAS, several property owners have requested further engagement, and some argue that the pandemic is negatively affecting their properties and business and that the still unknown effects of the pandemic is enough of a challenge at this time; and

WHEREAS the historic Central and Beasley Neighbourhoods are identified as short-term priorities in the City's Built Heritage Inventory Strategy Work Plan, and any properties removed from the Register Beasley list will be reviewed at a future date as part of the City-initiated inventory work;

THEREFORE BE IT RESOLVED:

- (a) That the following properties be removed from the Register Beasley Heritage Project: Batch 1 - Recommended Register Listings, October (attached hereto as Appendix "B" to Report 20-006):
- 203-205, 207-211, 213 James Street North
  - 229, 235, 241, 245, 274 James Street North
  - 282 James Street North
  - 294-296 James Street North
  - 309 James Street North; and
- (b) That the remaining properties on the Register Beasley Heritage Project: Batch 1 be added to the Register.

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 2)**

The Clerk advised the Committee of the following changes:

**5. COMMUNICATIONS**

- 5.2. Correspondence from Gaye Fletcher respecting 2081 Upper James, Mount Hope

Recommendation: Be received and referred to Inventory & Research Working Groups - Recommendations on Various Properties.

- 5.3 Correspondence from Christina Iudica respecting 7105 Twenty Road East, Hannon, Ontario

Recommendation: Be received and referred to Inventory & Research Working Groups - Recommendations on Various Properties.

**6. DELEGATION REQUESTS**

- 6.3 Jack Dennison, respecting Designation of 1389 Progreston Road, Carlisle (Flamborough), under Part IV of the Ontario Heritage Act (PED20125(a)) (Ward 15)

- 6.4. John Ariens, IBI Group, respecting Designation of 1389 Progreston Road, Carlisle (Flamborough), under Part IV of the Ontario Heritage Act (PED20125(a)) (Ward 15)

**7. CONSENT ITEMS**

- 7.5. Inventory and Research Working Groups Meeting Notes - September 28, 2020

**10. DISCUSSION ITEMS**

- 10.2. Bill 108, More Homes, More Choice Act, 2019 - Ontario Regulations and Ontario Heritage Act (PED19125(b)) (City Wide)
- 10.3. Designation of 1389 Progreston Road, Carlisle (Flamborough), under Part IV of the Ontario Heritage Act (PED20125(a)) (Ward 15)

**12. NOTICE OF MOTION**

- 12.1 Deferral of an Upcoming Report to the Hamilton Municipal Heritage Committee respecting the Ancaster High School Lands
- 12.2. Notice of Motion respecting Amendments to the Register Beasley Heritage Project Batch 1

**13. GENERAL INFORMATION/OTHER BUSINESS**

- 13.2 Staff Designation Work Plan



## DELEGATION REQUEST WITHDRAWN

- 6.2. Graham McNally, respecting 229, 235, 241, 245, and 274 James Street North, Hamilton and their inclusion on the Municipal Heritage Register (for today's meeting)

The delegate advised that they wish to withdraw their delegation request as their concerns have been addressed by staff. Subsequent Delegation Requests will be renumbered accordingly.

The Agenda for the October 30, 2020 Hamilton Municipal Heritage Committee was approved, as amended.

### (b) DECLARATIONS OF INTEREST (Item 3)

No declarations of interest were made.

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

#### (i) September 17, 2020 (Item 4.1)

The Minutes of the September 17, 2020 meeting of the Hamilton Municipal Heritage Committee were approved, as presented.

### (d) COMMUNICATIONS (Item 5)

The following Correspondence was approved as presented:

- (i) Correspondence from Jack Dennison respecting 1389 Progreston Road, Carlisle (Flamborough) (Item 5.1)  
Recommendation: Be received and referred to Item 10.3, Designation of 1389 Progreston Road, Carlisle (Flamborough), under Part IV of the Ontario Heritage Act (PED20125(a)) (Ward 15), for consideration.

- (ii) Correspondence from Gaye Fletcher respecting 2081 Upper James, Mount Hope (Added Item 5.2)

Recommendation: Be received and referred to Item 10.1, Inventory & Research Working Group - Recommendations on Various Properties.

- (iii) Correspondence from Christina Iudica respecting 7105 Twenty Road East, Hannon, Ontario (Added Item 5.3)

Recommendation: Be received and referred to Inventory & Research Working Groups - Recommendations on Various Properties.

**(e) DELEGATION REQUESTS (Item 6)**

The following Delegation Requests were approved for today's meeting:

- (i) Carol Priamo, Beasley Neighbourhood Association, respecting the Register Beasley Heritage Project (for today's meeting) (Item 6.1)
- (ii) Jack Dennison, respecting Designation of 1389 Progreston Road, Carlisle (Flamborough), under Part IV of the Ontario Heritage Act (PED20125(a)) (Ward 15) (Added Item 6.2)
- (iii) John Ariens, IBI Group, respecting Designation of 1389 Progreston Road, Carlisle (Flamborough), under Part IV of the Ontario Heritage Act (PED20125(a)) (Ward 15) (Added Item 6.3)

**(f) CONSENT ITEMS (Item 7)**

The following items be received:

- (i) Education and Communication Working Group Meeting Notes - September 9, 2020 (Item 7.1)
- (ii) Heritage Permit Applications - Delegated Approvals (Item 7.2)
  - (a) Heritage Permit Application HP2020-25: Proposed alterations to 76 Mill Street North, Waterdown (Ward 15), a property located within the Mill Street Heritage Conservation District (By-law No. 82-81-H) (Item 7.2(a))
  - (b) Heritage Permit Application HP2020-026: Proposed Installation of a Pool and Hot Tub at 63 Sydenham Street, Dundas (Ward 13) located within the Cross-Melville Heritage Conservation District (By-law No. 3899-90) (Item 7.2(b))
  - (c) Heritage Permit Application HP2020-027: Installation of a Security Camera in the Mortar Joint of the West Elevation Stone Wall at 55 Main Street West, Hamilton (Ward 2) (By-law No. 87-250) (Item 7.2(c))
  - (d) Heritage Permit Application HP2020-028 – Renewal of Previously - approved Heritage Permit HP2018-035 for 24-28 King Street East, Hamilton (Ward 2), (By-law No. 18-321) (Item 7.2(d))
- (iii) Policy and Design Working Group Meeting Notes - July 13, 2020 (Item 7.3)

- (iv) Policy and Design Working Group Meeting Notes - August 17, 2020 (Item 7.4)
- (v) Inventory and Research Working Groups Meeting Notes - September 28, 2020 (Added Item 7.5)

The Inventory and Research Working Group Meeting Notes of September 28, 2020 were deferred to the next meeting of the Hamilton Municipal Heritage Committee to allow for the correction of errors in the recommendations.

**(g) DELEGATIONS (Item 8)**

The following Delegations were received:

**(i) Carol Priamo, Beasley Neighbourhood Association, respecting the Register Beasley Heritage Project (Added Item 8.1)**

Carol Priamo addressed the Committee respecting the Register Beasley Heritage Project, with the aid of a PowerPoint presentation. A copy has been included in the official record.

For further disposition of this matter, refer to Item 6, (i)(i) and (j)(ii).

**(ii) Jack Dennison, respecting Designation of 1389 Progreston Road, Carlisle (Flamborough), under Part IV of the Ontario Heritage Act (PED20125(a)) (Ward 15) (Added Item 8.2)**

Jack Dennison addressed the Committee respecting the Designation of 1389 Progreston Road, Carlisle (Flamborough), under Part IV of the Ontario Heritage Act (PED20125(a)) (Ward 15).

For further disposition of this matter, refer to Item 4.

**(iii) John Ariens, IBI Group, respecting Designation of 1389 Progreston Road, Carlisle (Flamborough), under Part IV of the Ontario Heritage Act (PED20125(a)) (Ward 15) (Added Item 8.3)**

John Ariens, IBI Group, addressed the Committee respecting the Designation of 1389 Progreston Road, Carlisle (Flamborough), under Part IV of the Ontario Heritage Act (PED20125(a)) (Ward 15), with the aid of a PowerPoint presentation. A copy of the presentation has been included in the official record.

For further disposition of this matter, refer to Item 4.

**(h) STAFF PRESENTATION (Item 9)**

**(i) Built Heritage Inventory Strategy Update (PED20133) (Item 9.1)**

Alissa Golden, Heritage Project Specialist, addressed the Committee with an overview of the Built Heritage Inventory Strategy Update (PED20133), with the aid of a PowerPoint Presentation. A copy has been included in the official record.

The presentation respecting the Built Heritage Inventory Strategy Update (PED20133), was received.

For further disposition of this matter, refer to Item 1.

**(i) MOTION (Item 11)**

**(i) Amendments to the Register Beasley Heritage Project: Batch 1**

J. Brown, G. Carroll, and W. Rosart requested that they be marked as OPPOSED to the approval of sub-section (a) of the motion that reads as follows:

(a) That the following properties be removed from the Register Beasley Heritage Project: Batch 1 - Recommended Register Listings, October:

- 203-205, 207-211, 213 James Street North
- 229, 235, 241, 245, 274 James Street North
- 282 James Street North
- 294-296 James Street North
- 309 James Street North

For further disposition of this matter, refer to Item 6.

**(j) NOTICE OF MOTION (Item 12)**

**(i) Deferral of an Upcoming Report to the Hamilton Municipal Heritage Committee respecting the Ancaster High School Lands (Added Item 12.1)**

The Rules of Order be waived to allow for the introduction of a Motion respecting a Deferral of an Upcoming Report to the Hamilton Municipal Heritage Committee respecting the Ancaster High School Lands.

For further disposition of this matter, refer to Item 5.

**(ii) Amendments to the Register Beasley Heritage Project: Batch 1 (Added Item 12.2)**

The Rules of Order be waived to allow for the introduction of a Motion respecting Amendments to the Register Beasley Heritage Project: Batch 1.

For further disposition of this matter, refer to Item 6.

**(k) GENERAL INFORMATION / OTHER BUSINESS (Item 13)**

**(i) Buildings and Landscapes (Item 13.1)**

The property at 163 Pinehurst, Hamilton was added to the Endangered Buildings and Landscapes List (RED).

The property at 187-189 Street Street North, Hamilton was added to the Buildings and Landscapes of Interest (YELLOW).

The property at 80 and 92 Barton Street East (Hanrahan Hotel) was added to Endangered Buildings and Landscapes List (RED)

The following updates 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  

The area surrounding Century Manor has recently been cleaned up by volunteers of the Friends of Century Manor.
- (iv) 18-22 King Street East, Hamilton (D) – W. Rosart
- (v) 24-28 King Street East, Hamilton (D) – W. Rosart
- (vi) 2 Hatt Street, Dundas (R) – K. Burke
- (vii) James Street Baptist Church, 98 James Street South, Hamilton (D) – J. Brown

The Project Manager of the property has hired a muralist to design artwork for the hoarding surrounding the property.

- (viii) Long and Bisby Building, 828 Sanatorium Road – G. Carroll
- (ix) 120 Park Street, Hamilton (R) – R. McKee
- (x) 398 Wilson Street East, Ancaster (D) – C. Dimitry

(xi) Lampman House, 1021 Garner Road East, Ancaster (NOID)  
– C. Dimitry

(xii) Cathedral Boys School, 378 Main Street East, Hamilton (R)  
– T. Ritchie

The building is now being occupied by persons from a nearby care facility.

(xiii) Firth Brothers Building, 127 Hughson Street North, Hamilton (NOID) – T. Ritchie

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

**(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 (R)  
– K. Burke

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

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

(vi) Dunnington-Grubb Gardens, 1000 Main Street East (within Gage Park) (R) – D. Beland

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

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

(ix) 292 Dundas Street East, Waterdown (R) – L. Lunsted

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

(xi) Binkley property, 50-54 Sanders Blvd., Hamilton (R) - J. Brown

- (xii) 62 6<sup>th</sup> Concession East, Flamborough (I) - L. Lunsted
- (xiii) Beach Canal Lighthouse and Cottage (D) – R. McKee
- (xiv) Cannon Knitting Mill, 134 Cannon Street East, Hamilton (R) – T. Ritchie

There appears to be significant damage to the property's windows.

**(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) (R) – 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)**

No properties.

**(ii) Staff Designation Work Plan (Item 13.2)**

The Staff Designation Work Plan, was received.



**(I) ADJOURNMENT (Item 15)**

There being no further business, the Hamilton Municipal Heritage Committee, adjourned at 12:05 p.m.

Respectfully submitted,

Alissa Denham-Robinson, Chair  
Hamilton Municipal Heritage Committee

Loren Kolar  
Legislative Coordinator  
Office of the City Clerk



**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Planning Division**

<b>TO:</b>	Chair and Members Hamilton Municipal Heritage Committee
<b>COMMITTEE DATE:</b>	October 30, 2020
<b>SUBJECT/REPORT NO:</b>	<i>Bill 108, More Homes, More Choice Act, 2019 - Ontario Regulations and Ontario Heritage Act (PED19125(b)) (City Wide)</i>
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Jennifer Roth (905) 546-2424 Ext. 2058
<b>SUBMITTED BY:</b>	Steve Robichaud Director of Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

- (a) That Council adopt the submissions and recommendations as provided in Report PED19125b regarding the proposed Regulation under the *Ontario Heritage Act*, as amended by *Bill 108, More Homes, More Choice Act, 2019*;
- (b) That the Director of Planning and Chief Planner be authorized and directed to confirm the submissions made to the Province attached as Appendix “B” to Report PED19125(b); and,
- (c) That in advance of the Proclamation of the amendments to the *Ontario Heritage Act* and associated regulations, the Director of Planning and Chief Planner be authorized to make any changes to internal guidelines and application forms as may be required to implement the changes to the *Ontario Heritage Act*.

**EXECUTIVE SUMMARY**

**SUBJECT: *Bill 108, More Homes, More Choice Act, 2019 - Ontario Regulations and Ontario Heritage Act (PED19125(b)) (City Wide) - Page 2 of 10***

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On May 2, 2019, *Bill 108, More Homes, More Choice Act, 2019*, was introduced at the Ontario Legislature and subsequently received Royal Assent on June 6, 2019. The Bill amended 13 different statutes, including the *Ontario Heritage Act*. On September 21, 2020 the Province released draft Regulation under the *Ontario Heritage Act* for public comment.

The draft Regulation, attached as Appendix “A” to Report PED19125(b), provides additional detail on how the changes to the *Ontario Heritage Act* resulting from Bill 108 are to be implemented. The anticipated proclamation date for the changes to the *Ontario Heritage Act* and the associated Regulation is January 1, 2021. Further information is expected to be released from the Province in the form of an updated Ontario Heritage Tool Kit to provide guidance materials on implementation of the changes to the *Ontario Heritage Act*. No firm date has been provided on the expected release of the updated Tool-Kit.

The deadline for comments on the draft Regulations is November 5, 2020. As such and given the timing, comments will be submitted to the Province in advance of Council’s consideration of this matter. The comments submitted by staff are included as Appendix “B” to Report PED19125(b). If the recommendations of this Report are approved by Council, the Director of Planning and Chief Planner will notify the Province that the submissions have been adopted by City Council and any modifications will also be noted.

## **FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

**Financial:** The *Ontario Heritage Act* as amended by Bill 108 and the Proposed Regulations will have financial implications on the City in terms of staff resources, and possibly fees for processing matters under the *Ontario Heritage Act*. However the degree and magnitude are unknown at this time.

It should be noted that while the City does not currently charge fees for applications under the *Ontario Heritage Act*, Staff will review internal processes and the potential need to apply application fees to future heritage applications to ensure cost recovery. The result of this review will be presented to Committee and Council for consideration.

**Staffing:** Staffing resource implications remain unknown at this time, however it is anticipated that additional staff resources will be needed to meet the requirements of the new *Ontario Heritage Act* and the prescribed Regulations.

**Legal:** While it is not currently anticipated that additional legal staff will be required, additional legal resources will be required to:

- provide support interpreting and implementing these changes;

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: *Bill 108, More Homes, More Choice Act, 2019 - Ontario Regulations and Ontario Heritage Act (PED19125(b)) (City Wide) - Page 3 of 10***

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- provide support for amendments to Delegated Authority By-law No. 05-364;
- provide support in the creation of a new by-law, resolution, or Official Plan Amendments;
- assist in structuring by-laws, reports, and resolutions to comply with new requirements;
- assist with changes needed to the current process for placing properties on the heritage register; and,
- represent the City at the LPAT as staff anticipate higher number of LPAT appeals now that final decision-making power on designations rests with the LPAT.

## **HISTORICAL BACKGROUND**

Report LS19020/PED19125 which introduced the legislative changes contained in Bill 108 and which was approved by Council on June 12, 2019, indicated that staff would report back on the details of the Bill should it be enacted. As a result of the Bill receiving Royal Assent, the anticipated Proclamation date of January 1, 2021 for the Schedule 11 changes impacting the *Ontario Heritage Act*, and the release of the proposed Regulation by the Province, this report has been prepared to provide further information on the proposed Regulation.

The following are key dates related to Bill 108, *More Homes, More Choice Act, 2019*;

May 2, 2019: Bill 108, *More Homes, More Choice Act, 2019*, was introduced at the Ontario Legislature.

June 6, 2019: Royal Assent given to Bill 108.

September 21, 2020: ERO Posting 019-1348 - Proposed Regulation under the *Ontario Heritage Act* (Bill 108) released for public comment.

November 5, 2020: Commenting deadline for the ERO posting.

Staff will be forwarding a letter to the Province, attached as Appendix “B” to Report PED19125b, outlining staff’s comments on the ERO posting in advance of the commenting deadline. This staff report, including any changes or additions proposed by Council will be forwarded to the Province as additional comments on the ERO posting.

## **RELEVANT CONSULTATION**

This report has been prepared by Planning Division staff with input from Legal staff and Tourism and Culture staff. Internal staff comments have been incorporated into the recommendations of this report and included in the letter to be sent to the Province, attached as Appendix “B” to Report PED19125(b).

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### Legal

The new *Ontario Heritage Act* will require ongoing support from Legal staff respecting the interpretation and implementation of it and the associated Regulation. Legal staff anticipate an increase in requests for legal advice following the proclamation of the new *Ontario Heritage Act* and the new Regulation coming into effect.

Assistance may be required from Legal staff on new forms (such as notice of complete or incomplete application) and on structure of Council resolutions, reports, and designating by-laws in compliance with the new requirements of the *Ontario Heritage Act*.

Legal staff will provide support to Planning staff in amending the Delegated Authority By-law No. 05-364, as amended by Bylaw No. 07-322, to ensure compliance with the new *Ontario Heritage Act* as it relates what constitutes a demolition or alteration and as a result, may impact what Council can delegate to staff. Staff are currently seeking clarification from the Province regarding what constitutes an alteration. A by-law, resolution, or even Official Plan Amendments may also be needed to clarify what documents and information is required to accompany heritage applications.

The proposed Regulation provides several exceptions to timelines set out in the new *Ontario Heritage Act* that may require assistance from Legal staff. Legal staff may also provide assistance in determining whether Council's ability to provide extensions can be delegated to staff and drafting any required by-law with respect to such delegation.

When the new *Ontario Heritage Act* comes into effect on January 1, 2020, there will be a formal objection process for property owners whose property has been placed on the Heritage Register. The City will need to examine its current process for placing properties on the register and make changes to comply with the new requirements. Legal staff may be required to assist in creating and implementing this new process.

Staff anticipate that there will be an increase in appeals to the LPAT as the final decision-making authority has shifted from Council to the LPAT. Legal staff will be required to assist with these LPAT appeals which may have a significant resource impact.

### **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

As stated in Report LS19020/PED19125, staff were not supportive of the proposed changes to the *Ontario Heritage Act* because of concerns that the regulatory changes will have on the City's ability to effectively manage heritage resources, potential impacts to internal resources and the ability to meet the proposed timelines. Despite these concerns being expressed to the Province, Bill 108 received Royal Assent on June 6, 2019, and the enacted regulation remained largely unchanged as it related to the *Ontario Heritage Act*. Much of the proposed Regulation implements changes that have

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already received royal assent and will be part of the new *Ontario Heritage Act*. In the comments provided to the Province, staff are seeking clarification on several aspects of the proposed Regulation.

The proposed Regulation released on September 21, 2020 for review has been organized by the Province into nine themes:

- 1) Principles that a municipal council shall consider when making decisions under specific parts of the OHA;
- 2) Mandatory content for designation by-laws;
- 3) Events which would trigger the new 90 day timeline for issuing a NOID and exceptions to when the timeline would apply;
- 4) Exceptions to the new 120 day timeline to pass a designation by-law after a NOID has been issued;
- 5) Minimum requirements for complete applications for alteration or demolition of heritage properties;
- 6) Steps that must be taken when council has consented to the demolition or removal of a building or structure, or a heritage attribute;
- 7) Information and material to be provided to LPAT when there is an appeal of a municipal decision to help ensure that it has all relevant information necessary to make an appropriate decision;
- 8) Housekeeping amendments related to amending a designation by-law and an owner's reapplication for the repeal of a designation by-law; and,
- 9) Transition provisions.

Staff are supportive of several of the themes in the proposed Regulation but remain concerned with the 90 day timeline to issue a NOID after a prescribed event when combined with an Official Plan Amendment, Zoning By-law Amendment or Plan of Subdivision. A detailed analysis of the proposed regulation, including implications and recommendations made to the Province, is included as Appendix "C" to Report PED19125(b). An overview of the nine themes and potential implications is provided below.

### Theme 1 – Prescribed Principles

The first theme discusses the new 'prescribed principles' which staff are supportive of as the proposed principles are intended to help decision-makers. Staff note that the City's current Official Plan already requires the retention of properties with cultural heritage value or interest as well as requires extensive research and evidence to support the conservation of heritage resources. The current process which includes consultation with the Hamilton Municipal Heritage Committee, and decisions by Planning Committee and Council, demonstrates openness and transparency.

Staff are seeking clarification on aligning the language between the prescribed principles and the Provincial Policy Statement 2020 (PPS). Staff believe using 'shall' in

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the prescribed principles instead of 'should' provides appropriate strength and will be consistent with the PPS.

Theme 2 – Mandatory Contents of Designation By-laws

Staff are in support of the mandatory content for designation by-laws and note that staff's current practices generally follow the requirements. Staff will need to complete a review of internal processes to ensure all requirements are included in application forms, policies, and guidelines. A review of the Cultural Heritage Evaluation Criteria found in Policy B.3.4.2.9 of the Urban Hamilton Official Plan and Rural Hamilton Official Plan to ensure that Hamilton's requirements are aligned with the requirements of the new *Ontario Heritage Act* will be required and will be undertaken as part of the required Official Plan Review.

Theme 3 – Notice of Intention to Designate 90 Day Timeline and Exceptions

Provisions of the new *Ontario Heritage Act* will establish a new 90 day timeline for issuing a NOID when the property is subject to prescribed events.

Within the proposed Regulation prescribed events have been defined as applications submitted to and deemed complete by the municipality for an Official Plan Amendment, Zoning By-law Amendment or a Plan of Subdivision. The new 90 day timeline is intended to encourage discussions about potential designations with development proponents at an early stage to avoid designation decisions being made late in the land use planning process.

Staff's opinion is that the 90 days is not adequate to support the Ministry's 'Prescribed Principle' in 1(3)2.ii of the Regulations that requires that decisions affecting the cultural heritage value/interest be based on research, appropriate studies and documentary evidence. As well, staff review time, consultation with Policy and Design Working Group and the preparation of a staff report takes longer than 90 days.

Staff acknowledge that the Province has provided several opportunities to extend the 90 day timeframe by an additional 90 days, creating an 180 day timeframe, which include mutual agreement between applicant and the City, administrative extension in periods of declared emergency and the receipt of new and relevant information. Staff also note that there is the opportunity to have the timeframe removed through mutual agreement. Staff are supportive of the opportunities to extend the timeframe, however several items of clarification have been asked of the Province including which exceptions can be delegated to staff to ensure timely processing and reduction of administrative burdens. The identification and review of the implications of the development proposed is dependant of the quality of the information submitted with the application.

A three week period is given to review materials as part of a *Planning Act* application, which include the review of CHIAs. If there are questions or edits to the CHIA, then additional review is necessary. Further, CHIAs are reviewed by the Policy and Design

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

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Working Group who meets monthly. Typically between one and three reviews occurs, resulting in a minimum of one to three months required for a CHIA review. Therefore, coupled that with the review of the *Planning Act* application, consultation with the community and application and the internal report writing cycle, the 90 or 180 day timeline is not sufficient for a comprehensive review to be completed.

As such, it will be necessary to review the current application submission requirements to ensure that heritage resources are identified early in the process and that the implications of the proposed on the heritage resources is fully documented.

Staff also note that designations that are not subject to a development application will continue to follow the current practice. Staff are concerned that this shortened timeframe may have impacts on the designation workplan as resources will be redirected to process designations associated with development applications.

#### Theme 4 – Designation By-law 120 Day Timeline and Exceptions

Provisions of the new *Ontario Heritage Act* establish a new requirement for designation by-laws to be passed within 120 days of issuing a NOID. The proposed Regulation also allows for exceptions to this timeframe including mutual agreement between applicant and the City, periods of declared emergency and receipt of new and relevant information submitted. Staff are supportive of this timeframe and the proposed exceptions as the City's current process typically has designation by-laws passed right after the 30 day appeal period for the NOID is complete. Staff have requested the Province to clarify what happens to the 120 day timeline in situations where there is an appeal to a NOID.

#### Theme 5 – Notice of Complete Applications for Alteration or Demolition Applications

Provisions of the new *Ontario Heritage Act* establish a new timeline of 60 days for a municipality to inform a property owner of the completeness of their application for alteration to or demolition of a designated heritage property. Minimum requirements for complete applications are established in the proposed Regulation. The purpose of these minimum standards is to ensure transparency so that property owners are aware of what information is required when making an application and provides consistency across the province. Municipalities can establish additional requirements to the ones set out in the Regulation. Where municipalities choose to add additional requirements, the Regulation requires them to use one of the following official instruments: municipal by-law, council resolution or official plan policy.

Staff are supportive of the minimum requirements; however, it has been noted that these minimum requirements only apply to Part IV, or individually designated properties and staff have advised the Province that these requirements should also apply to Part V that are designated as part of a Heritage Conservation District to provide for the ongoing protection of those properties as well.

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Internal processes and application forms will need to be updated to ensure that these new requirements are included. Specifically, staff note that coordination with the Building Division who receives these permits will be needed. Staff note that there may be a greater scope and time spent on each application which may need to be addressed through the addition of a processing fee for cost recovery, especially in those situations where it is proposed to demolish the designated building/structure.

Theme 6 - Council consent requirement for the demolition or removal of a building or structure, or a heritage attribute

Provisions of the new *Ontario Heritage Act* will require municipal council consent for the demolition or removal of any heritage attributes, in addition to the demolition or removal of a building or structure. Staff are seeking clarification from the Province on the difference between alterations that impact a heritage attribute and a demolition. For example, is the removal of a designated feature such as a window or façade, a demolition or alteration? This distinction may have an impact on what can be delegated to staff versus what will require Council approval as this may result in the need for additional staff resources.

Provisions of the proposed Regulations also provide a process for amending designation by-laws as alterations or demolitions occur. This draft Regulation establishes that any amendments to designation by-laws resulting from an alteration or demolition are not appealable, which is supported by staff.

The proposed Regulation provides that, where council has agreed to the removal of a building or structure from a designated property to be relocated to a new property, council may follow an abbreviated process for designating the receiving property. Staff are supportive of this proposed Regulation given that the subsequent designation by-law made under this proposed Regulation would not be appealable to LPAT.

Updates to internal processes and additional staff resources will need to be considered to address the Regulation.

Theme 7 - Information and material to be provided to Local Planning Appeal Tribunal

The proposed Regulation outlines which materials and information must be forwarded for every LPAT appeal process in the Act by the clerk within 15 calendar days of the date the municipality receives an appeal. Staff are generally supportive of the type of materials and the timeframe in which the material must be submitted; however, staff are seeking additional clarification from the Province on what constitutes the required 'employee statement'.

Collaboration with Legal and Clerks staff when updating internal processes will be required.

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### Theme 8 - Housekeeping amendments related to amending a designation by-law and an owner's reapplication for the repeal of a designation by-law

The proposed Regulation sets out a modified process for situations where a municipality wishes to make substantial amendments to an existing designation by-law. The proposed Regulation makes it clear that there is no 90 day restriction on issuing a notice of proposed amendment to a by-law and provides that council has 365 days from issuing the notice of proposed amendment to pass the final amending by-law and that this timeframe can only be extended through mutual agreement. Staff are supportive of the modified process and will need to ensure that internal processes reflect this scenario.

The proposed regulation also outlines restrictions on a property owner's ability to reapply to have a designation by-law repealed where the application was previously unsuccessful, unless council consents otherwise. The 365 day restriction on an owner's reapplication maintains what had been included in the current *Ontario Heritage Act*. Staff have advised the Province that a longer timeframe would be beneficial to avoid having to annually address an owner's application for a designation repeal.

### Theme 9 - Transition provisions

The proposed transition rules provide clarity on matters that are already in progress at the time the amendments come into force. The draft Regulation states that all processes that commenced on a date prior to proclamation would follow the process and requirements set out in the Act as it read the day before proclamation, which is currently anticipated to be January 1, 2021.

Where council has outstanding notices of intention to designate but has not yet withdrawn the notice or passed the by-law at the time of proclamation, the municipality will have 365 days from proclamation to pass the by-law, otherwise the notice will be deemed withdrawn. Where a NOID has been referred to the Conservation Review Board, the 365 days would be paused until the Board either issues its report or until the objection has been withdrawn, whichever occurs earlier.

Staff note that the City of Hamilton has four outstanding NOIDs which could be dealt with within the 365 transition period but may require additional City resources to complete. Should these four outstanding NOIDs not have a designation by-law passed with 365 days of Proclamation, a new NOID will need to be issued which will be subject to the new processes established under the new *Ontario Heritage Act*. Staff have requested a regulation from the Province in situations where the issued NOID does not follow the current OHA designation standard, but the municipality would like to pass a designation by-law that is in keeping with that standard without having to re-issue a NOID.

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Staff are concerned with the short timeframe to prepare for the implementation of the changes to the *Ontario Heritage Act* and request that the changes to the *Ontario Heritage Act* not come into force until July 1, 2021 instead of the anticipated date of January 1, 2021 to give staff appropriate time to review and update internal processes.

### **Procedural Next Steps**

The public consultation for the proposed Regulation will remain open until November 5, 2020 with an anticipated proclamation date of January 1, 2021.

A future report discussing implementation measures and staff resources, will be prepared by Planning staff for Council's consideration after the Proclamation date.

### **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.

#### **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" – Draft Regulations

Appendix "B" – Letter submitted to the Province with Comments

Appendix "C" – Impact Evaluation of Draft Regulations



Hamilton

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Planning Division  
71 Main Street West, 5<sup>th</sup> Floor, Hamilton ON L8P 4Y5  
Phone: 905-546-2424, Ext. 1221 Fax: 905-540-5611

October 30, 2020

**Lorraine Dooley**

Ministry of Heritage, Sport, Tourism and Culture Industries - Culture Policy Unit  
401 Bay Street  
Suite 1800  
Toronto, ON  
M7A 0A7  
Canada

**RE: Bill 108 Draft Regulations to the *Ontario Heritage Act***

Dear Madam:

On behalf of the City of Hamilton, I am pleased to provide this letter as City of Hamilton's submission on the draft Regulations regarding Schedule 11 of Bill 108. Please find attached to this letter an outline of the key submissions the City wishes to make on the proposed changes to the *Ontario Heritage Act*. City staff will be taking a report to Planning Committee on November 3, 2020 and to Council on November 11, 2020 outlining our submission. Council's position will be forwarded to the Province once it has been ratified.

We look forward to seeing the results of the consultation on the draft Regulations. City staff would be pleased to meet with you to discuss these comments in greater detail.

Regards,

Steve Robichaud, *MCIP, RPP*  
Director of Planning and Chief Planner, Planning Division  
Planning and Economic Development Department  
City of Hamilton

SR:jr  
Attachment

cc: Anita Fabac, Manager of Development Planning, Heritage and Design

### **City of Hamilton Submissions on Bill 108 - Changes to the Ontario Heritage Act**

Staff were not supportive of the proposed Bill 108 changes to the *Ontario Heritage Act* as they will have an impact on how the City administers the *Act* and its current processes. Staff are generally supportive of the Proposed Regulations, however remain concerned with some changes to the new Ontario Heritage Act despite the prescribed information providing clarity. Some of the items in the proposed Regulations do provide additional clarity that staff are satisfied with, however staff have additional questions and points of clarification.

The following are the City's comments and recommendations:

- Staff are supportive of the prescribed principle. Staff advise the Province that many of the prescribed principles use 'should' rather than 'shall' and that the use of 'should' instead of 'shall' contradicts the Provincial Policy Statement 2020, which states "Significant built heritage resources and significant cultural heritage landscapes shall be conserved". Staff advise that the language between the prescribed principles and the Provincial Policy Statement be aligned.
- Staff are seeking clarification from the Province on how to balance the minimum requirements for designation by-laws that requires that the list of heritage attributes be concise, but also requires that each attribute be adequately linked to the cultural heritage value of the cultural heritage resource.
- Staff are seeking clarification that plans, drawings, photos and other images that are required to be part of a designation by-law are to be provided by the applicant who triggered a prescribed event or if in fact they should be supplied by the municipality.
- Staff advise the Province that the 90 day timeline to issue a NOID after a prescribed event aligns with the timeframe to review Zoning By-law Amendments but does not meet the statutory timeframes for review of Official Plan Amendments and Plans of Subdivision, which is 120 days.
- Staff advise the Province that the Planning Act Regulations for Official Plan Amendments (O. Reg 543/06), Plans of Subdivision (O. Reg 544/06) and Zoning By-law Amendments (O. Reg 545/06) should be amended to have heritage resource information included on the required information and material to review.
- Staff are supportive of ensuring development applications and heritage designations are reviewed comprehensively but seek clarification from the Province on what designation process other Planning Act applications with properties that have cultural heritage value or interest would go through.

- Staff are seeking clarity on the length of time that can be entered into through mutual agreement and if mutual agreements can be delegated to staff from Council for both the 90 day timeline to issue a NOID and the 120 day timeline to pass a designation by-law. Further clarification is requested on the formality of the agreement.
- Staff are seeking clarification on the number of times that the 90 day timeline to issue a NOID can be extended as new and relevant information is submitted.
- Further clarification from the Ministry is sought to confirm if new and relevant information can be submitted from any source. Additional clarification is requested on what is considered new and relevant information.
- Staff would like to confirm if only one extension can occur or if multiple extensions can be applied when seeking an extension to the 90 day timeline to issue a NOID.
- Clarification from the Ministry is sought to confirm if Council must pass a resolution after each time a 90 day timeframe to issue a NOID expires or if Council can pass a blanket resolution to extend all 90 day periods. Staff would like to emphasize the increased administrative burden to have resolutions by Council for extended timeframes passed.
- Clarification from the Province is sought to define further what is mean by when Planning Act applications are disposed of. Specifically, staff are seeking clarification on whether after an application has been approved or a decision from the Local Planning Appeal Tribunal has been provided and there is still cultural heritage value on the property, that staff can then proceed with designation should they not have issued a NOID within the 90 day timeframe.
- Staff are seeking clarification as to what happens in situations where there are appeals to NOIDs. Staff would like confirmation of whether the 120 day timeframe to pass a designation by-law is paused for the duration of an appeal.
- Staff note that the requirements for a complete application only apply to subsections 33 (2) and 34 (2) of the *Ontario Heritage Act*, meaning that there are no requirements for a complete application for properties designated under Part V (heritage conservation districts). Staff advise the Province that the requirements for complete application also be applied to district properties to ensure comprehensive submissions for those applications and consistent treatment of all designations.
- Staff require clarification on the ability for Council to delegate their approval authority to staff for demolition applications of designated properties as a result of the definition of demolition being the "removal of any heritage attribute".

- Staff are seeking clarification on the timeframe that amended or repealed by-laws resulting from a demolition or alteration, be processed.
- Staff advise the Province that the timeframe for an owner to reapply for repeal of a designation by-law should be longer than 12 months so that staff do not have to deal with the same issue at the LPAT every 12 months.
- Staff request from the Province additional clarity on the content and structure of the employee statement as part of a LPAT appeal submission.
- Staff are seeking clarification on whether a newspaper having general circulation must be print or can be in digital format.
- Staff are concerned with the short timeframe to prepare for the implementation of the changes to the OHA and request that proclamation be extended from January 1, 2021 to July 1, 2021 to give staff appropriate time to review internal processes.

Staff advise that these comments and points of clarification received endorsement by the Hamilton Municipal Heritage Committee on October 30, 2020.

## Register Beasley Heritage Project

## Batch 1 - Recommended Register Listings, October 2020 (As Amended by HMHC Report 20-006)

Name	Address	Community	Classification
Eager Row	161 JAMES ST N	Hamilton	Significant Built Resource (SBR)
Eager Row	163 JAMES ST N	Hamilton	Significant Built Resource (SBR)
Eager Row	165 JAMES ST N	Hamilton	Significant Built Resource (SBR)
Eager Row	167 169 JAMES ST N	Hamilton	Significant Built Resource (SBR)
	170 174 JAMES ST N	Hamilton	Significant Built Resource (SBR)
	173 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
Orange Hall	175 JAMES ST N	Hamilton	Significant Built Resource (SBR)
Mullen House; Wentworth Cycle Works	176 180 JAMES ST N	Hamilton	Character-Defining Resource (CDR)
Shekter Building	191 JAMES ST N	Hamilton	Character-Defining Resource (CDR)
Former Armoury Hotel; Drake Hotel	193 197 JAMES ST N	Hamilton	Significant Built Resource (SBR)
	199 JAMES ST N	Hamilton	Significant Built Resource (SBR)
John Weir Foote VC Armoury	200 JAMES ST N	Hamilton	Significant Built Resource (SBR)
	201 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
Former Union Hall	224 JAMES ST N	Hamilton	Character-Defining Resource (CDR)
	225 227 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
Sansone Apartments	226 228 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
Walker Apartments	230 234 JAMES ST N	Hamilton	Character-Defining Resource (CDR)
	231 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
	233 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
Littner Apartments	236 JAMES ST N	Hamilton	Character-Defining Resource (CDR)
	237 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
	238 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
	239 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
Gould's Apartments and Auditorium; Hungarian Hall	240 242 JAMES ST N	Hamilton	Character-Defining Resource (CDR)
	243 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
Gould's Apartments	244 246 JAMES ST N	Hamilton	Character-Defining Resource (CDR)
	253 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
	278 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
	280 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
	288 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
	290 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
	292 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
	295 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
Former Weil's Bakery	296 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
Former Sing's Laundry	299 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
	300 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
	301 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
	302 JAMES ST N	Hamilton	Character-Defining Resource (CDR)



<b>Name</b>	<b>Address</b>	<b>Community</b>	<b>Classification</b>
Former Molsons Bank; Bank of Montreal	303 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
Former Canadian Imperial Bank of Commerce Building	305 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
	306 JAMES ST N	Hamilton	Character-Defining Resource (CDR)
	308 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
	310 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
	314 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
	316 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
	318 320 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
	322 324 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
Former Harbour Mission	325 JAMES ST N	Hamilton	Character-Defining Resource (CDR)
	326 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
	328 JAMES ST N	Hamilton	Character-Defining Resource (CDR)
	329 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
	330 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
	331 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
	332 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
	333 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
	334 JAMES ST N	Hamilton	Character-Supporting Resource (CSR)
	337 JAMES ST N	Hamilton	Character-Defining Resource (CDR)
This Ain't Hollywood; Former Turbina Hotel	341 345 JAMES ST N	Hamilton	Character-Defining Resource (CDR)
	342 JAMES ST N	Hamilton	Character-Defining Resource (CDR)
	344 JAMES ST N	Hamilton	Character-Defining Resource (CDR)
	346 JAMES ST N	Hamilton	Character-Defining Resource (CDR)

Re: Official Plan Amendment File No. UHOPA-20-007 & Zoning By-law Amendment File No. ZAC-20-012

Good Day. Appreciate you providing the time for me to speak to the application received for Official Plan & Zoning By-Law amendments and comment on the applicant's plans.

I'd like to thank Sean Stewart from Planning. He was very cooperative & helpful, always provided the information & answers to my questions in a timely manner. It's a difficult task when you're trying to juggle the interests of multiple parties; the City, the applicant & the affected residents.

That said, I've read the staff report and it's pretty clear that we have a different view. **"Residential Intensification shall enhance and be compatible with the scale & character of the existing residential neighbourhood"** and we just don't see that with this project. We can debate all day long whether the intent of a zoning requirement has been met but our interpretation is quite different when it comes to scale, character, height, massing and density to name just a few.

Parking - So because there's no restriction to on-street parking, it's ok? We voiced the same concern with the Amica property and what we've got is significant daily street parking, sometimes on both sides of Dawson. We've submitted pictures and would reference Miles Budnark's recent letter as an example. (taken on a recent Thursday morning) So the parking standard has been met but unless everyone is driving a Smart car, we know where the vehicles will be parked.

Traffic - The staff report does not identify any traffic or road concerns but we have a 2 year open traffic calming file (CSR15008105) which has not been addressed.

How can a decision be taken on this application when the starting line isn't accurate? I don't agree with the current zoning as being "IS". That's an old town Stoney Creek Zoning. The property should be zoned "I1, Neighbourhood Institutional" as defined under the parent By-Law 05-200. Every other institutional property (Amica, Stoney Creek Baptist Church, Cardinal Newman High School, Collegiate Ave Public School, Church of Christ Stoney Creek) has been re-zoned according to the new by-law except 19 Dawson. When questioned, Zoning wasn't able to provide an explanation or any rationale for the property not being included. Curious! Why do I feel this is important? The "IS" zoning does not permit any residential use, either single or multi dwelling. However, "I1" zoning allows for single, semi-detached or duplex dwellings. So there was a residential option already available if it was zoned correctly.

I further refer to the "City Initiative – New Institutional Zoning By-Law document PED06405(a) that the city task force created as the framework for 05-200 that recommended 3 Institutional Zones that have been legislated & phased in. Under "I1", Neighbourhood Institutional, it states "Lastly, any residential redevelopment that may

occur on an existing institutional property would be permitted ***“in a form consistent with the surrounding area (e.g.)single detached, semi-detached, duplex dwellings”*** and goes on to state that it **“allows lands that are no longer required for institutional uses to be developed without an Official Plan Amendment.”** This all seems to align with the permitted uses under Section 8.1.1 and was designed to protect established neighbourhoods against plans like the one proposed. What’s changed with the rationale?

In Ancaster, an “ER” zone was created to protect the character & integrity of mature neighbourhoods by regulating the redevelopment process (“Monster” homes replacing smaller ones). Every argument put forward in objection to the Oakley Court development that resulted in the successful “ER” zoning would apply here. The proposed multi-unit development does not change the fact that the building footprint will be as large or larger than many of the homes the City found objectionable when considering the By-Law.

Why wouldn’t our neighbourhood be afforded the same consideration?

To what lengths do you go in the name of “residential intensification? Regardless of what’s on the property now, at 62.5 x 120, it’s a single family lot. That’s why 7 modifications to the RM2-46 are required to stuff this project on the site. Why would 2 designations be allowed to accommodate the scale of this project that produces a higher density? Our independent consultant review calls it excessive and an attempt to “shoehorn” the project onto the site. It’s just too big!

The reduction in units from 6 to 5 “as a result of feedback” to the proposal should not be viewed or interpreted as a sign of goodwill from the applicant. The original plan was for 6 units @ 5.56 m wide or 33.36m north to south, the revised 5 units are 2 @ 6.62 & 3 @ 6.52 for 32.8 m. So, the footprint is virtually the same which should explain why all the modifications are still required. There’s a simple reason why the applicant doesn’t support Planning’s recommendation for 2 ½ story & no end unit sideyard modifications.

The original plan did not include a sidewalk proposal but one is now part of the staff report. Why? Is this a requirement of the zoning or is this a precursor to some future plan for the neighbourhood?

Multiple references have been made in the report about a “vacant” building being an improvement to the neighbourhood. Nobody is arguing that. We’re not against redevelopment, it’s about the scale of the proposed plan.

We appreciate the recommendation of 2 ½ stories & not supporting the sideyard setback (end unit) but we don’t think it goes far enough. We’re asking you for more consideration of the proposed plan and, at the very least, have the applicant comply with the requirements for the zoning applied for with no variances/modifications.

Brad & Barb Ackles, Stoney Creek

October 25, 2020

Legislative Coordinator,  
 Planning Committee,  
 City of Hamilton,  
 71 Main Street West, 1<sup>st</sup> Floor  
 Hamilton, Ontario  
 L8P 4Y5

Re: File No. UHOPA-20-007

I am writing to voice my objection to the proposed plan amendment to change the designation of the lands located at 19 Dawson Avenue in Stoney Creek from Institutional to Medium Density Residential 3 to permit the construction of five, three storey townhouse dwellings.

In mid-March, 2020, a letter was distributed to neighbourhood homes outlining a plan to build six, three storey townhouses on the property at 19 Dawson Avenue by DeFilippis Design on behalf of Marco Centofanti. I believe the plan has since been revised to five, three storey townhouse dwellings. Many of my remarks, comments and objections relate to that letter. Many details in that letter are either false or misleading as it relates to the neighbourhood. A copy of that letter can be supplied upon request.

The letter states that the townhouse complex is a “downgrade in use intensity.” I strongly disagree. During its previous use, the Masonic Hall was used only 2-3 times per week for only a few hours at a time. The traffic from the hall was definitely less than 5 households. Today, most households have 2 vehicles which equates to 10 vehicles every day. Most people use their garage as storage space and never park a vehicle in the garage. I suspect that one vehicle will be parked in the small driveway and the other will be on the street. As I write this letter on a Sunday afternoon, there are currently 9 vehicles parked on Dawson Avenue and 4 vehicles on Passmore Street from visitors and staff to Amica, the retirement residence across the street. It is clear to me that assuming adequate parking in the driveway of each townhouse is not viable. It is not uncommon to have visitors to Amica parked on Dawson Avenue and Passmore Street every day because there is not enough visitors parking at the residence. The letter also states that there would have been “additional noise, traffic safety concerns, etc” with the original use of the Masonic Hall. That is just wrong as five families (10 cars every day) using the streets would increase the noise and traffic considerably.

Elderly residences from Amica walk along Dawson Avenue daily instead of using busy and noisy King Street. Also, residents in wheel chairs are wheeled throughout the neighbourhood daily. Vehicles parked along Dawson are already making a narrow street even narrower and a potential safety hazard as there is no sidewalk and people must walk on the road. Visitors to the townhouse complex would have to park on the street also. It is improbable, or more likely impossible that visitors to the townhouses will park in the driveways. That just adds to the number of cars on the street. In the very near future, the renovations to Collegiate Avenue School will be complete. That will increase school bus, family vehicles and foot traffic in this area. We don’t need more vehicles parked on the streets to add to the safety concerns.

The letter also states that the existing institutional use would “demand more from utilities (services).” As the hall was empty over 75% of the time, I don’t believe that adding 5 units using utilities **daily** would be less stress on an already weakened utility system. From the day that Amica was built, the

neighbourhood has had water pressure issues that the city has refused to address. The water pressure is extremely low and well below city standards and tolerances. The water pressure in our house and many houses on the street is less than half of the City's recommended pressure. I don't believe that the contractor or the city would be willing to finance the cost of digging up Dawson Avenue all the way to King Street to tap into that water supply. I suspect that our neighbourhood water pressure will only get worse with 5 units using the water daily compared to the hall using it a few times a week for only a few hours at a time.

A colour rendering of the proposed building was included in the original letter which shows three storeys plus a peaked roof. The contractor details that the buildings will be kept to a maximum of 11 m. I cannot believe that three storeys plus a peaked roof will be 11 m or less.

It is stated that the Provincial Growth Plan is to intensify existing neighbourhoods with compatible (residential) uses. This neighbourhood is about 60-70 years old with single family homes. Nowhere within this neighbourhood is anything but single family homes with the exception of the long term care facility. Placing a multi-level, multi-unit townhouse in this neighbourhood does not compliment nor is it compatible with the existing homes.

In summary, I honestly believe that allowing this complex to proceed in this neighbourhood is a mistake. It is not compatible with the existing neighbourhood. It will add to the traffic congestion on local streets as they were not built or designed to have vehicles parked on both sides of these narrow streets. A tree canopy is better for the environment than a three storey building that blocks out the eastern and southern sun for neighbouring homes. I understand that many variances will need to be changed and approved before this project can proceed. That should not be considered until the existing neighbourhood is consulted on the impact of infrastructure and aesthetics of the project.

I have attached 2 pictures taken a short time ago of cars parked along Dawson Avenue and Passmore Street which is typical of daily parking along the streets.

I wish this to be added to the record for the File No. UHOPA-20-007 at the public meeting of the planning committee on November 3, 2020.

Please consider this an official request to be notified of the decision of the City on the proposed Zoning By-Law Amendment

If you have any questions or comments, please contact me at the information below.

Regards,  
Miles Budnark  
Stoney Creek, Ontario





**From:** Denis Hamelin  
**Sent:** October 28, 2020 7:14 PM  
**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**Subject:** Fwd: 19 Dawson File no. UHOPA-20-007

*Legislative coordinator, Planning committee October 28, 2020  
City of Hamilton, 71 Main Street West, 1st floor  
Hamilton, Ontario, L8P 4Y5  
(File No. UHOPA-20-007)  
Re: 19 Dawson Avenue*

*Dear Council,*

*I am writing to express my strong opposition to the plan amendment from Institutional to Medium Density Residential for the property at 19 Dawson Avenue, Stoney Creek. While the local community may be unable to prevent development, that in itself would be detrimental to the area, nearly all residents in the neighbourhood are completely opposed to the addition of multi-family housing that will cause traffic and safety problems, and potentially lower the property values of the existing community.*

*Traffic and safety of pedestrians are major areas of concern. There are no sidewalks on the narrow streets, the increased traffic surge during morning rush would negatively impact safety for children, since students walk to school in the mornings. The seniors are also using the neighbourhood streets surrounding Amica as an alternative to the busier King Street or Grey Road. There also is the issue of cars parking on the street, especially during the winter months where it may impact proper snow clearing.*

*We are also concerned with how this would affect infrastructure particularly water pressure. Our water is already under pressure, adding 5 units would negatively alter these services.*

*Property values are likely to go down in the area if a multi-family townhouse unit is built. A Multi family dwelling is inconsistent with the neighbourhood homes in the area which are mainly single family bungalows. These three story units would tower over the adjacent properties, one of which is ours and therefore negatively affect our privacy. We are not saying there is no place for multi-family townhouse units but they should be built in new subdivisions where buyers are aware of what they are getting with no surprises. One of the reasons we bought in the area was because of the esthetic of single family homes in the neighbourhood, our expectation was that this enduring charm*

would remain. If this Zoning change is allowed to go ahead, what is to stop future builders from knocking down more bungalows and converting them to multi-family townhouses and condos?

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbours, I know my opinions are shared by many who may not be able to attend the Zoom meeting or send **letters and emails**.

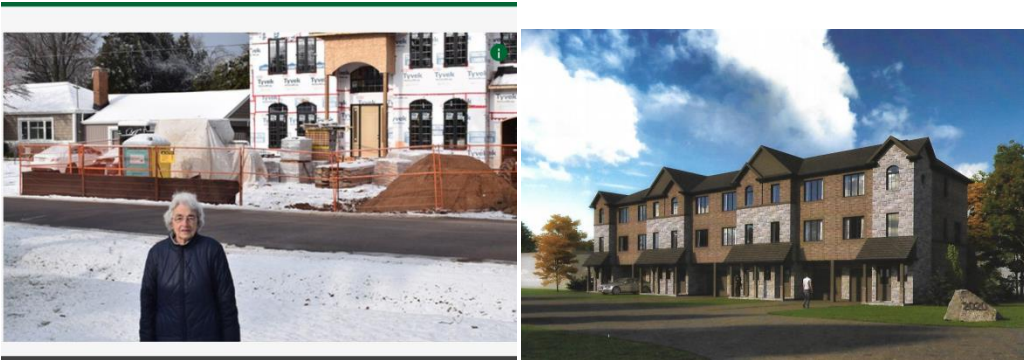
Thank you for your continued service and support of our communities.

Denis and Kim Hamelin,  
Stoney Creek



Re: Official Plan Amendment File No. UHOPA-20-007 & Zoning By-law Amendment File No. ZAC-20-012

Written Submission regarding the redevelopment of 19 Dawson Avenue, Stoney Creek.



Here we go again!!

Ancaster Coun. Lloyd Ferguson says "monster" home bylaw will preserve existing neighbourhoods. Streetscape will remain, says councillor

I am a long-term resident of this neighborhood and specifically moved here because of the established streetscapes, and the scale and character of the existing neighbourhood. I also took into consideration the R1 zoning which provided some assurance that future development in this established area would not negatively impact the existing residences.

I would like to register my objection to the proposed development for the following reasons.....

1. The proposed construction does not respect the adjacent single-family homes character and scale. It is essentially a "Monster Home" in every respect and should be treated in the same fashion as the city chose to support the residents in the Ancaster community. Every argument put forward in objection to the Oakley Court development, that resulted in the successful development of the "ER" zoning amendment, would apply to this situation. The fact that this will be a multi-unit home does not change the fact the building footprint will be as large or larger than many of the homes the City found objectionable when considering the By-law. The proposed 3 storey height will tower over any of the homes in the neighbourhood as well. It is just too big for the lot.
2. I also have an issue with the mysteries surrounding the zoning of this property. The lot size of 19 Dawson Ave indicates that the original zoning was most likely intended to be the same as the adjacent properties. There was certainly no consideration for on-site parking, which would have been a requirement for an Institutional usage. The city officially adopted the "IS" zoning to allow the usage thanks in part to the Dairy allowing them to use their parking lot. My concern is how the City cannot explain how the City recommendation letter of 2007 (that was enacted August 14, 2019) amended the by-law to standardize the permitted uses by changing the "IS" zones

to “I1” zones **EXCEPT** for 19 Dawson Ave! The “I1” zoning recognized a trend of small-scale Institutional facilities failing and provided an alternative use without having to apply for a zoning change. Had this been applied to 19 Dawson Ave., there would have been a provision to convert the property back to a residential use but limited to a single-family dwelling or one duplex or semi-detached home. I realize that the Provincial Government is promoting intensification of land use but to allow a duplex between two single family dwellings is intensification enough without changing the character of the neighbourhood.

3. Why bother to change the zoning to RM2 if the proposed construction will not even be able to meet the revised requirements such as building height, side yard and rear yard setbacks, lot frontage and lot coverage. Why not just send the whole thing to the Committee of Adjustment? The proposed construction will not meet zoning requirements even if changed to RM2. This proposed building just will not fit on this lot regardless of the zoning!

I realize that it is desirable to the City to encourage development, especially on properties that are no longer viable for their intended use. Intensification is the Provinces mandate and it does make sense to develop in areas that are already being provided city services and infrastructure. That being said, I do believe that any development respect the existing residents and taxpayers. After an initial consultation with a local planning firm, they suggested that you would need a shoe horn to get the proposed building on this lot.

I would like to conclude by quoting LPAT Tribunal chair Hugh Wilkins’ comments from the Ancaster appeal.....

**He stated the bylaw “is sympathetic to existing built form, established streetscapes and neighbourhood character (that) respect the scale and character of existing neighbourhoods (and) address overlook and privacy issues ...”**

I hope the City will extend the same commitment to the residents of Stoney Creek as they did to those in Ancaster.

Thank you for your consideration.

David Reid  
Stoney Creek, ON

Wendy Passmore,  
Stoney Creek

In regards to 19 Dawson Av, Stoney Creek, application to build a multi-unit, multi-storey dwelling.

Our neighbourhood is an established community of single storey, single family dwellings. We are a quiet family neighbourhood in OldeTown Stoney Creek. My grandparents' farm, Rosedale Farms, was a large part of this area since 1933.

This area is seeing a large increase in traffic flow and infractions, with the addition of Amica Senior Residence, and the abundance of traffic travelling on our streets to by pass traffic lights and traffic congestion. Multi-dwelling building will increase this danger. We are a community of parking in the residential driveways and garages. Families now have multiple vehicles per household. So it is imperative that sufficient parking on site is included for each residence, including guests.

The driveways would all exit onto Dawson Avenue, as it is a Dawson Avenue address. Parking in the driveways and carports allows for safe refuse removal each week and snow removal during the winter months.

Amica's townhouses were to be 2 storey buildings, but the addition of the high peaked roof, added to site line and sun/shade line reductions for residents in the area. A multi-unit, multi-storey dwelling request for 3 stories will deplete the site line and sun/shade lines for current residents, even more so when a peaked roof is added. The ceiling heights must have a maximum height allowance of 8', which would further prevent any multi-storey building from further impeding on the neighbourhood and neighbouring residence privacy. The building(s) must have flat roofs to reduce any additional height issues.

The lots in our established neighbourhood are large. If the request for a multi-unit multi-storey dwelling is allowed, this will open the avenue of other property owners in the area building similar structures. The infrastructure in our area is

older and at a peak of usage. Area residents had flooding and water pressure reduction after the construction of Amica. There has also been a noticed impact on power fluctuations. Environmental differences have also effected the area, changing wind currents.

I object to the application for a 5 unit, 3 storey dwelling to be constructed at 19 Dawson Ave, Stoney Creek.

This submission is open for additional comments and opinions.

**From:** Jenny Yin

**Sent:** October 28, 2020 2:58 PM

**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)

**Subject:** ZAC-16-016

I am writing in concern as to the recent application for a zoning by-law amendment application (ZAC-16-016). I am the owner and occupant of a property that will be directly affected (Stoney Creek) as it will back onto the proposed plot of land identified as 'PART 1' of the concept plotting plan.

My concerns being four-fold;

- 1) What is to be the exact distance between the proposed structure and my back fence line?
- 2) What is to be the height of the structure to be built on this plot of land that will be directly behind my property? My concern is to the shadow that might now be imposed on the back of my home specifically over my yard area.
- 3) I am concerned as to the aesthetic of a structure being built directly behind my own property specifically as to how it will affect the overall value of my own home.
- 4) I will need to see a plan of the specific proposed structure to be built directly behind my home in order to determine the specifications of height and distance.
- 5) What space will be allotted for fire access to the back of my property?

Best regards,

YU HUA YIN

STONE CREEK

**From:** Jason Van Dongen  
**Sent:** Monday, November 2, 2020 11:50 AM  
**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**Subject:** Fwd: File No ZAC-16-016 Zoning By-Law Amendment

File: Zac-16-016 Regarding November 3, 2020 Meeting at 9:30am  
Owner Malatesta Brothers Construction  
Subject Property Baseline Road, Stoney Creek

Dear Legislative Coordinator, Planning Committee, City of Hamilton  
**Please confirm receipt of this E-Mail.**

As established owners and occupants which will be affected by zoning or re-zoning of the property on 1313 Baseline Road we wish to be notified and have input to the decisions regarding this matter.

Previously we had responded on May 1, 2016 regarding the same land that the Developer wished to have re-zoned. At that time a sketch detailing the intent to severance of 1 parcel into 5 parcels which included non standard frontages on East Street.

The affected land-owners provided details of why they would be negatively impacted by the proposal. To the date of the recent letter of October 16, 2020 we had not had a response from the City of Hamilton. Additionally without warning the house that occupied 1313 Base Line Road was taken down completely on one weekend without providing notice or warning to local residents that were affected by the dust cloud during excavator demolition; was the house verified to be free of asbestos prior to demolition?

Four years later we received the October 16, 2020 letter regarding the Zoning change request there was sent only a location map with no details of a suggested plan. As we have not heard differently since 2016 we are under the assumption that the proposed intent of the Developer and the request for zoning change is the same as well. As mentioned previously we are not against thoughtful development that does not negatively impact existing homeowners and is keeping with the character of the properties on East Street. The frontages as proposed in the 2016 proposal is not consistent within the character of the residences and properties on the street; and the zoning variance is not limited to a small change, and the Owner/Developer was aware of the existing zoning in effect at time of purchase.

Please note: We understand the need for social distancing during Covid19 but some of the homeowners that are directly impacted by this zoning change request meeting; do not have the technology and/or the ability to take part in the VIRTUAL MEETING and myself will not be able to take part in Virtual meeting. Due to this; we request that our opinions are voiced and that we each receive a response of any zoning change requests or proposed preliminary building plans.

Thank you

# 1313 BASELINE ROAD

## Zoning By-Law Amendment

Statutory Public Meeting

November 3<sup>rd</sup>, 2020

9:30am





# Subject Site







# Proposed Development



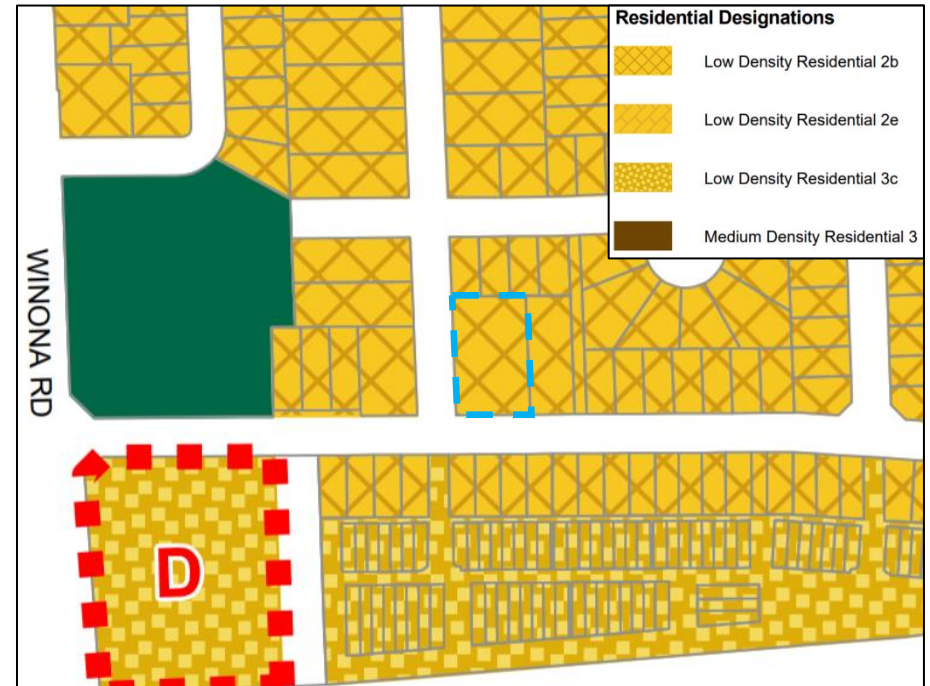
# Urban Lakeshore Secondary Plan

## Permitted Uses

- ✓ Single-detached
- ☐ Duplex dwellings

## Density

- ✓ 1 to 29 units per net hectare





# Proposed Rezoning

- Rezone the subject lands from the “R1” Zone to a site-specific “R3-44” Zone
  - Reduce min Corner Lot Area from 425m<sup>2</sup> to 390m<sup>2</sup>



# Conclusions

- ✓ Consistent with the policy direction outlined in the Provincial Policy Statement (2020) and the Growth Plan for the Greater Golden Horseshoe (2019).
- ✓ Compliant with policies of the Urban Hamilton Official Plan, and the Urban Lakeshore Area Secondary Plan.
- ✓ Proposed development represents an efficient use of land, and will be compatible with the surrounding neighbourhood.
- ✓ Proposal represents a continuation of the established development pattern within the neighbourhood.
- ✓ Supports the creation of complete communities through compact development and contributing to greater availability of housing.

**Proposal represents good land use planning.**



QUESTIONS?



# Proposed Rezoning

Provision	R1 Zone <i>(current)</i>	R2 Zone	R3 Zone	R3-44 Zone
<b>Permitted Uses</b>	Single-detached	Single-detached	Single-detached	Single-detached
<b>Min Lot Area (interior)</b>	600 m <sup>2</sup>	460 m <sup>2</sup>	370 m <sup>2</sup>	370 m <sup>2</sup>
<b>Min Lot Area (corner)</b>	650 m <sup>2</sup>	505 m <sup>2</sup>	425 m <sup>2</sup>	<b>390 m<sup>2</sup></b>
<b>Min Lot Frontage (interior)</b>	18 m	15 m	12 m	12 m
<b>Min Lot Frontage (corner)</b>	19.5 m	16.5 m	13.75 m	13.75 m
<b>Min Front Yard</b>	6 m	6 m	6 m	6 m
<b>Min Side Yard</b>	1.25 m, except 1 m for an attached garage	1.25 m, except 1 m for an attached garage	1.25 m, except 1 m for an attached garage	1.25 m, except 1 m for an attached garage
<b>Min. Side Yard (flankage)</b>	3 m	3 m	3 m	3 m
<b>Min Rear Yard</b>	7.5 m	7.5 m	7.5 m	7.5 m
<b>Max Building Height</b>	11 m	11 m	11 m	11 m
<b>Max Lot Coverage</b>	40%	40%	40%	40%

# CITY OF HAMILTON

## NOTICE OF MOTION

Planning Committee Date: November 3, 2020

**MOVED BY COUNCILLOR B. JOHNSON.....**

**SECONDED BY.....**

### Site Plan Fees for Lapsed Applications

WHEREAS, the current Tariff of Fees for Planning and Engineering Development Applications provides for a Site Plan application fee for new applications, and application extensions, but does not provide for situations in which a Site Plan has lapsed;

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to review the Tariff of Fees for Planning and Engineering Development Applications with respect to Site Plan applications, to introduce a new fee for the renewal of lapsed Site Plans, and report back to Planning Committee; and,
- (b) That until such time as staff has reported back and Council has provided direction with respect to a fee for renewal of lapsed Site Plans, that staff apply the Site Plan Extension fee of \$1,605.00 to any application that lapsed on or after May 1, 2020, based on the following:
  - (i) that the Site Plan lapsed for no more than 90 days and the Director of Planning and Chief Planner, or their designate, has determined that the applicant has been actively working towards obtaining Site Plan approval;
  - (ii) that where re-submissions of any supporting studies are required, these be charged the existing re-submission fee where applicable; and,
  - (iii) that for administrative purposes, a new Site Plan file be opened for the purpose of calculating Development Charges



# CITY OF HAMILTON

## NOTICE OF MOTION

Planning Committee

Date: November 3, 2020

**MOVED BY COUNCILLOR L. FERGUSON.....**

**SECONDED BY.....**

### **DEMOLITION PERMIT FOR 552 JERSEYVILLE ROAD WEST, ANCASTER**

WHEREAS, the owner has boarded up the vacant properties but continues to have untoward activity at the properties that are uninhabitable; and,

WHEREAS, it is not appropriate to pursue repair or restoration of these building as prescribed by the Property Standards By-law or maintain the properties on the Vacant Building Registry and demolition is appropriate; and,

THEREFORE, BE IT RESOLVED:

That the Chief Building Official be authorized to issue a demolition permit for 552 Jerseyville Road West, Ancaster, Ontario, 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 By-law 09-208.