



## **PLANNING COMMITTEE REPORT**

**AS APPROVED BY COUNCIL NOVEMBER 25, 2020**

**20-014**

**November 17, 2020**

**9:30 a.m.**

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

**Present:** Councillors J. Farr (Chair), J.P. Danko (1<sup>st</sup> Vice Chair), C. Collins  
M. Pearson, B. Johnson, L. Ferguson, M. Wilson and J.  
Partridge

**Also in Attendance:** Councillor B. Clark

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### **THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:**

- 1. Adjustments to School Crossing Guard Locations (PED20192) (City Wide) (Item 6.1)**
  - (a) That the revised list of school crossing guard locations resulting from school closures, openings, construction projects, walking patterns, and lunch program changes in Wards 1, 3, 4, 5, 6, 7, 9, 15 and "Spares" outlined as Appendix "A" attached to Report PED20192, be approved;
  - (b) That staff be authorized and directed to consult with the affected Ward Councillors and to use delegated authority for adding and/or removing school crossing guards prior to City Council approval for any proposed changes by the Hamilton-Wentworth District School Board (HWDSB) and the Hamilton-Wentworth Catholic District School Board (HWCDSD) for the 2021/2022 school year.
- 2. Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) (Item 7.1)**
  - (a) That Amended Urban Hamilton Official Plan Amendment Application UHOPA-16-021 by Metropolitan Consulting Inc. (c/o Peter De Iulio) on behalf of New Hamilton Development Corporation (Owner), to amend the

**Council – November 25, 2020**

West Mountain Area (Heritage Green) Secondary Plan to re-designate a portion of the subject lands from “Low Density Residential 2b” to “Low Density Residential 3c” to permit the development of a maximum of 46 block townhouse and maisonette dwellings with a density of 49 units per hectare, for the lands known as 56 Highland Road West, Stoney Creek, as shown on Appendix “A” to Report PED20187, be APPROVED on the following basis:

- (i) That the draft Official Plan Amendment attached as Appendix “B” to Report PED20187, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
  - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan for the Greater Golden Horseshoe (2019, as amended).
- (b) That Amended Zoning By-Law Amendment Application ZAC-16-057 by Metropolitan Consulting Inc. (c/o Peter De Iulio) on behalf of New Hamilton Development Corporation (Owner), to rezone the subject lands from the Neighbourhood Development “ND” Zone to the Multiple Residential “RM3-68(H)” Zone, Modified, Holding (Block 1), and from the Single Residential “R2” Zone to the Multiple Residential “RM3-68(H)” Zone, Modified, Holding (Block 2), under Zoning By-law No. 3692-92 (Stoney Creek), to permit the development of 20 maisonette dwelling units and 26 street townhouse dwelling units on a private road (condominium road) with access to Highland Road West, on the lands known as 56 Highland Road West, Stoney Creek, as shown on Appendix “A” to Report PED20187, be APPROVED on the following basis:
- (i) That the draft By-law attached as Appendix “C” to Report PED20187, **as amended** (sub-section 2(f), Minimum Rear Yard: **6.0** metres for street townhouses and 0.0 metres for maisonettes), which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the amending By-law apply the Holding Provision of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject lands by introducing the Holding symbol ‘H’ as a suffix to the proposed zoning for the following:

The Holding Provision for the Multiple Residential “RM3-68(H)” Zone, Modified, Holding, shall be removed conditional upon:

- (1) The owner demonstrating that the existing sanitary sewer on Lormont Boulevard at Picardy Drive can be adequately upsized to provide sufficient capacity to meet City standards and to share in the upgrade costs for development greater

than 30 dwelling units, to the satisfaction of the Senior Director, Growth Management;

- (iii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan for the Greater Golden Horseshoe (2019, as amended); and,
  - (iv) That this By-law will comply with the Urban Hamilton Official Plan upon approval of Urban Hamilton Official Plan Amendment No. XX.
- (c) That Draft Plan of Subdivision Application 25T-201608 by Metropolitan Consulting Inc. (c/o Peter De Iulio) on behalf of New Hamilton Development Corporation (Owner), to create two blocks within a registered M Plan in order to allow for a future Condominium development having private roads and freehold lots, on the lands known as 56 Highland Road West, Stoney Creek, as shown on Appendix "F" to Report PED20187, be APPROVED, subject to the following:
- (i) That this approval apply to the Draft Plan of Subdivision 25T-201608, prepared by Metropolitan Consulting Inc., and certified by B. A. Jacobs, O.L.S., dated January 24, 2020, consisting of one block for street townhouse and maisonette dwellings (Block 'A') and one block for road widening (Block 'B') for the development of a maximum of 26 street townhouse dwellings and 20 maisonette dwellings fronting common element condominium roads, subject to the Owner entering into a standard form subdivision agreement, as approved by City Council and with Special Conditions, attached as Appendix "G" to Report PED20187;
  - (ii) In accordance with the City's Comprehensive Development Guidelines and Financial Policies Manual (2017) there will be no cost sharing for this subdivision; and,
  - (iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the *Planning Act*, with the calculation for the payment to be based on the value of the lands on the day prior to the day of issuance of each building permit, all in accordance with the Financial Policies for Development and the City's Parkland Dedication By-laws, as approved by Council.
- (d) That upon approval of Urban Hamilton Official Plan Amendment Application UHOPA-16-021 and Zoning By-law Amendment Application ZAC-16-057, the subject lands be re-designated from "Low Density Residential" to "Medium Density Residential" in the Felker Neighbourhood Plan; and,

- (e) *That the public submissions received regarding this matter did not affect the decision*
3. **Application to Amend the Rural Hamilton Official Plan for Lands Located at 2121 and 2187 Regional Road 56, Glanbrook (PED20027) (Ward 11) (Item 7.2)**
- (a) That staff be directed to prepare a draft Official Plan Amendment to establish a Site-Specific Policy area in Volume 3, Chapter B – Rural Site Specific Areas of the Rural Hamilton Official Plan to permit the extension of “lake-based” municipal water services and a connection to municipal wastewater services outside of the urban boundary to service lands located at 2121 and 2187 Regional Road 56, Glanbrook; and,
  - (b) That staff be directed to issue the associated sewer and water permit to allow for connection to municipal wastewater services and extension of municipal water services at the owner’s expense.
4. **Applications for a Rural Hamilton Official Plan Amendment and Zoning By-law Amendments for Lands Located at 8475 English Church Road East, Glanbrook (PED18077) (Ward 11) (Deferred from the October 20, 2020 meeting) (Item 7.3)**
- (a) That Rural Hamilton Official Plan Amendment Application RHOPA-17-039 submitted by Ed Fothergill, agent, on behalf of Willow Valley Holdings Inc. (Owner), for an amendment to the Rural Hamilton Official Plan Schedule D - Rural Land Use Designations to re-designate the lands from Open Space to Rural to permit the creation of two new residential lots, for the lands located at 8475 English Church Road East, Glanbrook, as shown on Appendix “A” to Report PED18077, be DENIED on the following basis:
    - (i) The proposed Application is not consistent with the Provincial Policy Statement (2020) and does not comply with the Provincial Policy Statement airport regulation, agriculture and lot creation policies;
    - (ii) The proposed Application does not comply with the Rural Area and Goods Movement policies A Place to Grow (2019);
    - (iii) The proposed Application does not comply with the policies and intent of the Rural Hamilton Official Plan airport development regulation policies and lot creation policies;
    - (iv) The proposed development does not represent good planning as it is proposing a sensitive land use within the 35-40 NEF contour and the creation of two new lots for non-agricultural purposes in the Rural Hamilton Area.

- (b) That Zoning By-law Amendment Application ZAC-17-082, submitted by Ed Fothergill, agent, on behalf Willow Valley Holdings Inc. (Owner), for a change in zoning from the Open Space (P4) Zone to the Rural (A2) Zone in order to permit the development of two new residential lots, for lands known as 8475 English Church Road East (Glanbrook), as shown on Appendix "A" to Report PED18077 be DENIED on the following basis:
    - (i) The proposed Application is not consistent with the Provincial Policy Statement (2020);
    - (ii) The proposed Application does not comply with the Rural Area and Goods Movement policies of A Place to Grow (2019);
    - (iii) The proposed Application does not comply with the policies and intent of the Rural Hamilton Official Plan airport regulation policies, lot creation policies and is not an appropriate use for the area; and,
    - (iv) The proposal does not meet the general intent of the City of Hamilton Zoning By-law No 05-200.
  - (c) ***That the public submissions received regarding this matter did not affect the decision.***
5. **Reconfirmation of Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long and Bisby Building) Under Part IV of the Ontario Heritage Act (PED18214(a)) (Ward 8) (Item 9.1)**
- (a) ***That staff be directed to prepare a revised Notice of Intention to Designate and Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes to designate the Long and Bisby Building and Cross of Lorraine located at 828 Sanatorium Road, Hamilton;***
  - (b) ***That the designation of the cultural landscape features of 828 Sanatorium Road, Hamilton, be deferred until consultation occurs with the Ward Councillor and the community on the cultural landscape features through the ongoing Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision process;***
  - (c) ***That staff be directed to report back on the results of the consultation as well as the cultural landscape features to be designated;***
  - (d) That the City Clerk be directed to take appropriate action to designate the Long and Bisby building ***and Cross of Lorraine*** located at 828 Sanatorium Road, Hamilton under Part IV of the Ontario Heritage Act; and,

- (e) That the matter respecting Designation of the Property Located at 828 Sanatorium Road, Hamilton (Long and Bisby Building), be considered complete and removed from the Planning Committee's Outstanding Business List.

**6. Radon Gas Mitigation Requirements (PED20200) (City Wide) (Item 9.2)**

That Report PED20200 respecting Radon Gas Mitigation Requirements, be received.

**7. Connection to Municipal Services for Ecole Elementaire Michaelle Jean School, 2121 Hwy 56, and Former Wills Motors Property, located at 2187 Hwy 56, Binbrook (Item 10.1)**

WHEREAS, Ecole Elementaire Michaelle Jean (2121 Hwy #56) falls under the jurisdiction of the Hamilton Wentworth District School Board,

WHEREAS, this public school has both a private water supply and private sanitary waste disposal,

WHEREAS, Ecole Elementaire Michaelle Jean (2121 Hwy #56) is located 600 meters (0.6 kilometers) outside the north urban boundary of the Binbrook Settlement Area and therefore does not qualify for municipal sewer and water connection,

WHEREAS, the property historically known as Wills Motors (2187 Hwy #56) has received Site Plan Approval for a large commercial expansion to provide a number of desirable services to the community in accordance with its existing zoning,

WHEREAS, 2187 Hwy #56 is also served by private water supply and sanitary waste disposal,

WHEREAS, 2187 Hwy #56 is located 300 meters (.3kilometers) outside the north urban boundary of the Binbrook Settlement Area and is located between the urban boundary and Ecole Elementaire Michaelle Jean, and therefore also does not qualify for municipal sewer and water connection,

WHEREAS, a precedent has been set with Oakrun Bakery, which is located outside the urban boundary and was permitted to connect to municipal services at their cost,

AND WHEREAS: a municipal sanitary sewer and municipal waterline currently run across the frontage of both properties and have adequate capacity to accommodate both properties:

NOW THEREFORE BE IT RESOLVED:

That 2121 Hwy 56 and 2187 Hwy 56, Binbrook, be permitted to connect to the City Municipal Sewer and Water at the property owner's cost, in a manner acceptable to the City of Hamilton.

**8. 70 Garner Road East Zoning By-law Amendment Fee Reduction (Added Item 11.1)**

WHEREAS, Ancaster Christian Reform Church is non-profit;

WHEREAS, the lands located at 70 Garner Road East contain the existing Ancaster Christian Reform Church and are zoned I3 (39, H37) Zone in Zoning By-law No. 05-200;

WHEREAS, the property owner made an application for a Zoning By-law Amendment (ZAH-20-039) in June 2020 to lift the Holding Provision as municipal services are available to the property and connected to the church;

WHEREAS, the application for Holding Removal has been made by the Ancaster Christian Reform Church, a non-profit group;

THEREFORE BE IT RESOLVED:

That staff be directed to refund the fee for the required Zoning By-law Amendment application (Holding Removal).

**FOR INFORMATION:**

**(a) APPROVAL OF AGENDA (Item 1)**

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

**1. DELEGATION REQUESTS (Item 5)**

- 5.1 Jason Allen respecting Amendments to the By-law Variance Application Process (For today's meeting)
- 5.2 Matt Johnston, Urban Solutions, respecting the Designation of 828 Sanitorium Road (Item 9.1) (For today's meeting)

**2. PUBLIC HEARINGS / DELEGATIONS (Item 7)**

- 7.1 Applications to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9)

(a) Written Submissions:

- (i) Mike Tellerd

7.2 Application to Amend the Rural Hamilton Official Plan for Lands Located at 2121 and 2187 Regional Road 56, Glanbrook (PED20027) (Ward 11)

(a) Written Submissions:

- (i) David Pitblado, Penta Properties Inc.
- (ii) Stephen Fraser, AJ Clarke and Associates
- (iii) Lynda Lukasik, Environment Hamilton

(b) Registered Delegations:

- (i) Stephen Fraser, AJ Clarke and Associates

7.3 Applications for a Rural Hamilton Official Plan Amendment and Zoning By-law Amendments for Lands Located at 8475 English Church Road East, Glanbrook (PED18077) (Ward 11)

(a) Additional Written Submissions:

- (iv) David Brown

**3. NOTICES OF MOTION (Item 11)**

11.1 70 Garner Road East Zoning By-law Amendment Fee Reduction

The agenda for the November 17, 2020 meeting was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 2)**

Councillor Danko declared an interest to Item 7.2 Application to Amend the Rural Hamilton Official Plan for Lands Located at 2121 and 2187 Regional Road 56, Glanbrook (PED20027) (Ward 11), as his spouse is employed by the Hamilton Wentworth District School Board.

Councillor Danko declared an interest to Item 10.1 Connection to Municipal Services for Ecole Elementaire Michaelle Jean School, 2121 Hwy 56, and Former Wills Motors Property, located at 2187 Hwy 56, Binbrook, as his spouse is employed by the Hamilton Wentworth District School Board.



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

**(i) November 3, 2020 (Item 3.1)**

The Minutes of the November 3, 2020 meeting were approved, as presented.

**(d) DELEGATION REQUESTS (Item 5)**

**(i) Delegation Requests (Added Items 5.1 and 5.2)**

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

- (a) Jason Allen respecting Amendments to the By-law Variance Application Process (For today's meeting) (Added Item 5.1)
- (b) Matt Johnston, Urban Solutions, respecting the Designation of 828 Sanitorium Road (Item 9.1) (For today's meeting) (Added Item 5.2)

**(e) PUBLIC HEARINGS / 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.

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, Official Plan Amendment and Draft Plan of Condominium 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 to Amend the Urban Hamilton Official Plan and the City of Stoney Creek Zoning By-Law No. 3692-92, and for Approval of a Draft Plan of Subdivision for Lands Known as 56 Highland Road West (Stoney Creek) (PED20187) (Ward 9) (Item 7.1)**

No members of the public were registered as Delegations.

The staff presentation was waived.

Peter De iulio with Metropolitan Consulting, was in attendance and indicated support for the staff report and requested amendments to reduce

the minimum rear yard size, eliminate the 10% minimum landscaped open space for maisonettes and to defer the Karst condition to the Site Plan Approval stage.

The delegation from Peter De Iulio with Metropolitan Consulting, was received.

The following written submission were received:

1. Mike Tellerd (Item 7.1 (a)(i))

The public meeting was closed.

- (a) That Amended Urban Hamilton Official Plan Amendment Application UHOPA-16-021 by Metropolitan Consulting Inc. (c/o Peter De Iulio) on behalf of New Hamilton Development Corporation (Owner), to amend the West Mountain Area (Heritage Green) Secondary Plan to re-designate a portion of the subject lands from "Low Density Residential 2b" to "Low Density Residential 3c" to permit the development of a maximum of 46 block townhouse and maisonette dwellings with a density of 49 units per hectare, for the lands known as 56 Highland Road West, Stoney Creek, as shown on Appendix "A" to Report PED20187, be APPROVED on the following basis:
  - (i) That the draft Official Plan Amendment attached as Appendix "B" to Report PED20187, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
  - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan for the Greater Golden Horseshoe (2019, as amended).
- (b) That Amended Zoning By-Law Amendment Application ZAC-16-057 by Metropolitan Consulting Inc. (c/o Peter De Iulio) on behalf of New Hamilton Development Corporation (Owner), to rezone the subject lands from the Neighbourhood Development "ND" Zone to the Multiple Residential "RM3-68(H)" Zone, Modified, Holding (Block 1), and from the Single Residential "R2" Zone to the Multiple Residential "RM3-68(H)" Zone, Modified, Holding (Block 2), under Zoning By-law No. 3692-92 (Stoney Creek), to permit the development of 20 maisonette dwelling units and 26 street townhouse dwelling units on a private road (condominium road) with access to Highland Road West, on the lands known as 56 Highland

Road West, Stoney Creek, as shown on Appendix “A” to Report PED20187, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix “C” to Report PED20187, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the amending By-law apply the Holding Provision of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject lands by introducing the Holding symbol ‘H’ as a suffix to the proposed zoning for the following:

The Holding Provision for the Multiple Residential “RM3-68(H)” Zone, Modified, Holding, shall be removed conditional upon:

- (1) The owner demonstrating that the existing sanitary sewer on Lormont Boulevard at Picardy Drive can be adequately upsized to provide sufficient capacity to meet City standards and to share in the upgrade costs for development greater than 30 dwelling units, to the satisfaction of the Senior Director, Growth Management;
  - (iii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan for the Greater Golden Horseshoe (2019, as amended); and,
  - (iv) That this By-law will comply with the Urban Hamilton Official Plan upon approval of Urban Hamilton Official Plan Amendment No. XX.
- (c) That Draft Plan of Subdivision Application 25T-201608 by Metropolitan Consulting Inc. (c/o Peter De Iulio) on behalf of New Hamilton Development Corporation (Owner), to create two blocks within a registered M Plan in order to allow for a future Condominium development having private roads and freehold lots, on the lands known as 56 Highland Road West, Stoney Creek, as shown on Appendix “F” to Report PED20187, be APPROVED, subject to the following:
  - (i) That this approval apply to the Draft Plan of Subdivision 25T-201608, prepared by Metropolitan Consulting Inc., and certified by B. A. Jacobs, O.L.S., dated January 24, 2020, consisting of one block for street townhouse and maisonette dwellings (Block ‘A’) and one block for road widening (Block

'B') for the development of a maximum of 26 street townhouse dwellings and 20 maisonette dwellings fronting common element condominium roads, subject to the Owner entering into a standard form subdivision agreement, as approved by City Council and with Special Conditions, attached as Appendix "G" to Report PED20187;

- (ii) In accordance with the City's Comprehensive Development Guidelines and Financial Policies Manual (2017) there will be no cost sharing for this subdivision; and,
  - (iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the *Planning Act*, with the calculation for the payment to be based on the value of the lands on the day prior to the day of issuance of each building permit, all in accordance with the Financial Policies for Development and the City's Parkland Dedication By-laws, as approved by Council.
- (d) That upon approval of Urban Hamilton Official Plan Amendment Application UHOPA-16-021 and Zoning By-law Amendment Application ZAC-16-057, the subject lands be re-designated from "Low Density Residential" to "Medium Density Residential" in the Felker Neighbourhood Plan; and,

The Draft Zoning By-law Amendment, Appendix "C" to Report PED20187, sub-section 2(f) was **amended** as follows:

- (f) Minimum Rear Yard                      ~~7.5~~ **6.0** metres for street townhouses  
and 0.0 metres for maisonettes.

The recommendations in Report PED20187 were **amended** by adding the following sub-section (e):

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

For disposition of this matter, refer to Item 2.

- (ii) **Application to Amend the Rural Hamilton Official Plan for Lands Located at 2121 and 2187 Regional Road 56, Glanbrook (PED20027) (Ward 11) (Item 7.2)**

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

The staff presentation was received.

John Ariens, IBI Group, was in attendance and indicated he was not in support of the staff report to deny the application, and requested that the staff report be received and an Official Plan Amendment be prepared.

The delegation from John Ariens with IBI Group, was received.

The following written submissions were received:

1. Dave Pitblado, Penta Properties Inc. (Item 7.2 (a)(i))
2. Stephen Fraser, AJ Clarke & Associates (Item 7.2 (a)(ii))
3. Lynda Lukasik, Environment Hamilton (Item 7.2 (a)(iii))

**Registered Delegations:**

- 7.2(b) (i) Stephen Fraser, AJ Clarke & Associates, addressed the Committee and expressed objections to the proposal.

The delegation was received.

The public meeting was closed.

- (iii) Item 10.1, a Motion respecting Connection to Municipal Services for Ecole Elementaire Michaelle Jean School, 2121 Highway 56, and Former Wills Motor Property, located at 2187 Highway 56, Binbrook, was moved up to be heard at this time.

For disposition of this matter, refer to Item 7.

- (iv) **Application to Amend the Rural Hamilton Official Plan for Lands Located at 2121 and 2187 Regional Road 56, Glanbrook (PED20027) (Ward 11) (Item 7.2) (Continued)**

TReport PED20027 respecting Application to Amend the Rural Hamilton Official Plan for Lands Located at 2121 and 2187 Regional Road 56, Glanbrook (Ward 11), was received.

For disposition of this matter, refer to Item 3.

- (v) **Applications for a Rural Hamilton Official Plan Amendment and Zoning By-law Amendments for Lands Located at 8475 English Church Road East, Glanbrook (PED18077) (Ward 11) (Item 7.3)**

No members of the public were registered as Delegations.

The staff presentation was waived.

Steve Schiedel, Owner, and Ed Fothergill with Fothergill Planning, were in attendance and indicated they were not in support of the staff report to deny the application.

The delegation from Steve Schiedel, Owner, and Ed Fothergill with Fothergill Planning, was received.

The following written submissions were received:

- (i) Steve and Rose Dean
- (ii) Kunal Kanani
- (iii) Sonia Pronek
- (iv) David Brown

The public meeting was closed.

- (a) That Rural Hamilton Official Plan Amendment Application RHOPA-17-039 submitted by Ed Fothergill, agent, on behalf of Willow Valley Holdings Inc. (Owner), for an amendment to the Rural Hamilton Official Plan Schedule D - Rural Land Use Designations to re-designate the lands from Open Space to Rural to permit the creation of two new residential lots, for the lands located at 8475 English Church Road East, Glanbrook, as shown on Appendix "A" to Report PED18077, be DENIED on the following basis:
  - (i) The proposed Application is not consistent with the Provincial Policy Statement (2020) and does not comply with the Provincial Policy Statement airport regulation, agriculture and lot creation policies;
  - (ii) The proposed Application does not comply with the Rural Area and Goods Movement policies A Place to Grow (2019);
  - (iii) The proposed Application does not comply with the policies and intent of the Rural Hamilton Official Plan airport development regulation policies and lot creation policies;
  - (iv) The proposed development does not represent good planning as it is proposing a sensitive land use within the 35-40 NEF contour and the creation of two new lots for non-agricultural purposes in the Rural Hamilton Area.
- (b) That Zoning By-law Amendment Application ZAC-17-082, submitted by Ed Fothergill, agent, on behalf Willow Valley Holdings Inc. (Owner), for a change in zoning from the Open Space (P4) Zone to the Rural (A2) Zone in order to permit the development of two new residential lots, for lands known as 8475 English Church

Road East (Glanbrook), as shown on Appendix "A" to Report PED18077 be DENIED on the following basis:

- (i) The proposed Application is not consistent with the Provincial Policy Statement (2020);
- (ii) The proposed Application does not comply with the Rural Area and Goods Movement policies of A Place to Grow (2019);
- (iii) The proposed Application does not comply with the policies and intent of the Rural Hamilton Official Plan airport regulation policies, lot creation policies and is not an appropriate use for the area; and,
- (iv) The proposal does not meet the general intent of the City of Hamilton Zoning By-law No 05-200.

The recommendations in Report PED18077 were ***amended*** by adding the following sub-section (c):

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

For disposition of this matter, refer to Item 4.

**(vi) Jason Allen respecting Amendments to the By-law Variance Application Process (For today's meeting) (Added Item 7.4)**

Jason Allen addressed the Committee regarding Amendments to the By-law Variance Application Process.

The Delegation from Jason Allen respecting Amendments to the By-law Variance Application Process, was received.

**(vii) Matt Johnston, Urban Solutions, respecting the Designation of 828 Sanitorium Road (Item 9.1) (For today's meeting) (Added Item 7.5)**

Matt Johnston, Urban Solutions, addressed the Committee regarding the Designation of 828 Sanitorium Road.

The Delegation from Matt Johnston, Urban Solutions, respecting the Designation of 828 Sanitorium Road, was received.

For disposition of this matter, refer to Item 5.

(f) DISCUSSION ITEMS (Item 9)

(i) Reconfirmation of Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long and Bisby Building) Under Part IV of the Ontario Heritage Act (PED18214(a)) (Ward 8) (Item 9.1)

The recommendations in Report PED18214(a) were **amended** as follows:

- (a) ~~That the designation of 828 Sanatorium Road, Hamilton, attached as Appendix "A" to Report PED18214(a) as a property of cultural heritage value pursuant to the provisions of Part IV of the Ontario Heritage Act, be approved;~~ ***That staff be directed to prepare a revised Notice of Intention to Designate and Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes to designate the Long and Bisby Building and Cross of Lorraine located at 828 Sanatorium Road, Hamilton;***
- (b) ~~That the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "B" to PED18214(a), be approved;~~ ***That the designation of the cultural landscape features of 828 Sanatorium Road, Hamilton, be deferred until consultation occurs with the Ward Councillor and the community on the cultural landscape features through the ongoing Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision process;***
- (c) ***That staff be directed to report back on the results of the consultation as well as the cultural landscape features to be designated;***
- ~~(e)~~(d) That the City Clerk be directed to take appropriate action to designate the Long and Bisby building ***and Cross of Lorraine*** located at 828 Sanatorium Road, Hamilton under Part IV of the Ontario Heritage Act; and, ~~in accordance with the Notice of Intention to Designate, attached as Appendix "C" to Report PED18214(a); and,~~
- ~~(d)~~(e) That the matter respecting Designation of the Property Located at 828 Sanatorium Road, Hamilton (Long and Bisby Building), be considered complete and removed from the Planning Committee's Outstanding Business List.

For disposition of this matter, refer to Item 5.



**(g) NOTICES OF MOTION (Item 11)**

**(i) 70 Garner Road East Zoning By-law Amendment Fee Reduction  
(Added Item 11.1)**

The Rules of Order were waived to allow for the introduction of a Motion respecting 70 Garner Road East Zoning By-law Amendment Fee Reduction.

For disposition of this matter, refer to Item 8.

**(h) GENERAL INFORMATION / OTHER BUSINESS (Item 12)**

**(i) Outstanding Business List (Item 12.1)**

The following changes to the Outstanding Business List, were approved:

**(a) Items to be Removed:**

15A Sherman Inlet MoU

(Item was tabled August 15, 2017 to allow for further consultation between staff and the Councillor, which resolved the issue)

17C - Change to the Subdivision Plan for Vienna Orchard

(Committee direction was to review options to move the sidewalks and construction has been completed)

18G - 8475 English Church Road - Zoning and OPA Amendments  
(Addressed as Item 7.3 on this agenda)

18M - Designation of 828 Sanitorium Road, Hamilton

(Addressed as Item 9.1 on this agenda)

18O - Cartier Crescent Extension

(Staff confirmed issue has been resolved)

**(b) Items Requiring New Due Dates:**

12A - Regulation of Rental Housing

Current Due Date: Q2 2021

Proposed New Due Date: March 23, 2021

13A - C.I. Zoning By-law Amendment for 118 to 338 Mountain Brow Blvd.

Current Due Date: July 7, 2020

Proposed New Due Date: July 6, 2021

17B - Designation of the Gore District as a Heritage Conservation District

Current Due Date: November 17, 2020

Proposed New Due Date: March 23, 2021

18F - Hamilton Airshed Modelling System

Current Due Date: January 2021

Proposed New Due Date: February 2021

19J - Zoning By-law Amendment for 1400 Baseline Road

Current Due Date: November 17, 2020

Proposed New Due Date: December 8, 2020

19L - Year Round Live-Aboards at West Harbour Marinas

Current Due Date: October 20, 2020

Proposed New Due Date: December 7, 2021

19Q - Application for Zoning By-law Amendment for Lands Located at 116 and 120 Barnesdale Ave. North

Current Due Date: November 17, 2020

Proposed New Due Date: February 16, 2021

19BB - Parking Fee Review

Current Due Date: November 17, 2020

Proposed New Due Date: March 23, 2021

19FF - Support of Private Member's Bill to Reverse Pit Bull Ban in Ontario

Current Due Date: December 8, 2020

Proposed New Due Date: June 1, 2021

20A - Property Standards By-law - Rental Properties and Apartments

Current Due Date: November 17, 2020

Proposed New Due Date: March 23, 2021

20B - Review of Problems Associated with Increased Visitors to Waterfalls

Current Due Date: December 8, 2020

Proposed New Due Date: April 6, 2021

20G - Second Dwelling Units - Options to Increase Housing Supply  
in Hamilton's Existing Low Density Housing Stock  
Current Due Date: TBD  
Proposed New Due Date: Q1 2021

**(ii) General Manager's Update (Added Item 12.2)**

Jason Thorne, General Manager of Planning and Economic Development addressed the Committee to advise that the GRIDS2 and Municipal Comprehensive Review staff report, including the Draft Land Needs Assessment are available online at the City's website for public review; to thank the outgoing members of the Design Review Team for their volunteer efforts and contributions, and to welcome the new members; and, commended Steve Robichaud, Director of Planning and Chief Planner, for his appointment as Vice Chair to the Regional Planning Commissioners of Ontario.

The General Manager's Update, was received.

**(i) ADJOURNMENT (Item 14)**

There being no further business, the Planning Committee adjourned at 1:26 p.m.

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Councillor J. Farr  
Chair, Planning Committee

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Lisa Kelsey  
Legislative Coordinator