



City of Hamilton

PLANNING COMMITTEE ADDENDUM

Meeting #: 21-004
Date: March 23, 2021
Time: 9:30 a.m.
Location: Due to the COVID-19 and the Closure of City Hall (CC)

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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6. DELEGATION REQUESTS	
*6.1. David Braden respecting Planning issues affecting Affordable Housing, Infrastructure Renewal and Municipal Taxes (For the April 6th meeting)	3
*6.2. Delegations respecting the Property Standards By-law (Item 10.1) (For today's meeting)	
*6.2.a. Virtual Delegations:	
(i) Veronica Gonzalez	
*6.2.b. Pre-recorded Delegations:	
(i) Dayna Sparkes, ACORN	
(ii) Kathy Johnson	
(iii) Manuel Balandra	
*6.2.c. Written Delegations:	4
(i) Ali Naraghi, Hamilton Community Legal Clinic	
10. DISCUSSION ITEMS	

- 10.1. Property Standards By-Law Review and Municipality Comparison (PED21049) (City Wide) (Outstanding Business List Item)
 - *10.1.a. Motion to Amend Property Standards By-law 20-221 to Include Health and Safety Concerns in Rental Houses and Apartments 5

- 10.2. Applications for a Rural Hamilton Official Plan Amendment and a Zoning By-law Amendment for Lands located at 2069 Binbrook Road, Glanbrook (PED20146) (Ward 11) (Deferred from the November 3, 2020 meeting)
 - *10.2.a. Amendment and revised Zoning and Official Plan By-laws 7

12. NOTICES OF MOTION

- *12.1. 105 Filman Road - Heritage Register 15

Request to Speak to Committee of Council

Submitted on Tuesday, March 16, 2021 - 10:56 am

==Committee Requested==

Committee: Planning Committee

==Requestor Information==

Name of Individual: David Braden

Name of Organization: Windrush Farm

Contact Number:

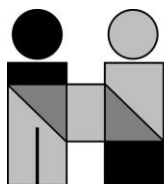
Email Address:

Mailing Address:

Reason(s) for delegation request: To explain the connection between affordable housing, infrastructure renewal funding and lowering municipal taxes.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No



Hamilton Community Legal Clinic
Clinique juridique communautaire de Hamilton

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March 22, 2021

Lisa Kelsey – Legislative Coordinator
Planning Committee
City of Hamilton
71 Main Street West, Hamilton ON
Lisa.Kelsey@hamilton.ca

Sent via email

**RE: Hamilton Community Legal Clinic submission for the Planning Committee re
Property Standards By-Law Review**

The Hamilton Community Legal Clinic (“the Clinic”) supports amendments to the City of Hamilton’s Property Standards By-law to address concerns about the quality and safety of rental accommodations. These amendments should be implemented in a way to provide the City with more effective enforcement tools to tackle key property standards issues such as pest and vermin control, repair standards and cleanliness.

The Clinic supports these amendments because it believes that a robust Property Standards By-law and its effective enforcement can ensure that residential tenants are protected in accommodations that have experienced infestation of pests, chronic disrepair and neglect.

The Clinic echoes the concerns that have been raised by community organizations/tenant groups such as ACORN and strongly believes that amendments to the City’s Property Standards By-law are necessary to increase consistency in housing quality throughout the City.

Sincerely,
Hamilton Community Legal Clinic

CITY OF HAMILTON

MOTION

Committee Date: March 23, 2021

MOVED BY COUNCILLOR FARR.....

SECONDED BY COUNCILLOR DANKO

Amend Property Standards By-law 20-221 to Include Health and Safety Concerns in Rental Houses and Apartments

WHEREAS, the Building Code Act, 1992, authorized the City of Hamilton to pass a by-law prescribing standards for the maintenance and occupancy of property;

WHEREAS, By-law 10-221, being a By-law to prescribe standards of the maintenance and occupancy of property, was approved by Council on September 15, 2010;

WHEREAS, since the adoption of the Property Standards By-law, there have been eight (8) amending By-law passed by Council to improve the By-law;

WHEREAS, there have been concerns of the health and safety of rental houses and apartments within the City;

WHEREAS, as part of continuous improvement efforts, staff work to improve enforcement activities, including updating various by-laws to address specific municipal needs identified by Council, committees, staff, public and the courts;

WHEREAS, stakeholders were consulted on known and unknown gaps in the existing Property Standards By-law and comparisons were done with other Municipalities to ascertain if the gaps found were addressed in other Municipalities Property Standards By-laws; and,

WHEREAS, areas of improvement were identified which would enhance the health and safety of rental houses and apartments within the City.

THEREFORE, BE IT RESOLVED:

That Licensing and By-Law Services staff in consultation with Legal Services, be directed to bring forward a By-law to amend the Property Standards By-law 10-221 to reflect the areas for improvement found in the Information Report Property Standards By-Law Review and Municipality Comparison (PED21049) (City Wide).

CITY OF HAMILTON

MOTION

Committee Date: March 23, 2021

MOVED BY COUNCILLOR JOHNSON.....

SECONDED BY COUNCILLOR

2069 Binbrook Road – Denied at November 3, 2020 Planning Committee

WHEREAS, the following two Planning Act applications were denied by Planning Committee, at its meeting of November 3, 2020 and were deferred back to Planning Committee by Council, at its meeting of November 11, 2020:

- (a) Rural Hamilton Official Plan Amendment application RHOPA-20-014, by Paletta Livestock Ltd., (Owner), to add a Site Specific Policy Area to recognize two existing single detached dwellings on a severed lot in order to meet the conditions of the December 20, 2019 Local Planning Appeal Tribunal Decision (Case No. PL180696) (GL/B-17:110) for lands located at 2069 Binbrook Road, as shown on Appendix “A” to Report PED20146, be DENIED.
- (b) That Zoning By-law Amendment application ZAA-20-022, by Paletta Livestock Ltd. (Owner), for a change in zoning from Agriculture (A1) Zone to Agriculture (A1,118) Zone to prohibit the construction of a single detached dwelling and a residential care facility and to recognize the reduced lot area for the retained agricultural parcel, for lands located at Planning Committee November 3, 2020 Minutes 20-013 Page 6 of 24 2069 Binbrook Road as shown on Appendix “A” to Report PED20146, be DENIED.

WHEREAS, subsequent discussions between the Ward Councillor and Paletta Livestock Limited to resolve some outstanding planning matters were successful

THEREFORE BE IT RESOLVED:

That the following amended planning instruments be approved by the Planning Committee:

- (a) a revised Rural Hamilton Official Plan Amendment to delete policy 2.0 from the draft amendment presented to Planning Committee on November 3, 2020 and to

add a new policy 2.0 to prohibit the severance of the existing second dwelling on the lot and to change the inset map, attached as Appendix "A" to this Motion; and,

- (b) a revised Zoning By-law to establish a minimum lot area and prohibit a residential care facility, attached as Appendix "B" to this Motion.

DRAFT Rural Hamilton Official Plan Amendment No. X

The following text, together with Appendix "A" – Volume 3: Appendix A – Site Specific Key Map, attached hereto, constitutes Official Plan Amendment No. XX to the Rural Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to implement the Local Planning Appeals Tribunal Decision in Case No. PL180696 to approve a severance of two surplus farm dwellings, as a result of a farm consolidation, by creating a Rural Site Specific Area to permit the continued use of two existing dwellings on a residential lot.

2.0 Location:

The lands affected by this Amendment are known municipally as 2069 Binbrook Road, in the former Township of Glanbrook.

3.0 Basis:

The basis for permitting this Amendment is the proposed Amendment will implement the Decision of the Local Planning Appeals Tribunal Decision in Case No. PL180696.

4.0 Actual Changes:

4.3 Volume 3 – Special Policy Areas, Area Specific Policies, and Site Specific Policies

Text

4.3.1 Chapter B – Rural Site Specific Policies

That Volume 3, Chapter B – Rural Site Specific Areas be amended by adding a new Rural Site Specific Area, as follows:

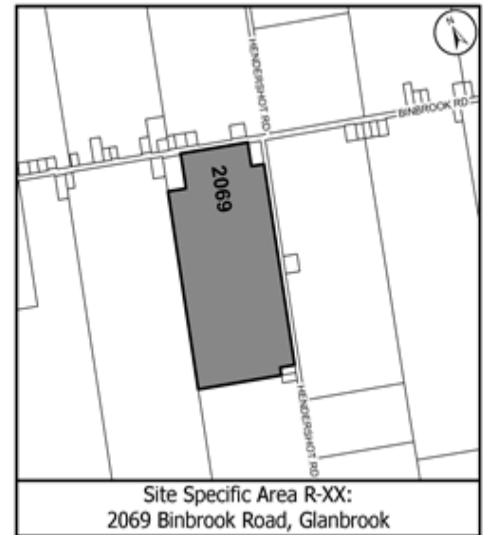
"R-XX Lands Located at 2069 Binbrook Road, former Township of Glanbrook

1.0 Notwithstanding Policy C.3.1.4 of Volume 1, the *existing* second dwelling previously recognized as a farm help house shall be permitted on the subject lands

2.0 The *existing* second dwelling shall not be severed.

4.3.2 Appendix

- a. That Volume 3, Chapter B – Site Specific Key Map be amended by identifying the subject lands as Site Specific Area R-XX, as shown on Appendix "A", attached to this Amendment.



5.0 Implementation:

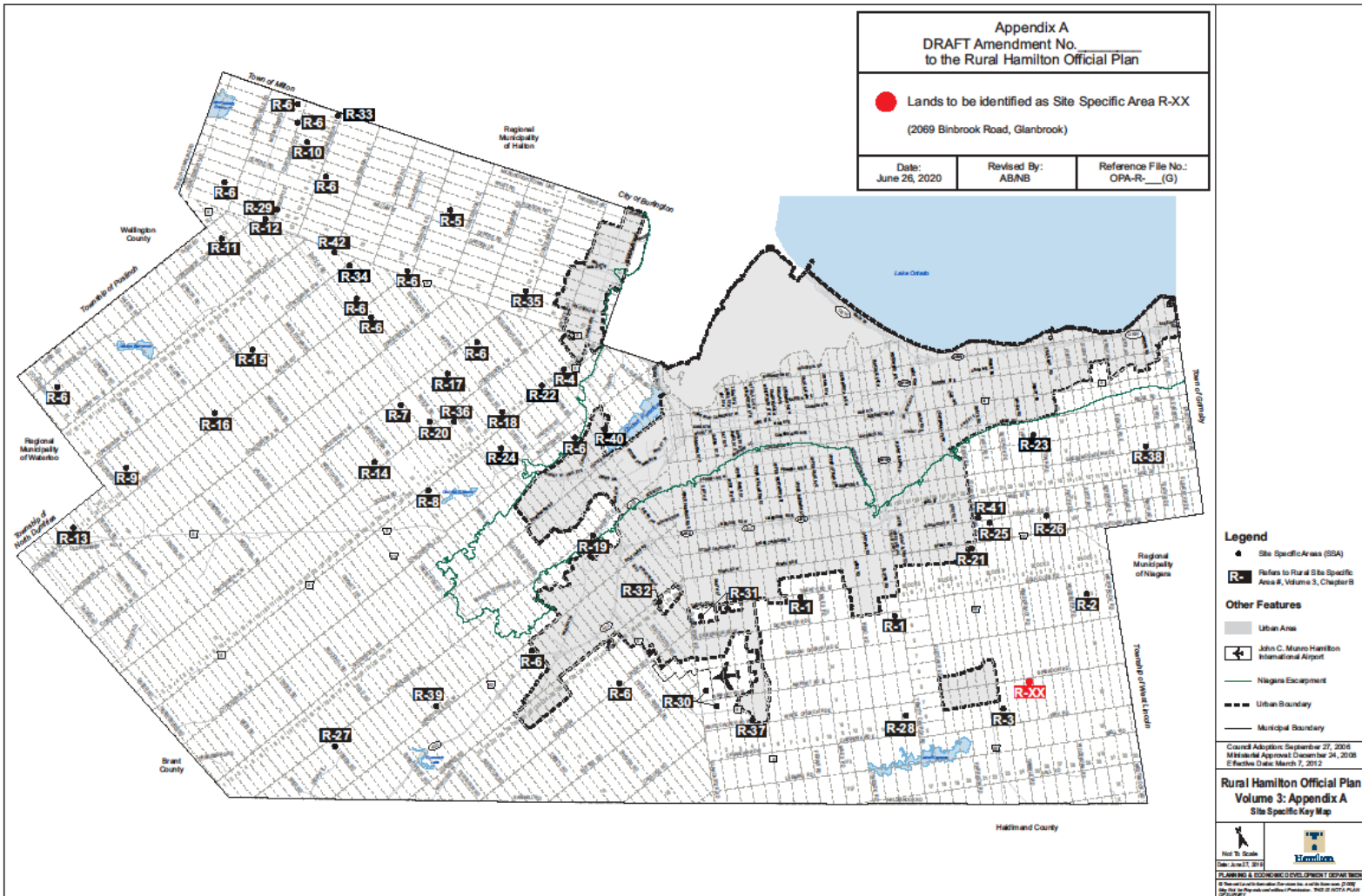
An implementing Zoning By-Law Amendment and Severance will give effect to the intended uses on the subject lands.

This Official Plan Amendment is Schedule "1" to By-law No. ____ passed on the ____th of _____, 2020.

**The
City of Hamilton**

F. Eisenberger
MAYOR

A. Holland
CITY CLERK



Appendix A
 DRAFT Amendment No. _____
 to the Rural Hamilton Official Plan

● Lands to be identified as Site Specific Area R-XX
 (2069 Binbrook Road, Glanbrook)

Date: June 26, 2020	Revised By: AB/NB	Reference File No.: OPA-R-____(G)
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Legend

- Site Specific Areas (SSA)
- R-XX Refers to Rural Site Specific Area #, Volume 3, Chapter B

Other Features

- Urban Area
- John C. Munro Hamilton International Airport
- Niagara Escarpment
- Urban Boundary
- Municipal Boundary

Council Adoption: September 27, 2006
 Municipal Approval: December 24, 2006
 Effective Date: March 7, 2012

Rural Hamilton Official Plan
Volume 3: Appendix A
Site Specific Key Map

Not To Scale
 Date: JUNE 27, 2020
 PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT
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Authority: Item,
Report
CM:
Ward: 11

Bill No.

CITY OF HAMILTON
BY-LAW NO.

**To amend Zoning By-law No. 05-200 with respect to lands located at 2069
Binbrook Road, Glanbrook**

WHEREAS Council approved Item __ of Report _____ of the Planning Committee, at its meeting held on MONTH DAY, 2021;of

AND WHEREAS this By-law conforms with the Rural Hamilton Official Plan, upon adoption of Rural Hamilton Official Plan Amendment No. ~~XXX~~

NOW THEREFORE Council amends Zoning By-law No. 05-200 as follows:

1. That Map 214 of Schedule “A” – Zoning Maps is amended by changing the zoning from the Agriculture (A1) Zone to the Agriculture (A1, 118) Zone for the lands attached as Schedule “A” to this By-law.
2. That Schedule “C” - Special Exceptions is amended by modifying special exception 118 with the following:
 - a) Adding reference to “2069 Binbrook Road” and “Map 214” to the Property Address and Map Numbers table as follows:

Property Address	Map Numbers
2069 Binbrook Road	214

- b) Adding subsection d) as follows:
 - “d) The following regulations shall also apply for the property located at 2069 Binbrook Road:
 - i) Notwithstanding Subsection 12.1.1, a Residential Care Facility shall be prohibited on the subject lands.
 - ii) Notwithstanding Subsection 12.1.3.1 a), for the lands located at 2069 Binbrook Road, the minimum lot area shall be 34.0 hectares.

**To amend Zoning By-law No. 05-200 with respect to lands located at 2069 Binbrook Road,
Glanbrook**

3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

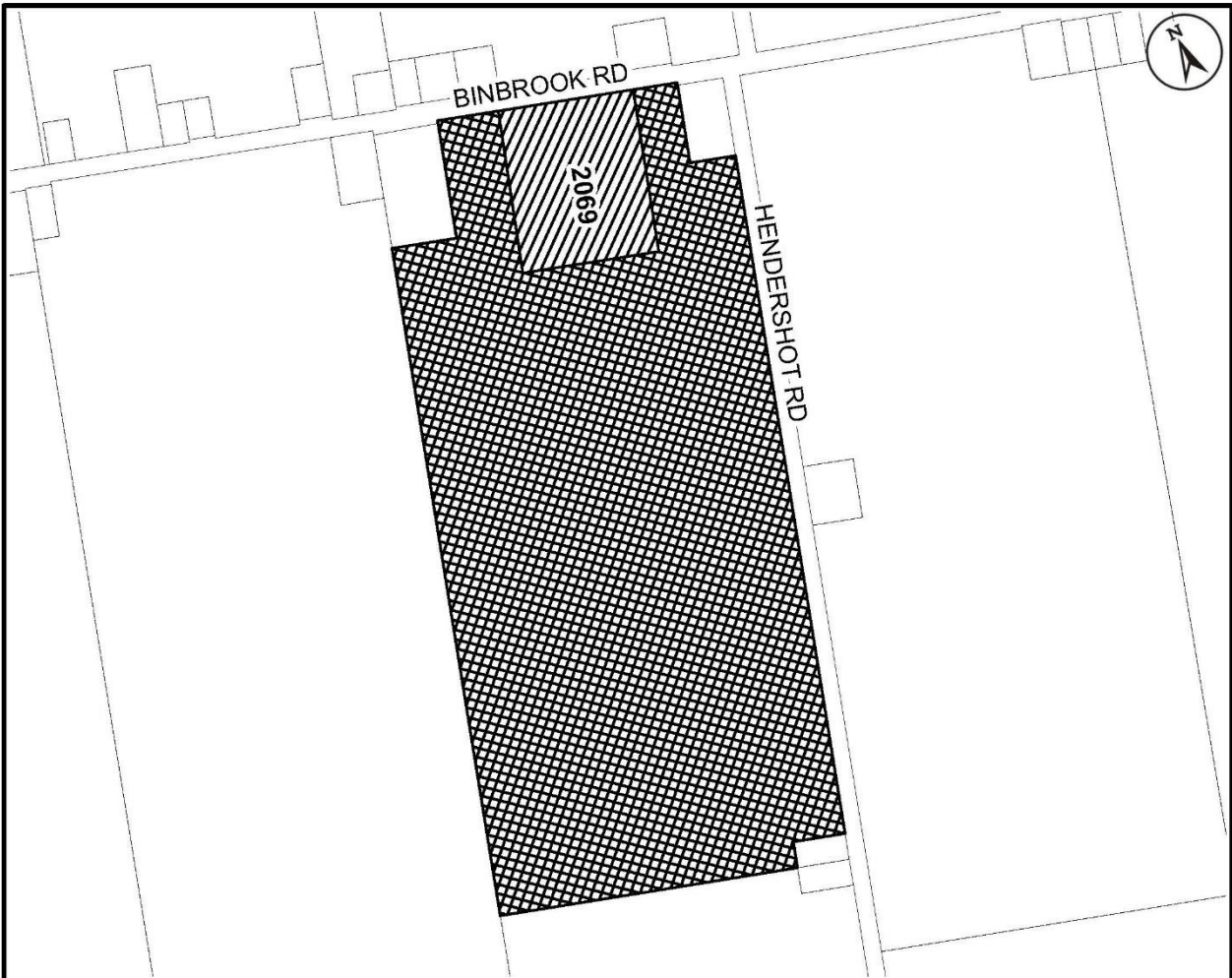
PASSED this _____ , 2021

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAA-20-022 and RHOPA-20-014
(Planning Committee Motion – March 23 21)

To amend Zoning By-law No. 05-200 with respect to lands located at 2069 Binbrook Road,
Glanbrook



<p>This is Schedule "A" to By-law No. 20- Passed the day of, 2020</p>	<p>----- Mayor ----- Clerk</p>
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<p>Schedule "A"</p> <p>Map forming Part of By-law No. 20-_____</p> <p>to Amend By-law No. 05-200 Map RU214</p>	<p>Subject Property 2069 Binbrook Road</p> <p> Other lands owned by applicant</p> <p> Change in Zoning from Agriculture (A1) Zone to Agriculture (A1, 118) Zone</p>
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<p>Scale: N.T.S</p>	<p>File Name/Number: ZAC-20-022 & RHOPA-20-014</p>	
<p>Date: October 5, 2020</p>	<p>Planner/Technician: AB/AL</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

CITY OF HAMILTON

NOTICE OF MOTION

Planning Committee: March 23, 2021

MOVED BY COUNCILLOR L. FERGUSON

SECONDED BY COUNCILLOR

105 Filman Road - Heritage Register

WHEREAS, 105 Filman Road, Ancaster is listed on the City's Municipal Heritage Register as a property of cultural heritage value or interest;

WHEREAS, 105 Filman Road, Ancaster is currently identified as a low priority on the Council-approved designation work plan;

WHEREAS, the owner has expressed an interest in the redevelopment of the property;

THEREFORE BE IT RESOLVED:

That 105 Filman Road, Ancaster be identified as high priority on the Council-approved designation work plan.